



Architectural Review Board Regular Meeting Agenda: February 4, 2021

Virtual Meeting
8:30 AM

*****BY VIRTUAL TELECONFERENCE ONLY*****

<https://zoom.us/join>

Meeting ID: 986 4526 8157

Phone number: 1 669 900 6833

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of Covid-19, this meeting will be held by virtual teleconference only, with no physical location. The meeting will be broadcast live on Cable TV and through Channel 26 of the Midpen Media Center at bit.ly/MidPenwatchnow.

Members of the public may comment by sending an email to arb@cityofpaloalto.org or by attending the Zoom virtual meeting to give live comments. Instructions for the Zoom meeting can be found on the last page of this agenda. Visit bit.ly/PAPendingprojects to view project plans and details.

Call to Order / Roll Call

Oral Communications

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

Agenda Changes, Additions, and Deletions

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

City Official Reports

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2) Tentative Future Agenda items and 3) Recent Project Decisions

Action Items

Public Comment is Permitted. Applicants/Appellant Teams: Ten (10) minutes, plus ten (10) minutes rebuttal. All others: Three (3) minutes per speaker.^{1,3}

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1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to two minutes or less to accommodate a larger number of speakers.

2. PUBLIC HEARING / QUASI-JUDICIAL. 180 El Camino Real [20PLN-00172]: Recommendation on Replacement of Wall Signs for Macy's that do not Comply with the Stanford Shopping Center Master Tenant Facade & Sign Program. Additionally, Consider Revisions to the Master Tenant Facade & Sign Program for Anchor Tenants. Environmental Assessment: Exempt per Guideline Section 15301. Zoning District: CC (Community Commercial District). For More Information Contact the Project Planner Samuel Gutierrez at Samuel.Gutierrez@cityofpaloalto.org.
3. 1700 Embarcadero Road [20PLN-000290]: Request for Preliminary Architectural Review of a Proposed Two-Story Approximately 31,377 Square Foot Automobile Dealership. Environmental Assessment: Not a Project. The Formal Application Will be Subject to California Environmental Quality Act (CEQA) Review. Zoning District: CS(D)(AD) (Service Commercial with Site and Design Review and Automobile Dealership Combining Districts). For More Information Contact the Project Planner Sheldon Ah Sing at sahsing@m-group.us.

Approval of Minutes

Public Comment is Permitted. Three (3) minutes per speaker.^{1,3}

4. Draft Architectural Review Board Meeting Minutes for December 3, 2020
5. Draft Architectural Review Board Meeting Minutes for December 17, 2020

Board Member Questions, Comments or Announcements

Adjournment

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Palo Alto Architectural Review Board

Boardmember Biographies, Present and Archived Agendas and Reports are available online: <http://www.cityofpaloalto.org/gov/boards/architectural/default.asp>. The ARB Boardmembers are:

Chair Osma Thompson
Vice Chair Grace Lee
Boardmember Peter Baltay
Boardmember David Hirsch
Boardmember Alex Lew

Get Informed and Be Engaged!

View online: <http://midpenmedia.org/category/government/city-of-palo-alto/> or on Channel 26.

Public comment is encouraged. Email the ARB at: arb@CityofPaloAlto.org.

Material related to an item on this agenda submitted to the ARB after distribution of the agenda packet is available for public inspection at bit.ly/paloaltoARB.

Americans with Disability Act (ADA)

It is the policy of the City of Palo Alto to offer its public programs, services and meetings in a manner that is readily accessible to all. Persons with disabilities who require materials in an appropriate alternative format or who require auxiliary aids to access City meetings, programs, or services may contact the City's ADA Coordinator at (650) 329-2550 (voice) or by emailing ada@cityofpaloalto.org. Requests for assistance or accommodations must be submitted at least 24 hours in advance of the meeting, program, or service.

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Public Comment Instructions

Members of the Public may provide public comments to teleconference meetings via email, teleconference, or by phone.

1. **Written public comments** may be submitted by email to arb@CityofPaloAlto.org
2. **Spoken public comments using a computer** will be accepted through the teleconference meeting. To address the Board, click on the link below for the appropriate meeting to access a Zoom-based meeting. Please read the following instructions carefully.
 - A. You may download the Zoom client or connect to the meeting in-browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
 - B. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
 - C. When you wish to speak on an agenda item, click on “raise hand”. The moderator will activate and unmute attendees in turn. Speakers will be notified shortly before they are called to speak. The Zoom application will prompt you to unmute your microphone when it is your turn to speak.
 - D. When called, please limit your remarks to the time limit allotted.
 - E. A timer will be shown on the computer to help keep track of your comments.
3. **Spoken public comments using a smart phone** will be accepted through the teleconference meeting. To address the Council, download the Zoom application onto your phone from the Apple App Store or Google Play Store and enter the Meeting ID below. Please follow instructions B-E above.
4. **Spoken public comments using a phone** use the telephone number listed below. When you wish to speak on an agenda item hit *9 on your phone so we know that you wish to speak. You will be asked to provide your first and last name before addressing the Board. You will be advised how long you have to speak. When called please limit your remarks to the agenda item and time limit allotted.

<https://zoom.us/join>

Meeting ID: 986 4526 8157

Phone number: 1 669 900 6833

(you may need to exclude the initial “1” depending on your phone service)

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Architectural Review Board

Staff Report (ID # 11970)

Report Type:	City Official Reports	Meeting Date: 2/4/2021
Summary Title:	City Official Report	
Title:	Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2) Tentative Future Agenda items and 3) Recent Project Decisions	
From:	Jonathan Lait	

Recommendation

Staff recommends the Architectural Review Board (ARB) review and comment as appropriate.

Background

The attached documents are provided for informational purposes. The Board may review and comment as it deems appropriate. If individual Boardmembers anticipate being absent from a future meeting, it is requested that be brought to staff's attention when considering this item.

The first attachment provides a meeting and attendance schedule for the current calendar year. Also included are the subcommittee assignments, which are assigned by the ARB Chair.

The second attachment is a Tentative Future Agenda that provides a summary of upcoming projects or discussion items. The hearing dates for these items are subject to change.

Board level Architectural Review approvals can be found on the City's webpage at <http://bit.ly/PAapprovedprojects>.

Administrative staff-level Architectural Review approvals can be found on the City's webpage at <http://bit.ly/PAstaffapprovals>. Any party, including the applicant, may request a hearing by the ARB on the proposed director's decision(s) by filing a written request with the planning division. There shall be no fee required for requesting such a hearing.

However, pursuant to 18.77.070(b)(5) any project relating to the installation of cabinets containing communications service equipment or facilities, pursuant to any service subject to Palo Alto Municipal Code Chapter 2.11, Chapter 12.04, Chapter 12.08, Chapter 12.09, Chapter

12.10, or Chapter 12.13 is not eligible for a request for hearing by any party, including the applicant.

No action is required by the ARB for this item.

Attachments:

- Attachment A: ARB Meeting Schedule Assignments (DOCX)
- Attachment B: Tentative Future Agendas (DOCX)



Architectural Review Board 2021 Meeting Schedule & Assignments

2021 Schedule

Meeting Dates	Time	Location	Status	Planned Absences
1/7/2021	8:30 AM	Cancelled	Regular	
1/21/2021	8:30 AM	Cancelled	Regular	
2/4/2021	8:30 AM	Virtual Meeting	Regular	
2/18/2021	8:30 AM	Virtual Meeting	Regular	
3/4/2021	8:30 AM	Virtual Meeting	Regular	
3/18/2021	8:30 AM	Virtual Meeting	Regular	
4/1/2021	8:30 AM	Virtual Meeting	Regular	
4/15/2021	8:30 AM	Virtual Meeting	Regular	
5/6/2021	8:30 AM	TBD	Regular	
5/20/2021	8:30 AM	TBD	Regular	
6/3/2021	8:30 AM	TBD	Regular	
6/17/2021	8:30 AM	TBD	Regular	
7/1/2021	8:30 AM	TBD	Regular	
7/15/2021	8:30 AM	TBD	Regular	
8/5/2021	8:30 AM	TBD	Regular	
8/19/2021	8:30 AM	TBD	Regular	
9/2/2021	8:30 AM	TBD	Regular	
9/16/2021	8:30 AM	TBD	Regular	
10/7/2021	8:30 AM	TBD	Regular	
10/21/2021	8:30 AM	TBD	Regular	
11/4/2021	8:30 AM	TBD	Regular	
11/18/2021	8:30 AM	TBD	Regular	
12/2/2021	8:30 AM	TBD	Regular	
12/16/2021	8:30 AM	TBD	Regular	

2021 Subcommittee Assignments

Assignments will be made by the ARB Chair on the day of the hearing

January

February

March

April

May

June

July

August

September

October

November

December



Architectural Review Board 2021 Tentative Future Agenda

The Following Items are Tentative and Subject to Change:

Meeting Dates	Topics
February 18, 2021	<ul style="list-style-type: none">• 650 Clark Way: Creek Bank Restoration• ARB Review of Objective Standards• 656 Lytton Ave: Subcommittee (Lee and Hirsch)



Architectural Review Board

Staff Report (ID # 11855)

Report Type: Action Items **Meeting Date:** 2/4/2021

Summary Title: 180 El Camino Real: Macy's Sign Replacement

Title: PUBLIC HEARING / QUASI-JUDICIAL. 180 El Camino Real [20PLN-00172]: Recommendation on Replacement of Wall Signs for Macy's that do not Comply with the Stanford Shopping Center Master Tenant Facade & Sign Program. Additionally, Consider Revisions to the Master Tenant Facade & Sign Program for Anchor Tenants. Environmental Assessment: Exempt per Guideline Section 15301. Zoning District: CC (Community Commercial District). For More Information Contact the Project Planner Samuel Gutierrez at Samuel.Gutierrez@cityofpaloalto.org.

From: Jonathan Lait

Recommendation

Staff recommends the Architectural Review Board (ARB) take the following action(s):

1. Recommend approval of the proposed project to the Director of Planning and Development Services based on findings and subject to conditions of approval.
2. Provide direction to staff regarding the future application of the MTFS program for anchor tenants.

Report Summary

The applicant is proposing replacement of the existing legal non-conforming signage on the Macy's building (Building K) within the Stanford Shopping Center. The proposed signage complies with the Municipal Code wall signage area limitations. The proposed signage, however, requires ARB approval because it does not comply with the Master Tenant Façade & Sign (MTFS) program for the Shopping Center.

This application brings to light a possible flaw in the MTFS program as it does not separate the anchor tenants (major tenants like Macy's) from others in the Shopping Center. Staff suggests

future modification to the MTFs program to account for the different context of the anchor tenants versus smaller tenants within the Shopping Center.

Background

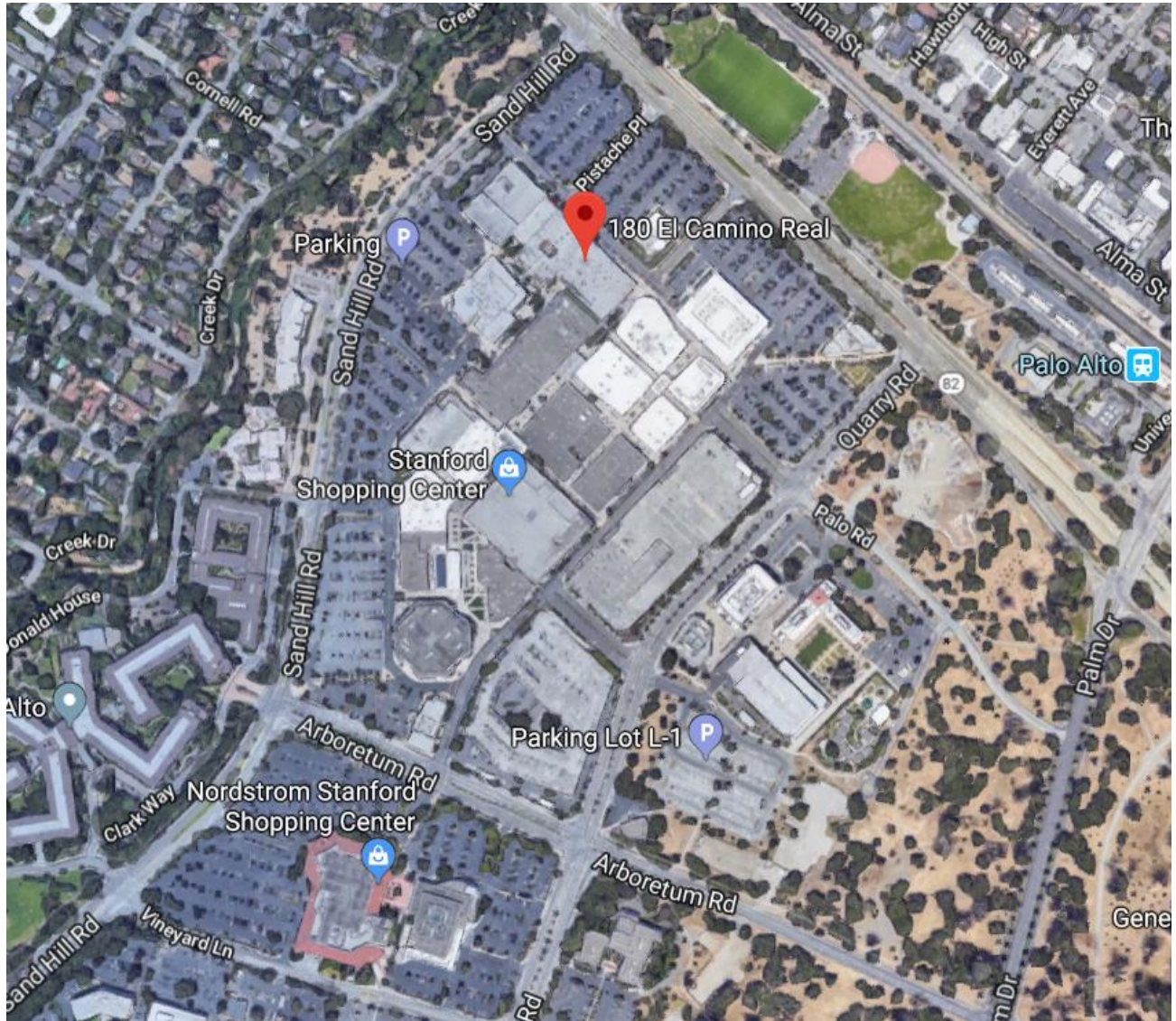
Project Information

Owner:	The Board of Trustees of Leland Stanford Jr. University
Architect:	N/A
Representative:	Bill Comer - All California Signs
Legal Counsel:	N/A

Property Information

Address:	180 El Camino Real
Neighborhood:	Stanford Shopping Center
Lot Dimensions & Area:	Various & 2,300,402 square feet (sf); 52.8 acres
Housing Inventory Site:	N/A
Located w/in a Plume:	N/A
Protected/Heritage Trees:	Various throughout the site, with seven Oaks near building footprint
Historic Resource(s):	N/A
Existing Improvement(s):	1,361,751 sf; 1 to 3 stories; 37' height max.
Existing Land Use(s):	Retail, Personal Service, Commercial Recreation
Adjacent Land Uses & Zoning:	North: (Caltrain and parkland) PF West: (Multi-Family Housing) CC(L)/PF(D) East: (Medical Offices and Supportive Services) HD South: (Retail) CC

Aerial View of Property:



Source: Google Maps

Land Use Designation & Applicable Plans

Zoning Designation:	Community Commercial (CC)
Comp. Plan Designation:	Regional/Community Commercial
Context-Based Design Criteria:	Not Applicable
Downtown Urban Design Guide:	Not Applicable
South of Forest Avenue Coordinated Area Plan:	Not Applicable
Baylands Master Plan:	Not Applicable
El Camino Real Design Guidelines (1976 / 2002):	El Camino Real Design Guidelines 1976 only

Prior City Reviews & Action

City Council:	None
PTC:	None
HRB:	None
ARB:	None

Project Description

Staff recommends the Applicant's (Macy's) request for approval of five (5) wall signs (See Table 1 below) to allow for replacement of the existing wall signs for Macy's within the Stanford Shopping Center. While the replacement signage complies with the City's Sign Code, PAMC Chapter 16.20, the height exceeds what is allowed under the Master Tenant Facade & Sign Program. Therefore, the Director requests a recommendation on this signage exception from the ARB.

To eliminate this issue in the future, staff would like to discuss future revisions to the Master Tenant Facade & Sign Program.

Requested Entitlements, Findings and Purview:

The following discretionary applications are being requested:

- Architectural Review – Major (AR): The process for evaluating this type of application is set forth in PAMC 18.77.070. AR applications are reviewed by the ARB and recommendations are forwarded to the Director of Planning & Development Services for action within five business days of the Board's recommendation. Action by the Director is appealable to the City Council if filed within 14 days of the decision. AR projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make anyone finding requires project redesign or denial. The findings to approve an AR application are provided in Attachment B.

Analysis¹

The project is located within the Stanford Shopping Center. The project specifically involves the Macy's building (also known as Building K) located on the South East portion of the Shopping Center. The applicant proposes removing the existing legal non-conforming signage on the exterior the façade located on four sides of the Macy's building and replacing them with new signage. The new signage, though smaller than the existing signage, would be larger than the

¹ The information provided in this section is based on analysis prepared by the report author prior to the public hearing. The Architectural Review Board in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to make alternative findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

approved Master Tenant Façade and Sign (MTFS) program allows. Because the new signs would not be consistent with the MTFS program, Architectural Review is required.

The tenant space involved in this project is approximately 225,830 sf and is the largest anchor tenant at the Shopping Center. The exterior design of the Macy's building has large scale features and little to no windows on the individual façades (four sides). The main entrance of the Macy's building facing the interior of the Shopping Center has a series of medium-sized archways with a large central archway defining the façade of the building and the entryway arched windows. The Macy's building is rectangular with the largest sides being 307 feet long and the shorter side being 249 feet long. The height of the building is approximately 53 feet 2 inches tall, bringing the wall areas for signage to 16,271 sf and 13,197 sf respectively.

Macy's has continued to occupy this building for decades and has had the existing exterior signage on the building for several years before the adoption of the MTFS program. This has resulted in the existing signage becoming inconsistent with the MTFS program signage regulations.



Existing Exterior Facing Façade (South West)

Zoning Compliance²

Staff performed a detailed review of the proposed project's consistency with applicable zoning standards. The proposed project complies with all applicable codes or is seeking through the requested permits permission to deviate from certain code standards, in a manner that is consistent with the Zoning Ordinance.

The application includes five (5) walls signs. Below is a copy of the table from Attachment C that indicates the existing signage size and location verse the proposed signage.

² The Palo Alto Zoning Code is available online: http://www.amlegal.com/codes/client/palo-alto_ca

Table 1: Signage Location and Size

Existing Signs/ Location	Dimensions	Location	Proposed Signs/ Location	Dimensions	Location	MTFSP Compliance
CL1	5' x 30'; 150 sf	Façade wall	CL1	15' 6" X 4' 4" Area = 66.6 sf	Façade wall	No
CL2	5' x 30' Area= 150 sf	Façade wall	CL2	15' 6" X 4' 4" Area = 66.6 sf	Façade wall	No
CL3	2' x 9 ^{13/16"} Area = 42 sf	Façade wall	CL3	3' 6" x 12' 6" Area = 43.75 sf	Façade wall	No
CL4	3' 5 5/8" x 12'; 41.6sf	Façade wall	CL4	3' 6" x 12' 6" Area = 43.75 sf	Façade wall	No
CL5	5' x 150' Area= 150 sf	Façade wall	CL5	15' 6" X 4' 4" Area = 66.6 sf	Façade wall	No

It should be noted that per the Palo Alto Municipal Code signage regulations the building faces are allowed to have signage measuring 203 sf. This is because the building sides have façade wall areas of approximately 13,197 sf (northwest & southeast sides) and 16,271 sf (southwest & northeast sides). More specifically, the standards for wall signs are detailed in PAMC 16.20.130, are listed below:

- (a) *Area.* The maximum wall sign area for each building face shall be as indicated on Table 3*.
- (b) *Height.* No part of any wall sign shall extend above the top level of the wall upon or in front of which it is situated. Any such sign which is suspended or projects over any public or private walkway or walk area shall have an overhead clearance of at least seven feet.
- (c) *Thickness or Projection.* No such sign, including any light box or other structural part, shall exceed a thickness of ten inches. In any sign consisting of cutout or raised characters, said characters shall project no more than six inches from the mounting surface, except that when the average area of the individual characters exceeds six square feet, the projection may be increased by one-half inch for each additional square foot of average area over six feet, in no case to exceed fifteen inches.
- (d) *Number.* Subject to the provisions of Section [16.20.170](#), there may be any number of such signs for each building face, but in no case shall the total wall sign area for each face exceed that

shown in Table 3. No building shall be deemed to have more than four building faces. (Ord. 3359 § 1 (part), 1984)*

The Sign Code also has requirements for modification of nonconforming signs (PAMC 16.20.220). While the existing signs are legal non-conforming, once altered they must come into compliance with the City's Sign Code. The proposed signs would be reduced in size, bringing them all into compliance with the Municipal Sign Code.

Consistency with the Comprehensive Plan, Area Plans, and Guidelines³

Policy L-50 of the Comprehensive Plan encourages "... high-quality signage that is attractive, appropriate for the location and balances visibility needs with aesthetic needs". The façades of the building have a very large scale as there are minimal windows and doors along with the ground level. The design of the building is not pedestrian in scale and is in line with creating a presence within the Shopping Center that is indicative of older department store design. This contributes to the Shopping Centers mixture of traditional and modern Shopping Center designs when viewing the smaller modern tenants with the anchor tenants' designs.

The location of these five (5) signs is consistent with existing signage on the building and would be uncluttered while still providing visibility from several angles within the Shopping Center and maintaining the traditional feel of the existing large signage. The proposed materials are high quality and consist of a painted aluminum cabinet for individual letters, and the chosen color palette of black, white, and red is typical of current Macy's branding. These colors and materials will complement the surrounding Shopping Center environment.

1979 El Camino Real (ERC) Design Guidelines

The Shopping Center site is subject to the El Camino Real (ERC) Design Guidelines (1979 ECR Guidelines). The 1979 ECR Guidelines state that signs on ECR shall be limited to ½ to 2/3 the maximum size permitted by the Sign Code.⁴ During a previous hearing for the new Shake Shack design (ARB 6/21/2018 <http://bit.ly/shakeshack1ARB>) within building W at the Shopping Center, the applicability of the ECR Guidelines was discussed. Staff and the ARB concluded the intent of the size reduction appears to be for signage along ECR that is within the line of sight or public view from ECR. Therefore, the ECR Design Guidelines do not appear to be applicable in this specific case, as the Macy's building is approximately 1000 feet from ECR and is not visible from ECR at any point. Given the situation and the reading of the ECR Design Guidelines, staff has not included ECR Design Guidelines considerations for this application. Though staff welcomes a conversation from the ARB on thresholds for the application of the ECR Design Guidelines relative to the Shopping Center.

Consistency with Application Findings

ARB Findings can be made for the proposed signage and are detailed in Attachment B.

³ The Palo Alto Comprehensive Plan is available online: <http://www.cityofpaloalto.org/gov/topics/projects/landuse/compplan.asp>

⁴ ECR Design Guidelines: <https://www.cityofpaloalto.org/civicax/filebank/documents/19040>

MTFS Program Modification Considerations

The current MTFS program does not provide specifics for anchor tenants and how their signage relative to their building size should be regulated. Instead, the program was designed to create consistency within the Shopping Center for the majority of the tenants, which occupy smaller individual tenant spaces throughout the Shopping Center. These smaller more ubiquitous tenant spaces have a higher rate of turnover compared to anchor tenants. Thus the smaller spaces regularly have new tenants with new façades and signage. The MTFS program works well with these smaller tenants as it provides a clear set of regulations for their façade and signage while maintaining consistency and pedestrian scale.

The MTFS program signage regulations, however, were not written to address the anchor tenants. The MTFS program is designed to be adjusted when needed to better fit the Shopping Centers' needs as time goes on. The Macy's application has presented a possible opportunity to make an adjustment to the MTFS program.

For reference, the last anchor tenant to have signage reviewed by the ARB was the Bloomingdales building which was completed with Phase 3 of the Shopping Center redevelopment in 2014. At that time, the MTFS program was not completed and the Bloomingdale signage was reviewed by the ARB with the building's architecture. Most recently, the ARB reviewed the major redevelopment for the Macy's Men's project that included a new anchor buildings (Restoration Hardware). In those applications, signage was not formally reviewed and approved with the building architecture. Signage shown on the elevations were only for reference of possible signage locations. In both the Restoration Hardware and the Wilkes Bashford projects, the signage is shown to be above entry points to the buildings and approximately four feet tall. With current regulations, these tenants would need to submit applications for separate approvals to have signs that are over two feet tall for single line signs or three feet tall for stacked signs.

Staff seeks the ARB's guidance on changing the MTFS program to provide greater flexibility for anchor tenant signage as they have very different sizes and scales than standard tenants. For additional reference, the last standard tenant spaces the ARB reviewed were within the Market Plaza (three tenants total), all of which had a max façade height between 26 feet to 29 feet. The subject Macy's building is 53 feet tall and the under-construction Restoration Hardware building will be 50 feet tall. The application of the same signage standards does not appear to be beneficial for these Anchor tenants. A draft concept for Anchor tenants' signage would be to have the maximum sign areas be 80% of the maximum signage area allowed by the Sign Code for wall signs (Attachment C table 3)

Environmental Review

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is exempted from the California

Environmental Quality Act under the Class 1 15301 Existing Facilities exemption as this project is proposing new signage on the exterior of an existing building on site.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing to be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post* on January 22, 2021, which is 16 days in advance of the meeting. Postcard mailing occurred on January 21, 2021, which is 17 days in advance of the meeting.

Public Comments

As of the writing of this report, no project-related, public comments were received.

Alternative Actions

In addition to the recommended action, the Architectural Review Board may:

1. Approve the project with modified findings or conditions;
2. Continue the project to a date (un)certain;
3. Continue the project until changes can be made to the MTFS program; or
4. Recommend project denial based on revised findings.

Report Author & Contact Information

Samuel Gutierrez, Planner
 (650) 329-2225

samuel.gutierrez@cityofpaloalto.org

ARB⁵ Liaison & Contact Information

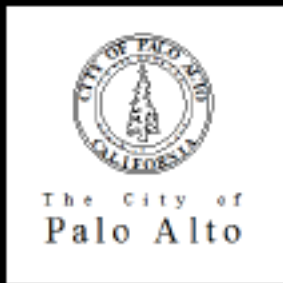
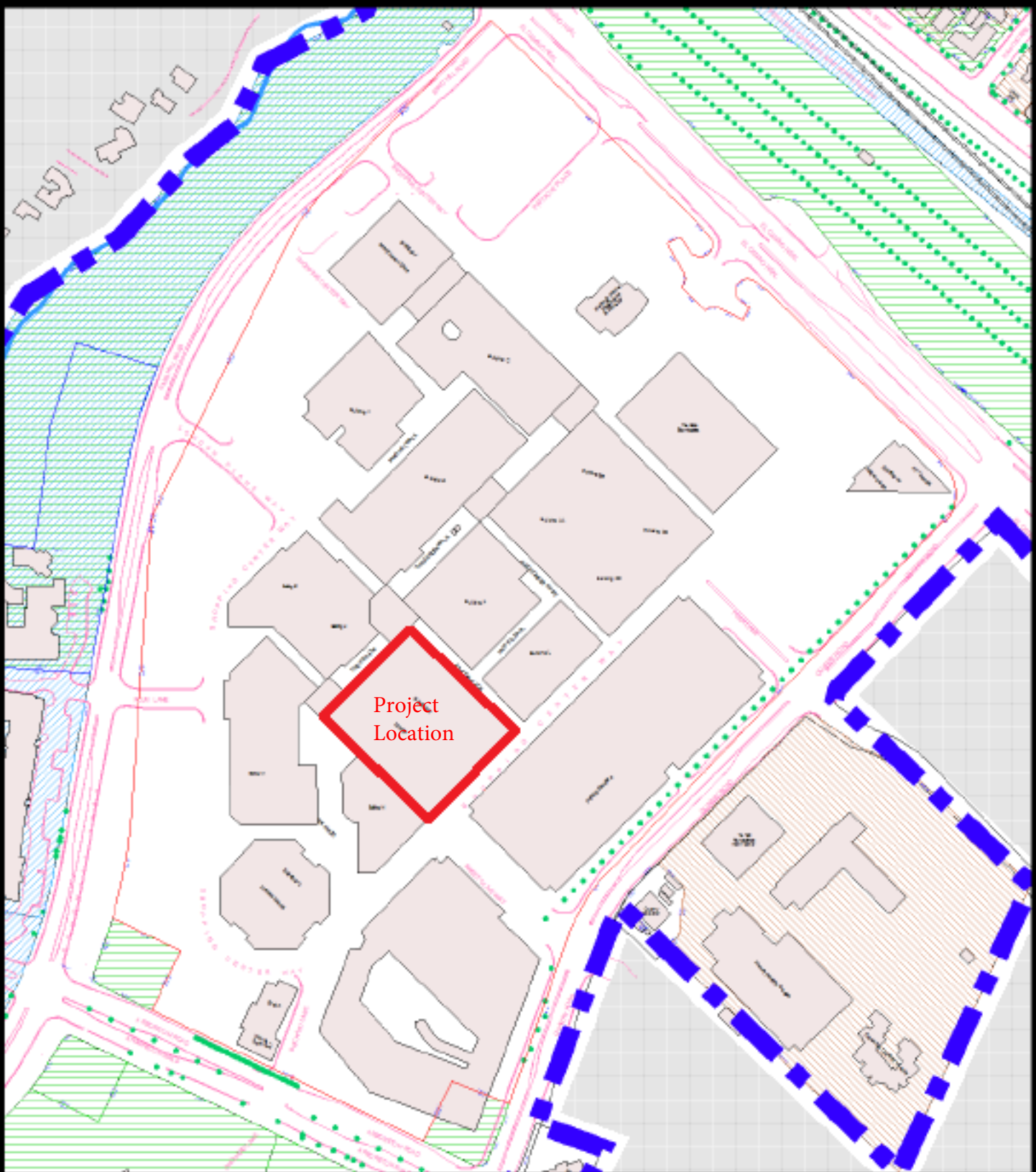
Jodie Gerhardt, Planning Manager
 (650) 329-2575

jodie.gerhardt@cityofpaloalto.org

Attachments:

- Attachment A: Location Map (PDF)
- Attachment B: Draft ARB Findings (DOCX)
- Attachment C: Zoning Comparison Table (DOCX)
- Attachment D: Draft Conditions of Approval (DOCX)
- Attachment E: Applicant Sign Exemption Letter (PDF)
- Attachment F: Master Tenant Facade & Sign Program (PDF)
- Attachment G: Project Plans (DOCX)

⁵ Emails may be sent directly to the ARB using the following address: arb@cityofpaloalto.org



180 EL Camino Real

This map is a product of the City of Palo Alto GIS



ATTACHMENT B
ARB FINDINGS FOR APPROVAL
180 El Camino Real/20PLN-00172

Finding 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.

The project is consistent with Finding #1 because:

The proposed signage would bring the Macy's façade signage into greater compliance with the MTFS program compared to the existing legally non-conforming signage. The new signage is compliant with the City's sign code as none of the signs that are proposed would exceed the signage area limitations and they comply with the City's combination of signs regulations where the maximum per building façade would be 203 sf. Currently the largest existing signage are approximately 150 sf in area, while the proposed signage are either 43.75 sf or 66.6 sf in area. The MTFS was intended to create consistency within the Shopping Center while allowing enough variation between tenants to set them apart from one another. However, in this specific case the MTFS programs signage high limitations of 24" for façade signage (36" for stacked signs) is not as readily appropriate for the Macys' building as it is the largest anchor tenant (building with a single tenant) at the Shopping Center with approximately 225,830 sf over three floors and over 50 feet tall. Being that the building is so large, limiting the façade signage to 24" tall was not the intent of the MTFS program as anchor tenants are outlier buildings for the MTFS program and the proposed signage is architecturally compatible with the scale of the building.

Finding 2: The project has a unified and coherent design, that:

- (a) Creates an internal sense of order and desirable environment for occupants, visitors, and the general community,**
- (b) Preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,**
- (c) Is consistent with the context-based design criteria of the applicable zone district,**
- (d) Provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,**
- (e) Enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.**

The project is consistent with Finding #2 because:

Granting the requested signage exception for this specific anchor building to remain distinctively set apart from the rest of the Shopping Center and would be applied to other anchor tenants for the Shopping Center. This would not conflict with the MTFS programs intent to provide an internal sense of order and desirable environment for occupants, visitors, and the general community. The proposed

signage is also of a consistent design and illumination on each façade, creating a sense of order and consistency for the subject building.

Finding 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.

The project is consistent with Finding #3 because:

The proposed signs are made of aluminum and acrylic materials that are durable while also being simple, clean, and aesthetically pleasing. The primary color palette of black, white and red proposed for the signage material create are typical of the tenants corporate copy and other tenant signage throughout the Shopping Center. While the reverse halo illuminate provide a modern and sleek appearance at night.

Finding 4: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

The project is consistent with Finding #4 because:

The signage is proposed to be placed where the existing signage is location on each building façade and said locations provide clear wayfinding for pedestrians, cyclists, and motorists entering the Shopping Center to identify the Macy's building readily. The black aluminum surrounds with white and red sign faces paired with the reverse halo illumination provide excellent contrast and is easily visible to visitors of the Shopping Center.

Finding 5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

The project is consistent with Finding #5 because:

Finding #5 is not applicable for this project. The existing landscaping will not be impacted by the proposed signage.

Finding 6: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

The project is consistent with Finding #6 because:

The proposed signs are illuminated and made of durable long-lasting materials and are subject to the green building energy regulations.

Sign Exception

The following findings have been made to support the sign exception request to exceed the maximum signage and height per the approved Master Tenant Façade & Sign (MTFS) program, as modified by the ARB approval conditions. The specific exception that has been requested is for the following standard:

- To exceed the maximum height for walls sign of 24 inches tall.
- To exceed the maximum number of walls signs allowed.

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district;

The subject building is the largest building within the Stanford Shopping Center. This building is also one of the oldest buildings with signage that predates the MTFS program. The MTFS program was created to allow the vast majority of tenants within the Shopping Center to more readily update facades and signage while creating a consistent and coherent designs throughout the Shopping Center. Major tenants such as Macy's (Anchor Tenant) were not specifically considered as they are not tenants that regularly turn over for new occupancy. The application of the MTFS program wall signage regulations would not be consistent with the Macy's building (Building K) size. Staff recommends approval of the proposed signage because of the scale of existing building within the Shopping Center and the existing wall signage regulations of the MTFS program are in context, not appropriate for anchor tenants.

2. The granting of the application is necessary for the preservation and enjoyment of a substantial property right of the applicant and to prevent unreasonable property loss or unnecessary hardships;

Visibility of signage is important for any site to be easily identifiable and promote a sense of place in the community. The proposed signs for Macy's within the Shopping Center have been thoughtfully designed for compatibility with the large scale of the Macy's building in context to the Shopping Center with a reduction in signage area over the existing signs and were reviewed and found consistent with the Architectural Review findings as required by the Municipal Code.

3. The granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience.

The signs were designed to be aesthetically pleasing and would not detract from the visual environment. The placement and appearance of the signs do not pose safety hazards nor do they detract from the subject building or surrounding properties.

Attachment C

Zoning Comparison Table

All signs are located on the exterior façades of the Macy's building

Sign Type / Location	Allowed Size (MTFS)	Existing Signs/ Location	Existing Dimensions	Proposed Signs/ Location	Dimensions	Sign Code & MTFSP Compliance
Wall sign/ East elevation	24" tall or 36" for stacked signs	CL1	5' x 30' Area = 150 sf	CL1	15' 6" X 4' 4" Area = 66.6 sf	Yes & No, Sign Exception Requested
Wall sign/ North elevation	24" tall or 36" for stacked signs	CL2	5' x 30' Area= 150 sf	CL2	15' 6" X 4' 4" Area = 66.6 sf	Yes & No, Sign Exception Requested
Wall sign/ West elevation	24" tall or 36" for stacked signs	CL3	2' x 9 ^{13/16"} Area = 42 sf	CL3	3' 6" x 12' 6" Area = 43.75 sf	Yes & No, Sign Exception Requested
Wall sign/ West elevation	1 sign allowed as a "secondary sign, max height 18" or 24" emblems	CL4	3' 5 5/8" x 12' Area = 41.6sf	CL4	3' 6" x 12' 6" Area = 43.75 sf	Yes & No, Sign Exception Requested
Wall sign/ South elevation	24" tall or 36" for stacked signs	CL5	5' x 150' Area= 150 sf	CL5	15' 6" X 4' 4" Area = 66.6 sf	Yes & No, Sign Exception Requested

NOTE: PAMC sign code maximum signage area for this building is 203 sf due to the building sides having a façade wall area of approximately 13,197 sf (northwest & southeast sides) and 16,271 sf (southwest & northeast sides).

All proposed signs are illuminated with the main "macy's" copy being reverse halo lit and the star logo being internally illuminated. Reference exhibit shown below



Signage Location





Signage Comparison Existing and Proposed Exhibits

CL 1 Letterset 3" deep to be pinned off the wall 1-1/2" for silhouette illumination
 Star Logo 5" deep to be face illuminated.



EXISTING 5' X 30' - 150 SQ FT



PROPOSED 4.3' X 15.5' - 66.6 SQ FT



CL 2 Letterset 3" deep to be pinned off the wall 1-1/2" for silhouette illumination
Star Logo 5" deep to be face illuminated.



EXISTING 5' X 30' - 150 SQ FT



PROPOSED 4.3' X 15.5' - 66.6 SQ FT



Real Macy's Bldg K
4304

CL 3 Letterset 3" deep to be pinned off the wall 1-1/2" for silhouette illumination
Star Logo 5" deep to be face illuminated.



EXISTING 2.80' X 15' - 42 SQ FT



PROPOSED 3.5' X 12.5' - 43.75 SQ FT



CL 4 Letterset 3" deep to be pinned off the wall 1-1/2" for silhouette illumination
Star Logo 5" deep to be face illuminated.



EXISTING 2.80' X 15' - 42 SQ FT



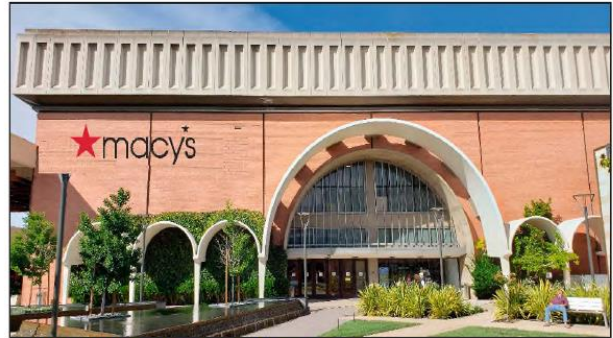
PROPOSED 3.5' X 12.5' - 43.75 SQ FT



CL 5 Letterset 3" deep to be pinned off the wall 1-1/2" for silhouette illumination
Star Logo 5" deep to be face illuminated.



EXISTING 5' X 30' - 150 SQ FT



PROPOSED 4.3' X 15.5' - 66.6 SQ FT

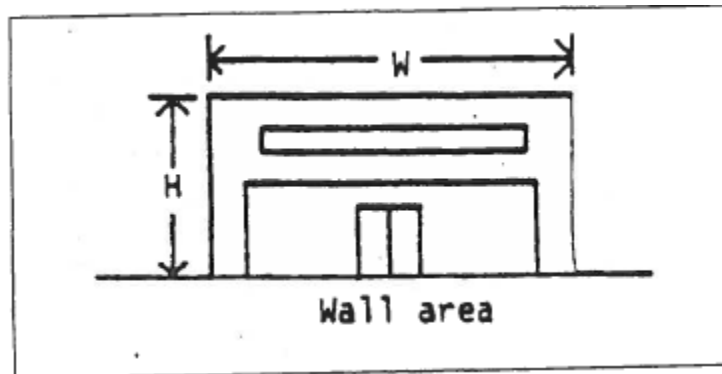
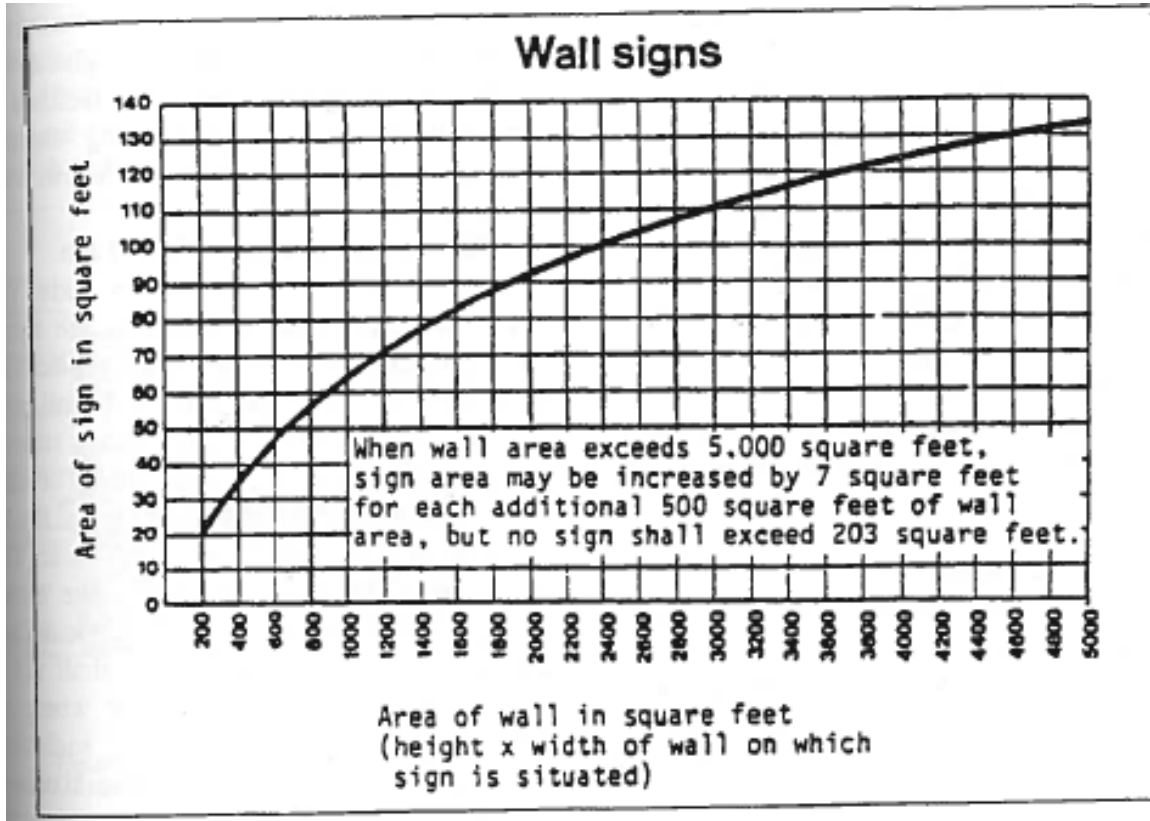


PAMC 16.20 Sign Code

Chapter 16.20 — Table 3

Allowable Sign Area for Walls Signs

NOTE: THESE ARE MAXIMUM DESIGN DIMENSIONS, AND MAY BE REDUCED IN THE DESIGN REVIEW PROCESS PURSUANT TO [CHAPTER 16.48](#)



**Attachment D
Draft Conditions of Approval**

PLANNING DIVISION

1. CONFORMANCE WITH PLANS. Construction and development shall conform to the approved plans entitled, "Macys Signage," stamped as received by the City on October 19, 2020 on file with the Planning Department, 250 Hamilton Avenue, Palo Alto, California except as modified by these conditions of approval.
2. BUILDING PERMIT. Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
3. BUILDING PERMIT PLAN SET. The ARB approval letter including all Department conditions of approval for the project shall be printed on the plans submitted for building permit.
4. PROJECT MODIFICATIONS: All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
5. INDEMNITY: To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.
6. FINAL INSPECTION: A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, landscaping and hard surface locations. Contact your Project Planner, Samuel Gutierrez at samuel.gutierrez@cityofpaloalto.org to schedule this inspection.

Building Department

7. A building permit is required for the construction of the illuminated monument sign using the current applicable codes: CBC, CEC, CEnC, and PAMC. The supporting foundation, framing and connection details, and the Title 24 Lighting compliance forms are required for the building permit submittal.
8. For the post mounted vehicular and pedestrian wayfinder signs, provide the supporting foundation and anchorage details for the building permit. For post mounted signs that overhang the pedestrian circulation paths, the lowest edge of the sign shall be 80 inches minimum above the finish floor or ground. Please indicate this dimension on the plans for the building permit. (CBC 11B-307.3)
9. The review and approval of this project does not include any other items of construction other than those written in the ARB project review application included with the project plans and documents under this review. If the plans include items or elements of construction that are not included in the written description, it or they may not have been known to have been a part of the intended review and have not, unless otherwise specifically called out in the approval, been reviewed.

All California Signs

325 Sharon Park Dr., D2-212, Menlo Park, CA 94025

Contractors License #636326

NorCal (408) 689-2607

bcomer@acsign.com

SoCal (949) 209-8716

This letter is in support of our request for a variance for the Macy's signs at 180 El Camino Real Bldg K in the Stanford Shopping Center.

These are unprecedented times for Macy's and other major retailers across the country. Like other retailers Macy's has been forced to make tough decisions regarding each location. Macy's plans for the store here in Palo Alto and other upscale location are to improve the stores by refreshing the interior design and updating our exterior signage. A big part of that work is to feature our new logo in our advertising, store displays and signage. All done with the intent in keeping and, hopefully, expanding foot traffic and sales at these locations.

Stanford Shopping Center's sign program has put limitations on height of all new signs. That limitation work well for the typical smaller store front but not for larger anchor tenants. A sign that is both readable and aesthetically pleasing on a smaller store front when placed on the large anchor stores looks like a mistake was made. In 2013 the ARB recognized this and granted us a variance for the new Bloomingdale's store.

Stanford Shopping Centers sign program restricts all signs to maximum height of 36". This fails to consider the impact of certain tpestyles, upper- and lower-case letters, stroke thickness and logo elements on the sign. In Macy's is case it is adversely impacted by all of these. A tpestyle that has a thin stroke, a lower-case 'y' that descends and the all-important ascending red 'star'. These elements, when applied to the current sign criteria, reduce the macy's name to the point where it is virtually lost on the large store wall.

On the following pages we illustrate this by showing the various sign sizes, shown here at the bottom of this page, on each anchor tenants wall. As you can see the larger Macy's sign, we are fighting for, is quite a bit smaller than the existing Macy's sign, but it at least looks like a reasonable size for the wall.

In conclusion, Macy's request for a larger sign is not for the sake of having more exposure than other tenants, it is seen as an assurance that the new signs will look aesthetically correct on the large walls and have the status of a major anchor.

Bill Comer

Project Mgr.





MASTER TENANT FAÇADE & SIGN PROGRAM

Effective Date: April 23, 2015

Program Approval 15PLN-00040

Edited PCE 7/10/2018

STANFORD SHOPPING CENTER A SIMON MALL

ARCHITECTURAL REVIEW

Facades facing the right of way shall incorporate architectural design features in order to reduce apparent mass and bulk. Rooftop equipment, equipment enclosures, roof vents, flues and other protrusions through the roof of any building or structure shall be obscured from public view by a roof screen or through placement.

Green Lines indicate tenant spaces which require City review

- Storefront > 35ft in length require Architectural Board Review (Public Hearing)
- Storefront ≤ 35ft in length require Staff Level Review

Major tenants and free standing buildings (shaded) require City Review

- The type of review (Board level or Staff level) will be determined based on the scope of work.





For the Tenants whose elevation is located on facades other than those listed above, review by the Architectural Review Board might be required depending on if the storefront is visible from the public right of way.

Tenants are required to receive Landlord's approval prior to filing for ARB approval. However, approval by the Landlord does not guarantee ARB approval. Furthermore, all comments provided by the ARB must be addressed and Tenant shall file promptly for resubmittal.

Any deviation from Master Tenant Façade and Sign Program must receive Landlord's prior written approval prior to submitting drawings to the ARB or for Planning Approval.

Architectural Review Processing Procedure. The architectural review processing procedure for Stanford Shopping Center tenants shall be as follows:

1. The Landlord and Stanford University conduct architectural review of non-anchor tenant signs and facades for those locations within the shopping center interior to ensure that they conform to the Tenant Design Manual.
2. Planning staff and/or the ARB shall conduct architectural review of tenant signs and facade applications for locations at the shopping center exterior.
 - a. Any façades or architectural components that extend beyond the height of the existing parapet wall or increase gross or net floor area shall be reviewed by the Architectural Review Board (ARB).
 - b. Two-story tenant facades intended for single tenant occupancy shall have a façade that is continuous between the first and second stories. If separate tenants occupy the first and second stories, the design of each façade shall be reviewed by the ARB.
 - c. Tenant facades that are 35-feet in width or greater are reviewed by the ARB. Architectural review for tenant facades that are less than 35-feet in width may be conducted by Planning Staff.
 - d. If there are no tenant façade changes and the proposed tenant signs are consistent with the Master Tenant Sign Program, Planning review at the staff-level occurs as part of building permit applications. Any signs that require an exception to the Master Tenant Sign Program shall be reviewed by Planning staff or the ARB.

Examples of tenants that have continuous façade vs those that do not have continuous facades





STOREFRONT ELEVATIONS

GLOSSARY OF TERMS

GENERAL:

- *Base Building*: Base Building Shell construction, common and service areas, including all work that is the responsibility of the Landlord.
- *Design Control Zone*: The area of the store extending from the storefront lease line into the store, at a minimum of five feet (5'-0"), in which the Landlord controls design components. The Design Control Zone shall extend across the entire width of the store.
- *Neutral Pier*: An architectural element separating two adjacent Tenant storefronts or a Tenant storefront from a finish controlled by the Landlord.
- *Vitrine*: Shallow wall mounted display cases on the exterior of the façade and can house vignette displays, merchandise or seasonal graphics. The illumination of any vitrine shall be similar in color and intensity to the remainder of the Tenant storefront displays. All vitrines must be incorporated into the design aesthetic of the storefront vocabulary.

Stanford Shopping Center is an upscale Lifestyle Center and requires Tenants to create a unique and contemporary storefront design. Tenants shall take advantage of the garden setting by creating storefront designs that bring a sense of the outdoors into their space.

Tenants are required to present their businesses with distinctive architectural designs using the highest quality of materials and workmanship, and with creative lighting and signage designs. Typical Tenant storefronts extend between adjacent storefront finishes and shall extend to the height of the roof parapet.

STOREFRONT DESIGN CRITERIA

General Design Criteria

Storefront

The Tenant's entire storefront, as per Zone, shall be designed, fabricated, constructed, installed and maintained by the Tenant at the Tenant's expense. The storefront design shall work in concert with, and be respectful of, the Landlord's building façade, thematic architectural expression, and landscaping. Tenant storefronts shall meet the base building parapet height and shall not exceed the parapet in overall height. Storefronts shall maintain a consistent height on each building. Tenants are required to extend their storefront design along all building facades.

Approved architectural finishes, façade details, and additional components such as lighting and graphics, will visually activate all side of each Building. At a minimum, Tenants shall extend their exterior color palette across the solid portions of the exterior wall. A combination of super-graphics, showcase windows and/or vitrines are required and shall be the foundation of the Tenant's aesthetic interpretation of the exterior walls.

Closed Doors

Tenant spaces shall be designed for closed-door operation as this is an open-air center. Tenant storefront doors shall remain closed during normal mall hours.

Landlord piers or columns in the Tenant's storefront that are clad or otherwise designed as part of the Landlord building architecture shall be preserved without alteration by the Tenant. Unclad piers or columns in the Tenant's storefront shall be incorporated into the Tenant's storefront design. The Tenants storefront windows and other large glazed areas shall include provisions for mullion articulation beyond a basic extruded aluminum profile. This may be achieved through applying cap and pan elements to the basic window assembly to add relief and dimension.


**STANFORD
SHOPPING CENTER**
A SIMON MALL



- Doors within the storefront assembly may be articulated in a similar manner or may include further customized elements to enhance the overall design and building identity.
- No alterations, additions, changes, or modifications to the Base Building finishes or construction shall be permitted without obtaining Landlord's prior written approval (such approval must be requested by Tenant under separate cover from Tenant's drawings). If permitted, all work shall be performed by Landlord at Tenant's expense.
- All Tenant construction, including storefronts, must be of non-combustible materials. Treated fire-resistive materials are permitted only with approval by local jurisdictional authorities.
- All Tenant storefronts and floors shall be watertight and must properly slope to drain and to meet flush with Landlord's finishes and/or pavements at the storefront. All exterior Tenant storefront materials must be suitable to outdoor weather, use, and wear.
- Pedestrian and security lighting shall be of the lowest intensity and energy use adequate for its purpose and shall be designed to focus illumination downward to avoid excessive illumination above the light fixture. Architectural lighting that project upward shall be directed so as not to affect abutting land uses. Floodlights on tenant facades are discouraged.

Storefront Finishes

Tenants shall maximize the use of glazing with the storefront area having a minimum of 70% transparency, measured across the width of the Premises. Full height opaque areas of the storefront shall be minimal. Where possible, a constant height opaque sign band, extending across the entire storefront width, is not acceptable. Varied glazed show window heights and/or projections should be incorporated.


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All storefront materials shall be high quality, durable, exterior grade finishes with minimal maintenance requirements.

Acceptable Finishes:

- Stainless Steel, Solid Brass and Copper
- Wrought Iron, Cast Iron and Steel
- Marble, Granite, Limestone, Brick, Textured Masonry
- Finished/protected premium grade hardwoods
- Precast Concrete, Cast Stone, GFRC, GFRG
- Homogenous porcelain tile
- Sandblasted, frosted, etched, textured, leaded glass, spandrel glass (in limited quantities)
- Glazing (tempered)

*Additional finishes not listed are subject to Planning Department review and approval



Discouraged Finishes:

- Simulated Brick, Wood, Stone
- Plastic Laminates, Metal Laminates, Plastic Panels
- Mill finish
- EIFS
- Plexiglas or plastics
- Field painted metals
- Ceramic, glass or quarry tile, used as a field or background.

Note: Storefront canopies and marquees must conform to project location specifications and will be reviewed for conformance with material and color selection, location, projection and overall design effect. Fabric awnings are not generally permitted.



Each Tenant shall provide a solid canopy above their entry. Canopies are to be a minimum of 3'-0" deep and must at least cover the width of the entry alcove. The finish of the canopy is to compliment the Tenant's overall storefront design aesthetic. Storefront and glazing graphics, film, animation techniques and projection techniques must be clearly shown on Tenant's Drawings and are subject to Landlord's approval.

Entrance Alcoves & Closures

Store closure is limited to hinged or pivoting doors only. Out-swinging or pivoting doors cannot extend beyond the storefront Lease Line. Coiling grilles and shutters are prohibited. Doors glazed with true divided slites are encouraged, as are doors or clear tempered glass and doors with decorative leaded or patterned glazing. Tall entrance doors of 8'-0" height or higher are encouraged; standard height doors with overhead transoms are also permitted.

The following requirements shall apply without exception:

- Tenant is responsible for exterior floor finish within the entry recess and must provide a minimum transition of less than ½ inches from the sidewalk elevation to Tenant floor finish.
- Tenant is solely responsible for the design and construction of the slope in the recessed entry area, as well as compliance with any applicable code requirements for same. Exterior floor shall have positive drainage to the sidewalk at a minimum 1% and maximum 5% slope.
- Tenant's recessed entrance shall meet or exceed the finish specifications in the Design Criteria and Design Control Zone. The finish must be Tenant's own material - matching Landlord's sidewalk finish will not be permitted.
- Recessed entrance location, presentation and temperature control are subject to Landlord approval. Tenant's drawings shall include details for drainage, foundations, interior /exterior slab conditions, weatherproofing and finishes. Landlord shall not be responsible for ponding water in the recessed entry.

All storefront doors must be framed. Frameless glass doors will not be allowed due to outdoor environment.

Each Tenant shall display the space number posted in accordance per the local Fire Code and per City of Palo Alto Building Department Standards and shall install the mall standard ADA address plaque, provided by the Landlord's designated vendor. Tenant shall ensure the signage complies with current codes and regulations.

Storefront Bases

The storefront base shall be a minimum of six inches (6") in height. The base shall be constructed from highly durable non-porous material appropriate for exterior use, such as stone, tile, substantial gauge metal with a powder-coated finish, stainless steel, or other material as approved by Landlord. Storefront base material must be specified to withstand contact with cleaning equipment and solutions as well as exposure to the elements.

Entry Floor

Floor finishes at the entry shall be hard, high-quality, durable materials. At the entry, the floor finish shall be a non-slip material. Vinyl and/or rubber-resilient flooring or sealed/stained concrete systems are not allowed in the design control zone. If carpeting is proposed, 32 oz. nylon fiber minimum specification is required. The finished elevations at the store entrance must align with Landlord's finished and/or pavement elevation of the exterior walkway, with a weather-proofed threshold of minimal thickness (not to exceed ½") provided at the doors. The use of vinyl or metal reducer strips is prohibited. Tenant should provide a metal-embedded transition strip flush with the hard surface flooring at all transitions to other flooring types. No trip hazards such as reducer strips, thresholds or other noticeable transition devices shall be permitted between different flooring materials.

**Storefront Lighting**

Tenant Interior Lighting – Tenant interior lighting shall be designed to minimize nighttime glow visible from and/or intruding into nearby properties

Tenant Exterior Lighting – Pedestrian and security lighting shall be of the lowest intensity and energy use adequate for its purpose and shall be designed to focus illumination downward to avoid excessive illumination above the light fixture. Architectural lighting that project upward shall be directed so as not to affect abutting land uses. Floodlights on tenant facades are discouraged.

Bird-Friendly Facades

Tenant facades with glazing covering a large area shall utilize a bird-safe glazing treatment. The bird-friendly treatment can be invisible to the human eye. Typical treatments include fritting, netting, permanent stencils, frosted glass, exterior screens, and physical grids placed on the exterior of glazing or UV patterns visible to birds. Vertical elements of the window patterns are generally at least 1/4 inch wide at a minimum spacing of 4 inches, or have horizontal elements at least 1/8 inch wide at a maximum spacing of 2 inches.

Noise Producing Equipment

Any noise producing equipment should be screened from public view and must comply with noise limits.

Storefront Design Control Zone

The Tenant Storefront Design Control Zone is the area of the store extending from the storefront lease line into the store at a minimum of five feet (5'-0") across the entire width of the store. Since the appearance of this zone is critical to the overall store appearance, design solutions, and materials are expected to be of the highest quality and will be closely reviewed by Landlord.

Tenant music systems, speakers and sound systems are not permitted to be installed within the Design Control Zone. Speakers/ sound systems located behind the first 5'-0" of the entry shall have a separate volume control that can be set to the Mall Managers' specified level.

The backs of Emergency Exit signage/lights (over the entry doors) shall not be visible from the exterior.

Storefront security systems, if used, shall be unobtrusively incorporated into the Tenant's Design Control Zone. Storefront security system design and installation details shall be included in the Tenant storefront design and drawings submitted to the Landlord for approval prior to installation. Security grilles or gates behind storefront show windows or entrance doors are strictly prohibited.

All walls within the Design Control Zone shall be provided with high quality finish material – plain painted surfaces are not permitted. Materials such as stone, tile, wood panels, the use of trim and other decorated treatments shall be utilized. Slat wall and grid wall are not permitted. All plants shall be shown on Tenants drawings, and identified by species as well as whether living or artificial. Plants on storefronts shall have photographs submitted as part of Tenant's drawing submission to Landlord for approval. Depressed or slab-level plantings are prohibited. All plants installed by Tenant shall be properly maintained by Tenant at Tenant's expense. (Self-watering pots with a bladder system shall be used to ensure no leakage onto the hardscape). Gross Floor Area. Permanently covered tenant patio spaces count toward gross floor area, but uncovered tenant spaces do not.



Store Display and Merchandising

Within the Design Control Zone, the side walls and show windows shall be dedicated for use as a high-quality show window display. A creative display is required – standard merchandise racks, and wall finishing materials such as slat wall and prepackaged wall-mounted grid systems are prohibited.

Distinctive, high-quality and appropriate display techniques which best showcase the Tenant’s merchandise must be used.

At the storefront entry, display fixtures and merchandise must be placed at least 3’-0” behind the Tenant’s entry door/ closure line. Merchandise rack and display features must not block customer traffic flow in and out of the store.

Television monitors proposed to be installed at the storefront or within the Design Control Zone require specific approval by the Landlord, and will be reviewed on a case by case basis. If approved, monitors shall be incorporated into the overall storefront design and are to be encased within attractive display fixtures to conceal all surfaces except for the screen surface. They must be mounted a minimum of 3’-0” behind the storefront glass and must incorporate slow fade type graphics with no sound, animation is not permitted. Maximum screen size is 42” measured diagonally. All cables and wiring must be concealed from view.

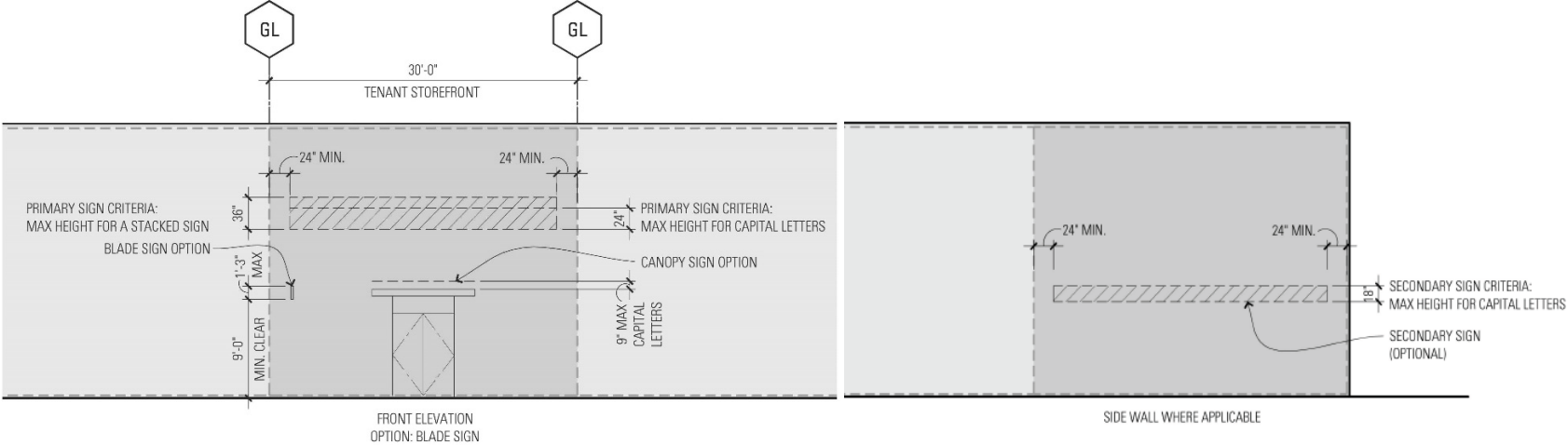
Show Window Safety Logos

Repetitive safety symbols (graphically designed) or lettering may be applied to the inside face of storefront glazing as approved by Landlord for identifying transparent surfaces for customer safety purposes. Emblems, logos, and lettering must not exceed 3” in height and the font shall be Circular Pro, black vinyl, maximum letter is not to exceed 3” in height. Tenant shall ensure the signage complies with current codes and regulations.

Tenant shall provide signage at the exterior side of the service entrance. Font shall be Circular Pro, black vinyl, maximum letter is not to exceed 2” in height. The length of the sign shall be proportionate to the sign height limit. Tenant shall ensure the signage complies with current codes and regulations.

General Sign Criteria

Building permits are required for all illuminated signs and the Tenant shall be responsible to obtain any and all permits as may be required by the local jurisdiction.





**STANFORD
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Sign	Requirement	Number	Max Size	Location
Primary Sign (Wall Sign)	Required	1	Max Height 24" and otherwise proportional to logo characteristics; Stacked signs not to exceed 36" in height. Signs discouraged closer than 24" to demising wall or building corner	Primary Façade
Banner or Blade Sign (Projecting Sign)	Required	1	Banner: 24" projection x 60" in height Blade: 24" projection x 15" in height	Primary Façade (Blade signs to be located either under an awning or a façade wall not directly adjacent to an existing sign)
Canopy Sign	Optional	1	Maximum height is 9" and otherwise proportional to logo characteristics	Primary Façade
Super Graphic	Optional	Not Limited	None	Flexible
Secondary Sign or Emblem	Optional	1 (where applicable)	Secondary Sign: Max. height 18" and otherwise proportional to logo characteristics Emblem: max. height is 24" in any direction	Secondary Façade (where applicable)
Advertising Graphics and Signs	Optional	Not Limited	None	Only on inside plane of storefront windows,
Digital Images and Digital Signage	Optional	Not Limited	42" measured diagonally	Only in storefront windows



In addition to the criteria herein, Tenant signage shall comply with the current version of the City of Palo Alto's Municipal Code and the City of Palo Alto's Design Guidelines. All signage shall be of the highest quality design and construction. Tenant signage shall be designed to be proportionate in scale to the elevation to which it is affixed. Sign design and placement shall be well integrated with the tenant façade and shall be designed to complement the storefront design and general building design.

Wall signs and sign area are defined in Palo Alto Municipal Code (PAMC) 16.20.010. Canopy and awning signs erected parallel to a building face are also considered wall signs. The maximum total allowable sign area of a single wall sign or the combined total maximum allowable area of multiple wall signs per building face shall be consistent with the sign area limits outlined in PAMC 16.20 Table 3. Staff level architectural review is required for any sign at the shopping center exterior that requires approval of an exception to these sign area limits.

When wall area exceeds 5,000 square feet, sign area may be increased by seven (7) square feet for each additional 500 square feet of wall area, but no sign shall exceed 203 square feet.

All attachment hardware which supports and or powers the signage must be concealed from view and be weather resistant.

Sign illumination must be connected to a 7-day / 24 hour time clock to be set to the hours specified by Mall Management

Acceptable Primary Storefront Sign Types (required):

- Dimensional wood, metal, glass, or other material with a permanent appearance, internally illuminate only. Flood lights are prohibited.
- Reverse channel letter with halo illumination, opaque letter-sides and faces and non-reflective background.
- Internally illuminated individual channel letters with acrylic faces.
- Signs that are incised, cast into or carved out of an opaque material, indirectly illuminated.
- Sculptural iconographic elements contextual to the storefront design, internally illuminated.

***Additional finishes not listed are subject to Planning Department review and approval**

Discouraged Primary Storefront Sign Types:

- Box or cabinet type signs.
- Signs employing audible equipment, and/or moving, flashing, or blinking lights
- Signs employing exposed raceways, ballast boxes, or transformers
- Luminous vacuum-formed type plastic letter signs
- Exposed neon
- Cloth, paper, cardboard signs or signs of other temporary or non-durable materials
- Signs using highly reflective finish materials (i.e. polished brass, chrome, etc.)



Blade Signs

Tenants can elect to use a variety of media for their signs; however, blade signs are required to meet the following criteria:

- Sign panels can be a maximum of 3" thick and constructed of wood, metal, glass or other solid surface material. Plastics are not permitted.
- Sign panel shall be supported by a bracket attached to the Tenant's storefront or under an awning with a complimentary design, color and finish. At no time may the blade sign panel be attached to the Landlord's neutral pier or building facade.
- Perimeter of the sign should fall within a 24" (h) x 15" (w) envelope, including the support bracket. Tenant shall determine a creative sign shape.
- Minimum clearance height to sidewalk is 9'-0" above the sidewalk plane.
- Wording of the blade sign is limited to the Tenant's trade name (DBA) and logo.
- Tenant's customary signature or logo, hallmark, insignia, or other trade identification will be respected and reviewed on a case by case basis for use as the blade sign design.
- The graphic element of the sign may be paint, enamel, appliqué, dimensional graphic/lettering or may be pushed out of the panel material for a three-dimensional appearance (routed or incised is also approved).
- Blade signs may be illuminated by concealed methods only.

Building Mounted Banners and Projected Signs (optional – in lieu of Blade Sign)

This type of sign is vertically oriented and is mounted high and perpendicular to the building and may or may not be illuminated. Maximum width or projection shall be 24" from the face of the Tenant storefront and the height cannot exceed 60". Bottom of banner must be 9'-0" clear ground plane. Signage of this type, if permitted, is usually restricted in number and location. Projecting banner signs shall not be placed in a manner that will allow the banner sign to exceed the adjacent parapet height.

Canopy Signs (optional)

Canopies are defined as heavy-framed protective and/or decorative structures over entrances. Tenant may elect to use the canopy sign as their primary storefront sign. The sign shall conform to the "Acceptable Primary Sign Types" as indicated above. The canopy sign may be illuminated internally only. The maximum height of any capital letter of a canopy sign shall not exceed 9" in height. Traditional fabric awnings are not permitted, however, taught contemporary awnings shall be allowed only with prior Landlord approval.

Show Window Graphics (optional)

Vinyl lettering and/or logos may be applied to the face of storefront glazing, provided that the sign communicates the Tenant Trade Name only. Advertising panels, banners or signs with opaque backdrops are prohibited.

Signage Approval Process

Landlord's approval of Tenant's storefront signage shall be based on the size and style of the sign and lettering, the location of the sign within the storefront, and the cohesive integration of the sign into the overall storefront design.

Approval of the Tenant's preliminary design or Working Drawings by the Landlord shall not constitute review and approval of the Tenant's signage. Tenant shall submit one (1) set of the Tenant's sign shop drawings for review and approval by Landlord. Fabrication or installation of the Tenant's signage shall not commence before the Landlord's approval of the sign shop drawings.

ATTACHMENT F

Project Plans

During Shelter-in-Place, project plans are only available online.

Directions to review Project plans online:

1. Go to: bit.ly/PAPendingprojects
2. Scroll to find “180 El Camino Real – Macy’s Sign Exception” and click the address link
3. On this project specific webpage you will find a link to the Project Plans and other important information

Direct Link to Project Webpage:

<https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=5079&TargetID=319>

Materials Boards:

During Shelter-in-Place, color and material boards will be available to view in the display case outside of City Hall, on the exterior elevator near the corner of Hamilton Ave. and Bryant St.



Architectural Review Board

Staff Report (ID # 11878)

Report Type:	Action Items	Meeting Date: 2/4/2021
Summary Title:	1700 Embarcadero: Auto Dealership (Prelim)	
Title:	1700 Embarcadero Road [20PLN-000290]: Request for Preliminary Architectural Review of a Proposed Two-Story Approximately 31,377 Square Foot Automobile Dealership. Environmental Assessment: Not a Project. The Formal Application Will be Subject to California Environmental Quality Act (CEQA) Review. Zoning District: CS(D)(AD) (Service Commercial with Site and Design Review and Automobile Dealership Combining Districts). For More Information Contact the Project Planner Sheldon Ah Sing at sahsing@m-group.us.	
From:	Jonathan Lait	

Recommendation

Staff recommends the Architectural Review Board (ARB):

1. Review and provide informal comments. No formal action is requested.

Report Summary

The subject application is a request for preliminary review. No formal direction is provided to the applicant and ARB members should refrain from forming and expressing opinions either in support or against the project.

As this is a preliminary review application, the Planning and Development Services Department has only performed a cursory review of the project for compliance with the zoning code. A comprehensive review of a future project to applicable codes, including context-based design criteria and other standards, would follow the submittal of a formal application. Accordingly, there may be aspects of this preliminary review application that do not comply with municipal regulations or require additional discretionary applications beyond architectural review.

Similarly, there has been no comprehensive review of the project to the Comprehensive Plan or other policy documents. Such review will occur upon the filing of a formal application.

City of Palo Alto
 Planning & Development Services
 250 Hamilton Avenue
 Palo Alto, CA 94301
 (650) 329-2442

The purpose of this meeting is to provide the applicant an opportunity to present a conceptual project to the ARB and receive initial comments. ARB members may identify aspects of the project that are appropriate given the neighborhood context and consistent with city policies or areas of concern that the applicant may want to reconsider in a formal submittal. Community members are also encouraged to provide early input to the project.

There has been significant development proposal history on the subject site in the past several years as described in the Background section. This proposal continues to seek approval of an automobile dealership; however, now only on the 1700 Embarcadero property. The proposal is smaller in scale than the prior proposals.

Background

Project Information

Owner:	SC RE Palo Alto, LLC (Eric Iversen)
Architect:	Praxis3 (Jonathan Baker)
Representative:	Eric Iversen/Swickard Auto Group
Legal Counsel:	None

Property Information

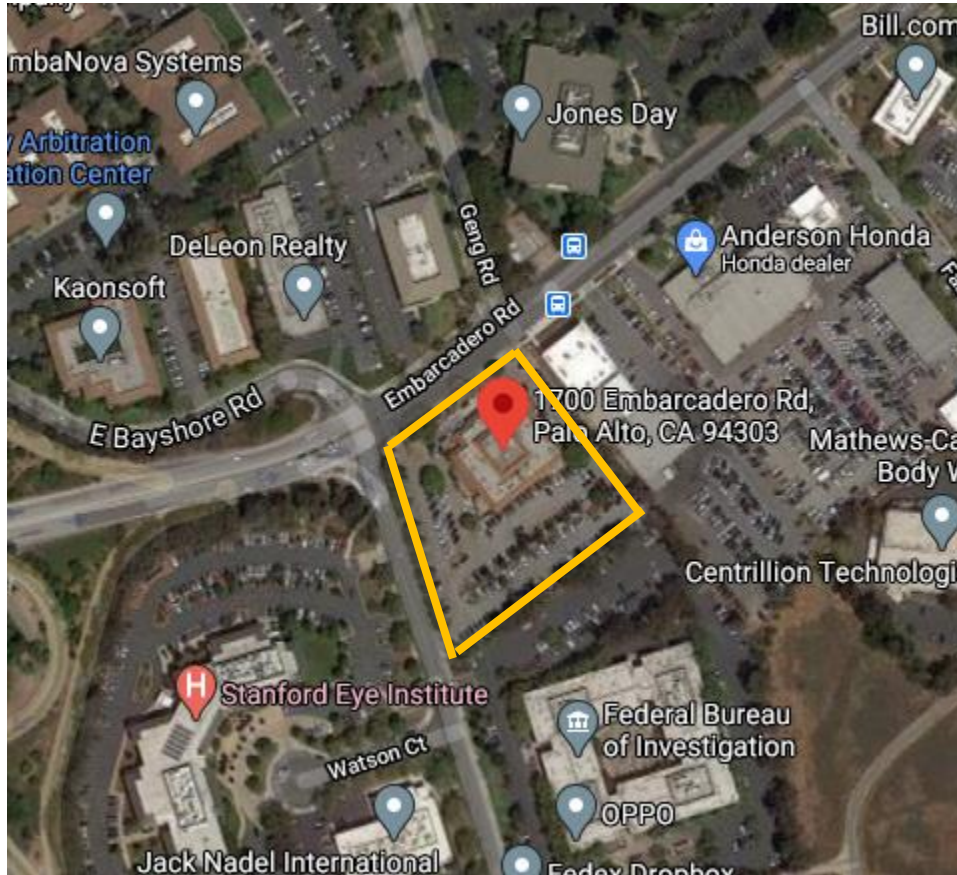
Address:	1700 Embarcadero Road
Neighborhood:	Baylands
Lot Dimensions & Area:	1700 Embarcadero: 180 feet along Embarcadero Road and ~550 feet deep (2.54 acres)
Housing Inventory Site:	No
Located w/in a Plume:	No
Protected/Heritage Trees:	Yes, street trees
Historic Resource(s):	No, built circa 1968

Existing Improvement(s):	1700 Embarcadero: 17,942 square feet and one story
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Existing Land Use(s):	Vacant Restaurant
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Adjacent Land Uses & Zoning:	North: ROLM (Offices)
	West: ROLM (Medical Offices)
	East: CS(D)(AD) (Car Dealership)
	South: ROLM (Offices)

Aerial View of Property:



Source: CNES/Airbus,Maxar,Planet.com, USGS, USDA, Google.

Land Use Designation & Applicable Plans

Zoning Designation:	CS(D)(AD) Service Commercial (Site & Design Review/Automobile Dealership Combining Districts)
Comp. Plan Designation:	Service Commercial
Context-Based Design Criteria:	Yes (Subject to change in the summer of 2021)
Downtown Urban Design Guide:	Not Applicable
South of Forest Avenue Coordinated Area Plan:	Not Applicable
Baylands Master Plan:	Yes
El Camino Real Design Guidelines (1976 / 2002):	Not Applicable
Proximity to Residential Uses or Districts (150'):	Not Applicable
Located w/in Airport Influence Area:	Yes

Prior City Reviews & Action

City Council:	<p>20APL-00002, June 22, 2020 Appeal https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=77228 <i>Upheld approval decision for 19PLN-00291</i></p> <p>18PLN-00186, June 24, 2019: https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=72062 <i>Approval of project – Return to ARB for certain items (see 19PLN-00291)</i></p> <p>15PLN-00394, June 6, 2016: http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=52594 <i>Was reviewed by ARB six times in 2015/2016; Reviewed by PTC on April 27, 2016; then referred back to ARB by Council, at which time the applicant withdrew the application.</i></p>
PTC:	<p>18PLN-00186, March 27, 2019: https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=70015 <i>Recommend approval to City Council</i></p>
HRB:	<p>None</p>
ARB:	<p>19PLN-00291, March 5, 2020 2nd Formal: https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=75555 <i>Recommend approval to Director</i> December 19, 2019 1st Formal: https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=74447 <i>Continue</i></p> <p>18PLN-00186, June 6, 2019 3rd Formal: http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=71733 <i>Continue to date uncertain (no recommendation to City Council)</i> April 4, 2019 2nd Formal: http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=70111 <i>Continue</i> September 20, 2018 1st Formal: http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=66721 <i>Continue</i></p>

The site was a Planned Community zone until the Council approved a rezoning of the site to the CS(D) zone in 2009. A hotel project was approved in 2013 for the site, but its entitlement expired in 2015. The first proposal for an automobile dealership on the site occurred in 2015. The project was a 62,000 square foot automobile dealership that was 50 feet in height. The Council determined that it was not compatible with the surroundings and directed the application back to the ARB for changes and further review (**15PLN-00394**).



2015 Proposal

Thereafter the site was sold, and a subsequent application was submitted in 2018 by a different applicant. That proposal also included the adjacent 2.28-acre Audi property. The entire project including both properties included 104,000 square feet of automobile dealership/showroom space for two brands. The 1700 Embarcadero Road site portion equated to 54,628 square feet in floor area and ranged in height between 36 and 43 feet. The Council adopted development standards changes prior to the submittal of the application that exempted the service area drive portions of the building. The proposal also included a 300-vehicle automated storage system and roof deck parking. The buildings appeared large; however, significant floor area portions of the building were exempted consistent with the zoning code. Council approved the 2018 project, including the Design Enhancement Exception for setbacks, and the adopted the zone change to include the AD combining district. Council also directed the project to return to the ARB to address specific architectural items.



2018 Proposal

In 2019, the same applicant applied for an Architectural Review to address Council direction. The changes focused on colors, materials and landscaping. Ultimately, these issues were addressed, and the Director of Planning approved the project.



2019 Submittal

An appeal of the approval was submitted in 2020, objecting to the placement of the car wash facility next to an office use. The Council upheld the Director's approval of the project. No additional conditions were imposed on the project. The implementation of the car wash would follow the mitigation measures established by the adopted Mitigated Negative Declaration (MND) for the project and the standards contained within Palo Alto Municipal Code (PAMC) Section 9.10.040.

The previous applicant sold the property (including the Audi dealership property) in the summer of 2020 and the current owner submitted a new proposal for 1700 Embarcadero Road, which is the subject of this preliminary application.

Project Description

Site Description

The project site (site) consists of a single parcel (2.54 acres). The site is located on the southeast corner of Embarcadero Road and East Bayshore Road (see location map, Attachment A). The site has a Comprehensive Plan land use designation of Service Commercial and identifies the site as within the “East Bayshore Employment Center”. The site is zoned Commercial Service (CS) with Site and Design Review (D) and Automobile Dealership (AD) combining districts. The applicant also owns the adjacent Audi dealership (1730 Embarcadero Road). The site is located within the City’s Baylands Master Plan (Privately Owned Lands).

A portion of the site is developed with a single-story commercial building with 17,942 square feet (sf) of floor area built in 1968, formerly the Ming’s Restaurant and a large surface parking lot. The existing architecture of the building is characteristic of mid-century modern architecture with some roof elements reminiscent of an Asian style, the cuisine of the former restaurant.

The site includes an approximate 80-foot-wide easement along East Bayshore Road to accommodate overhead high voltage electric transmission lines parallel to East Bayshore Road, and a sub-surface storm drain line. Surface improvements such as landscaping, driveways, and parking, are allowed within the easement; however, there are restrictions on the height of any improvements allowed within the easement.

Proposal

The applicant proposes to demolish the existing building and surface parking lot. In its place, the applicant would construct a new two-story Mercedes automobile dealership building. Access to the site will include two-way driveways from East Bayshore and Embarcadero Road. Customer, employee, inventory, and display parking will be located along the west, south and eastern portions of the property. A driveway in the rear of the property would connect the new dealership to the adjacent Audi dealership. The dealership would include space for a showroom, sales and administrative offices, vehicle servicing areas, and a drive area for the service operations. The dealership would include 27,220 square feet of dealership space comprised of the offices, service operation, parts storage, car wash, and recycling/solid waste enclosure areas. The building would include 4,157 square feet of showroom space. The 4,382 square foot covered service drive would be exempted under the Palo Alto Municipal Code (PAMC) section 18.30(F)(a)(3)(b). The total floor area for structures on site would be 31,377 square feet (0.29:1 Floor Area Ratio where 0.6:1 is permitted).

A single-lane automated car wash facility would be located along the south elevation of the building towards the rear. A single vehicle display pad is proposed to be located adjacent to the utility tower at the corner of the property.

Architecture

The Mercedes brand dictates some of the color and material themes proposed by the project. These include “black metal panel”, “silver ribbed metal panel”, “white metal panel canopy” and

“gray stucco exterior insulation finishing system”. The showroom façade includes aluminum curtain wall and clear glazing. Fenestration on other facades is aluminum storefront. Other elements that are more unique to the site is the use of “reclaimed wood siding” and “landscaped wall”. The variety of materials are used primarily along the Embarcadero Road and East Bayshore Road elevations with the reclaimed wood being used near the service drive entries and portion of the service operations elevation and the landscaped wall for the remainder of the service operations portion of the building along East Bayshore Drive. The northeast and southeast elevations of the building include the primarily stucco finishes with a portion of the southeast elevation including the “silver ribbed metal panel” material.



Exterior Perspective 1



Exterior Perspective 2

Anticipated Entitlements:

The following discretionary applications are anticipated:

- Architectural Review – Major (AR). In accordance with PAMC 18.76.020 (2)(B), the construction of a large scale commercial building requires approval of a Major AR. The process for evaluating this type of application is set forth in PAMC 18.77.070. AR applications are reviewed by the ARB and recommendations are forwarded to the Planning & Development Services Director for action within five business days of the ARB’s recommendation. Action by the Director is appealable to the City Council if filed

within 14 days of the decision. AR projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make any one finding requires project redesign or denial. The findings to approve an Architectural Review application are provided in Attachment B.

- Design Enhancement Exception (DEE). The process for evaluating this type of application is set forth in PAMC 18.76.050. DEE applications are reviewed by the ARB and recommendations are forwarded to the Planning & Development Services Director for action within five business days of the ARB's recommendation. Action by the Director is appealable to the City Council if filed within 14 days of the decision. DEE requests are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make any one finding requires project redesign or denial. The findings to approve a DEE application are provided in Attachment B.
- Site and Design Review: The process for evaluating this type of application is set forth in PAMC 18.30(G).060. These applications are reviewed by the Planning & Transportation Commission (PTC) and recommendations are forwarded to the City Council. Site and Design Review projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project.

Discussion

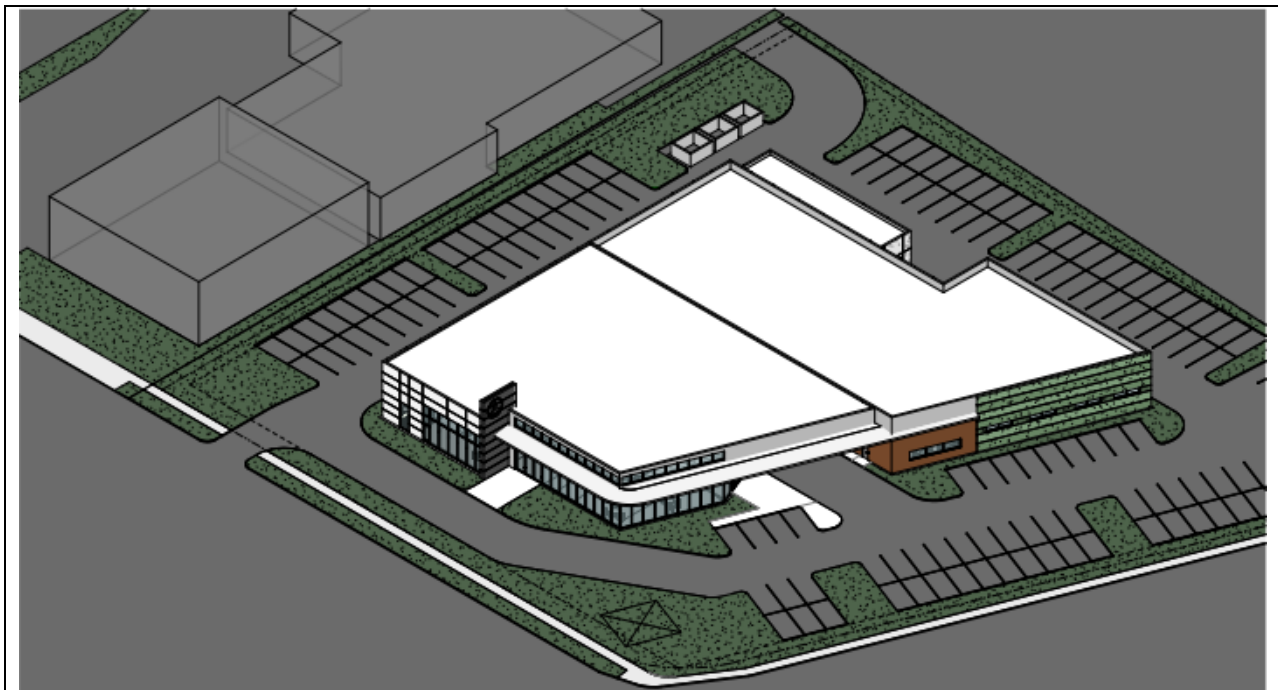
Preliminary review applications receive a cursory review for compliance with zoning regulations and consistency with the comprehensive plan or other applicable policy documents. This information was previously transmitted to the applicant. A more comprehensive review will occur upon formal submittal, which may reveal other code or policy concerns.

At this point in project development, the ARB is encouraged to provide objective feedback to the applicant on the preliminary drawings. The ARB may want to consider comments that relate to:

Relationship to the neighborhood setting and context / Transitions in scale to adjacent properties / Scale and Mass (Finding #2)

- It is notable that this proposal, as illustrated in attachment D, is significantly smaller in size and shorter in height than the previously approved project. This addresses some of the prior controversy regarding massing and compatibility with the Baylands. It is expected that no portion of the building would be visible from the Baylands.
- The same site constraints apply to the project, such as the utility easement along East Bayshore that make it infeasible to meet the "build-to" setback requirements of the CS zone and therefore, the DEE is warranted. On Embarcadero, the project would ask for a DEE to be consistent with prior proposals to accommodate a driveway that aides with onsite circulation. By comparison, the Audi showroom with a 30-foot setback would be closer to the street by approximately 20 feet.

- The tallest element appears to be a 36-foot wing wall perpendicular to Embarcadero Road that would support the Mercedes logo, a form of signage. While there is a second floor with some offices and storage space within the building, no elevator is proposed. If an elevator is added, then likely there would be an overrun above the roof. No mechanical equipment is shown at this time. If there is mechanical equipment, then screening would need to be added to the roof.
- The project proposes an automated car wash facility on the south side of the building. There was an objection to the location of the car wash facility of the prior project. While the proposed car wash is not located on the property line it is still located parallel to the same property. A new acoustic study will address any sound impacts and recommended mitigations.
- The formal application will need to note the height of the showroom space to be consistent with the PAMC requirements [18.30(F).050(b)]; and include the solid waste/recycling enclosures in the floor area and lot coverage calculations.



Current Proposal



Architectural design, theme, cohesiveness, and quality of materials (Findings #2 & #3)

- The proposed materials and colors are consistent with the Mercedes brand and the prior approved project. The reclaimed wood siding is a new material that appears to be consistent with the *Baylands Master Plan General Design Principles*. Additional details would need to be included in the formal application regarding the landscape wall.
- The previous project had more variety of materials along the back of the building, adjacent to the Baylands.

Pedestrian-orientation and design / Access to the site (Finding #4)

- The prior project included a Class I 10-foot (8-foot paved and two-foot gravel shoulder) multi-use pathway along the street frontages. This also included a rest area for users of the pathway with three benches and a water refilling station. The premise behind the pathway is that there is a gap in the bicycle infrastructure along the frontage of the subject property. According to the City's *Bicycle & Pedestrian Transportation Plan*, the frontage should be a Class II facility, however, currently the roadway lane is shared by both cyclists and motorists (Class III).

- If a multi-use path is considered, there are two options. The first option is consistent with the prior project having the pathway located along the street. This would result in the removal of the mature street trees. The second option would be to preserve the street trees and locate the pathway inward on the property. This would result in an impact to the parking layout for the project.
- The project is an automobile-oriented use and the proposed site design reflects that. There are two entries to the property (one from each street) that lead to driveways that loop around the building. Customer/employee parking is accessible from the driveways. Parking for the site is functionally tandem because display/inventory vehicles would be parked in the forward parking space, with customer/employee parking behind.
- Upon filing of a formal application, the parking, bicycle and loading calculations will need to be made consistent with the PAMC, addressing parking requirements for vehicles on display.

Consideration to any applicable policy documents (Baylands Master Plan)(Finding #1)

The following policy affects the site:

- Be sure any future development is consistent with the Comprehensive Plan and continues to receive extensive design review utilizing the Site and Design Review Process and the Site Assessment and Design Guidelines Palo Alto Nature Preserve.

Site Assessment and Design Guidelines
 The Site Assessment and Design Guidelines, Palo Alto Baylands Nature Preserve, developed in 2005, are intended to be used when designing or reviewing projects located in any part of the Baylands—including projects on privately-owned land. Conformance with these Guidelines will help to ensure compatibility with the special aesthetic qualities and environmental conditions unique to the Baylands.

General Design Principles
 The following design principles are suggested to reflect and preserve the Baylands' unique landscape character and have been used to review this application.

- Use only muted, natural colors. Choose materials and finishes that will weather without degrading: The proposed building would be clad in metal panels and cement plaster system with white, black, silver and gray color. Fenestration and glass doors would need to be bird-friendly design.
- Preserve the horizon line with low and horizontal elements: The building would be 26 feet tall with a wing wall at 36 feet tall as an accent element but primarily designed to include a sign logo. The building's mass is articulated and appears to have a horizontal orientation with the exception of the wing wall.

- Mount fences, enclosures, and identity signs low to the ground: The project includes a detail of a sign that is on a wing wall that stands 36 feet (10 feet taller than the rest of the building).
- Design for practicality: The proposed dealership with an integrated sales, service and inventory building is efficient and innovative.

Preservation of existing native or mature landscaping or features, if any

The project proposes to preserve the mature street trees along East Bayshore Road. As mentioned previously these trees impact the location of a multi-use pathway. This was a subject for debate with the Planning and Transportation Commission for the previous project. Ultimately, the benefits of the multi-use path outweighed the preservation of the trees. If a multi-use path is located on the inward side of the street trees, then preservation of the trees could occur, however, site parking would be impacted.

Other Outstanding Issues

The Audi dealership was under separate ownership prior to 2018 and received approval for redevelopment of an existing dealership including a new showroom and associated site and landscape improvements. The showroom was completed in 2017 and the owner at the time sought deferral of several site improvements. In June 2016, the City and that owner entered into an agreement secured by a performance bond to ensure the completion of these outstanding improvements. Many of the improvements have been completed and the remaining items would have been addressed with the construction of the project that was approved in 2020. Since that project is no longer going forward, there are three outstanding items to be addressed:

- Rear lot landscaping
- Rear lot lighting
- Trash enclosure

The current owner has legally assumed responsibility of completing these improvements consistent with the performance bond. The owner is currently working on completing these issues.

Public Notification, Outreach & Comments

The item was published in the Daily Post on January 22, 2021, which is 14 days in advance of the meeting. Postcard mailing occurred on January 21, 2021, which is 13 days in advance of the meeting.

In prior proposals for the site, there have been significant public comment regarding massing, adjacency to the Baylands and noise. Thus far, the neighbor of the site has contacted the City regarding the proposed car wash.

Environmental Review

The subject review involves no discretionary action and is therefore not a project and not subject to review pursuant to the California Environmental Quality Act (CEQA). If a formal application is filed, an analysis of the project to CEQA will be performed. The previous project included adoption of a Mitigated Negative Declaration (MND). It is likely that an addendum to this MND would be appropriate since this project is smaller and includes some modifications such as the relocation of the car wash, and the removal of the back-up generator. However, prior to this determination, staff will obtain and review an updated noise report and other necessary reports to make the determination.

Report Author & Contact Information

Sheldon S. Ah Sing, AICP, Consultant Planner
(408) 340-5642 X109
sahsing@m-group.us

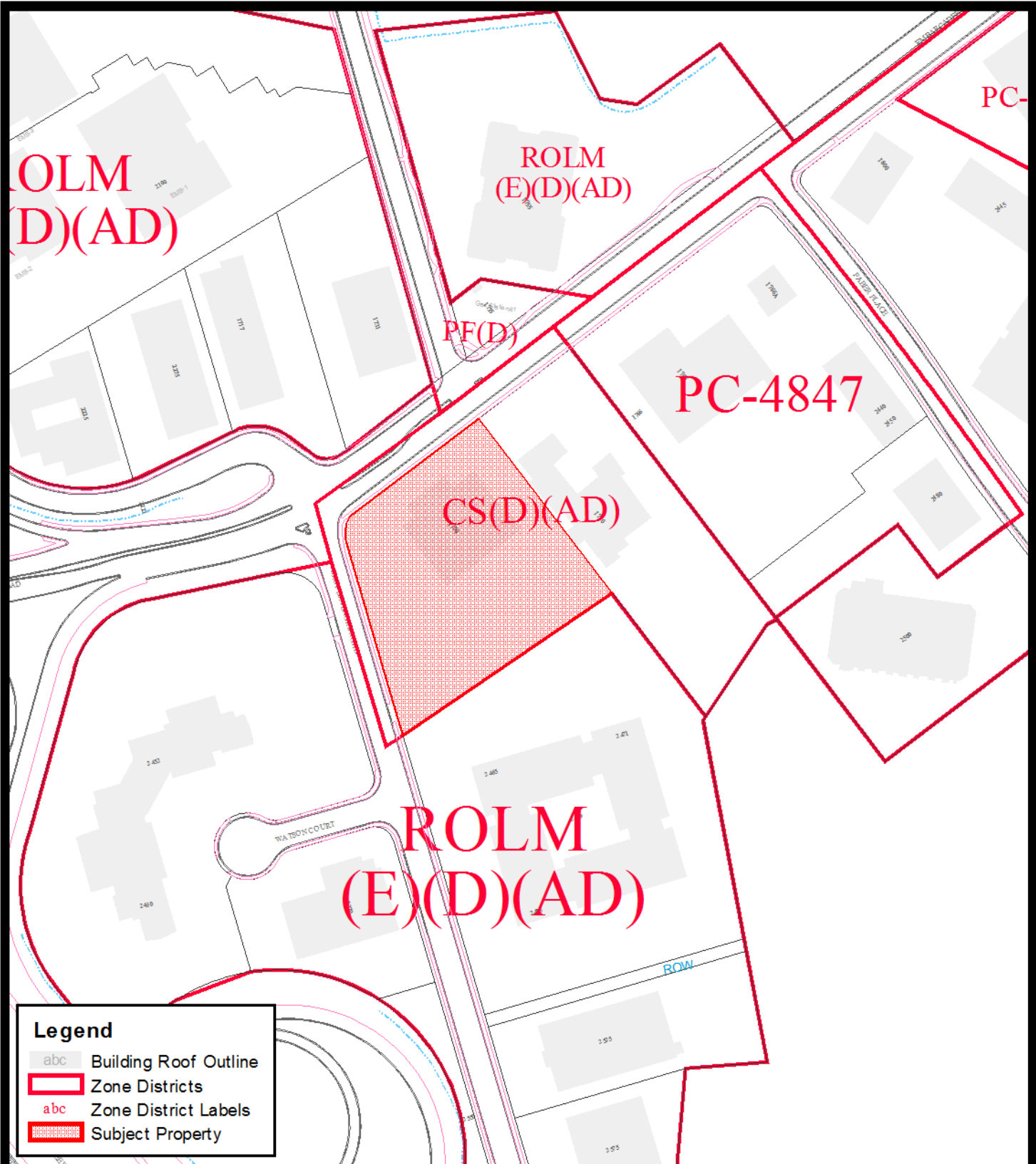
ARB¹ Liaison & Contact Information

Jodie Gerhardt, Planning Manager
(650) 329-2575
jodie.gerhardt@cityofpaloalto.org





Attachments:

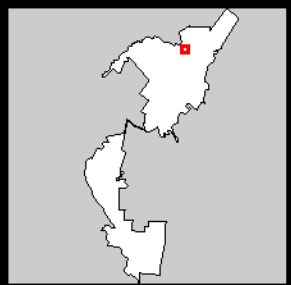
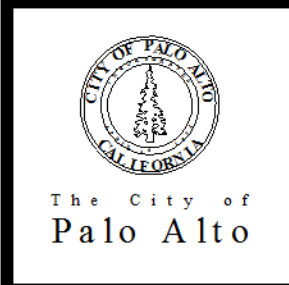
- Attachment A: Location Map (PDF)
- Attachment B: Findings for Reference (DOCX)
- Attachment C: Zoning Comparison Table (DOCX)
- Attachment D: Project Plans (DOCX)

¹ Emails may be sent directly to the ARB using the following address: arb@cityofpaloalto.org



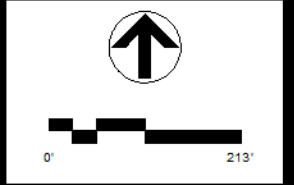
Legend

-  abc Building Roof Outline
-  Zone Districts
-  abc Zone District Labels
-  Subject Property



Location Map
1700 Embarcadero Road

This map is a product of the City of Palo Alto GIS



ATTACHMENT B
ARB FINDINGS FOR APPROVAL
1700 Embarcadero Road
20PLN-00290

In order for the ARB to make a future recommendation of approval, the project must comply with the following Findings for Architectural Review as required in Chapter 18.76.020 of the PAMC.

Finding #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.

Finding #2: The project has a unified and coherent design, that:

- a. creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
- b. preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
- c. is consistent with the context-based design criteria of the applicable zone district,
- d. provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

Finding #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.

Finding #4: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

Finding #6: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

CONTEXT-BASED DESIGN CRITERIA (subject to change in summer of 2021)

1700 Embarcadero Road
20PLN-00290

Pursuant to PAMC 18.16.090(b), the following context-based design considerations and findings are applicable to this project. These context-based design criteria are intended to provide additional standards to be used in the design and evaluation of development in a commercial district. The purpose is to encourage development in a commercial district to be responsible to its context and compatibility with adjacent development as well as to promote the establishment of pedestrian oriented design.

1. Pedestrian and Bicycle Environment

The design of new projects shall promote pedestrian walkability, a bicycle friendly environment, and connectivity through design elements

2. Street Building Facades

Street facades shall be designed to provide a strong relationship with the sidewalk and the street (s), to create an environment that supports and encourages pedestrian activity through design elements

3. Massing and Setbacks

Buildings shall be designed to minimize massing and conform to proper setbacks

4. Low Density Residential Transitions

Where new projects are built abutting existing lower scale residential development, care shall be taken to respect the scale and privacy of neighboring properties

5. Project Open Space

Private and public open space shall be provided so that it is usable for the residents and visitors of the site

6. Parking Design

Parking shall be accommodated but shall not be allowed to overwhelm the character of the project or detract from the pedestrian environment

7. Large Multi-Acre Sites

Large sites (over one acre) shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood

8. Sustainability and Green Building Design

Project design and materials to achieve sustainability and green building design should be incorporated into the project

DEE FINDINGS

1700 Embarcadero Road
20PLN-00290

In order for the ARB to make a future recommendation of approval for a design enhancement exception, the project must comply with the following Findings for a Design Enhancement Exception as required in Chapter 18.76.050 of the PAMC.

Finding #1: There are exceptional or extraordinary circumstances or conditions applicable to the property or site improvements involved that do not apply generally to property in the same zone district;

Finding #2: The granting of the application will enhance the appearance of the site or structure, or improve the neighborhood character of the project and preserve an existing or proposed architectural style, in a manner which would not otherwise be accomplished through strict application of the minimum requirements of this title (Zoning) and the architectural review findings set forth in Section [18.76.020\(d\)](#); and

Finding #3: The exception is related to a minor architectural feature or site improvement that will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience.

ATTACHMENT C
ZONING COMPARISON TABLE
 1700 Embarcadero Road, 20PLN-00290

Table 1: CHAPTER 18.16 (CS District with AD Combining District)
 Exclusively Non-residential Development Standards

Regulation	Required	Existing	Prior Approved Project	Proposed
Minimum Site Area, width and depth	None	2.54 acres Width: 255' Depth: 342'	2.54 acres 110,423 sf	2.54 acres
Minimum Front Yard (Embarcadero Road)	0-10 feet to create an 8-12 foot effective sidewalk width (1), (2), (8)	37 feet	55'-5" 45'-7" to the canopy	47'
Rear Yard	None	154 feet	33'-9"	68'-4"
Interior Side Yard	None	52 feet	0 feet	71'-10"
Street Side Yard	None	87 feet	83'-11"	89'-5"
Min. yard for lot lines abutting or opposite residential districts or residential PC districts	10 feet ⁽²⁾	Not Applicable	Not Applicable	Not Applicable
Build-to-lines	50% of frontage built setback Embarcadero 33% of side street built setback on East Bayshore Road ⁽⁷⁾	Unknown	No Build-to Proposing DEE 83'-11" (Embarcadero) 47'-7" (Bayshore)	No Build-to-lines DEE is necessary
Max. Site Coverage	50%	20% (43,408 sf)	45.5% (50,277 sf)	27% (30,130 sf)

Max. Building Height	50 ft	30 feet	36-43 feet to top of roof deck. 50 feet to top of elevator shaft	26 feet to parapet 36 feet to architectural accent element
Max. Floor Area Ratio (FAR)	0.4:1 18.18.060(e) 0.2:1 Additional FAR for Automobile Dealership Showrooms on the first floor.	0.2:1 (43,408 sf)	(Mercedes) 0.4:1 Dealership 44,169 sf 0.10:1 Showroom 11,042 sf (Audi) 0.4:1 Dealership 39,472 sf 0.10:1 Showroom 9,654 sf	0.25:1 Dealership 27,220 sf ⁽⁹⁾ 0.04:1 Showroom 4,157 sf

- (1) No parking or loading space, whether required or optional, shall be located in the first 10 feet adjoining the street property line of any required yard.
- (2) Any minimum front, street side, or interior yard shall be planted and maintained as a landscaped screen excluding areas required for access to the site. A solid wall or fence between 5 and 8 feet in height shall be constructed along any common interior lot line.
- (6) The initial height and slope shall be identical to those of the most restrictive residential zone abutting the site line in question.
- (7) 25 foot driveway access permitted regardless of frontage, build-to requirement does not apply to CC district.
- (8) A 12 foot sidewalk width is required along El Camino Real frontage
- (9) Includes trash/recycling storage enclosure

Table 1: COMPARISON WITH CHAPTER 18.16 (CS DISTRICT) continued
Exclusively Non-residential Development Standards

Topic	Requirement	Proposed
Hours of Operation (18.16.040 (b))	Shall be required to obtain a conditional use permit. The director may apply conditions of approval as are deemed necessary to assure compatibility with the nearby residentially	The proposed dealerships will operate between the hours of 6:00 am and 10:00 pm.
Outdoor Sales and Storage (18.16.040 (h))	Not Applicable because the site is proposed to be subject to the AD combining district	Not Applicable
Recycling Storage (18.16.040 (i))	Provide adequate and accessible recyclable collection.	Recycling will be provided in the rear of the building

18.16.080 Performance Standards. All development in the CS district shall comply with the performance criteria outlined in [Chapter 18.23](#) of the Zoning Ordinance, including all mixed use development

18.16.090 Context-Based Design Criteria. As further described in a separate attachment, development in a commercial district shall be responsible to its context and compatible with adjacent development, and shall promote the establishment of pedestrian oriented design. *(Subject to change in summer of 2021)*

Type	Required	Proposed
Vehicle Parking	Automobile Dealership: 1 space per 400 SF Automotive Display: 1 space per 500 SF Excluding auto storage Dealership: 77.5 spaces Display: 0.3 spaces $30,991 \text{ sf}/400 = 77.5$ $3,415 \text{ sf}/500 = 6.83$ Total: 84 spaces	81 customer spaces
Bicycle Parking	1/10 employees (Short- term)	Not shown
Loading Space	30,000 – 69,000 sf = 2 spaces Total: 2 spaces Director could waiver one loading space per 18.52.050	Not shown

Attachment D

Project Plans

During shelter-in-place, documents are only available on-line.

Directions to review Project plans online:

1. Go to: bit.ly/PAwaitingprojects
2. Scroll to find "1700 Embarcadero Road" and click the address link
3. On this project specific webpage you will find a link to the Project Plans and other important information

Direct Link to Project Webpage:

<https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=5070&TargetID=319>



Architectural Review Board

Staff Report (ID # 11971)

Report Type: Approval of Minutes **Meeting Date:** 2/4/2021

Summary Title: Minutes of December 3, 2020

Title: Draft Architectural Review Board Meeting Minutes for December 3, 2020

From: Jonathan Lait

Recommendation

Staff recommends the Architectural Review Board (ARB) adopt the attached meeting minutes.

Background

Draft minutes from the December 3, 2020 Architectural Review Board (ARB) are available in Attachment A.

Draft and Approved Minutes are made available on the ARB webpage at bit.ly/paloaltoARB

Attachments:

- Attachment A: December 3, 2020 Draft Minutes (DOCX)



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: December 3, 2020
 City Hall/City Council Chambers
 250 Hamilton Avenue
 Virtual Meeting
 8:30 AM

Call to Order/Roll Call

Present: Chair Peter Baltay, Board Members Alexander Lew, Grace Lee and David Hirsch.

Absent: Vice Chair Osma Thompson

[Roll Call]

Oral Communications

Chair Baltay: Thank you very much. Next item, on our agenda is oral communications. Do we have any member of the public who wishes to speak to any item not on our agenda? Do we have any members of the public who wish to speak?

Veronica Dao, Administrative Assistant: Currently, there are no raised hands.

Agenda Changes, Additions and Deletions

Chair Baltay: Very well. Next item is agenda changes, additions, and deletions. Jodie, could you take us through that, please?

Jodie Gerhardt, Manager of Current Planning: Yes, we do have a few changes this time around. The study session on ex-parte communications is going to be continued to the next hearing. Then on Monday, we had added the ARB annual report, and that draft letter was sent out to the Board for review and discussion today. That concludes changes.

Chair Baltay: Just so the public knows, we also have comments from Board Member Thompson on each project, which we will read into the record at the start of the discussion for each project.

Ms. Gerhardt: Yes.

City Official Reports

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, and 2) Tentative Future Agenda items and 3) Recent Project Decisions

Chair Baltay: Next item is city official reports. Anything, Jodie, again, from staff on that?

Ms. Gerhardt: Yes, Veronica had that up and she will bring that up again. Perfect. I think what was shown on here was the Hamilton project, which is I believe is delayed, but Pope-Chaucer Bridge should

still be coming to you on December 17th. We would also have the ex-parte communications, and then we would also have the elections for Chair and Vice Chair because the idea is that Council will vote on new Board Members on the 14th, I believe. Then, we can do Chair and Vice Chair afterward.

Action Items

2. PUBLIC HEARING / QUASI-JUDICIAL. 3585 El Camino Real [17PLN-00305]:
Consideration of a Major Architectural Review to Allow The Demolition of a 800 Square Foot Commercial Building and the Construction of a New Three-Story Mixed-Use Project Including 2,400 Square Feet of Office Space, and Three Residential Units. This is a Housing Incentive Program Project with a Variance Request to Deviate From the Parking Lot Shading Requirement. Environmental Assessment: Mitigated Negative Declaration. Zoning District: CN (Neighborhood Commercial). For More Information Contact the Project Planner Sheldon S. Ah Sing at sahsing@m-group.us.

Chair Baltay: Perfect. Okay, thank you. With that, we are ready to move on to our action items. The first item is item number two, Public Hearing / Quasi-Judicial for 3585 El Camino Real: Consideration of a major architectural review to allow the demolition of an 800 square foot commercial building and the construction of a new three-story mixed-use project including 2,400 square feet of office space, and three residential units. This is a Housing Incentive Program Project with a variance request to deviate from the parking lot shading requirement. Can we have a staff report, please?

Sheldon Ah Sing: Yes, good morning.

[Setting up presentation.]

Chair Baltay: Before we do that, I would like to ask if we have any disclosures from any members of the Board before you start, Sheldon. Alex, any disclosures?

Board Member Lew: No.

Chair Baltay: David, disclosures?

Board Member Hirsch: No, none.

Chair Baltay: Grace, disclosures?

Board Member Lee: None, except that I looked at the materials Board at City Hall.

Chair Baltay: I will disclose that I did spend some time visiting the site and also looking at the material board. Okay, Sheldon, please go ahead.

Mr. Ah Sing: Thank you for the introduction.

Board Member Hirsch: Yes, I disclose that I also -- David here -- visited the site again and also the board at City Hall.

Chair Baltay: Thank You, David. Okay.

Mr. Ah Sing: Thank you. This is the third time for this project before you. What we are going to be talking about today is the formal review of a mixed-use project. I'll give a little background of how we got here and then some of the changes that the applicant did at the recommendation of the ARB, and then our recommendation. The project is located on 0.14 acres. It is a corner lot there at El Camino Real and Matadero Avenue. It is a new three-story mixed-use building, zoned CN neighborhood commercial. The project uses the Housing Incentive Program. This will probably be the first project to be approved; you may be aware of another project on San Antonio, but that one needs the ordinance to

be in effect. This will likely be the first one to get approval using this incentive program. The requests are for architecture review. The variance has been withdrawn because it is no longer necessary, and we will talk a little bit more about that. The recommendation is for the ARB to recommend approval to the director. A little bit of background: the project has been before the ARB twice before in October of 2019, and recently in May 2020. Most recently, the ARB did provide the following recommendations and suggestions. Those were to revise the shading exhibit considering all of the trees that affect the shading for the parking lot area, including the street trees; review size of a second-floor one-bedroom unit. The ARB thought that was a large unit, maybe too big. Then to demonstrate more about the base, middle, and top to be consistent with the South El Camino Real guidelines, in particular, the top portion of the building; to consider adding a landscape professional to the team; also to evaluate basement parking possibility, and to update materials to match the plans. A little bit of site context. The site is a corner lot. It also has an alley to the rear and some overhead utilities. The site is constrained in that manner with these streets. There is also a residential right behind on the alley. It is an RM30 site. Then, in general, you have a curb-cut there in front. Those would be eliminated as part of this development project. A little more about the site context here. The area is an area that has a lot more older developments, single to two-story types of development. You can see there is another Quonset hut there across the street from the project. There is one also on the site that is partially dismantled. The site was an automobile repair area and was the location of remediation in the past for hazardous materials that has been given closure for the site by the County with site agencies. Those areas, you can see, is just an area that's going to be in transition over a period of time. A little bit about the Housing Incentive Program is for residential mixed-use projects along El Camino Real (CN or CS) that the director may waive requirements if they are consistent with architectural review findings. The FAR maximum is not to exceed 1.5:1. The base CN in comparison is 1.0 and the maximum lot coverage can be waived where the base CN allows up to 50 percent. The Housing Incentive Program is intended to produce more housing as an incentive. For the proposed project, we are looking at a three-story mixed-use building. The applicant has revised the project and proposes the following. There was some adjustment to the office square footage, they also adjusted the square footage of residential units down slightly, making the one large bedroom unit on the second floor a two-bedroom unit. Also, the applicant added a parapet to address the top issue, and also revised the landscape plan. The project does include .41 FAR commercial space, and three residential units that have .71 FAR. The total FAR is 1.12. Just slightly over what would otherwise be allowed but still under the maximum for the HIP. The maximum lot coverage is 60 percent, which is a little over what otherwise the base would be. Some notable development standards for the district are that there is a 12-foot effective sidewalk for El Camino Real. Off the property line, there is actually a five-foot setback, but in total for the face of the curb there is a five-foot sidewalk. There is also a five-foot setback for the street on Matadero. That does push the property development envelope in a little bit towards the property. Then, you have the open space coverage is 35 percent, as well as the parking lot shade canopy is 50 percent. There are also the South El Camino Real guidelines that are applicable to the project. Some of those are 75 percent build-to for El Camino Real frontage, 50 percent frontage to the side street, and that encourages projects to take access from the side street. The orientation of the building is also towards El Camino Real and it includes an articulated base, body, and roof. This shows the evolution of the project since we first saw it on October 2019 through today. Very slight and very small changes. The Board had some specific recommendations but nothing about really changing the building or site plan that drastically. That's why you don't see a lot of changes from the first iteration. This is from El Camino Real and you can see slightly the Matadero elevation as well. The main changes here would be planters are the ground level giving a little more base to the project, and then the parapet at the top there where they are using a brushed aluminum cladding. Then more along Matadero and the alley side, here you probably see a little more changing. It is, again, the parapet and the landscaping along the alleyway has changed as they have changed Japanese Maples to the Western Redbud. It might be easier to see more of the changes here on the site plan, especially with the parking area in the back. There was an addition of a landscape area, the parking was reduced, and the machine. Overall, the project still meets the requirements. You can see as the project has evolved, the back part of the property towards the alley has more screening and more landscaping giving some buffer for the residences across the alley. Here you see the project is one-story taller than the adjacent properties. That is something that is seen to be acceptable in these areas. The first floor, or base of the building, is consistent with the neighboring buildings to maintain that rhythm and pattern. You can see, also, from Matadero it still the same there with the properties across the way has a pretty big setback from the

alley, and it is also just one floor above that. This is going to the elevations and the planters at the base of the building here. This is along El Camino Real. Then you can see where this concrete frame and glass railings and three-form cladding material -- the applicant will go a little bit more into their design palette and design intent. Then, at the top you have the brushed aluminum metal cladding for the parapet wall and the perforated aluminum for the mechanical screening. There is a lot of variety in the materials. The applicant has certain slides on those in his presentation. Again, along continues that same type of palette there. All of this is within 35-foot height limit. The elevation here you see that pebble wall that is introduced on the rear of the building and the screening of the rear parking lot area. Also, you may be able to see here a little bit of the trellis that is covering the parking spaces in the back and it has some binds on it trying to achieve that buffering between the property and the alley and the residents way. This is the alley elevation, as I mentioned, with the landscaping as much as they can do as it is not shown here but there are -- in the picture I showed earlier -- overhead utilities. These trees can't get that tall or they're just going to get chopped by utility services. The whole goal here in landscaping is to try to soften this elevation from what those residents would see across from the alley. One of the things that had to be addressed on previous iterations having requested a variance was a parking lot shading. The tree canopy and sizes within a service parking area shall include tree planting designed to result in 50 percent of the parking lot surface areas within 15 years. There are certain criteria requirements for certain types of trees that you can plant to achieve that. What the applicant did -- with the recommendation of the Board -- was bring on a landscape professional to have the plans refined, changed some of the trees in the back from Japanese Maples to Western Redbud trees. Also, count those London Plane trees, they have very wide, large canopies especially at maturity. When all of this was put together, they did meet the requirements. It is 50.3 percent. It just barely made it but we did double-check that so no variance is required for this part of the project. The other component here was the base, middle, and top and this comes into play with being consistent with the South El Camino Real guidelines. The base of the building includes the office space, and this is featuring landscape planters, exposed concrete column frames with concrete slab, and glass walls. The floor-to-ceiling height is 13 feet. The middle of the building includes a little more variety here. You've got exposed concrete frame overhangs for balconies with hanging landscaping; there's some solar screening, as well as the floor-to-ceiling height here in nine feet. The top is residential use and it features an eight-foot setback with a four-foot overhang of the terrace. It includes three-form cladding and operable windows and doors. The very top includes a one-foot parapet wall with brushed aluminum cladding and coping. The very top, at the roof, includes mechanical equipment screen with perforated aluminum screen. One of the other topics was to look at whether or not you could put the parking underground. There is an attachment that includes some diagrams. These are some different diagrams. These are more detailed ones. The applicant along the way through this project has provided a lot of different iterations for this basement addressing some of the Staff, as well as the ARB's, comments. As you look here, this site is 104 feet by 60 feet and you have setbacks in the front along El Camino Real that need to be maintained and those transcend not only at the ground level, but it goes down below grade when you consider a basement element. It also has a five foot setback along Matadero. Then, what can we do with it? Once you lay that out and try to fit we can really distill a one-way ramp down that's not to code. In doing so when you are making that turn at the bottom of that ramp it is not possible without going into the setbacks, that's another deviation there. You need another deviation to go into the street side yard setback. Then, once we figured out how to get into this area, where do we put the parking? They put a little example here of some stackers. These stackers here are, I think, nine stackers. It is very difficult to see how this would really fit. Maybe you could orient these in a direction? Then, trying to get to the top level, you need to have an elevator and a stairway; they put that in the rear of the property. Then when you get to the surface you can see how this looks. You actually still need to have a driveway and surface parking. Really, you have just, kind of, complicated the site more with the alley being the access to the ramp; you still have the trash there. Now there is this other element of a stairwell and elevator. The transformer is still there. It is very busy in the back. You lose a lot of landscaping and you still have a driveway and parking at the top. We haven't really achieved much by trying to put this below grade. This is why we have determined that this is not a feasible thing to do. This is just the cross-section of what that looks like. Maybe you could put some parking underneath the ramp but it is very limited. You have to a pit to go down more. There are just a lot of different things that make this not a feasible solution. We're going into the materials here, and the applicant will go a little bit more into this. Just provided here are some of the different materials that create a lot of variety. A lot of variety being used

throughout the elevations, as well as the details. Here are the glass railings, the glass overhangs, and how that is attached to the building. The long-term bicycle parking has some stainless steel panels. There is wood that is being used as well for the project. There is a bench, there is a trellis; the rooftop has metal as well as the trash enclosure. There is a pebbled wall that is being used along the perimeter towards the rear and the alley of the building. Then there is a masonry block wall that is being used for the closure for the trash. The mechanical equipment is also screened. You can see how the wholes are situated. It should provide screens and won't be able to see the equipment. The planters are the metal type of planters there. This is the new aluminum cladding material for the parapet wall. Then all of the material composed there. I think here is an updated one at City Hall. Some other miscellaneous issues are the below market rate housing; the project will make an in-lieu payment. The mechanical lift parking, there is a condition regarding operations and maintenance. For CEQA, the project required a mitigated negative declaration that circulated earlier in the year. Some of the impacted topics included air quality, biological resources, cultural resources, hazards and hazardous materials, and noise. There were mitigations that were proposed to reduce these impacts to less than significant. In conclusion, they want the board to conduct a public hearing. The project does respond to the ARB comments. The project is consistent with the architectural review findings. I do want to note that that in finding number one, we just want to make a change there. It is on page 19 of the packet. The sentence right before finding number two -- so it's the last sentence -- needs to be revised to strike out the last part of the sentence since the project does not require a variance. The project is consistent with the code as proposed. Staff makes the recommendation to the ARB to review and consider the initial study and mitigated negative declaration, and recommend approval of the project to the Director Of Planning and Development Services based on the findings and subject to conditions of approval. That concludes my presentation and I will be happy to answer any questions. The applicant does have their presentation. Thank you.

Chair Baltay: Thank you for your thorough presentation, Sheldon. Do we have any questions for staff from any member of the Board? Then, Sheldon, I'd like for you to clarify for me, please, on the shading of the parking area the applicant also has some sort of a trellis structure or trellis and vine combination. Am I right in understanding that the code requires the shading to be from trees?

Mr. Ah Sing: That is correct. We did not count that but we did clarify in our staff report that that does help with some additional shading. We didn't count the roof overhangs that went into the driveway, nor did we count the parking portions.

Chair Baltay: Okay. Then, you have confirmed these calculations to prove the area meets the 50 percent requirement? It is a very tight calculation it seems.

Mr. Ah Sing: We did. We did confirm them.

Chair Baltay: Okay, thank you very much. No other questions from me. Again, any other questions for staff from Board Member? Okay, then, with that let's have the applicant make a presentation if they would like to. Do we have an applicant present today?

Pratima Shah, Architect: Yes.

Chair Baltay: Very well. Welcome and good morning. Thank you for your presentation. You'll have ten minutes to speak to us if you'd like. Go ahead whenever you are ready, please.

[Setting up presentation.]

Ms. Shah: My name is Pratima Shah. I am the lead architect on this project. Good morning Architectural Review Board Members, Planning Staff Jodie and Sheldon. Thank you for reviewing our building design proposal. We appreciate the thorough staff report and detailed presentation by Sheldon. This is our third formal presentation before ARB. We appreciate the review and comments. The revisions made to the design in response to these comments have assisted with building design enhancement. The project site has been weakened in (inaudible) condition for the last 30 years. We,

Bellomo Architects, together with KSS Management are proposing a three-story mixed-use building with office spaces on first and second floors and three residences on the second and third floor. There are two double bedroom units and one single-bedroom residential unit. As you are familiar with the design proposal, I will focus my presentation on the revisions and responses to ARB comments from previous hearings. First important topic is parking area shading. The revised design proposal has four Western Redbud trees along the alley and three London Plane trees. These trees provide shading of the parking area and fulfill the requirement of 50 percent shading with trees. The project does not need a variance. The surface parking is located on the northeast side of the building, and it is covered with combination of standing seam metal roof and wood trellis with vines. The building overhangs five feet over the driveway. The shadow study performed on June 21st at 3:00 p.m. indicates that most of the portion of the driveway will be shaded due to the building. The shading with the trees and these additional measures cumulatively mitigate the heat island effect associated with the surface parking. Articulated façade. A 12-inch parapet wall has been added along the perimeter of the building on the roof. This parapet wall is clad with a brushed aluminum sheet. The parapet with cladding defines and articulates the top of the building. Brushed aluminum panels have been part of the building material palette of this project. The application of aluminum sheet cladding is similar to three-form cladding. The revision is aligned with Palo Alto municipal code and El Camino Real guidelines. The proposed building has a well-articulated façade with storefronts, glass overhangs, balconies, terraces, and operable doors and windows. The third-floor walls have been setback eight feet to reduce the massing of the building and to complement the neighboring two-story buildings. The building form also expresses the use of the space. On the ground floor, the concrete columns and glass storefronts maintain the rhythm and scale of the neighboring storefronts. The second-floor office space has balcony with vertical screen garden, which provides a beautiful view and shading. The third-floor walls are recessed eight-foot creating terraces for residential use and provide privacy for residential spaces. Materials. A detailed material sheet, which includes specifications, materials pictures, and construction details, has been submitted in the package. There is no change in the previous material purchased with additional of aluminum sheet cladding for the parapet wall. There are two different types of screens used in this project. The screen used for screening mechanical equipment on the roof is made of perforated aluminum sheet, which has one-inch diameter hole placed full and center to center. This will screen the equipment properly. The other screen used is for bicycle parking and is made of stainless steel with smaller holes and 40 percent openness. Three-form color samples and pictures includes are consistent with the colors in the rendering. With this revision, we have submitted photo realistic rendered elevations that show the material color, texture, and its location in the building precisely. The next couple of slides show rendered elevations. The building has honest expansion of concrete structural frame, and the palette is really minimum with concrete, steel, and glass as the main structural materials and three-form aluminum [distortion]. Landscape design. The landscape design has been revised after consultation with architect Annie Wong [phonetic]. There is no existing tree on the sidewalk or on the property. We are providing a total of five London Plane trees on the sidewalks and one at the end of the driveway. The Japanese Maple trees have been replaced with four Western Redbud trees, which are native, drought-tolerant, and ornamental. It grows around 15 feet tall, so it satisfies the constraint of overhead electrical cables along the alley. A landscape planting strip with four Western Redbud trees, shrubs, and bamboo planters along the alley act as buffers and screen between the proposed building and the residential apartments. A vehicle parking on grade is partially covered with wood trellis and flowering creepers, which will provide shade to the parked cars as well as create beautiful views for the residents and the neighbors. Metal planters with African Iris plants has been proposed along El Camino Real and Matadero Avenue side. The planters with beautiful Iris plants will enhance the pedestrian experience, as well as provide a screen and a view to occupants. African Iris is a drought-tolerant and robust perennial with great aesthetic value and easy care. On the second floor balcony on El Camino side, a vertical screen garden has been proposed. A cable trellis system will be provided, which will guide creepers planted in the planters in the balcony. The creepers and cables will create a beautiful garden screen with interesting views and make urban space more livable. It will also help reduce solar gain mitigating noise and dust. Most of the proposed landscape elements can be seen in the rare view of the corner of Matadero Avenue and the alley. There is a little change in the program on the second floor. A one-bedroom unit on the second floor has been converted to 1,240 square foot two-bedroom unit. Two car parking spaces have been provided for requirement for this unit and the mechanic elevator lift system. The project fulfills parking requirements. Guest parking is not required but a shared parking program can assist with guest parking

for residential uses. At the surface, parking spaces allocated for office use can be shared with the residences after business hours for guest parking. Regarding (inaudible) parking, a detailed study, comparison of parking solution, and multiple design options have been submitted to the Planning Department, including one-way ramp with stackers, two-way ramp with stackers, and a one-way driveway with a jog. Even with one-way ramp, the maximum permitted slope and 180-degree turning radius for cars could not be accommodated. Despite of proposing a full 6,000 square foot basement, we were able to accommodate only three car parking spaces in the basement thus requiring use of three-chair mechanical lift system in the basement to maximize the parking to eight to nine cars. The study has been provided to show how basement layout, position of stairs, and elevators would impact above-grade in meeting the code requirements and design guidelines. Basement parking is not feasible due to the size and shape of the property. We are not able to fulfill California Green Building code requirement, Palo Alto municipal code requirement of two car parking spaces on grade, and we are able to provide only eleven cars and this project needs 15 car parking spaces. The basement parking will require entry and exit from the alley which will increase traffic in the alley, as well as impact the neighboring residences. No trees or landscape can be proposed along the alleyway with the basement layout. With this, I will conclude my presentation and hand over to Joe.

Joe Bellomo: Thank you, Pratima. Good morning ARB members. First of all, I appreciate the time you spend. It is really well appreciated. I did two terms on the ARB and I think it is very helpful. Let's see. I have designed a few hundred thousand square feet of commercial buildings on El Camino, as well as major downtown Palo Alto buildings. I have designed shopping centers. I have a wide range of projects we have worked on. It gives me immense pleasure to present a mixed-use building on this 60-foot microsite. Most of you understand that that is the size of a single-family residential site in Palo Alto. The project has... as I mentioned it is a small site and we did have remediated soil that is cleaned up now. The site is clean.

Vinh Nguyen, Administrative Associate: One-minute warning.

Mr. Bellomo: Yes, our design team is ready and we are ready to receive your approval so we can move this project along. Once again, I just want to say how much I appreciate the time you give on the ARB. We are excited about the project. Thank you.

Ms. Shah: Thank you.

Mr. Bellomo: Any questions at any time.

Chair Baltay: Thank you very much, Architect Bellomo. Do we have any questions for the applicant from any member of the staff of the ARB?

Board Member Hirsch: Yes, I have a question.

Chair Baltay: Go ahead, David.

Board Member Hirsch: Earlier renditions had solar collectors on the roof. Can you tell us are they still there? Are they still part of the project?

Mr. Bellomo: There will be solar and PV panels on the roof.

Board Member Hirsch: Thank you.

Mr. Bellomo: Yeah. We do that, for example, 102 here, this building here we have solar panels. But, yes, we will have them, David.

Chair Baltay: Okay. Any other questions. Very well, then. I would like to open up the meeting to comments from any members of the public. Do we have any members of the public wishing to address us?

Ms. Dao: Currently, there are no raised hands.

Chair Baltay: Very well. Then we will close our meeting to public comment and begin Board deliberations. Before we start, I would like to have Jodie or one member of the staff read the comments sent to us by Osma Thompson who is not with us today. Osma is not voting on the project but I would like for her to comments to be read into the record so everybody hears what she had to say. Jodie, could you do that, please? Jodie, or any member of staff.

Ms. Gerhardt: Sorry, I had to leave for a second. What's the question?

Chair Baltay: I would like to read Osma's brief comments into the record at this point.

Ms. Gerhardt: Yes, one second here. I will bring those up.

Chair Baltay: These are notes sent to Jodie Gerhardt this morning.

Ms. Gerhardt: Yes. On this particular project, she said in general the design is lacking a granular detail and warmth. The effort to articulate the top of the building by utilizing a change in material on the top parapet is ineffective at defining the top and appears slightly out of place. A change in plane would certainly bring more definition to it but could potentially be out of place as well with the language of the rest of the building. The problem remains that the top story appears to be one big wall element without much relief, and could benefit from a material or textural change for the whole top story since just altering the tiny silver band of the parapet doesn't do much for scale of the building as a whole. In a similar vein, the design would benefit with a change in material for one of the stories instead of having the same three end material on every floor to break up the monotony of the appearance of the mass. For this reason, she finds that she could not make finding number two and would not recommend approval.

Chair Baltay: Okay. Thank you for reading that, Jodie. David, would you like to go next on this project?

Board Member Hirsch: I would like to go last if you don't mind.

Chair Baltay: Fair enough. Grace, how about you? Are you willing to put your opinion on the line right now?

Board Member Lee: I am willing.

Chair Baltay: Thank you, Grace.

Board Member Lee: I just want to start with a big thank you to planning staff and to Sheldon for a very complete staff report as well as your presentation. I appreciate, in particular, walking us through some of those previous studies and how to problem-solve. It really shows how the applicant has really gone above and beyond over a period of time to find the right solution and to work with the City Staff, as well as our Board. Overall, I have to say that I am very much in agreement with planning staff to recommend this project for approval. I believe it is consistent with the findings. I will say further that this is going to be the first project to be approved under the Housing Incentive Program; a very welcome addition to the El Camino corridor. It's not an easy site, however, how much better can we do, right, than the 30-year-old vacant and then the Quonset hut that was there before. It is consistent with the South El Camino guidelines, as well as the vision for the Ventura area. I just want to reiterate -- we all know -- this is a mixed-use building that is happening with housing and retail. To walk through some of the responsiveness from the applicant, I do appreciate the shading exhibits and just understating my colleague's comments regarding trees, perhaps a change in the one of the trees, and also making sure about that 50 percent requirement. I see that it meets that. I also think that in terms of how the site diagram is working, given the site and the access issues that this makes a lot of sense in many ways. I do think that it is buffered along the alley and that the Matadero Creek, Matadero street façade, as well as the El Camino street façade access and parking works very efficiently and in a way that really thinks

about the context and also on how to protect the usage in terms of safety. We talked a little bit, it wasn't on my side, but I believe my colleagues had mentioned the whole base, middle, and top issue or challenge. I never really saw that as a challenge but I just want to talk a little bit about articulation of base, middle, and top. I fully respect it but have a different perspective than Vice Member Thompson. I think if we look at this building from all sides and to me what is terrific is that there is this wonderful concrete frame. That is the main skeleton and something that we see overall. Now that skeleton really breaks down with transparency, with solids and voids, and a rich variety of materials. I just wanted to walk through my reading of base, middle, and top. Thank you staff and applicant for in your staff report walking through it. Pratima and Joe, thank you so much for your responses. I feel very strongly that the top is now articulated with this parapet; it goes all the way around. I just want to go back to that concrete frame because that is what unifies the whole building both at the ground, and middle, and top, and we see that that articulation is different at each level of how that frame is pierced, where things are sitting in plane. I think we all agree on the base we have these wonderful planters and the higher ceiling height. Everything is working to really read as a strong base. At the middle, the concrete frame is there, however, we have the steel railing and the vertical cables with the landscape element. It is a clear part of the concrete frame but it is differentiated from the base. At the top, the concrete frame disappears. I don't see too much of one material because it is also recessed for that balcony with an awning. You really only see the three-form... I do not feel like it is used in an excessive way because we now have the parapet, the cap on top, as well as this translucent material as the balcony, and it is recessed, and then the shadow of the awnings. For me, there is a very strong base, middle, and top. I just wanted to walk through that. The other piece that I wanted to mention is that I applaud the colors and textures and the variety that is shown in the palette. For me, the actual rock wall provides a texture, the landscape that is in planets on both street sides, El Camino and along Matadero provides texture and landscape that works well with the building materials and the overall elevations. I think in summary, I don't think we should delay. I think it's time to approve. The applicant has been very responsive to our comments. I also just want to send a thank you... particularly the handout that was part of the package on materials is very thorough and I appreciate that, and thank you for the paper sets this time. I feel like this set in terms of the elevations, sections, and plans, and all of the that could be a model example for other applicants who are proposing to the ARB. With that, I will go ahead and pass it on. Thanks.

[Adjusting Audio.]

Chair Baltay: Thank you, Grace, for your comments and I'll ask Alex to speak next.

Board Member Lew: Okay. I can do that. Thank you, Joe and Pratima. I think that the project looks really good and I think I can recommend approval today. I do think that there are some things that are missing. I think you have been showing things in your presentation but they are not in the drawing set. Here is what I have got on my list that I think need to come back to the Board in some way, perhaps a subcommittee. One is the rear trellis in carport in the back. I don't see any details of that. Also, I don't see the roofing material. I think you showed some in your presentation today. I think the drawings are calling out a corrugated metal. I think what is shown in the presentation today is fine. I would have some reservations about corrugated metals just because it is fairly reflective when it is new. The second item is the metal planters. I don't see any spec sheets and sizes for those. I think you have quite a number of them at the street, and alley, and the second floor. I think we do need to see that. Also, on the second floor you're showing the cable system connecting from the ceiling soffit down through to the bottom of the planters. I think that is a critical detail that the Board should review to make that it is actually workable. Also, I think there is some sort of grates or louvers above the parking lift doors and I don't really see those called out anywhere. I think that that needs to come back for review. I don't have any conceptual issues with what is being shown. I think the idea, though, is to try and screen anything... I think we do want to try to screen the cars that will be in the parking lifts, especially from the neighbors. I think we should have some consideration for that. With regard to the base, middle, and top, I think I understand Osma's point of view. I guess in my mind, the awnings that you have above the third-floor doors and windows, to me, I would consider that part of the cornice element. It is a projecting element. I think that, for me, it satisfies creating some sort of cap on the building. I think with regard to the base, middle, and top, I think it is really critical that we do that for large buildings but this is not really one of them. I think the Board needs to still pursue the base, middle, and top on a really large project. It is

really a critical concept to breaking down the scale of buildings but I am finding that for this one it is not really quite a large issue. Anyway, that is where I am. I can generally recommend approval with items coming back somehow to the Board.

Chair Baltay: Thank you very much, Alex. Out of respect to David's request to be the last comment, I will offer my suggestions now. In general, I can recommend approval of this building. I think it's a handsome building and will do its job well. I would like to offer one minor concern that is something that's not really directly our purview but I noticed that all of the residential units have no closets. I am hard-pressed to believe that it will end up being built that way. I am not sure if what will end up happening is larger units getting created, perhaps going back to one-bedroom units with proper closets and things. I guess I would like to leave it to Staff's discretion but we specifically pointed out that we didn't want to have the parking reduced by having the bedroom count being made larger. I think that the layouts still need a little more work. I am in favor of letting the project go forward, in spite of the fact that I think there will be some revisions on the bedroom layouts. I am just pointing that out. I don't know if other Board Members are concerned about that but I think...

Ms. Gerhardt: Chair Baltay?

Chair Baltay: Yes.

Ms. Gerhardt: Is it possible to ask the applicant where they think those closets may go because I think if they are interior that would be fine for staff to handle but we wouldn't want them changing the exterior windows.

Chair Baltay: Exactly. Let's come back to that, though. Let's see if the rest of the Board has any concern about it because I don't want to drag this out if it's just my thing. The closets themselves are not our concern. I think I am bringing it up just because Alex had mentioned, appropriately, that the proper unit size would require an extra parking place, which they seem to have accommodated. My other thought is to really address the issue of base, middle, and top. That's something we have all be discussing and thinking about. At a high level, I think this building exemplifies why it is important in our objective design standards that we have some way to evaluate buildings without such a rigid criteria like a base, a middle, and a top. This is, I believe, a building that fits in well with its environment and the streetscape on El Camino. It is clearly well-articulated and beautifully designed but I don't believe it has a base, middle, and a top of the formal, traditional sense. I don't think the one-foot parapet screen on the top can really be called a parapet or a top. It -- as Osma pointed out -- would need a lot more planer definition to really make it do that. However, the real purpose behind the base, middle, and top is to ensure the buildings have sufficient articulation and really to help them relate to other buildings on the street and in the plane. I think this building by setting the concrete form, the frame, sort of relating to the rest of the buildings along the street and it just fits right in with my gut feeling of Palo Alto. You can see Joe Bellomo's been around a long time and he gets what El Camino looks like, and the building fits. It just goes right in there with the way the frame is done. I think that does the purpose of the parapet. Really, it is just the second-floor overhang with the glass wall that is the top in that formal sense, and the upper piece is recessed back. Clearly the building is well articulated with the openings in the frame and the ins and outs, and the way the doors are put into corner. I can support this building as meeting the intent of the south El Camino Real design guidelines. I can support recommending approval. I do support Alex's requests for a subcommittee to review a few of those items. With that, David, why don't you speak?

Board Member Hirsch: Okay, thank you. Sheldon, that is a nice initial presentation. Congratulations to the clients for method of transcribing it at this time; very distinct and to the point on every item that has been raised, including your latest presentation, which is also complete. I really have to take a different tact because Grace stole every thunder from this descriptive part of the project.

Chair Baltay: You had your chance, David.

Board Member Hirsch: I don't want to repeat everything that she said. My take on the building, from the beginning, has been very, very positive to the extremely strong idea of this frame that sets the tone of the building. All other things are, kind of, subservient to it except for the tan volume that projects itself from the base all the way through to the top. All of the detail on the surface has improved somewhat but was there, at least in concept, from the very beginning. I think I could say that I appreciate Osma's push on the parapet. I think they must have studied it a bit because it had to be not really a projecting element or an extremely visible piece, otherwise it would likely conflict with the stronger aspect of the building framework. In the end, it was a techy kind of piece of metal on the top that simply changed the proportion that has improved the top of the building. I appreciate it. My take is that there are some other ways in which we should look at buildings, not just static views from the street scene across the street because, after all, if you're in the middle of this street you're never even going to see the top of this building. Or if you're in a car traveling along El Camino from one or the other side, you're not going to see it at all from the perspectives that we look at to determine whether a building is aesthetically appropriate or not. I think we could look at this building from the perspective of the car or what you would see when you drove on this particular street, which is filled with fast moving traffic and then sort of quiet zones. It's a strange kind of feeling when you're on El Camino. This is a very powerful frame of concrete and it is expressive on the street. You'll see it from several blocks away because there isn't much coming from the south. There is not very much there to interrupt you; the view is open with a gas station. This is quite a corner piece, and I think it is going to make an impression even to a car because it is so simple and so direct. It has that beauty of attracting your eye to it with the brightness of the frame and the openness in the corner. I want to speak to the corner because the corner makes an urban statement that I think is just terrific here. It is the way in which I would like to see corners made much more, especially an El Camino corner where the sidewalks are so bloody narrow that you really need relief. We don't talk about a building that way but that's a terrific corner now; recessed that way so that you're eye can flow around it and you can actually walk that turn around the corner. It gives us the 12-foot sidewalk that we really separately need on El Camino, and hopefully we can extend it on many other areas of El Camino. Just reflecting a bit, Grace seemed to catch most of the detail of it and Alex all of that great detail that you added to it, which I think all of which are important aspects. Putting those two together I think that's such a complete picture. My emphasis, really, on these kind of urban issues as to what is a building in the urban structure here do? Well, what it does is that in a neighborhood that's desperate for improvement it is the improvement. I think that you will see other people investing in this part of El Camino, and we can see a future that if it has buildings like this at the corner and then the buildings adjacent to it are kind of obsequious to it or respectful of it -- that's probably a better word -- this almost could be a prototype for the city. Not that I hope that it will be that way in all cases but I really think this will be an excellent developer for the rest of this area of the City, which is really in need of a lot of work. I think that I agree with Grace that the detail that has been added to this building is improving it but it as there. That the wood on the balcony and the planters and the... I did want to mention one other aspect that as it faces a very busy street and a very noisy street at moments, the ground floor, which is somewhat protected but yet visible, is an enclosed area but the second floor is setback. In terms of the sound issues of the street I think it's a very appropriate thing to do. That area needs to be quieter. You may still go out on the balcony; you don't look at the traffic when you're in there as an office. Then the same thing is true at the top floor. Those two balconies set the function of the building back and that's a very important aspect to the planning of this building. It all kind of works together; the frame of the building and the setback of the function of the building are two things that work together. The top floor, of course, needs to be that because it's a residence. Now, as to the corner, you turn the corner and you see the entry three-stories high in that frame. It doesn't lose emphasizes on the entry to the building as well, which I think is an excellent way in which to turn a corner and to indicate a change in function the way it does. I think that one other aspect to this is that you see a building both at day and night and now that the days are shorter you have to imagine this building -- I think if I were to give the architects some advice they should have shown in with the light son and the sky dark because that is a totally different view of a building. The upper floor will sort of loose the setback which we have been talking about as base, middle, and top. The top of the building will all of a sudden disappear and the frame of the building will be that two-story turning to three-story around the corner. I keep looking at the photograph of it because it's right here in front of us and you know you can see the strength of it, and you imagine the glassy area down below with lights on in it through the frame. It's a very dramatic corner and we shouldn't forget that we need to look at buildings

both from daylight and nighttime. We have done that on other projects and it is important to do it. It should have been done here and we should've asked to see it at night because it's a selling point for that building to see what it will be like with a frame lipped that way so the transparency of the glassy areas and the setback and the entries area above will all emphasize the way the frame is used here. I just want to make one slight comment to Peter about the closets because I noticed that the first time I looked at the plan. I said "where the hell are the closets?" I talked to the architects about it when I visited there and they suggested Ikea; there are armoires. I thought there should be closets inside, and it is true that a lot of people go out and buy their own and make their own closets. If you had more space you'd call in California Closets, but in this case Ikea is a good bet for buying ready-made closets that will fit into the corner that's adjacent to the bathroom there in the apartment. I don't think it's a critical issue. Just to end, sort of, with my own opinion because it agrees with Grace and Alex about how this building should be seen as a base, middle, and top because I am kind of hoping that we will get to redefine what that really means somehow, if it needs to be redefined. In this case, I don't think you need to really discuss it as a base, middle, and top because the strength of the frame of the building is enough to carry the intent here. It is more of a question of the contrast between the frame and the body of the building. If we could readjust our vocabulary to take about base, middle, and top to be more reflective of this kind of dimension sculptural treatment of a building I think we would be doing ourselves a great service and not to be too hung up on that image. I will tell you that I speak about this as a person who worked in New York on buildings where I was trying to make my building look like it fits into a block and the block was a 20th century, 1900 -- no excuse me. Nineteenth-century buildings with base, middles, and tops in very exposed cornices and very expressed cornices. That is, indeed, where you really do need to do something that doesn't look outlandish in relation to the street facades. When there is consistent blocks of base, middle, and top then I agree that you must have a base, middle, and top for it and recognize it at the very least. In that case, I would do it. In fact, to build a cornice like they did in the past except out of fiberglass working out all of the details so you could extend it out over the front of a building and have it secure with window surrounds and everything else that's a part of that era of construction. But let's just think about Palo Alto as, kind of, moving on and this building is a good representation of just that. That's my opinion.

Chair Baltay: Thank you, David. Okay, I hear four voices of support for this project. I would like to check, though, that Alex has suggested a few items come back to a subcommittee, which I support. Grace, do you support that as well or do you think it should not have those items for a subcommittee?

Board Member Lee: I am open to the subcommittee approach. I am also open to coming back to planning staff to review but it sounds like in this group it's moving towards the subcommittee approach.

Chair Baltay: David, what's your opinion about eh items Alex suggested?

Board Member Hirsch: I have been pretty happy with the degree of detail on the project as it is. If there is one or two that Alex feels strongly about, certainly I have no problem with it coming back to committee.

Chair Baltay: Okay, great. Then let's be clear about the point I brought up about the closets and the layout. My concern is not whether or not they even have closets or where they come from, but rather if they come back with a change on the floor plan what should staff do? At what point do they come back to us or to a subcommittee or something? I think it is incumbent upon us just to give them clear guidance, especially since my guess is they are going to make a change on that sooner or later. We could bring up the pans and ask the applicant for some opinion, but if we were to say look any change that affects the positioning of windows then we want to see it and we do not want to see the parking count reduced even if they cut back a bedroom. Is that a fair statement to leave that as a position of the Board instead? Grace, what do you think?

Board Member Lee: I think it's not really within our purview; however, planning staff would definitely come back to us in any case, right, if elevations are changed.

Chair Baltay: We are just trying to make it easier for them so that the guidelines are set. That's why I am bringing it up.

Board Member Lee: Sure.

Chair Baltay: Who else?

Board Member Hirsch: I could go along with the statement that if there is any change in elevation it should be brought to our attention somehow if that's a motion you would like to make.

Chair Baltay: And the parking count because the parking count increased with the addition of the bedroom. I'd be loafed to see the parking count be reduced. Alex, what's your take on this?

Board Member Lew: Yeah, thank you for the comment on the closets. I did notice that I decided not to mention it. I think that that we should just flag it.

Chair Baltay: Okay.

Board Member Lew: I think the closet is an actual issue because once you go to the county if it doesn't have a closet then it's considered a study. It's not considered a bedroom. Yeah, I think we should just put in a condition of approval that any change to the exterior is required to come back to the Board somehow.

Chair Baltay: Okay. Then, I don't think we should discuss it any further. Alex, can you, perhaps, make a motion? We will see if we can carry with your items that you're concerned about.

MOTION

Board Member Lew: Okay. I will make a motion that we that we recommend approval of the project to the Planning Director with the following four items to return to subcommittee: 1) provide details and material specs of the carport and trellis. I think the trellis called out (inaudible) in the current drawings, and that's fine. 2) provide a spec sheet for the planters on the ground, second floor, and along the alley and provide the wire detail on the second floor and the wires for the vines; 3) provide the material and installation detail of the screening material above the parking lifts at the mezzanine level. Three items: the first one at the carport was trellis details and also the metal roof. That makes it four items.

Chair Baltay: Okay. I can support that and will second that motion. We can have a vote on it now, or, Grace, would you like to try to make a friendly or contrary amendments to reduce it and take it out of subcommittee?

Board Member Lee: I am happy to support it.

Chair Baltay: Okay. With that why don't we just have a vote? Can we do a roll call vote, please, Vinh or Veronica?

Aye: Baltay, Hirsch, Lee, Lew (4)

No: (0)

Absent: Thompson (1)

MOTION TO APPROVE PASSES 4-0-1.

Chair Baltay: Very good. Thank you very much. Congratulations to our applicant. Before we move on I would like to appoint the subcommittee to be Alex Lew and David Hirsch so the staff knows how we will

treat that in the future. Very good, then. Let's move on to our next item or does anybody need a break for five minutes?

Board Member Hirsch: Yes.

Chair Baltay: Yes.

Board Member Hirsch: Nobody else?

Chair Baltay: Okay.

Board Member Hirsch: I could last if you had to but...

Board Member Lee: I could take a break.

Chair Baltay: Okay, we will take a five-minute break, please. It's 9:47. Let's resume at 9:52. Thank you.

[Board took a five-minute break.]

3. PUBLIC HEARING / QUASI-JUDICIAL. 3241 Park Boulevard [20PLN-00032]: Recommendation on a Major Architectural Review to allow for the demolition of a portion of the existing 4,500 square foot building and addition, resulting in a proposed floor area of 7,861 square feet. Environmental Assessment: Pending. Zoning District: GM. For More Information Contact the Project Planner Garrett Sauls at Garrett.Sauls@CityofPaloAlto.org.

Chair Baltay: Okay, are we all back here? Grace, you're with us?

Board Member Lee: I'm with you.

Chair Baltay: Alex, are you with me?

Board Member Lew: (Inaudible).

Chair Baltay: David? Okay, we are back in session. Next item is action item number three, a public hearing /quasi-judicial for 3241 Park Boulevard. Recommendation on a major architectural review to allow for the demolition of a portion of the existing 4,500 square foot building and addition, resulting in a proposed floor area of 7,861 square feet. Can we have disclosures, please? Does anyone have any disclosures to make?

Board Member Lee: Just simply that I visited the site and the materials board, too, right? There was a materials board. I think I saw that as well.

Chair Baltay: Okay. Alex?

Board Member Lew: I visited the site and the materials board.

Chair Baltay: Thank you. David, any disclosures? Dave Hirsch, any disclosures for this project?

Board Member Hirsch: No... yes, I was at the site and the materials board.

Chair Baltay: Okay. I will disclose the same. I was out at the site. I looked at it from several angles and visited the materials board at City Hall. Okay, can we have a staff report, please?

[Setting up presentation.]

Garrett Sauls: Good morning Board Members. My name is Garrett. I am the project planner for this application. The site is 3241 Park Boulevard, which is an existing building that is being partially torn down and remodeled which is adjacent to the Fry's Electronics site that was in the North Ventura Coordinated Area Plan AREA. In general, what the project is proposing to do is it is going to be a two-story R&D and office building which will total about 7,861 square feet. They are proposing to have 31 spaces, which will be at least nine on the at grade and then they will have a parking lift within the back end of the site which will include 21 spaces. They will have two parking lifts that will have a total of 21 spaces, basically bringing the site into compliance without code requirements. In addition to that, they will be providing five bicycle spaces on these site with four long term spaces and one short term space. The proposed landscaping that they have will provide for at least 55 percent canopy over the parking areas, which is exceeding our 50 percent requirement over the next 15 years. The site, given that it was previously used as an auto service, had some chemicals that had intruded into the ground as a result. There is a soil investigation that was included in your packet that demonstrated that soil vapor mitigation system would be required, which the applicant and staff has been in communication with the Department of Toxic Substances Control and the Regional Water Quality Control Board to have them start that process and get the necessary documents prepared for those departments once this project is approved to go through their system. The existing building has a concrete block and wood frame structural system, which again they are tearing down a portion of that building which is roughly 2,000 square feet and retaining that other existing portion and then adding square footage on to the remaining areas. As a result of the work that they are doing, this project would be able to fall under a Class 3 and 32 exemption for new small structures and in-fill development as it is below the thresholds that the CEQA has identified as being less than significant of an impact. In general, what you are seeing here is a site plan of the facility. Along this bottom side where you see my mouse moving to is Park Boulevard, which is the frontage of the site. Along this left-hand side and up above on the left and top of the screen is where the Matadero Creek is which is where Santa Clara Water District holds the ability to review projects within those areas. We have routed this project to Santa Clara Valley Water District and you will not in the conditions of approval letter that they did provide conditions of approval for additional review of this parking lift structure, which is back along here. Staff and the applicant have had meetings with the Santa Clara Water District to review this preliminarily and determine whether or not it would be feasible. That where you see the conditions of approval identifying that preliminary they have looked at it and they said it seems like it will be okay but they will need to do a more formal review with their geotechnical instructional engineer once they have that permit. Additionally, you will be able to see they have a trash enclosure located on this backend corner, which is pushed further way from the street so it reduces the presence of that facility. Additionally, in this bottom left-hand corner where you see my mouse moving, they do have a transformer placed within this area but as you will see on the elevations drawings they do have it appropriately screened with a fencing which has been reviewed by utilities and they have indicated this is an appropriate solution. On the site plan again you will be able to see the nine parking spaces they have along the ground level and then additionally the remaining spaces, which you see in these two parking lifts along the side. Along this front area that you see my mouse moving around here is a gathering space for the tenants of the building, which is shrouded effectively by the planter wall that you have her in this background image. You see this smaller planter below but further beyond it is this planter wall, which you can see will be able to screen this from view but provide, also, a space for airflow to move through and not become a **stalgey** area. On this right hand of the elevations that you see here is where that transformer -- that I mentioned before -- is going to be located, which you can see is screened by this fencing. On the left-hand side is where they are going to put in their fire spout and everything, which they are proposing to have a hedge to shield that from view which are additional things that we typically want to see so that we don't have a brand new beautiful building and then a lot of utility equipment that detracts from that aesthetic appeal. The elevations that you see here is a south facing elevations, which is basically a cut through to face south on the property. You can see on the right-hand side over here is where that communal space is for the tenants. This along the back side is that parking lift that is at an angle so while it may seem at this point that it's further away, if you come three-dimensionally towards it or have that structure moving towards you closer it actually would get closer to this retaining wall that you see along this left-hand side. You also see here that they have a proposed second-floor amenity area. This doesn't qualify for any sort of amenity space as per our definitions which would limit or reduce floor area or our parking regulations that we would have. But it is mostly just for the tenant's ability to enjoy this space as well. Some key considerations for the project is

that there are currently three existing street trees on the site which they are proposing to remove and then replace with 20 trees in total on the site. They would be exceeding the urban forestry requirements to do tree replacement for those trees while also placing in a majority of native species on the site, which you will be able to see on the landscape plans and the documents that were submitted to you in the staff report. In general, the project is well composed in design. There was a portion along the southern wall that kind of faces towards the substation that staff wanted to ARB weigh in and say whether or not they felt that that area needed any sort of additional treatment or if they felt that the design that was proposed is sufficient. The reason for them having a two-story wall is fairly under stable; they have an adjacent substation which is not necessarily the most appealing thing to look at. The applicant has indicated that their intention for that is so that they can screen that facility from the tenants view. As you all have mentioned, this is an example of the material boards. They are proposing to use a smooth troweled-integral cement plaster along the majority of the building, also utilizing a painted metal to help break up the massing up the building. And also using clear glass along the site to give it an openness to it. Lastly, Staff is recommending to the ARB to recommend approval of the project and provide any direction that they feel is necessary. That concludes my presentation.

Chair Baltay: Thank you very much, Garrett. Any questions from any members of the Architectural Board for the Staff? Nothing? Garrett, could you clarify for me, please, you measured the shading area in the parking area. Does that include strictly areas shaded by tree planting or does it include a vine on a trellis structure as well?

Mr. Sauls: Our understanding is that it's strictly for the tree planting and not the vine. That that vine canopy is supplemental but we can have the applicant clarify that.

Chair Baltay: Thank you, Garrett. Any other questions? Okay, then do we have the applicant with us? I see Ken Hayes here. Is it Ken or his son that's going to make this presentation today?

Ken Hayes: Jeff Galbraith with my office, my partner, will be making the presentation. Thanks, Peter. Good to see you, everybody.

Chair Baltay: Yes, so I was just remembering back Mason was a student of my wife's, you know?

Mr. Hayes: Yeah, right.

Chair Baltay: I'm not sure if I have to disclose that or not but...

Mr. Hayes: Mason had a lot to do with the design of this building.

Chair Baltay: She says Mason is a good boy, whatever that means. I certainly feel like I should be careful. In any case, Jeff and Ken, you have ten minutes to present your project to us. Please, go ahead at your convenience.

[Setting up presentation.]

Jeff Galbraith: Good morning members of the Board. I am Jeff Galbraith, I am the surrogate son of Ken Hayes and I am excited to present this project to you this morning. Our site is located at 3241 Park Boulevard. It is in the south end of the North Ventura neighborhood and it is directly across the street from the old Fry's parking lot. It is a unique parcel, as was mentioned, to the south, which would be to the right of your screen. There is an existing electric utility substation, and wrapping around the north and east sides of the lot is the Matadero Creek. In this area, it consists of two concrete vertical retaining walls and a concrete base at the bottom. Across the creek to the east is the CalTrain and Alma Street corridor. Across to the north is a single-story structure that's currently occupied by Vance Brown Builders. In terms of zoning, the site is zoned GM, as are the adjacent parcels to the north along Park Boulevards. The Fry's site across the street is RM-30, and kitty-corner to the site on the corner of Park and Lambert there is a CS-zoned parcel as well as the parcels on the north side of Lambert. Transitioning from Lambert south begins the R1 South Ventura Residential area. We are a bit of a

transition point. The existing structure is 4,500 square feet thereabout. The rear two-thirds of the footprint is high-bay space, single story, and the front third is two-story where there is office space that supports the use. The historical use is automotive sales and repair. In 2018, we brought before the Board the design that you see before you and we got a lot of good, constructive criticism. I have highlighted five of the most salient point from that review on the screen here. The first was that it felt disconnected from the urban context. The second was that the scale and style felt too institutional for the neighborhood. Third was that there was no front yard landscape setback, and four was that the fence along the Matadero Creek was too tall; and five that the curb cut locations were not ideal. We took the dieback to heart and completely reimaged the building. At the heart of our proposed concept is the idea of a courtyard. A lot of the comments that we just ran through had to do with how the building related to its context in the neighborhood, and we feel like putting a courtyard at the center of the concept really solves that. It roots the building and the site, connects the exterior to the interior spaces, it engages the street, and it establishes, in general, a very open and inviting character to the project. Here you see an elevations perspective from Park Boulevard looking back towards the building. It is a very different feel; very engaging and open here to the street with a lot of landscape woven into it. Jumping to the site plan to talk about how things a relayed out on site, the square you see in the center of the site is the remains of the existing structure. We are basically filling in the overhead rollup door openings with new glazing, reskinning the building in new finish, and then we are demolishing the front third and replacing that with the outdoor courtyard that becomes the center point that things to radiate around. We are proising to construct a new two-story bar off to the south up against the substation lot line, and the gap between the two becomes a glassy entrance point into the building. We are also proposing a free-standing structure in the back to house parking lifts. Again, here the demolition portion of the existing structure replaced with a courtyard that really connects the use back to the urban environment. A little bit more granular look at that ground floor. The purple area off to the right is where the services are located, electrical stairs, a bathrooms, and so forth. The blue is occupied space. In addition to the main courtyard, we also have a counterpoint of secondary outdoor space which is more of a contemplate of and worthy focused garden called the refuge. Back to the comments the first one was the feeling of being disconnected, which had a lot to do with the tuck-under parking scheme. In the previous version we were maximized FAR, lifting it up above the parking and avoiding parking going underground for various reasons. That really resulted in that feeling of disconnection. You can see in the new concept a very different feel to the building. Here is a section through showing, again, the connection of the building through that forecourt and the roof deck on top. One of the devices we are using to create a little bit of a sense of separation, but still engagement, is hanging vines, or hanging cables, rather, with vines strung up on them. That would be located between the courtyard and the sidewalk. Here you see the magenta lines that show paths of travel. You can see how the forecourt really becomes a center point that you're invented to walk along if you want to take the sidewalk and get filtered views through the hanging vines or you're also invited to walk through it as the forecourt becomes a key piece of your entry procession into the project. Here is a few views of what that might look like. Here you have parked your car and you're looking back towards the building. Here you have entered the Forecourt, and here you have turned the corner and are facing towards the main entrance. The second comment we received was about scale and style feeling a little too institutional. We feel like the current proposal does a much better job of transitioning between the urban and suburban context. It does that through extensive landscaping, the use of trellis and canopy structures, stepped massing, and just an overall smaller scale of the project. We have reduced the project floor area by about 25 percent from the previous version. The third comment that was there was no front yard landscape setback. We were encouraged to study other projects along Park Boulevard. You see four of those here and you notice that all four of them have a strip of landscaping between the sidewalk and the building. Whereas the previous proposal did not, with the exception of a sunken garden in one location, as we have discussed and as you can see on the right, the current proposal has a lot more landscaping built into that frontage. In the site plan, you can see, as well, whereas the previous project was riding up against the sidewalk we are now setback 10 to 30 feet depending on where you are on site. The fourth comment was that we had this tall wall shielding view of the Matadero Creek. That has been eliminated. We are now just proposing to keep the existing fence and instead buffering that edge with trees that does a nicer job of improving views from both sides. The last comment was regarding the curb cuts. Previously we had left the two existing curb cuts in place and in the current proposal we are consolidating those into one, which has less impact on the pedestrian experience. A quick look at the second floor, a very simple

format. Again, the purple service bar on the right, blue occupied space with floor-to-ceiling glass around the west, north, and east sides, which gives you access onto the second floor outdoor space. You'll notice here a dashed line off to the right, that's indicative of motorized sunshades that can be deployed or retracted around those glassy facades. Here's a view of what that terrace might look like. Some precedent images that inspired us as we developed this concept. I will leave you with a few perspectives of the project again here looking from Park Boulevard with the shades at the second floor deployed, and here retracted, a view for the south, and a final view from the west looking back towards the building. Thank you.

Chair Baltay: Thank you very much, Jeff. Do we have any questions for the applicant from any members of the Board?

Board Member Lee: Peter, if I may -- I mean it's up to you if you think appropriate -- but I thought it would be nice to hear from the applicant regarding what the staff had directed our attention to, the story-story flat wall. Would it be okay to just hear their thoughts?

Chair Baltay: Please, go ahead, but maybe formulate your question carefully for... this is a question for staff or the applicant?

Board Member Lee: For the applicant.

Chair Baltay: Okay, why don't you go ahead and ask them.

Board Member Lee: Thanks for your presentation. Could you please just speak about your thinking in design of the two-story flat wall, I believe that's the south-facing the city substation?

Mr. Galbraith: Certainly. Currently along that edge -- if we go back and this image shows a little bit -- there's an existing fence along that side that's probably about 10 or 12 feet tall or so, and within the substation there is also a lot of vertical elements that carry wires. There's not a lot of visibility on that wall and we have talked about different options for how to breakdown the scale of it a little bit, whether it's a combination of joint in the plaster and we kicked around the idea of is it an appropriate place for public art. I think we are open to options to some extent but also recognizing that it's not going to be a very visible element.

Board Member Lee: Thank you.

Chair Baltay: Thank you, Jeff. Thank you for that question, Grace. Any other questions? Then I would like to ask the applicant to address for me, please, the question of the existing building that you're proposing to retain, how much of that building will actually be retained? Do you have any engineering sense of what's actually usable?

Mr. Galbraith: We have talked to a structural engineer and had some sort of initial plans formulated. Basically, the existing structure is built of concrete masonry units and in that rear two-thirds of the floor plate you've got columns between the overhead doors and then you have a band of CMU up over the top of the doors that terminates at the parapet. We intend to keep all of that CMU in place. The roof structure itself will need to be either reinforced or replaced in order to support the roof garden up above. In order to cut off the front of it, there will be some additional steel to strengthen that front façade laterally. Our intent is to keep the CMU in that area.

Chair Baltay: Okay, thank you. I ask that question because on two previous Hayes Group projects we have ended up seeing -- at least one of them, the one on the corner of Litton and Waverly -- the building came down completely to a slab and then was completely rebuilt, and yet we were told it would be remaining. Then on the Mills Flores project, as we all know, that's been quite an issue. But, again, at that point we were hearing exactly the same thing about intention to preserve and if it wouldn't be better to get some real engineering input as to whether that can really handle the new seismic loads and the new loads of that roof deck above or if it will just end up being torn down to a slab again and starting

over, and if that affects things. That's the second half of my question, I guess to staff, is that is there any zoning or entitlement benefit to the applicant for keeping that existing building? I just don't want to see us get in the position where the whole city is with the Mills project where it's incredible controversial not that the building can't be saved, and yet what do we do? Jodie or Garrett, can you address that, please?

Mr. Sauls: Yeah, there is no benefit that's being provided to or afforded to the applicant for retaining the existing building. Typically, like you are usually seeing, it is a teardown of everything and scraping the site and rebuilding it but hats not a requirement for people to follow, at least as of yet. Overall, their proposal is going to be consistent and meet the minimum requirements that we have for parking, for floor area, for canopy, for landscaping, anything the code that we would be applying for a new building. They are going to be consistent and compliant with those requirements. There is nothing like additional floor area or relaxation of any regulation that we have that is afforded to them by retaining the building.

Chair Baltay: Does that apply, Garrett, as well to Environmental Impact Reports or studies?

Mr. Sauls: Yeah, it would similarly apply. We looked at basically the whole site with our exemption document as if there is going to be, effectively, some kind of new building, whether it is part of it existing and the other to be torn down, there is still going to be a lot of work done on it. It doesn't cut off the threshold of what we are looking at because someone is keeping some of the building.

Chair Baltay: Wonderful. Thank you for answering the question. With that, then, let's see do we have any members of the public who would like to address us on any item here or on this item? Do we have any speakers, Veronica?

Ms. Dao: No, currently no raised hands.

Chair Baltay: No raised hands. Okay, so then we will move on from that and begin our own deliberations on this. As earlier, Jodie or someone, please read the comments Osma Thompson emailed in. Again, Osma is not voting today but I would like her comments to be read into the record for everyone to hear.

Ms. Gerhardt: Yes. Board Member Thompson's comments on this particular project were that aesthetically the project is very handsome providing small-scale details in the soffit and trellis locations, except for the wall facing the substation. There could be more done here to break up this long, blank façade. The applicant should also show this in context when we see this again. The protruding shading element is unusual and its relationship with the overhang is also unusual, but aesthetically and proportionally it seems to work. While the rest of the building looks great, that blank wall is significant enough that I would not recommend leaving it to subcommittee and at this moment it is the only thing that would keep Board Member Thompson from recommending approval.

Chair Baltay: Thank you for reading that, Jodie. Alex, would you like to start us off today, please?

Board Member Lew: Sure. I do have one additional disclosure. It's that I have researched the site historically as part of the North Ventura Area Study that I have been working on. Historically, there has been some very unusual things on this property, including some sort of bridge that connected both sides of the creek to each other. It was very difficult to learn more about that site. Also, the creek alignment had shifted over time and there has been flooding here in this area before the most recent site improvements were made. I think the design is very handsome. I have a hard time imagining this beautiful building next to the substation. I am having a hard time reconciling that. I have been having a hard time reconciling the project with the context of the other buildings on Park Boulevard. We don't have specific context space findings [distortion]. I don't really have any objections to what is being proposed today. The items on my list -- one which I have mentioned -- is that I'm not crazy about the placement of the street trees just because it is different than the rest of the block. I will accept them and I think that is mostly because we have had lots of comments from neighbors who want wider sidewalks on Park. I think that this does that. I can support that. I think, also, if I look at the comp plan goals for

the creek I think this project does much better with keeping the area open and placid. It seems to be much better than the previous scheme. I can support that part of the project. On findings, I am not completely comfortable with some of the wording that the facets put in there. On packet page 70 for our finding number five with regard to landscape, the draft language says as decided in the developed portion of the City, it is not considered prime habitat, but I think from my understanding in listening to lots of people in the North Ventura CAP process they actually consider the creek prime habitat. It is really a naturalized creek just on the other side of El Camino. This side is a concrete channel but the City has planned some preliminary studies for naturalizing this portion of the creek up to Park Boulevard. I don't want to say that somehow it's not prime habitat. The neighbors have testified, or at least there used to be, frogs in the area trying to get down to the creek. There are some really beautiful old Oak trees on the Fry's property site. I prefer to strike that. I would add there that those planting plans do have the West Redbuds and the Western Sycamores proposed along the creek, which are both native plants and they are both wildlife-friendly. I think that that should be added into the finding. I think my last comment is -- if I could go back to the street trees -- I would like that to, maybe, go back to Urban Forestry for comment. The Western Sycamore is a riparian tree. It's typically moderate to high water use. I am wondering if that's actually the best choice for the street tree and whether or not we should use something that's more typical. A typical street on Park is the London Plane, which is a related species, but it is time tested and it has done pretty well in Palo Alto. Then on the blank façade, I think I would accept the blank façade mostly because on other projects in Palo Alto -- say for example we looked at one recently in the Research Park -- we have learned that no planting is allowed. We would not be able to plant screening trees along that edge for security reasons, and, so, it seems to me that the blank wall makes sense. I suppose you could somehow put in some sort of decorative 2-D motif on that. The Board has tried to that on the University Avenue project on Kipling and I think it was 636 University Avenue. The Board went around and around and we didn't get anywhere or come to an agreement on that, so I am sort of hesitant to go down that route again. That is where I am. I think I can generally recommend approval on this particular project with a few things to follow up with staff about. Thanks, Peter.

Chair Baltay: Great, thank you very much, Alex. Dave Hirsch, how about you step in this time ahead of Grace?

Board Member Hirsch: Okay, thank you. Yes, I would just like to start with the blank wall issue and the bar of backbone to this project of that solid element and just get it out of the way because that electric yard is filled with unusual equipment that we don't always see. It sits up like a sculptural element in that lot. It certainly would be better if there were more done with its perimeter but you're kind of seeing that wall with that equipment in front of it. That becomes a sculpture in which the wall is seen. It isn't really sculpture but it is interesting looking. I think it relieves the wall. In fact, I think the wall being there is a really interesting contrast with the elements that are in that space. But that's not my main concern. I am only mentioning it because it will undoubtedly come up again in our discussion. Thank you very much for the presentation. As an advanced schematic, it has all of the elements we need, in my opinion, to review the project. I say this because it deals a little bit with the details that are necessary, the landscaping, etcetera. It really is a quite complete schematic idea. I think we can see the clear intent to provide a simple, understated, elegant building with massing that is essentially compatible with the site's boundaries, the public electric service, and the Matadero Creek, and sensitive to the use of the exterior space. I am impressed with the site planning effectively using the car lifter garage to lessen the parking impact and actually managing to slide one of those parking areas under the building the way it does. I feel the use of the solid linear volume of all of the buildings service program (stairs, bathrooms, elevator mechanicals) create a significant solid volume at the boundary of the electric service yard and acts as a visual anchor to the two distinct office elements. Except for the floor slab, I find the idea that this is a kind of renovation to be sort of a joke and as Peter noted, you're likely to take down the whole top of it at some point, but if that's not the case okay. I will accept it because of what it does; it allows you to build this building. From my experience with nineteenth-century century structures, some of which have had historic attributes, renovations require a different and much more detailed category of construction and rehabilitation work in order to be called rehabilitations. But if it benefits this project then all to the better. In any case, I find the painted stucco appropriate to the building function, and the extended roofs and trellis as a shading device as well as a dramatic expression of the building planes defines and

dramatizes the building's geometry, provides an appropriate extension of the interior to the exterior. All of those things seem to work very well. Since moving to Palo Alto eight years ago, I have been impressed by the brightness and clarity of the sunshine and the freshness of the air as the fog recedes over the mountain, so I wonder why it is so necessary to seal in office buildings. It seems to me to be so contrary to environmental principles and antithetical to energy savings. The first-floor large square office space has a significant operable glass wall facing an expansive landscape terrace with a natural screen providing separation from the street, so it does not have this problem. But the adjacent narrower, deeper office area has one small door to this special garden area, or refuge, also separated from the lightly trafficked Park Boulevard by vertical metal panels as in the contemplative window (inaudible) courtyard at Stanford. The second level, a much larger floor plan, has a limited area of what appears to be operable doors to the usable deck area but it mostly enclosed by a repetitive fixed-vertical windows. To me, this space is unnecessarily airtight and environmentally claustrophobic seeming to satisfy unnecessary rigid aesthetic of vertical floor-to-ceiling windows -- fixed windows that is. Given the design's generous and creative use of outdoor landscape space, this standard of inoperable windows seems contradictory. Why isn't it possible somehow to insert in those windows some more operable panels without disturbing the grid work? I am hoping that other would agree that this is something that should be looked at. Their screening of free-standing fencing that faced the parking lot interrupts the visual clarity of the building in the front. That is towards the parking lot and what is basically the front of the existing building. If the privacy of it is an issue there then there's certainly ways to use a different kind of obscure glass but I cannot understand the purpose of that -- actually, I should have asked that question of the applicant. Maybe somebody else could (inaudible) later on here. The roofline for nearly the entire upper floor office area has a major overhang on all sides except the area facing Park Boulevard. You can see that in this illustration here. Drawing A3.0A shows a residence with a roof projecting and an end condition, a similar expression of the end of the building. This would be a much more consistent, and I believe more appropriate, ending to this street-facing faced if it returned in line with the way the roof line is shown there. It would clarify the formal relationship between the glassy areas where there are extended roof and the solid element that is against the electrical... between the solid and transparent elements of the building itself. For one, I would like to see more study of this end of the building here. I don't quite see it with all of the different views that you see this projecting steel structure. I am very intrigued and happy with the method and material usage here -- thank you for showing that -- with that exposed steel element, but... can you go back to that? I don't understand this interconnection in here; this is really open to the sky in some way it is a strange connection at that end. I really feel if you had the roofline extending out over that you could work with that corner and make it a better expression. That's my feeling. If you're really noting this and you rotate around the building and you see that cantilever of the roof line from the opposite side it doesn't work for me. I think I would rather see the expression of the cantilever and upper section of that roof. Even as an advanced schematic, I would recommend that any further issues could be discussed in committee and I am certainly prepared to approve this project. Even as a small office structure, this is a significant addition to the lexicon of high quality buildings in Palo Alto. It is true to its function, sensitive to its detail throughout even as a renovation. Thank you.

Chair Baltay: Thank you, David. We may well come back to having the applicant address this cantilever element for us but let's hear what Grace thinks about the project first. Grace?

Board Member Lee: Yes, thanks. I just want to thank our planning staff, Garrett, for your staff report and walking us through. I also want to thank the applicant. It's wonderful to see Hayes Group packages come forward again and thank you, Jeff, for your presentation, and nice to hear your voice, Ken; it's been a few years. I was not on the Board, I did not sit on the board September 2018, but I see that this see that this project has dramatically improved. Thank you for sharing where you came from and what you're proposing now. My comments will be rather brief. I concur with staff; I believe this is a terrific project and has met the findings and I am thrilled to have it proceed. I would be happy to approve. I accept my fellow Board Member Alex's small additions. I believe that those make sense. I also concur regarding the street tree in terms of Park Boulevard and knowing what is there and how we can maintain some continuity and the London Planes trees would be terrific, or just to take a careful look at what's happening along Park. I did have a few comments, and maybe these are small issues and it could come back to staff or a subcommittee. The overall site diagram and massing is just terrific. I actually can very

much see this proposal in the context where it sits. I don't have a hard time imagining it all. I concur with my fellow Board Member David on your last statement. It is going to be a positive addition in this context. Now, on the two-story flat wall I also don't have any issues. I don't think it's a challenge. Given the transparencies and the massing and everything else that is happening along the edges I think that flat will work well overall. I, however -- if you want to pull up that view north from Park Boulevard -- have some thoughts regarding the refuge. I do want to preface that the forecourt and the setback from the sidewalk is very inviting and wonderful in many ways, both at the vehicular and pedestrian scale. I guess I often come to this site coming down Lambert between the Gryphon and Akins and across there and I walk along that sidewalk and I wonder about the inward focus on the refuge. I understand and as a quiet outdoor room that all seems terrific for the program and the users. My worry is just the solidity when I see the city property which will likely remain a blank solid wall, as well as the landscape treatment of that metal screen. I feel like that is something that could be... I know you need the transformer and you want to screen it and you're going to remove that screen there. I wonder about how solid that is on the sidewalk in terms of its... maybe there is a way to create a refuge with an inward focus; however, that solidity is not a blank wall that continues. It's a very short distance and you have that lovely lone tree, but perhaps your capable landscape consultant can think about or maybe that is one more layer of design there in terms of having that solid screen for the transformer; however, something in that same language and I feel confident given your precedent study images that you might be able to address that solidity there. I guess the other piece that I wanted to mention is that I saw on your precedent study that you show on sheet A30A the roller shade system, the motorized exterior, and how wonderful and transparent your building proposal is on the south and west facades. You will definitely need those motor shades. When I look at the materials board I saw something very dark. I see in your renderings and your elevations, and in the printed set and online, that it actually shows as not a heavy black. I don't think you want to emulate the current black shading on the existing building but it is actually a significant part of the façade. My suggestion -- this could come back to staff or subcommittee -- is simply just looking at your precedent study and thinking about the painted metal, which I forget the name of the color there but it is lighter. It is not black. It is enough of a surface area... maybe from across the street you would see through that woven fabric and it wouldn't appear black but I think it is worth taking a look at that color choice. Let's see. I guess the last piece I have, that is very minor, is the trees in the parking lot. I understand the shading and you meet the city requirements. My small comment is just why don't we see more Evergreen trees in the parking lots? Is that something... and maybe that's just a small one to consider. Just knowing in terms of the two deciduous choices, maybe an Evergreen choice would be appropriate. With that, I will pass it on to Peter.

Chair Baltay: Thank you, Grace. That leaves me. I am not quite ready to recommend approval of this building today, although I think it is a handsome design and I certainly appreciate its landscaping and the way it treats the street better than the previous version. Let me start with my concern with the existing structure. I am all for saving the building and reusing it; I think it's a better thing to do. I think it would be useful if the applicant could investigate more carefully what parts of the building really are going to be saved and let us know if it really is coming down or not, if for nothing else, for the public record to make it clear. What seems to be said right now is that everything is remaining and I just don't think that is going to be the case. I would like to see some additional engineering study of how that is going to be accomplished, if possible. I am concerned about the parking configuration for two reasons. I wonder if the applicant or someone could pull up for me the images in the packet on page 4.1 and 4.2 of what that parking area in the back of the building, between the additional structure and the building, looks like. It is drawing number four and packet page A4.1. I thought I saw something in the presentation about that. Are we able to pull that up? Who's screen is this we are sharing here?

Mr. Galbraith: This is my screen. I was just jotting that note down. What is the context of the image?

Chair Baltay: It's the back behind the new building, between the new building and the parking structure.

Mr. Galbraith: Is it a 3-D view or is it a...

Chair Baltay: It's a 3-D view, yes. I saw a 3-D view of that earlier.

Mr. Sauls: I can share that screen. I have it on my plan and I am already at that page. Let me just go ahead and do that.

Chair Baltay: It is in the upper left-hand corner of A4.1. There it is on the upper left corner there. I am concerned about two things here. One is that by reading of the plans, you're including that landscaping trellis cable structure as part of your screening and I don't think the code supports that. I think you will need to just check that. Secondly, I think that's a pretty mean space, to be honest. It's a 25-foot wide space with no real human activity looking in on it. It's just doors of the parking garage on two sides and a blank wall. Maybe above you're looking at it through the screening but I think you can do more if you can modulate the building a little bit and get some activity there. I worry that it is almost dangerous at night. This is a space somebody might be coming out to activities one of these lifts and there is no visibility anywhere from anybody. I think this could be improved. I'd like to see some work done on the design of this space to just make it fit better somehow. Okay, thank you for showing that image. I share the concerns of the staff, I guess, and some of my colleagues regarding the blank wall facing the power substation. I completely agree with the applicant's basic design decision to use that as a partition, a big screening element from inside the building. You clearly don't want to be looking at it orienting towards that electrical station. I get that, but from the public's point of view coming down Park Avenue that wall is quite visible. It is really just a blank wall right now. What I would really love to see is something down along the street in front of the power station as a compromise. For example, if the applicant were to plant a row of trees down the front of that substation or if they were to do something with that wall that would dramatically mitigate the effect of the blank wall of the building. I think either of those is a possibility to explore or to do something else to the wall of the building, maybe a transit line of the top if it or some sort of decorative element. I think as it is now it's just a large blank wall and that doesn't speak well for anybody. That will be quite visible. I just can't support it until something else is done to mitigate the effect of that large wall.

Mr. Sauls: If I can speak just briefly to the comment about the trees along the substation. I have been working with utilities on a number of their projects within the substations around that in the whole City and their primary mode or function of what they're doing right now is trying to eliminate any sort of means for which individuals will be to access that space. A lot of the things that they are doing right now are removing trees or building the wall taller that they have around the substation. I would envision utilities may -- while planning and other groups may support it -- not be willing to allow them to plant trees in front of that area. They would certainly interpret that as creating another opportunity for people to access it. It is a conflict, I think, right now that the departments are trying to deal with as it relates to how we look at the urban environment. Planting trees and softening these -- I would say unsightly -- less appealing features within the City. I know that would probably be a challenge to do that specifically but what you are saying about the articulation, or some other modification, on that wall may be something that they'd be able to look at.

Chair Baltay: Thank you, Garrett. I understand that it may be very challenging to get another division of the City to cooperate where they don't want to. To the applicants, I am just offering that as a possibility if it is easier or something in the cards to something to that fence at the utility screen or the landscaping, or the back wall of the building. I am open to anything like that that can just mitigate a little bit the effect of that as you're going north along Park Avenue. The power station is going to be there as far as we can imagine into the future, so the wall and the view of the building will also be there. It's not going to get larger. It's not that it's necessarily unattractive, while the equipment has a charm of its own, but as it is going to be now I think it's just not a positive thing. I applaud the landscaping at the front. The courtyard I think is a wonderful space. It is going to be really neat the way the architect described it, even having the ability to walk through it at several passes. I think it sets off a wonderful entrance into the building. The refuge space, however, I am much less sanguine about. I think that from the inside it is almost too closed to it. The propositions of it aren't quite right. From the outside, those tall steel plates are a bit off-putting to the public. There must be a way to achieve that sense of a more quiet space and also have a softer landscaping barrier to it. Then, I am really unsure what to make of the shading structure. I guess it has a cloth that drops down but I don't quite understand how that's working over the front. I think it might be better, as David suggested, just to have the roof cantilever out somehow and form the upper part of that. In any case, I have got to believe that this is a talented group

of architects and if they were to take one more look at that whole assemblage up above they might be able to come up with another way to treat that whole space. I think I am also in sync with Grace was feeling at the gut level about that refuge area. It can just be improved a little bit. Then, I think David's comment about having operable windows is perfectly valid. It's a small building still and to the extent that we cannot rely on mechanical HVAC systems, that's all the better. I haven't gone through it in detail myself, but I would like to see that clearly spelled out where the windows are operable. I know Board Thompson would also appreciate that. I am in favor of having that looked at a little more carefully. Lastly, Alex, I want to take exception a little bit, I guess, to your pointing out in the findings that... I am trying to look at this now. It says as the site is in the developed portion of the City, it is not considered prime habitat. I am not quite sure what you're driving at there but I don't think that anybody would say that concrete creek channel is prime habitat right now. I understand that we want to not make statements that are not true or setting a precedent but I don't want us to say that that creek is also a wonderful waterfront that the architects have to focus on and develop on and focus towards. I am not sure what you're point was with that. I think it is fair to say that it's not prime habitat right now. That's the sum of my comments on this project. I am in favor of continuing it subject to the comments we have made. Any further discussion from anyone else?

Board Member Lee: I will add just a few comments. I appreciate all of the Board Members' comments. The one thing I was thinking about was those motorized shades, and our fellow colleague Osma also referred to that structure. One thing that I did want to just comment on not knowing... I have confidence the applicant might come back with some other ideas. The idea that there is a need for shade for the comfort of the users, and given the program, I am just wondering how that motorized shade structure is recognized as a major part of the elevation? I then wanted to just offer the perspective given where we live and its orientation and the amount of glass and my experience working in buildings like this, there is also internal motorized shade systems. Stanford does it on a lot of their buildings, as you know, in Redwood City. I just to throw it out there just for your further thoughts, applicant, in terms of how you proceed, and I do see those shades as a big part of the elevation overall.

Chair Baltay: To the applicant, would you like to address or ask questions or make sure you're clear on some of the comments we have made? It seems like...

(Crosstalk)

Chair Baltay: ...continue your project and I don't have a clear list of things for you, but I want to know what have you heard from us?

Board Member Hirsch: Peter, can I just insert a few more comments in between before they respond. Can you hear me, Peter?

Chair Baltay: That's fine, David. Go ahead.

Board Member Hirsch: Okay. Number one, I would like to agree with your comment about the creek. It is clearly a concrete creek the way it happens on this side of the road. It is in fact on this side of the road; therefore, it is a little different than what it might be closer to where the residents would likely be. I don't see that it is necessary to naturalize it from this point on. It has to remain deep to go under the railroad. I think there is enough to do just relating the building to the creek at that very corner, which was described by the architects that that is going to be an issue to deal with because the foundation of the building there will have some effect on the wall of the creek at that corner. Let's leave it at that; it's not an important tissue. Another one, as you mentioned, that area in the back and in looking at it while you were speaking about it, it seemed to me that there could be some protection to the actual walkway that is along the edge of the building so that it might have a railing, a protective, that keeps people from wandering into the line of traffic. It's not going to be overly used. It is going to be quite nice the way the concept of the greenery on the top when the Boston ivy grows all the way across, and the lighting hung from the center of that rather than protruding out or being from the wall structure, et cetera. It is a really clever idea and it should light in, once again, a night vision of that with the pattern of light on the ground might be quite interesting. That could be handled with a further lighting study so that

elements of the canopy... it might not be a single line of light. It might be a little bit more lighting thrown on the building itself, as well as on the ground. I would include that, as you point out, as an area of further study for us to see. I rather like the idea of the solid element in the front. I disagree with the problem with that being the refuse... no, not the right term. The recluse? No, that's not right. Whatever the term for that enclosed area but there are other options for that. I think that they should be studied. Perhaps it's not metal but it's a glass element. It still creates privacy, it's a diffused glass that allows light to come through but not see the inside and its elements of glass instead of... I mean that's just a suggestion. I think there is further study in that area. I am happy to hear you all talk about the roofline, actually, Grace did not and Alex did not, but I think that's an important element of the front. In terms of the shading device, what Grace just said kind of makes me think that it's very easy to imagine that a regular grid of vertical windows could include shading devices that are all automated on the inside that would come down when the sun came down if the sun was strong in that area. The shades could go down at that time and be a part of the whole system of how you enclose that. It makes it an interesting layering of elements with the framework of the windows and the shading devices at different angles. I just want to say that I am as thrilled as Peter and everybody about the garden in the front adjacent to eh one-story building. I think that is going to be quite a nice space. In fact, the fact that it is a soft edge and inviting you to come into that area reinforces the idea of there being a somewhat harder edge, even if it is glass or whatever, in the garden area, in front of the portion of the building. The one thing about this is it is expanding the sidewalk already in an area where there aren't going to be very many people walking. When you get to the other end and you're at the creek edge, the sidewalk narrows again. It is going to be just a small area where it gets wider and more appropriate in feeling, and then it is going to go back and be choked at the point of further progressing in the direction of downtown. These are my comments in addition to the ones that have already been mentioned. I think that this really retracting the fact that we could approve it at this point and say that it should to come back for further discussion at another meeting. Thank you.

Chair Baltay: Thanks, David. I am afraid, Hayes Group people, that maybe one more round of design would be appropriate. I would love to see this get approved next time around. I certainly appreciate the hard work you're doing. Do you understand or do you have any questions about the comments we've made?

(Crosstalk)

Mr. Hayes: Do you have questions, Jeff, or I could say a few words.

Mr. Galbraith: Go ahead, Ken.

Mr. Hayes: I was thinking that we had three members that were ready to provide, provided we address some things like... I think the operable windows, Board Member Hirsch's recommendation, was just an oversight. I mean, operable windows would certainly make sense at this location and I don't have a problem with that being introduced to the project. The two-story wall is something that you want us to address, although I kind of think that what Grace had said made a lot of sense. All that utility, all of the wires, all of the insulators and stuff when the sun comes up and you have a blank wall as a backdrop I think it creates interesting shadow on that wall. I would much rather put the money into the building, right, out in front as opposed to spending it on that wall that is really not that visible. The mechanized shades: we really gave that a lot of thought; should we put them inside, should we put them outside? Outside, obviously we do that all the time but you're not really cutting out all of the heat. The solar energy is still entering the building. The more effective way to try to create shading on the outside. Then it is obviously a much more expensive way but what we thought about it was that it makes a much greater statement about environmental awareness than having the shades on the inside. Having them on the outside you will start to see that building responding to its environment and everyone else gets to see it do it as well. We thought it was more of a, I don't know, not a public gesture, but it really puts it out there for everyone to see that this building is responding the environment. At the front, again, rounding around on that, the cantilever at the floor line is there to be able to stretch the shades from roof cantilever to second-floor cantilever frame. The reason we extended that out as a cantilever, where all the other shades are just outside the glass, was so that the refuge below when the tree grows it is

held inside of that volume that's created by the shade being on the outside. The refuge is there for the ground floor but also, potentially, for the ground floor. If that shade came back it is just a different experience. We thought it would be really neat to be in that space. You look up and the shade comes down and now you've got this two-story outdoor refuge kind of space. If you want us to look at that we can look at that but that was our reasoning. Operable windows are easy. The rear parking area, I like the idea of festoon lights that could be introduced on the cables that come across that space, and it could make that space a little bit more lively. Perhaps introduce some bollards or something, instead of a railing, along the walkway to protect people that are walking there. I actually like the severity of that space. We have got edges all around. Then, the existing building, Peter

Chair Baltay: Yes, Ken.

Mr. Hayes: We beat the appeal at Council on Monday night, right, which was the...

Chair Baltay: You were very good on that one, yes.

Mr. Hayes: It was the right decision at 480 Litton, just my two cents, we did keep 20 percent of the existing wall. All of the concrete wall was kept. On this building, we are going to do our best to keep the solid CMU block. Once we decided to keep that it informed everything about the site plan, and it lead that whole concept with the bar and then the circulation space in between. The front part that we are tearing down is all wood frame and it is terrible. It is two-story, terrible ceiling heights. That's going to be removed very easily, and Hohback and Lewin have already done an analysis on the CMU, obviously, the roof's coming off, but we are having to put brace... I mean the CMU could come down. It's all going to be brace frame on the inside. If we can keep it, we're going to try to keep it.

Chair Baltay: I would appreciate, Ken, if you guys could just put together a demolition plan for us. We had this discussion when you were talking about the Mills building and I asked you specifically how much of those bricks are going to stay and what are you going to do and you had a really good answer about it, but it didn't seem to pan out with the engineering.

Mr. Hayes: The answer now is...

Chair Baltay: This is the second time I am asking you to show us a little more carefully what the engineering is going to be. You've got some good engineers.

Mr. Hayes: Sometimes, yeah, the project gets in front of the engineering. We are keeping the bricks, Peter, on the Mills building.

Chair Baltay: No, I understand, and I am all for you doing this. I think it's a great thing to do. I don't want to get in the way of preserving these buildings or reusing the way you're doing. It's all good stuff.

Mr. Hayes: Okay, great.

Chair Baltay: My question to you, Ken, had been do you understand what we are saying? It sounds like you do.

Mr. Hayes: I think I do. We may come back with some... we will come back with some options but we will certainly have a preference still, I think.

Chair Baltay: What I am hearing from the four Board Members here now is that -- at least David and I have cleared this -- I think it is one more round of design. I heard Grace say she is ready to approve it now, and Alex, I am not sure where you stand on this. I guess I want to give Grace a chance to persuade us. If you think it can be approved today, grace, how do you think so?

Board Member Lee: I just wanted to say a few words because I don't think I said enough about the blank wall, and that is something that fellow Board Members are concerned about. I agree with the

applicant. I do not think that it is going to be seen as much as we do when we see an elevation in a set or on screen. There are oblique views that occur as you are coming down Park, naturally, towards Cal Ave; however, it is what it is. This is -- and you said it Peter -- not going away anytime soon. There are, perhaps, some views coming down Lambert but I don't think so. When I wrote my notes after visiting I did not write the blank wall. I only actually wrote it because it was directed from staff. For me, that's not a challenge that blank wall. I think there is enough variety in the materials and the massing where I don't think that it will be a strong challenge for other people to be focusing on those other elements. The other piece that I want to mention, and thank you Ken for explaining it, is my original comment about the shade structure was truly the color, and perhaps you see through that weave in terms of transparency.

Mr. Hayes: Yes.

Board Member Lee: I do think that that is simply was my comment in terms of the actual color that wraps around the building that is black. I just wanted to note that. Perhaps Board Member Lew would want to just weigh in and then we can go back and forth on in this discussion you feel like it's worthwhile.

Chair Baltay: Yeah, I am just trying to give a fair, clear hearing to everybody. If the majority of the Board wants to approve it today, then it should be certainly pushed for. Before Alex starts, I would like to mention that I just don't think that the 50 percent screening on the parking is there yet. I think that is a significant change and they are going to have to do something. Those landscape vines have been included in their calculation and the code doesn't allow for that, as I understand it at least. I think that needs to be changed and that is more than a subcommittee can address, I believe. Alex, were do you feel on this? Where do you land on this, Alex? Do we continue it?

Board Member Lew: I actually don't have anything else to say on this particular project. I am leaving it up to the three of you. It seems like Osma was opposed to the blank wall. I can go either way. Since there are only four of us, it seems to me that this is going to need to come back.

MOTION

Chair Baltay: Yeah, I am just trying to get your opinion. You're saying you're on the fence then. I'll move that we continue this project to a date uncertain subject to the comments we've already made. Do I have a second for that?

Board Member Hirsch: I second that.

Chair Baltay: Okay. Jodie, do you understand clearly enough? Do you feel that we have given you enough guidelines to talk to the applicant about it?

Ms. Gerhardt: Yes, I think the between the Board Members and Ken highlighting some of the main comments, the shade calculation was the other one that I picked up. The only thing I didn't hear about was the refuge fence around that transformer area. I didn't quite know where we landed on that.

Chair Baltay: I don't think we quite did. It is an odd circumstance but I think the consensus of the board is that it's not necessarily a bad thing. We were just a little bit confused by it, perhaps.

Ms. Gerhardt: Okay. Maybe I think Board Member Hirsch was talking about a different material. Maybe it is something along those lines.

Chair Baltay: It might just be that it's a unique enough idea that it will take us a while to get our heads around. I am sorry, Ken. I don't know what else to say to you on that one. It is something we haven't seen before here, and maybe you're right that it is best to put the shading outside and express the environmental concerns that way. Right now we have a motion moved and seconded. Let's have a vote on that, please, Veronica.

Aye: Baltay, Hirsch, Lew (3)

No: Lee (1)

Absent: Thompson (1)

MOTION TO CONTINUE PASSES 3-1-1.

Chair Baltay: Okay, thank you very much. Thanks, Hayes Group for your presentation. It was very nicely done.

Mr. Galbraith: Thank you.

Mr. Hayes: Thank you all. Have a great day.

Study Session/Preliminary Review

4. Study Session on Ex-parte Communications between Architectural Review Board Members and Applicants, Developers and Other Persons (Continued from November 19th)

Chair Baltay: Thanks. Thank you very much, guys. Okay. Our next item is a study session -- no, it's just the letter. Do we need another five-minute break, everybody? No, okay. Let's keep moving along then. On our agenda the study session for ex-parte communications has been postponed. I just think Osma needs to take part in that discussion and she is not with us today. We do have the draft of the letter to Council, which I feel strongly we want to get put together.

Ms. Gerhardt: Chair Baltay?

Chair Baltay: Yes, Jodie.

Ms. Gerhardt: I believe we have the minutes first for November 5th.

Approval of Minutes

5. Draft Architectural Review Board Meeting Minutes for November 5, 2020

Chair Baltay: Oh, you want to do the... fair enough. Okay, let's first do the minutes from November 5th. Do we have any comments or a motion on that, please?

MOTION

Board Member Lew: I will make a motion that we approve the minutes for November 5th, 2020.

Chair Baltay: All right. A second for that?

Board Member Lee: I can second.

Chair Baltay: Seconded. Moved and seconded. Let's have a vote, please.

Aye: Baltay, Hirsch, Lee, Lew (4)

No: (0)

Absent: Thompson (1)

MOTION TO APPROVE PASSES 4-0-1.**Board Member Questions, Comments or Announcements**

6. North of Ventura Coordinated Area Plan Working Group Updates

Chair Baltay: Thank you. Okay, next item is Board Member questions, comments, or announcements. Alex, do we have any information about your North Ventura Project?

Board Member Lew: Yeah. There is going to be a presentation at the Planning and Transportation Commission next week on Wednesday, December 9th. The day beforehand, the planning staff is going to have an open house question and answer session. That is Tuesday, December 8th at 5:30 p.m. Nothing happened with regard to the committee since last month.

Chair Baltay: Okay. Nothing else to report on that, Alex?

Board Member Lew: No, I think people may have seen in the news that there is a townhouse proposal being proposed for part of the Fry's site (inaudible). That would go to the Council first.

Ms. Gerhardt: Yes, and if the public is interested there are several websites. It is probably the easiest if you go to the Planning Department projects on our pending projects page you will see 200 Portage Avenue and there are some additional details about that project, and also the SB330 process. This is one of those projects where we are starting to get some of those housing projects that are using the state streamlining and this is why those objective standards start to be so important. Thank you.

7. Architectural Review Board Annual Report to Council: Review of Letter

Chair Baltay: Thanks, Jodie. Thank you, Alex, for that report. Then before we adjourn, I would like to get feedback from members of the Board regarding our annual letter to Council. I would like to reinforce to everybody that we are requested by the municipal code that we provide this letter once a year. We did it last year; I would like to establish a precedent or practice of doing it at the end of each year as the outgoing Chair takes the lead to push this across the finish line. To that effect, I have written up this draft based on feedback from our last meeting. I would like to get comments and feedback at this meeting, and my hope is that we can have a final draft circulated before our next meeting and then we can vote to approve it. I think it really speaks well for us as a Board to be consistent and provide this feedback, whatever it is, to the City Council and the Planning Commission on a regular basis at the end of the year. I strongly want us to produce something. I would much rather just eliminate things we can't agree on but put out what we do agree on. To that effect, I structured... I think it was five pieces, A, B, C, D, and E. Does everybody see is this the right grouping of things or are there things in here we just shouldn't be talking about? Then, if so, what do we think about these individual items? Any feedback on the topics themselves?

Board Member Lee: I want to thank you, Peter. I think this letter is very well written. I do have some comments and questions. I am going off of -- I don't know if everybody is looking at it -- what Jodie sent this morning. It is the marked-up copy with Osma's and Jodie's comments.

Chair Baltay: Yes, I have tried to circulate... Jodie put some comments on a word document and so has Osma now. Maybe we can get a letter from the attorney if it is possible, to be circulating this kind of document without violating the Brown Act.

Board Member Lee: Yeah, that would be helpful.

Chair Baltay: It seems ridiculous to have to do it this way. At this point we are halfway done with it, but, Jodie, it really would be useful if we can that out. I just can't see how this violates; it's not a quasi-judicial issue. It's just the operation of the Board. In any case, I have left Jodie's comments in there. They're very helpful and I want to have that included, but continue Grace, please.

Board Member Lee: If I may, the first question, Peter, is this a letter? In the past, it has been emailed to Council members and then it looks like we are going to email it to the PTC as well. How do they discuss and give us feedback on this letter and how do we receive it?

Chair Baltay: There is no process or stipulation for that. It is up to the Council to decide what they want to discuss, honestly.

Board Member Lee: Okay.

Chair Baltay: Last year I made a big push that we present it in person, and I really -- Jodie will tell you -- just refuse to accept having it just emailed to Council members. That is where we got that big presentation in front of the Council. They indulged us and we got this big thing. This year, given the situation the City is in with the virus impact and a couple of really pressing planning issues, I think we should just email it to them.

Board Member Lee: Okay.

(Crosstalk)

Board Member Lee: My question was also the date in terms of new Council or old Council. We will receive it from...

Chair Baltay: That's up to the Council again to decide. We send it to them at the end of the year.

Board Member Lee: Right.

Chair Baltay: I would think the Council Members are eager to hear this, but maybe not. It is, nonetheless, incumbent upon us just to put this out there.

Board Member Lee: How about if we just ask if it could go to the old Council and the new Council? Is that something that's possible or is it always that we give it by the date that the Council that is no longer? I am just wondering if there is a way since this is an end of the year but it might be nice for both, old and new, to receive this.

Chair Baltay: I don't see any harm in asking just to have it circulated to all new and old Council members.

Board Member Lee: Yeah.

Chair Baltay: We just have to be careful that we are asked to provide a report. We are not asked to tell them what to do or to give them direction. It's just what have we seen over the course of the year. I don't want to be seen as insisting on things. It is really the Council's job to drive policy and decide what they want to hear and think about. It's just incumbent upon us to tell them what we are seeing. That's, at least, how I see all of this.

Board Member Lee: Okay. What I really appreciate about this letter and draft form is that it is a summary of things that the group has noted, but it also does provide some suggestions. I see our role as an advisory group...

Chair Baltay: Exactly.

Board Member Lee: ...to the Council. I just marked up this letter with some thoughts. I don't know if you want to go and circle with each...

Chair Baltay: I have got my pen ready to write them down because that is how we seem to work in the age of the virus here.

Board Member Lee: Yeah.

Chair Baltay: Let's just talk away.

Board Member Lee: Okay. I can just quickly go through. I just have a few thoughts. On the first one, the hybrid model, I appreciate it. I do think the meetings are better in person; however, I do think it is important to do this in a non-pandemic world for safety. A hybrid model for seeing material boards and all of that, I am actually fine looking at the material boards through a piece of glass, but if other Board Members feel like they want it open to touch the materials that Osma had noted I am open to discussing that.

Ms. Gerhardt: Board Member Lee, if I may, when I was discussing the hybrid model I was thinking that after COVID when we are able to go back to chambers would we still want to have some sort of Zoom component so the public could participate?

Board Member Lee: Yeah. I mean, Osma brings up a good point to that she, herself, is able to do more in Zoom. I do see a benefit in that, I do. However, the alternate approach is the letters, right? I just wanted to put it out there that there is an opportunity to write; however, you're missing the discussion in live time. I think a lot of impediment is the timing of the meetings during work hours on Thursday mornings is my feeling. I do read the letters and I don't know if we want discuss how we could emphasize that letters are important. I think that is really on the applicant side to make sure about letters and community member's interests. One thing I did want to mention is I do like this idea of having the ARB just make suggestions, for example these corridor design standards for El Camino is 2005, right? [distortion] I think it's time for San Antonio design guidance and we should weigh in. I feel like joint meetings with full Boards are rarely productive. I do want to stress that. I have been to several and there is just too many members for it to be productive. I think the leads should meet and the leads of each Board should reach out to their individual board members to make sure that they are represented. Then, I do have some thoughts on the objective design standards but I also can wait on that if others want to weigh in. That was my only other thing.

Chair Baltay: Let's come back to that particular topic, Grace. I think that is going to be a bit more of an issue there.

Board Member Lee: Sounds good.

Chair Baltay: Does anybody else have any thoughts on the first idea? The notion that we are just giving them feedback on remote design review. How has it worked for us over this past year and should we be entraining a hybrid system in the future? Any other thoughts on that? Is what I have written in this letter about accurate that we can all support? Okay, then I think we will leave it like this. I'll add Jodie's comment that a hybrid model might work in the future. We don't really have a strong opinion. On the San Antonio corridor design standards, does that belong in this report? As much as I think we all agree it is necessary, Jodie points out that there is already something going on. Is that right, Jodie?

Ms. Gerhardt: The Council has already directed planning staff to come back to them but certainly the ARB can help support that effort.

Chair Baltay: You think it is beneficial for us to say that we think this is something that you really need?

Ms. Gerhardt: Yes.

Chair Baltay: Other members of the Board support that again? David and Alex?

Board Member Hirsch: Yes, I do. I think it is very important to bring it up to the Council.

Chair Baltay: Okay.

Board Member Hirsch: I guess there are design standards now for El Camino south but...

Chair Baltay: It is mentioned that there are standards there but they are now, what, pushing 15 years out of date? We are struggling with that, you know? This base, middle, and top thing I think we would probably write a different stand if we were writing it today.

Board Member Hirsch: Exactly. I think...

(Crosstalk)

Chair Baltay: I think if you just tell the City Council, look all of the standards need to be revised that's basically saying nothing.

Board Member Hirsch: Yeah.

Chair Baltay: We have struggled at San Antonio Road with several projects. It just has no design standard whatsoever. I think that leaves applicants and us struggling a little bit. Does the Board support that this is important enough that we are mentioning it here? It is one of five topics?

Board Member Hirsch: I would support expanding it to El Camino.

Chair Baltay: Alex and Grace, do you think we should also include a statement about the El Camino standards? I think that's too much, David. I think we are better keeping a focus tight.

Board Member Hirsch: You have to eventually do it, you know? Eventually, it has got to come up. Alex, maybe you could take to it.

Board Member Lee: I guess I'll go first.

Chair Baltay: Should I add a statement about that, then? Grace, do you want me to do that?

Board Member Lee: I feel like we should say that the standards that we review they are really old. I know that's not productive in terms of time and staff and how we can do these, but I think it is very important to point out. We are looking at standards that are outdated without examples of the past decade or two decades in those standards.

Chair Baltay: Yeah.

Board Member Lee: I think it's a problem.

Chair Baltay: Okay, that's appropriate...

(Crosstalk)

Board Member Lew: I feel like its important.

Chair Baltay: Okay. I'll add something to that effect and we will circulate it. It is very important to me that we have enough consensus to all be able to vote on this. I want it to be unanimous. It's got to be something that we all agree on. Please, now is the time to discuss it differently. I don't want to get close to a vote and then find we have a problem, okay, gang? The third item was regarding communication between City Council Planning Commission, et cetera. This is coming from your comments, Grace, the other day about wanting to see some way of getting together with all of this. Does this come close to what you were thinking? Do you want to make any suggestions on it?

Board Member Lee: Yes, yes, and I appreciate the liaison. I feel like, and Alex you can remind me, but it was before you came on but we did have a liaison. It was back in 2005. Jodie, maybe Amy knows

because I feel like there was a City Council liaison for ARB, and HRB, and PTC. In any case, I think it would be helpful to have some formalized channel or just a way that that communication

Ms. Gerhardt: Yeah, I started her in 2012. I didn't see an ARB liaison but there certainly was an HRB liaison in the more recent past. I was just offering in this letter that if you wanted to talk to the HRB Chair and see how that played out and how that could be best used or not.

Chair Baltay: I could give Dave Bower a call and ask his opinion. What I have heard from Council was that somehow they felt that the ARB was a little more political and that wasn't so easy for them to decide on who would be a liaison between the ARB and the Planning Commission. I think what we are trying to say to them here is independent of their politics, we think it would just be better communication and that is really what we are looking for. That's really what we're looking for.

Board Member Hirsch: My opinion about all of this is liaisons aren't all that helpful sometimes. It depends upon the detail of the report. What concerns me about some of the way in which we approach and the City approached presenting information that we get ourselves in our report is that the whole of the minutes that we have are so detailed and absolutely everything that everybody has spoken. The reality is what we really need is a summary sheet. What I depend upon, somehow, is Palo Alto online review of the meetings. That is not sufficient either. It is one-sided frequently. My personal preference is some kind of a summary sheet of what these meetings have major issues that they have address and then share them between us rather than just a liaison.

(Crosstalk)

Ms. Gerhardt: You're asking about a summary of Council meetings?

Board Member Hirsch: Summary of Planning and Transpiration, summaries of our own meetings so that they are available in general. Then that information would be useful and not so difficult with 150 pages of reading. A summary of the decisions that have been made and I just think it is a better way of communicating information.

Chair Baltay: You don't think a liaison necessarily is what we should be saying is a good idea, David?

Board Member Hirsch: I don't.

Chair Baltay: Okay. Instead, you think we should be asking, I guess it would be, staff to prepare a one summary of our meetings to circulate to the entire City Council?

Board Member Hirsch: One or two pages, or maybe even three pages; whatever it is to get the full intent of the decision. I think if these meetings can be summarized rather easily. We're wordy people, and the wording is great but we don't need it all when we are talking about what actually was decided and what was important.

Chair Baltay: Okay. That's a new idea. How do we feel about that? Grace, what do you think? You've been around.

Board Member Lee: I have a worry that what we are asking is too much for staff given just how many meetings and how long-winded we are. I actually feel like the Chair of each Board, generally, over the years have been so responsible as a voice. Certainly, Peter, I feel comfortable you representing what happened in a meeting. I do think the communication that can occur, if not violating the Brown Act, between the Chair... I feel that that is, separate from the meetings, the role of the Chair or Vice Chair to represent the Board to another Chair, or Vice Chair, or liaison. I also feel like the liaison of the Council may not agree with everything that has happened in each meeting; however, that simple communication -- and maybe there are touchpoints related to major projects or maybe quarterly or even at the halfway mark of the year, or halfway mark of our term -- would be productive.

Chair Baltay: Okay. You're just saying having more feedback formalized, Grace. That makes sense, too.

Board Member Lee: Just touchpoints that are not onerous on anybody, but right now there is nothing. Over the years I feel like communication is important at certain moments that are scheduled on a calendar. I just feel like it's just doing work.

Chair Baltay: Scheduled meetings, yeah. If we emphasize in our letter that we just feel the communication is lacking and we could put forth a few ideas they may consider like a liaison, or a summary letter of each meeting. Is that getting close to what everybody can support?

Board Member Hirsch: Yes.

Chair Baltay: Yeah. Alex, you're very silent. Is that because you're just agreeing with everything?

Board Member Lew: I am just listening. I hear a lot of very different conflicting things between the Board Members and what I have heard from Council. I am just having a hard time reconciling all of this together. I don't really disagree with having more communication. I don't really agree with liaisons. I think in the past a previous planning director did a monthly report highlighting what each Board did.

Chair Baltay: Yeah.

Board Member Lew: It was a really quick way for everybody to see oh, you know, HRB had an issue with the project but the ARB liked it and then it went on to Planning Commission or Council. We don't really have that anymore. I think all of us have to go and search out the information through the media or meeting minutes. It is pretty time-consuming. I think Mountain View has been doing monthly reports pretty consistently, but they don't really have all of the same boards that we do. It's easier for them to do it.

Chair Baltay: That's a good idea, Alex.

Ms. Gerhardt: If I can, I do think the previous planning director had some public outreach help and that helped with that report.

Chair Baltay: Yeah. I don't think we want to put something out there, Jodie, that just makes more work for your staff arbitrarily or even intentionally. You guys have a lot to do, we understand that.

Ms. Gerhardt: There was additional staff to deal with that is part of what I am saying.

Chair Baltay: I think what we are saying consistently is that we just don't feel there is that much communication between us and Council or us and other boards. I will structure this letter with a series of loose ideas, I guess. That's really up to Council anyway how they would want to take this up if they do. The last two subjects I am going to skip. The very end one was just trying to put forth the work we do is important to the City. I have heard Council Members refer to that. I would like to just a few images of projects and stuff. I can't imagine anybody has a problem with that but is that all okay? Yeah? Okay.

Board Member Hirsch: Yes, but could we just make sure the list is complete?

Chair Baltay: That's the second half. Is the list complete or should we take things off?

Board Member Hirsch: Yeah, for example, the really exciting housing project that's on its way up on Hamilton wasn't on the list.

Chair Baltay: I was trying to think of ones that they can actually see that are built.

Board Member Hirsch: Right, I know. Does that mean that the ones that are in construction will be taken off the list?

Chair Baltay: I thought these were finished now. I guess they're not all finished. No, of course not.

Ms. Gerhardt: We could do before and after with the plan sets.

Chair Baltay: My idea was to try to get a before and after image of what first came to us and what was built. I was really struck looking at the Marriott Hotel on San Antonio. The end result is really attractive relative to where we started. I just wanted to get quick images on both if that's feasible.

Board Member Hirsch: I think that's good but you could add to that the images of projects that are coming up that are worth keeping an eye on.

Chair Baltay: Absolutely. What are things should we add to this again, David? You said the housing one on the corner of Hamilton, is it?

Board Member Hirsch: Yeah, next to the church there.

Ms. Gerhardt: Yeah, 565 Hamilton.

Chair Baltay: We approved that design and we could show then the initial design and the final approved design?

Board Member Hirsch: Yes, that's good.

Chair Baltay: Honestly, David, I am not sure that the Council Members are going to notice the difference all that much without really looking hard at it.

Board Member Hirsch: Maybe not, because that's a good design when it came in.

Chair Baltay: It was good to begin with and we pushed hard about the compatibility and stuff like that but I don't think they see that in the City.

(Crosstalk)

Board Member Hirsch: ...unique housing project open on the bottom the way it is, the mix of the commercial in there, and the...

Chair Baltay: There is some merit to just showing what's coming up that's good. I am not sure that's reinforcing the Architectural Review Board as much.

Board Member Hirsch: It has an awful lot in it.

Chair Baltay: Okay. We will put that project in here. Anything else?

Board Member Lee: I am wondering if it is possible to add, in addition to the address, just what it is. For example, Wilton Court is 59 units of affordable housing. I guess I had a different view on these. I thought that we were going to show a photo of the site as it is now, and you said former Footlocker, former Olive Garden. I just feel that they are not going to see the difference between a rendering and a final. I think it is pretty compelling to see what was at that site, or what was there before, and then what has been approved or what it is in terms of [distortion]. I felt like that was important.

Chair Baltay: I think that's a good point, Grace. Sure, just showing from nothing got the new building is powerful if we can dig up those images. Okay. I will take that and see if we can make that happen. Any other thoughts about this thing about architectural review buildings? Okay, that's going to be a necessity also but limited by just how much research time we have and facts and stuff we have. I want to take care of it as the Chair but I can't do that for every one of these. Then, objective design standards. It occurred to me that I think that's something that all of us have commented at some point or another that

objective design standards will result in a lower quality of design consistency in the town. At least, to me, I feel strongly that we are going to have to do this but I don't want it to seem like the Architectural Review Board is given its blessing. I don't think it's a good idea; it's just one we have been forced into. I am trying to find a way to say that so it's loud and clear to the Council and the public that's where we stand. Is that something we support?

Board Member Lee: I would say but one thing I did want to make sure... I appreciate this draft and I agree with pretty much everything here but I wonder if others had thoughts on that last paragraph under D. Then, also, I had questions regarding our process and timing and how we are. Thank you, Jodie, I saw your question what have you heard from other architects that built in Palo Alto. I just wanted to circle back and see if we are going to be able to share stakeholder feedback, if we are going to be able to share this letter or at least a section with stakeholders so that they might understand if we shared a link of the current draft and they provided feedback where we are as a group in our previous discussion and want we feel about objective design standards. I guess the last piece I want to make sure about, I am hopeful that we can add one sentence that talks about affordable housing rather than just residential. That there is something about how we all are thinking about objective design standards regarding affordable housing versus (inaudible) or mixed-use.

Chair Baltay: I am looking at that last paragraph, Grace. It's a rather long paragraph and you're suggesting that we --

Board Member Lee: I was just going to Jodie's comment on need planning support, right, in terms of the streamlined review and other departments. Then when Jodie asked what have you heard from other architects that built in Palo Alto it just reminded me that maybe we could share this idea and how do we get feedback from other architects in Palo Alto. There's that piece, but I also just had the question in terms of objective design standards draft, when is that coming back? Do we have an idea of when that is coming back to us? I had shared with Jodie for some example graphics I just want to make sure that is being shared or what this timeline is going to be.

Ms. Gerhardt: Right this minute I haven't been able to spend a lot of time on objective standards. We had a possible date for the next hearing. I want to say it was in January but I think that might have to be pushed out so that we can do some of these other things. Yeah, we had January 7th as a tentative date so far. That means we have to do a lot this month if we're going to get information from other architects and things.

Board Member Lee: Thank you, Jodie. I just want to make sure that on the current website that is the draft standards is it just simply the draft that we had before we had our last meeting to share with the public?

Ms. Gerhardt: Yes, I don't think that webpage has been updated quite yet. We haven't had a chance to talk to the subcommittee either.

Board Member Lee: It sounds like that won't change this month.

Ms. Gerhardt: I think this month I will try to talk to David and Osma about getting the subcommittee so at least we can get that next round up on the webpage so people would have some more time to digest it.

Board Member Lee: Okay, thanks.

Board Member Hirsch: That's from my standpoint too. I feel like it is a bit in the dark here as to what's going on. I don't know about Osma's feeling but if it is progressing I think I would like very much to see how it is progressing. I think one of the concerns that we had talked about at the last meeting was that the drawings were, in a way, more desperately needed than the textual part, but everything has to fit together. I am anxious to see how it progresses and what the actual schedule is, if there is one, or van it be stretched out. What is the end schedule for the whole of this requirement for the State?

Ms. Gerhardt: There is no State required schedule other than if we don't have these in place and we get an SB35 project then they really are very minimal objective standards that they would have to abide by. We don't want to be in that position. Getting them done as soon as possible is the best idea. We were trying to get them done at the end of this year. That's not going to happen given the pandemic and everything else. At this point, we are just trying to get them done somewhat quickly but we want them to be good quality as well. We are balancing those two things. I am hoping in the early part of next year we will be done. You haven't missed anything, David. There has just been a lot going on and I will get back with the subcommittee.

Board Member Hirsch: Okay. Thank you.

Chair Baltay: My intent with the letter was to just make the basic statement that objective design standards are, in our opinion, not as good as the subjective Architectural Board review just so the Council hears that from us. I think if we go into more detail about the standards and the process we are doing them it quickly gets too complicated. I don't know if so far the draft reflects that or if we have a different opinion collectively.

Board Member Hirsch: Now we are having a meeting. I just want to share with everybody something about objective and subjective. That conversation with my cohorts in my previous New York office and the comment was that it is entirely objective in the New York City building code. Of course, there is no art, historic, whatever review of projects in the City except for projects that have City funding so that 98 percent of the projects in New York are simply based on a code that is totally objective; quite a difference. There is no control except the economics of construction, really. However, it is just a different place, of course, you know, but the rules actually require a certain amount of architecture, clearly. The setbacks and all of the limitations that are normally applied through the zoning are not so bad, really. They establish a lot of rules and regs so you get a very commonplace building that fits in with the other common place buildings. You have to really work at making something quite unique that is subjective.

Chair Baltay: Are you suggesting, David, that we should not mention this then? Should we just leave subjective/objective off of our letter?

Board Member Hirsch: No, I think it's very worthwhile mentioning it. I would even imagine as much as the Council itself might be objecting to the rule of the State in our affairs, it might be concerned about how we present this and it is important for them to hear it. I am very pleased, Peter, with your letter with the items that are on it.

Chair Baltay: Okay, thanks. What I am hearing is that we more or less leave this intact. Are there any other topics that we didn't put in here that somebody thinks we should have?

Ms. Gerhardt: Chair Baltay, Amy French was just reminding us that the 2020 ARB Awards did not happen because of COVID, so maybe we just mention that we would pick that up next year.

Chair Baltay: That's a good point of course. We will put that in. Thanks for the catch. The awards are going to be postponed.

Ms. Gerhardt: We will do the same time frame. It is just the ceremony and the choosing would be later.

Chair Baltay: We will pretend 2020 never happened, right?

Ms. Gerhardt: We're all trying to do that.

Chair Baltay: Yes, we are indeed. Boy!

(Crosstalk)

Board Member Lee: Sorry, Peter, can I just add one more thing...

Chair Baltay: Please, Grace, go ahead.

Board Member Lee: ...about the objective design standards? I feel like there should be an opening sentence in terms of our Board understanding the intent of the State law to streamline discretionary review for housing given the need. I just feel like right now I appreciate this paragraph but I feel like -- correct me if I am wrong -- our Board understands why this is need, particularly for the neediest in housing. I feel like that should come across and that we are abiding in this way.

Chair Baltay: I can support that, sure. I think that the State law fundamentally is doing a good thing. Do other Board Members support that? I will take silence as yes. I will put that in there Grace. I appreciate your feedback. It's good to have that.

Board Member Hirsch: If we are using this opportunity to speak to the supportive housing or affordable housing, let's say -- that's the right term for it here -- my own personal idea here for solving this kind of a problem why don't we actually consider... I'm not making a recommendation but expressing an idea that might be possible, at least I am going to do it with all of you. Why not use the PF zones? I have mentioned it before. Maybe Alex would speak to why it doesn't work but why not suggest that the City actually get involved in studying the PF zones to provide affordable housing at a greater density? Change only the PF zones themselves. I am talking about all of the parking lots around downtown. There is a tremendous benefit in working in this area because the zoning could be easily changed to provide greater density, it is not adjacent to residential communities which means it could negotiate with developers for a good deal for a more skewed development towards affordable housing. The parking could be retained as part of the whole development; the City could continue to own the parking lot. It seems to me that it is a win-win situation.

Chair Baltay: David, you and I have had these discussions and I think we support this is a great idea. I just think it's not the purview of the ARB. We don't review projects about how the zones are done and we run the risk of overstepping our bounds.

Board Member Hirsch: Here's an idea. I am just expressing an idea. I am not saying we do anything yet. I am asking for discussion. We don't actually make recommendations for planning like this. It is really the Planning Department that ought to do the planning and transportation because it is both Planning and Transportation but they're not doing it either. We are all reacting. We are a reacting agency. A project comes in and we review it. When you look at the whole thing as a planner you see this possibility. Alex, I would like your opinion on it, actually, because this is something I think you looked at for a long time, the issue of zoning of downtowns. Is it possible to imagine that? I know that you have mentioned the fact that Mountain View has really begun to do some major developments that have made a significant change in that community. Palo Alto hasn't actually done this on a large scale the way Mountain View has. What do you think about the possibility of doing this in our downtown around California Street and University?

Board Member Lew: David, I think that that is in our comp plan. If you look at the comp plan it is there. Council has added a zoning mechanism to make that happen. You can add a housing overpay on a PF zone. I think that that is all there and the Council has talked about that in years past. I think they have made their intent clear. I don't think that we need to say anything about it at this point. I think we could just say that it is an opportunity that is still out there but I would leave it at that because this is really more of a report. I think if you wanted to add this I would add it in the section just about housing. Council Member Kniss is always asking how many units have been improved, where are we? If we were responding to something like that we could say we have approved this many units of housing. Then, I would say you could add there are all of these other opportunities that are out there and leave it in that section.

Board Member Hirsch: That's a great comment.

Chair Baltay: Which section are you talking about, Alex?

Board Member Lew: It's not a section. I am saying if there was a section on housing because that has been one of the Council's objectives. We could report on how many housing units ARB has approved recently and then we could also highlight where we think there are missed opportunities.

Board Member Hirsch: That's a good point, Alex. A really good point. It could, sort of, be because after all objective/subjective is really about building housing and somehow...

Board Member Lew: Yeah.

Board Member Hirsch: ...we could expand that to answer it the way you suggested it I think could be a good way to put it.

Chair Baltay: We are suggesting one more topic where we talk about housing that the ARB has recommended approval for and then lost opportunities, like David suggested, as part of our annual report?

Board Member Lew: Possibly. I think there should be one other thing under housing which is how Council Member Tanaka is always talking about microunits...

Chair Baltay: Right.

Board Member Lew: ...as well as (inaudible). We might just want to highlight the sizes of the units.

Chair Baltay: That would be (inaudible) units you're talking about?

Board Member Lew: Like the small studio apartments.

Chair Baltay: Small apartments, okay. As the Architectural Board, what are we reporting about it? That they work? That we can find them approvable? That they are too tight? That it takes too long to approve them? What's our statement about it?

Board Member Lew: I think our issue is that we actually have approved them, right?

Chair Baltay: True, we have.

Board Member Lew: In the past, the density limits typically would preclude micro studios because then you're talking about something under units per acre and our zoning is for 40 units per acre maximum.

Chair Baltay: Okay. Certainly, the Council would like to have a number like that. It's useful.

Board Member Lew: Yeah. Anyway, my thought about including that was just because it is something that one of the Council Members frequently mentions it.

Chair Baltay: That's a good point.

(Crosstalk)

Chair Baltay: Will you be able to help figure out these numbers? It's a bit of research to do it.

Board Member Lew: Yeah.

Ms. Gerhardt: If you're asking about units approved this year...

Chair Baltay: Yeah.

Ms. Gerhardt: ...I am working on it as we speak.

Chair Baltay: Grace, do you support putting this topic in there?

Board Member Lee: Yeah. I was just going to say to make it work with what we have would it be appropriate to highlight the addresses that are housing and have an asterisk that says housing or residential and then in the description...

Chair Baltay: Great idea.

Board Member Lee: ...highlight housing incentives site or the units in that one-sentence description with the address. That might be a way to do it without calling out a whole new section. Clearly, you have highlighted what the Council is interested in and it is a descriptor in the section where you actually see a photo of the site instead...

Chair Baltay: I think that's brilliant, Grace. Very good. We are going to take section E and we are going to make sure it clearly shows what housing is being approved and at the bottom we'll put a line about lost opportunity with the PF zones. Is that something we can all support?

Board Member Hirsch: Yes, but I have to say that my concept, or a concept, here would be that somehow or another if the City were to be more proactive in developing their own housing it certainly would be a possibility. It would mean sorting like creating housing department that is somewhat separate from Planning in order to organize the whole effort for an entire area like the PF zones and perhaps a broader view as well, depending upon comments like Alex makes about what is there in the code for these various and for the densities. That is of course a different... I don't think we are going to get into that in this particular meeting but I think it is something that is done in very many cities; certainly, it was done in New York City many times now where there have been certain ZARS created to take an area of the city, like in the Bronx, and have constructed incredible numbers of housing units at a time when it was possible to get properties easier than it is now.

Chair Baltay: David, I appreciate you wanting to bring that up and it is a very good idea but it is noon. I want to get this meeting down.

Board Member Hirsch: Okay.

Chair Baltay: The purpose is to get the letter or the report that we can all agree on.

Board Member Hirsch: I am mentioning this because yes we should all move on.

Chair Baltay: Okay. Listen, Jodie, I would like to find a way for me to finish a revision of this by the end of the week, and is there any way we can circulate it to Board Members and get feedback before I produce the final document? You think we can make that work?

Ms. Gerhardt: I talked to the attorney and he did say that because this is Board business, this is part of the mission of the Board that it does need to be done in a public setting for the most part. If there is one-way communication to me, or something like that, that's fine.

Chair Baltay: Okay. Look, to my colleagues, I will put forth a final draft of this. I promise to have it done by the end of the weekend, if not sooner. I will give it to Jodie. Jodie, I would like you to circulate that to everybody. That is still a one-way communication. It is up to individual Board Members to decide if they want to give Jodie direct feedback in advance of the meeting. As long as you're going back to Jodie that's okay. Jodie, if you want to report that to me at our premeeting or not, that's up to you if you think you can do that. I don't want to run afoul of the Brown Act but feedback is great here.

Board Member Hirsch: Why don't you establish a date for the feedback?

Chair Baltay: I am saying I will have something to you guys by the end of the day tomorrow. To the extent that Jodie can circulate the email, you will have something by Monday.

Board Member Hirsch: A week to respond or several days?

Chair Baltay: What's our timing, Jodie?

Ms. Gerhardt: Our next hearing would be on December 17th. If you're able to get this to me on Friday, tomorrow then people really have two weeks to review it.

Chair Baltay: Okay. I can get it out. I might not have all of the images but the rest of it I will have.

Ms. Gerhardt: We do have our premeeting on December 14th. Maybe that's a better deadline.

Chair Baltay: I would love to get any feedback then. Last year we had some last-minute questions that were dicey and it required us to start redrafting things and it just doesn't make for a better letter. I really want everybody's support of all things. I want this to be unanimous. I need everybody to feel good about it. Please speak up if you don't. Okay, anything else on this? Then thank you, everybody, for another long meeting. We are adjourned. Have a great day everybody.

Board Member Lee: Thank you all.

Ms. Gerhardt: Thank you all.

Adjournment



Architectural Review Board

Staff Report (ID # 11972)

Report Type: Approval of Minutes **Meeting Date:** 2/4/2021

Summary Title: Minutes of December 17, 2020

Title: Draft Architectural Review Board Meeting Minutes for December 17, 2020

From: Jonathan Lait

Recommendation

Staff recommends the Architectural Review Board (ARB) adopt the attached meeting minutes.

Background

Draft minutes from the December 17, 2020 Architectural Review Board (ARB) are available in Attachment A.

Draft and Approved Minutes are made available on the ARB webpage at bit.ly/paloaltoARB

Attachments:

- Attachment A: December 17, 2020 Draft Minutes (DOCX)



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: December 17, 2020
 City Hall/City Council Chambers
 250 Hamilton Avenue
 Virtual Meeting
 8:30 AM

Call to Order/Roll Call

Present: Chair Peter Baltay, Vice Chair Osma Thompson, Board Members David Hirsch, Grace Lee, and Alexander Lew

Absent: None.

[Roll Call]

Oral Communications

Chair Baltay: Thank you. Next item is oral communication. Are there any members of the public who wish to address and item not on our agenda. Do we have any speakers?

Veronica Dao, Administrative Associate: We currently do not have any raised hands.

Ms. Gerhardt: I'll raise my hand. I'm not a member of the public but Jodie Gerhardt, Manger of Current Planning. Just before we get started I wanted to congratulate Board Member Thompson and Board Member Lee for their reappointments to the Board. That was done on the 14th by City Council and they will be taking their oath of office later today as this is the start of their new term. Thank you very much. We are glad to have you continue on. Thank you.

Agenda Changes, Additions and Deletions

Chair Baltay: Congratulations Grace and Osma. Do we have, then, any agenda changes, additions or deletions, Jodie?

Ms. Gerhardt: Thankfully, no.

City Official Reports

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, and 2) Tentative Future Agenda items and 3) Recent Project Decisions

Chair Baltay: No, okay. Then city official reports. I guess this is our last meeting of the year but what can you say for us?

Ms. Gerhardt: Yes, it is our last meeting of the year. Maybe at the end, we will say happy holidays, but as far as... last meeting of the year. Do we have the next year's schedule, Veronica? Veronica is showing this slide. Perfect. January 7th would be our first hearing of 2021. In looking at the items that

staff has, we were not able to get all of the necessary pieces to put together a January 7th hearing. That hearing will actually not happen for the main Board. I would like to talk to the subcommittee though, the objective standards subcommittee and pull together a subcommittee meeting on January 7th hopefully starting around 10:00 a.m. That would be Board member Thomason and Board Member Hirsch. Hopefully, you're available at that time and we can email to get more details. That's it.

Chair Baltay: Thank you, Jodie. Okay, anything else?

Ms. Gerhardt: Nope.

Action Items

2. PUBLIC HEARING / QUASI-JUDICIAL. Upstream Of Highway 101 Project; Pope-Chaucer Bridge [20PLN-00202]: Major Architectural Review for replacement of the Pope-Chaucer Bridge. The project also includes downstream channel modifications in four locations and a retaining wall in one location for improved flood protection. Environmental Assessment: Lead Agency SFCJPA certified an EIR on September 26, 2019. Zoning District: PF, R-1, and Public right-of-way. For More Information Contact the Project Planner Claire Raybould at Claire.Raybould@cityofpaloalto.org

Chair Baltay: Okay. With that we will move on to our action items. The first item is number two, public hearing/quasi-judicial. Upstream of Highway 101 Project; Pope-Chaucer Bridge. Major architectural review for replacement of the Pope-Chaucer Bridge. The project also includes downstream channel modifications in four locations and a retaining wall in one location for improved flood protection. The Environmental Assessment: Lead Agency SFC Joint Powers Authority certified an EIR on September 26, 2019. Do we have a staff report, please?

Claire Raybould, Project Planner: Thank you. Good morning, Board Members. I am Claire Raybould. I am the Senior Planner on this project. The item before you today is a study session, as you noted, to discuss the Upstream of Highway 101 Project. This project includes work in several different jurisdictions, specifically in particular Menlo Park, City of Palo Alto and East Palo Alto, as well as, I believe, unincorporated areas of the county. It specifically includes six locations within Palo Alto between Highway 101 and Pope-Chaucer Bridge. As I noted in my staff report, the San Francisquito Creek Joint Powers Authority Board is actually the lead agency for this project. The City of Palo Alto is a responsible agency. Therefore the City's purview only pertains to the work on the project that is within the city limits. Therefore, the plans before you today focus on the work that is occurring within the City of Palo Alto. The key design feature before the Architectural Review Board today that is part of this project is the replacement of Pope-Chaucer Bridge, which crosses San Francisquito Creek at the intersection of Chaucer and Pope Street between Woodland Avenue and Palo Alto Avenue. I plan to be very brief in my summary of the project description because I know the Joint Powers Authority is here today and they have a short presentation prepared for you that provides a little bit more detail about their design. The project includes replacement of an existing two-lane bridge with a two-lane bridge along the same alignment. The proposed bridge would have an approximate 32-foot span from curb to curb with six foot three-inch sidewalks on each side. There would be four overlooks and lighting is proposed on the bridge. The project removes the concrete abutments from the existing culvert and replaces it with a three-span bridge and a slightly raised deck to provide better flow capacity beneath the bridge. The project also includes channel widening in four locations and a retaining wall in one location, all downstream of Pope-Chaucer Bridge. This slide just shows a brief overview of the different locations where work will occur. You have the bridge right here. You have sites one and two which are located behind approximately Crescent Drive area of Palo Alto. You have sites three and four which are behind Edgewood Drive area in Palo Alto, and you have site five which is located near that Highway 101 intersection. This is just a photo to give some context of the existing versus the proposed bridge. As you can see, this is actually a culvert, so it is concretized along the entire bottom of the creek bank and it has concrete within the channel. This would remove the concrete from inside the channel to allow that flow capacity beneath that bridge. Also, it includes reestablishing the natural creek bank along the bed of the bank. This is just a brief aerial view of the project. I do want to note that the different colors shown here are just showing

the areas that are going to be a new deck. It's not actually going to be a different color when it is actually constructed. Today, we are asking you to provide some overarching comments on the project, as well as comments on specific details of the design such as the lighting, any details on the observations decks, and the landscaping in particular. With that, I will turn it back to you. Next steps are we plan to return to the ARB for a formal recommendation on the project in early 2021. We are currently looking at late January for that. Then, we would go to the Council for a decision on the project. I am going to turn it back to you and recommend that you hear from the Joint Powers Authority who has a brief presentation prepared for you.

Chair Baltay: Thank you, Claire. Before we go further, I forgot to ask for any disclosures but, Claire, I understand this is considered a study session, not a formal review?

Ms. Raybould: Correct. It was noticed as a formal hearing but it is actually a study session and we plan to come back in early 2021 for a formal hearing.

Chair Baltay: Okay, then I don't think we need to go through disclosures then. The Joint Powers Authority, do they have someone here to make a presentation? Hi Margaret. Veronica, if you could admit her to the meeting let's see what they have to say for us, please. Welcome, Margaret, good morning.

Margaret Bruce, Executive Director of San Francisquito Creek Joint Powers Authority: Good morning. Thank you so much for having us.

[Setting up presentation.]

Ms. Bruce: I am hoping most of you are familiar with the Joint Powers Authority. We were formed in 1999, after the flood of record. There was a 7,200 cubic feet per second flow through the San Francisquito Creek that caused widespread damage in Menlo Park, Palo Alto, and East Palo Alto. There have been a few other notable flows in the recent past, on in 2012, but, of course, there have been others that have been pretty high. Some of the reasons for that are the constriction points at various parts of the San Francisquito Creek channel that have been created through human development. Back in 2019, we completed this yellow section, the downstream of 101 section, Reach 1 as it is sometimes called, that opened up the downstream channel through East Palo Alto and Palo Alto between the residential area of East Palo Alto and the Palo Alto Golf Course and airport. That was essentially like taking a wine bottle and turning it into a mason jar. It opened the throat of the creek, enabling flow to pass through that lower part of the channel which had been constricted, and also restored some tidal marsh and protected East Palo Alto and Palo Alto from both rising tides due to sea level and from riverine flooding. Our next step is moving upstream. That is sometimes called Reach 2, and the objective of that is to restore the natural channel capacity by removing constrictions and restraints that have been created by sometimes development inside the channel and by the trim point at Pope-Chaucer Bridge. These constrictions and constraints create a bathtub effect by backing water up into the stream channel, it then rises and overtops its banks. Our next and future project is going to be detention basins -- at least that's our objective -- in the upper reaches of the watershed to help slow down the flow from the majority of the watershed where most of the rainfall happens so that it can trickle out more slowly in these very large storm events and keep those really high peaks from happening in the lower reaches of the watershed. This is just a quick overview of the first projects that included some pretty amazing work with gas and sewer pipelines, new levees, and some floodwalls including some sheet pile walls which will come up later in our conversation. This is an image of the floodplain as it happens. The creek is what is called a perched creek and you can tell that by seeing how the floodwaters flow away from and downhill from the creek across its natural floodplain, which we have now built up all of our towns and roads, and stores and everything on. The red areas are the places that were removed from the creek floodplain by the first project, the downstream project. The areas in blue will be removed from the 100-year floodplain after the satisfactory completion of both the Reach 2 and Reach 3, the upstream and the upstream detention projects. This is just a quick view of the places where there are constrictions, and they also correspond to some of the places where our work is going to be happening specifically here at West Bayshore, you're all already aware of the Newell Bridge. This is not as much of a concern but this one

certainly is. As you can see, that is a turning point. That is what the focus of our upstream project is about. Here are some images of that project at Bayshore. If you can peek over here to this little corner you can see there is another bore, there is another tunnel underneath 101 and West Bayshore where there is an opening here and a realignment of this side, the Palo Alto side, of the creek bank will enable us to open up this part of the channel even more. This is where it would be. There is stacked concrete in this location. There is an existing Santa Clara Valley Water District easement that will enable us to realign this creek bank area -- where you see the arrow pointing -- with that sort of hidden fourth bore underneath the bridge. Moving upstream to the Palo Alto widening sites, there are a few places where you see these stacked concrete bags, the concrete sac creek walls. These are going to be taken out and the creek bank made more vertical. I am not sure if you can see my curser by I will try to speak to the pint if you can't see it. This is an area where the creek channel is very confined in part because of this old, stacked sakrete [phonetic]. By removing the sakrete and making this part of the already modified channel wall more vertical it allows more flow capacity in the channel. At this point, we are imagining in widening sites one, three, and four -- these are the ones upstream here -- and five down here... excuse me, one, three, and four are probably going to be what are called soil nail walls. That is where there are concrete structures built along the bank of the all and deep, long -- think molivolls [phonetic] -- go into the soil underneath the structures into the bank and hold that concrete and hold the soil structure of the creek bank in place. Soil nail walls are chosen in areas where the bank may have curvature or there may be other features, rocks or other things, that want to be incorporated into that retaining protective structure and they can conform easily to the curve of the bank. In sites two and five, we are likely going to use sheet pile walls similar to those that were used in the downstream project. Sheet pile walls are driven into the ground and then are capped with either a metal or concrete top to retain the bank above them or behind them. Those, again, are vertical or close to vertical. The choice of which type of bank retention or bank stabilization technique is based on constructability. Can the equipment get moved into the channel so that those features can be constructed in that location? Also, what is the best engineering solution for that particular part of the creek? Again, does it need to conform to curvature or other natural features or can it just be a straight sheet pile? At site two, there is a very interesting concrete feature that has been built right into the creek channel. This goes back to possible as long ago as the thirties or forties. It may have been a terraced garden at some point. It has been there long enough that some rather mature trees have grown up through the concrete, but because it creates such a chokepoint in the channel its removal is going to be a very important part of this project. Where it is also enabling us to use this site to lay back the creek bank at a 3:1 slope, again expanding the channel capacity providing a restored channel and bank natural structure. Here is an example of what that might look like. In the upper right-hand corner of this picture, it looks like a natural creek bank but it's not. There are plantings here and plantings above and this creek channel bottom is actually restored and engineered material. It functions just like a natural creek's bottom and bank. That is what we will envision doing in these places at site two where we will have such an opportunity to recreate the natural creek bank and channel bottom. Here are some examples of how these techniques are also applied, either in a sheet pile wall or other structures where the toe of, which means down here at the channel bottom, is protected from erosion and scour by a series of interlocking and different cobble and boulder sizes. These kinds of materials are also important for natural fish passage. As you may have read in your packet, there are a number of different treatments for both the channel bottom and the creek banks that are specifically designed to provide shelter and refuge for migrating steelhead and other fish species when there is water in the creak, particularly important during their migration times. This is a rendering of what we envision the creek bank will look like where the concrete structure has been removed and it has been allowed to re-vegetate with natural vegetation. The last place that I want to point out where we will be doing channel work is to replace this wooden parapet at the intersection of Woodland Avenue and you're standing here on University Avenue. This would align with the existing wooden parapet but would be replaced with permanent concrete structures. This is a little bit of a rehash from some of the things that Claire showed you. Pope-Chaucer Bridge's existing configuration is this culvert with a bend in it. It doesn't go straight through, there is a little bit of a kink in it. It will be replaced, we envision and propose, by this three-span bridge which provides creek bank respiration, creek bottom restoration, the same alignment across the roads in the existing road elevations and sidewalk elevations, lighting that can be customized so that it shines only on the bridge, not on the water and not into the intersections. The treatment of the bride and the treatment of the bumpouts can be customized. Again, it removes this narrow culvert concrete restriction. This is the aerial view that you saw before. I want to take a moment

to interject that one of our project neighbors has asked for the City of Palo Alto's consideration on a no-left turn sign from this intersection across the bridge during the hours of 3:00 p.m. to 7:00 p.m. We understand this is not the Architectural Board's purview nor is it the project's purview. We are simply passing this request along as a courtesy to our project neighbor. They are concerned about cut-through traffic as rush hour travelers come this way on the bridge, turn right on Woodland Avenue and traffic stacks up along woodland Avenue. These are the technical maps and drawings that you have probably seen in your packet. They describe where the bumpouts are, they describe the bridge deck. You can see a slight change in elevation here. It has an approximately three and a half foot rise from one end to the other. The middle is three and a half feet higher than either end. There is a very gradual arch. Each of the bumpouts from this corner to this corner is 16 feet wide. Again, the sidewalk is six and a half feet. It is the same two-lane alignment. Let's see if there is any more detail here. Maybe a little more detail here where you can see some of the previous alignments of where the current culvert is and the current bridge is along here. You can see that better in this picture. It would reduce the amount of blockage or coverage of the natural creek channel by removing this larger old structure and replacing it with this same size bridge alignment. There are going to be parts of this project that will impact trees and other native vegetation, these areas in particular. We want to and have minimized our project footprint so that we can avoid impacting particularly the mature vegetation along the creek bank as much as possible. Of course, our intention is to comply fully with all of the advice and direction from both the City of Palo Alto, the City of Menlo Park's arborists and to seek their expertise, and to work with the community members adjacent to our projects to hear their preferences for vegetation and tree management. We will accommodate that as best we can within the course of the project. There will be traffic; there will be trucks; there will be noise. These are the locations of the major work and the traffic impact locations are most likely in these areas. There will probably be about 20 workers at any given site on any given day. About 60 trips per day are what we have anticipated. There are likely, especially around the Pope-Chaucer Bridge area, to be impacts to local neighbors with the demolition and construction around noise and dust, and certainly because the bridge is going to be closed for the duration of that construction period a convenience of the bridge will be lost for the time of construction. I think that is about it. Before I entertain questions, I have to acknowledge and thank the folks at NV5 who have been so helpful in the engineering and design, as well as our great colleagues at the Santa Clara Valley Water District. We have Russ Nygaard and Peter Park [phonetic] from those organizations respectively, and many thanks to my great team. Tess Byler has led all of the work with our arborist and with both Menlo Park and the Palo Alto side. Kevin Murray is the overall Senior Project Manager for the Upstream project. They are all in attendance this morning and we can all help answer your questions. Thank you.

Chair Baltay: Thank you very much, Margaret. That was a very, very nice presentation. It was very thorough and your graphics really go a long way to explaining your project. Do we have any questions of the applicant from any member of the Board?

Vice Chair Thompson: I have a question.

Chair Baltay: Go ahead, Osma, please.

Vice Chair Thompson: I wanted to ask either staff or Margaret, is the railing of the bridge something that is set in stone, or is that what we are able to comment on?

Ms. Bruce: It is not set in stone literally or figuratively. It can be customized in any number of ways. There are treatments, there are materials that can make it either look like wood, like metal, it can remain bare concrete, it's the pleasure of the Architectural Review Board to help us finish those details in our planning and design.

Vice Chair Thompson: Thank you.

Chair Baltay: Any other questions?

Board Member Lee: Margaret, I am just wondering, it sounds like the shape, and form, and dimensions of the observation decks also... I don't know if there were any guiding principles in how they are currently represented.

Ms. Bruce: The only guiding principle that I am aware of I am aware of, Ms. Lee, is that there was a desire for there to be an opportunity for pedestrians to stop and view the creek. There can be benches; it is at your pleasure to adjust how those are arranged. The designs themselves of the bumpouts I believe can be customized. They have been included because it is our understanding that there was a desire to have more of an opportunity to have the public be able to engage with the creek, enjoy the scenery of the creek, and to provide an aesthetic element to the bridge.

Board Member Lee: thank you. Then, if I may, Peter, just the other question I had was the need or any discussion regarding crosswalks or paving patterns that might direct wayfinding or public safety.

Chair Baltay: I am not sure I follow you, Grace. To the applicant, can you explain the paving patterns and finishes? Is there some special way to get wayfinding marked into that?

Board Member Lee: Or if there was an ask for crosswalks or requirements? I am just curious.

Ms. Bruce: I am not aware of any crosswalk or wayfinding requirements as part of a flood control bridge or basically a flood risk mitigation project. I would defer to my colleagues either at NV5, Valley Water, or to Kevin if there has been discussion about crosswalks or other wayfinding elements. I am punting to you guys.

Chair Baltay: I had a couple of questions that if everybody is complete here...

Board Member Hirsch: I have to...

Chair Baltay: Go ahead, David. You can go ahead first.

Board Member Hirsch: Okay. Yes, Margaret, this is an excellent (inaudible). It is very thorough and the photographs are wonderful, especially the one I am looking at right now. I wish the creek would look this way all of the time. I happen to live very close to it, almost within (inaudible) water and there was last week, this past week. My question really is in Middlefield what is going to happen at the Middlefield crossing? Is it adequate there to handle the plan or is this part of a future improvement?

Ms. Bruce: It is not part of our current plans. The bridge crossing at Middlefield is considered adequate flow passage for the peak flows that we anticipate. At this moment, it is not part of our project plans either for this Reach of the creek or the further Upstream Reach. I suppose there are possibilities for us to reconsider that if our hydrological modeling or circumstances would raise that as an issue that we would need to consider in the future.

Board Member Hirsch: Okay. How would you describe it? Can it handle the floodwaters presently the volume that we're expecting (inaudible)?

Ms. Bruce: I am sorry, Mr. Hirsch, I am not quite sure I am hearing you very well. If I understand your question, you're asking what is the current capacity at Middlefield and whether or not that's adequate.

Board Member Hirsch: Mm-hmm.

Ms. Bruce: I would need to go back to my drawings and maps that I don't think I have on... let's see. This area, I don't remember what the capacity is at this particular bridge but it is probably in excess of 5,800 or 6,200 cubic feet per second. I am hoping that Kevin can chime in. He probably has that at the tip of his tongue.

Kevin Murray: Yes, good morning. The capacity at the Middlefield Road bridge is about 7,200 CFS under normal flows and about 7,500 CFS under pressure flow, meaning when water backs up behind the structure. That is about equal to the natural channel capacity downstream. If we were to remove or modify Middlefield Road Bridge, that would create a situation where all of that downstream reach, not just where you see circles but the entirety of it, could be subject to over-banking. Our current strategy is to leave the Middlefield Road Bridge in place to act as a checkpoint for flow downstream. Now, remember, the flood of record was 7,400 CFS in this area; 7,500 CFS at the Middlefield Road Bridge is an adequate to pass that 1998 flow with maybe just a little bit of overtopping that causes some street flooding but not the type of overtopping that causes major structural damage to homes and businesses.

(Crosstalk)

Mr. Murray: Moving forward, as Margaret said, our strategy is not necessarily to modify Middlefield Road Bridge to get us to that next level of protection, it is to look upstream where we could possibly detain water at those offline detention basins, what Margaret described as our Reach 3 projects that would come in the future, to reduce the overall peak flow such that Middlefield Road Bridge is no longer even a consideration as a construction point.

Board Member Hirsch: That answers my question very well. I just want to say that I was present here when (inaudible) years ago there was a significant rainstorm and the present bridge was above the arch and trees were coming downstream and held against the archway there and then sucked under that (inaudible) presently under the bridge. It was a very dramatic time; a lot of neighbors were there and this looks very much like it would probably solve that kind of a problem. We were a little bit scared at the time (inaudible). Thank you all very much for the (inaudible) terrific job. It's quite (inaudible) solving this problem. Thank you.

Chair Baltay: Thank you, David. Claire, I wonder if you could outline for us the process that is going to take place with other agencies making similar reviews to ours, say the Menlo Park Planning Commission. How are we assuring coordination between all of these various agencies?

Ms. Raybould: Yeah, I have been coordinating very closely particularly with Menlo Park since the bridge crosses both jurisdictions. Actually, the representative working for Menlo Park is our former Public Works Director. He is very familiar with the Palo Alto regulations and requirements. Mike Sartor and I have been working really closely together on this project. The plan right now has been just trying to coordinate the timing of our hearings. They have not set the date for their Planning Commission, but they anticipate likely late January as well for their Planning Commission hearing. It sounds like trying to align with our Architectural Review Board hearing and I anticipate sending him, following this meeting, a brief summary of the key comments from our Architectural Review Board for their consideration as they move forward with their recommendations or approvals or whatever they are looking to do for this project. I know that he has expressed that the key considerations for his Planning Commission in his mind our trees and the loss of trees, in particular there are a couple of trees on the Menlo Park side that they have been closely coordinating with the JPA to see if some slight revisions to the design might be able to better protect those trees and save them, and then just the traffic as well during the temporary construction period, and the relocation of traffic towards Middlefield Road in particular. There is going to be a temporary signal, which was analyzed in the Environmental Impact Report at Middlefield and Woodland Avenue for the temporary construction period. Those are the key considerations that the Planning Commission, he thinks, will be interested in in Menlo Park.

Chair Baltay: Thank you, Claire. My second question is more mundane, but to the applicant, I want to be sure I understand correctly. I noticed on the plans the note calling for a painted date designation on the bridge. Is that correct? Is that how you intend to commemorate the date and construction of this bridge?

Ms. Bruce: I believe that is what is being proposed. I am not sure that there aren't other alternatives of painted or stamps or a plaque or I am sure there are many options...

Chair Baltay: Okay. I just wanted to know what is in the application right now.

Ms. Bruce: ...that are available to us.

Chair Baltay: thank you.

Ms. Bruce: If there is a City of Palo Alto convention that we should consider following and include in our plans and design we would be grateful to know what that would be.

Chair Baltay: I don't know convention. We don't build convention; we don't build that many bridges here. Lastly, Claire, we had talked about having the city arborist chime in on this. There is an awful lot of live Oak Trees being removed and we are hoping to have even more replanted but I am curious to hear the arborist's perspective on both the tree removal and what the feasibility is to restore some of that. Is that person available, that Walter?

Ms. Raybould: Yeah, Catherine Mondkar is actually present, I believe, on the call.

Catherine Mondkar, Arborist: Yes.

Ms. Raybould: Catherine, thanks for joining us today.

Ms. Mondkar: Yes, good morning. There are quite a few trees being removed for this project and many of them are Coast Live Oaks. Not all of them are the specified DBH that make them protected but some of them are. Given the greater public benefit of this project, Planning and Urban Forestry feel it necessary to approve of the removal of these trees. They will be replaced as per the Tree Technical Manual's guidelines of replacing canopy. If we lose one Coast Live Oak it will be replaced with multiple new 24-inch box trees to meet that canopy within ten years which is the Palo Alto Tree Technical manual's guidelines. We are working closely to make sure that the replacement values are accurate and that they are replaced with native, in some cases regional adapted, species but drought-tolerant species.

Chair Baltay: Okay, and you're confident that you'll be able to fit that many new trees? I mean, in the area of the Pope-Chaucer Bridge the whole thing is covered with Live Oak Trees and it is hard to see how you'll fit three-times as many there. Have you...

Ms. Mondkar: For projects like this we have also started thinking about the way... in Margaret's presentation she was showing how some of them are... Margaret, if you can say, what is the name of when it's a very tiny specimen of a species they have planted in?

Ms. Raybould: Willow cuttings.

Ms. Bruce: Right, right.

Ms. Mondkar: Willow cuttings. In a unique and specialized project like this, we can look at square footage of land and how many spacing of Willow Oaks will be going within a particular square footage, how many can we get in. Where there are available locations to plant 24-inch box trees on level, flat upland ground we will be planting them there. In areas where we want to be replacing what was lost with the Willow Oaks, we're going to be looking more at square footage of land rather than how many 24-inch box we can get in. There will be probably in the hundreds of these Willow clippings.

Ms. Raybould: I just want to note to add to that that the trees don't necessarily need to be planted in the exact location that they are lost. We have been working with the JPA to identify what the total canopy loss is and to determine whether there is sufficient space to plant within the worked area, the project area. If we find that we need to expand out from these project areas then the City of Palo Alto would work with the JPA to identify areas within street planter areas within close proximity to where the trees are lost to help identify new locations for that replacement planting.

Chair Baltay: Thank you, Claire. My last tree question is really very particular but there was a very large Live Oak Tree. It's towards the bay and towards Menlo Park on the Palo Alto side, tree number 38 which I believe the plans called for retaining. Are you familiar, Catherine, with that particular tree? I want to see if you've looked at whether that really will be saved.

Ms. Mondkar: Tree 38. It's a 17-inch DBH Coast Live Oak.

Chair Baltay: No, it's much bigger than that I believe.

Ms. Mondkar: Okay. In the PDF of the Pope-Chaucer plan set that was available to me, tree 38 is a 17-inch DBH. I am not sure which large Coast Live Oak... which other one you're referring to. I see that there is a 34-inch, which looks like the biggest one in this tree removal list.

Chair Baltay: Okay. I was out there looking at them and I took a photograph of the tree and the metal tag on it. Let's come back to it. I don't want to waste our time now. I am just concerned that that particular one is a real majestic tree and we'll flag it.

Ms. Mondkar: Okay.

Chair Baltay: Okay. Any other questions?

Vice Chair Thompson: Yeah, I had one more question for Margaret. On the material that will be deposited as part of the bank, you mentioned that it was an engineered... I was a little unclear. I was wondering if you could just reiterate what... it sounded like it wasn't going to be returned to an entirely natural material. That it was going to be sort of a hybrid.

Ms. Bruce: I think that's a very good description, Osma, is hybrid. It's not natural because right now there aren't very many large cobbles and boulders washing down the stream. Being able to put rocks and boulders into the stream isn't exactly natural. If there were no humans here they would happen naturally but because we have dammed and diverted and changed so much of the watershed it doesn't happen as much anymore. What you see on either side of the bank on either side of the bridge here are also engineered materials. These are what are called riprap. There are stones that are set along the banks to help guard the banks against erosion and undercutting. They will also provide a more natural creek bottom in these places along the stretch where the bridge has been replaced and the concrete bottom has been taken out. As we have mentioned, willow cuttings will be placed in between the stones so that overtime the willows will grow up and other kinds of plants will grow up in between the stones and it will start to look like a natural bank even though we have engineered its stability by placing rocks that are secured in place, again, by these willows that will grow in and around them. Yes, a hybrid is the right way of thinking of it.

Vice Chair Thompson: Okay, thank you.

Chair Baltay: Okay. Do we have any public comments? Are there any members of the public who wish to address us on this issue? Veronica, do we have anybody out there?

Ms. Dao: Yes, we have one raised hand from M. Brand.

Chair Baltay: I am sorry; can you say that person's name again, please?

Ms. Dao: It says M. Brand.

[Preparing Speaker.]

Michael Brand: Yes, my name is Michael Brand, 1401 Edgewood Drive, Palo Alto. The timing of this is the first question. The timing of the work to be done is coinciding with the Chaucer Bridge, is that what I am hearing?

Chair Baltay: Why don't you finish your statement and then we will come back to your questions if you could, please?

Mr. Brand: My statement is that I have lived along the creek for 75 years, first in Menlo Park on a farm. I was able to see first-hand the '55 flood and I rode down to the bridge on my bicycle. The creek is significantly different than it was back in that era. I lived in the creek a lot but a lot of the time we couldn't even do things in the creek because the creek bed and the walls of the creek were being cleaned out with equipment. Every year they were working down in the creek to open up the sides and so on. Everything we see now has to do with the green area. We have trees that are coming out of the bottom of the creek that are 50/60 feet tall now. What we are seeing here is that our property already dedicated about 30 feet of the property and we have lost two huge Oak Trees that were along the creek that lost the roots on that side. What you're going to do now is something that doesn't make sense in a way that on the other side of the creek where there is flooding... our area is out of the flood zone. Everything you are doing on our side of the creek you're basically going to be cutting off the roots from huge trees here that will be absolutely endangered. We had one of these Eucalyptus trees come down and go right through our house based on the fact the roots were cut off 50 years ago. The Oak Trees we lost looked healthy but their roots on the creek side were gone from the last time you did this. We are really concerned about the Live Oaks we have and these giant Eucalyptus that you're going to cut off the roots on all along this creek area. We really need to have that considered as you're doing for other places because you're going to have to remove these giant trees if you cut off the roots on the creek side. Whatever I can do to help coordinate with you our concerns about East Palo Alto, too. I don't know. My time is up I guess.

Chair Baltay: Yeah, if you could wrap it up. Is that what you have to say?

Mr. Brand: I am just saying we are right on the bend of the creek. The water levels during the last flood in the nineties was at least two feet below the top of the creek bed in our area but it was overflowing up towards the University Bridge. My concern is there is all kinds of debris that is coming down the creek when the water levels get to where it is. It's eroding on the East Palo Alto side where we are and so it seems like there should be work done on the East Palo Alto side of the creek should be considered because that is all eroding up against the road.

Chair Baltay: Okay.

(Crosstalk)

Chair Baltay: You've gone over time a little bit, Mr. Brand. If we could leave it at that, please. Thank you very much for your comments. Are there any other members of the public who wish to make a comment?

Ms. Dao: Yes, we have another raised hand from Pitch Johnson [phonetic].

[Preparing Speaker.]

Pitch Johnson: I live next door to Mr. Brand who just spoke.

Chair Baltay: Wonderful. Please go ahead.

(Crosstalk)

Mr. Johnson: ...57 years. Am I being heard?

Chair Baltay: Yes, you're being heard and we're listening clearly for you.

Mr. Johnson: Okay. The talk is to make the creek more vertical and I want to echo Mr. Brand's thoughts that it will cut off the roots further on some of these trees and the big Eucalyptus trees were a feature of

Palo Alto and were put there by a farmer about 1890. I won't make any more comments but they have to be careful that we don't kill those trees. I don't know what we'll do about it. The second point is I have two structures near the creek which if they make that vertical wall they talked about driving some horizontal structure into the creek bed to hold the structure... under the yard to keep the wall up and I am terribly concerned that one corner of my swimming pool, which is a valuable and useful thing we have, would be affected by driving horizontal structures into the side of the wall to hold it up. When the guys were out there last year I talked to them about that. They said they would have to take that into consideration. The other thing is right by the creek is the back stop of the basketball court, which again is very useful to us and about as important as the swimming pool, but my question really is what will they do... will they come to see us? Can we talk to them when they are making their final plans? What will happen to the structures and the tree roots right by the creek? We have one tree, we have four trees, one of which is huge and the other one is smaller; and our guest house next door we have another huge tree. My question is what can be done so we can be sure that the auxiliary work or the work they've done doesn't affect our yards and our structures on our property?

Chair Baltay: Thank you very much, Mr. Johnson. Do we have any other members of the public?

Ms. Dao: There are no more... yes, one more from Jim Willey [phonetic].

[Preparing Speaker.]

Jim Willey: Thank you very much. My name is James Willey, or Jim Willey. I live in Menlo Park right on the side of the creek.

Chair Baltay: Thank you very much. Go ahead, please.

Mr. Willey: I will submit more details by writing, but I would like to comment that the four semi-circular viewing extensions are rather useless given the fact that you can view the creek from all along both sides of the creek. No members of the public asked for those. I think that if you look at the environment that the bridge exists in right now, you don't even realize that you're going across a bridge. You think you're in a forest because trees are growing all along both sides. You can't even see the creek from the bridge itself now. You can see it from the banks, rather. I would prefer if we had an architectural treatment that tried to recreate the forest by planting on the bridge just as we have trees planted on the culvert now. The four semi-circular viewing extensions would be the minimum where you could plant 24-inch box Oaks or any other tree that would survive. It would be even better if it was a continuous planter along both sides so that you recreate what we have now, a forested crossing. One final thing to think about: no mention has been made in any of the documents about the Eruv, the Jewish wire that surrounds Palo Alto and that crosses the creek at the bridge. There has been no consideration that I know of on how that will be dealt with. Finally, many members of the public have expressed their desire for a single arch design rather than having this roadway like design. I would like some further consideration of that. I think I will limit my comments to that at this point and submit more... oh no, one final comment. The original plan was to maintain traffic and do this project over two years. If we are going to close this bridge for nine months, I highly recommend that we do a trail closure for at least a week after the traffic has somewhat returned to normal so that we can anticipate the disastrous effects of closing that bridge a year versus having two seasons of constructions and keeping the passage open. Thank you very much.

Chair Baltay: Thank you very much, Mr. Willey. Do we have any other members of the public wishing to address us, Veronica?

Ms. Dao: Yes, we have a raised hand from Ben Ball [phonetic].

[Preparing Speaker.]

Ben Ball: Hi, this is Ben Ball. I live on Edgewood Drive and my property backs up to the creek and to the property line. It technically goes t the center of the creek. I just want to echo the comments of my

neighbors Mike Brand and Pitch Johnson, but the specific question just in terms of what input we will be able to receive. I am looking at my backyard now, there are multiple 75 to 100-foot Redwood trees, Eucalyptus tree that is well in excess of 200 feet high, diameter of the trunk at the base is about 15 feet, maybe even 20 feet; it's a huge tree. All of these trees are right along the top of the bank of the creek on the Palo Alto side. Specifically, what indemnities are you going to provide residents as you bore holes into the top of the bank underneath these trees that might destabilize them in some way, shape, or form? In addition to the structures that Pitch Johnson talked about, what's the plan and the really the indemnification should the plan go wrong for the residents who have very mature trees on the Palo Alto side of the creek? Thank you.

Chair Baltay: Thank you very much, Mr. Ball. Any other members of the public?

Ms. Dao: No, we have no more raised hands.

Chair Baltay: No more raised hands. Very good. We will close the meeting to public testimony, then. I think before we begin with Board comments, however, I wonder if the applicant could address two things that seem to have been raised by the public testimony. One is the scheduling of construction of this bridge relative to the other bridge on Newell Road. Secondly, regarding the concerns with the tree roots and if that has been considered at all. Just to put those out there and a brief comment on each, please.

Ms. Bruce: Sure, thank you. The scheduling of construction has to happen in a specific sequence. The Pope-Chaucer Bridge can only be demolished and reconstructed after the Newell Bridge project is complete. We don't want to have two bridge crossings interrupted at the same time, nor do we want to have a circumstance where we are simply transferring the flow constriction risk to another location. We anticipate that the Newell Bridge construction will either be in 2022 or 2023. That means that the in-channel work can happen at the same time but the Pope-Chaucer Bridge has to happen at a subsequent year. Let's say speculatively if the Newell Bridge construction happens in 2023, then Pope-Chaucer could happen in 2024 or a year earlier depending on how the Newell Bridge project turns out. Again, the in-channel work, the creek widening sites, can happen at the same time as either Newell happens or at the same time as Pope-Chaucer happens. For those members of the community who are most interested in the channeling widening work, a speculative likely date, if we can say that, depending on regulatory agency permits, full funding -- we are at about halfway there on our funding -- and on the sequence of work at Newell, 2023 is looking like a probable date for in-channel work.

Chair Baltay: Thank you.

Ms. Bruce: With regards to the tree roots, I am hoping I can hand that question over to either Kevin Murray or Tess Byler. Tess has been working closely with the arborists and knows a lot more about trees and tree roots than I do.

Tess Byler: thank you. My name is Tess Byler and I work at the JPA with Margaret. I have met many of the members of the public who have commented. I wanted to address in particular that we had an arborist evaluation that is included in our EIR that specifically looked at the tree roots and all of the trees along the top. One of the reasons for selecting the soil nails is that the engineers and the arborists felt that you could replace the soil nails in a manner that would best preserve the tree roots and those large trees along the top of the bank. That's a specific design feature that we have incorporated into this project. Then, I think I just wanted to talk a little bit about why we did not choose a single-span bridge to address Mr. Willey's comment. That is because we would have expanded the project footprint greatly and encroached into the neighborhood. The bridge design that we have right now is a really good mix of what is good for the environment and what's good for the neighborhood. Then, the final thing is Mr. Willey is interested in trees planted along there. Of course, the big issue with that is maintenance. I maybe want to suggest that the City of Palo Alto has a tree maintenance team that comes in with volunteers from the neighborhood and keeps the trees going and possibly this is something that we could work on with Menlo Park as well. Thank you very much and if there is any other questions just let us know.

Chair Baltay: Thank you very much for your comments. Thank you to the applicant and thank you to the members of the public for bringing those issues forward. It is very helpful to put all of that out there at this point in the project. With that, we will bring the project back to the Board for discussion. The only one who hasn't said their two cents about anything today is Alex. So, you get to start.

Board Member Lew: Okay. Thank you to the presentation, and also special thanks for the drawing set. I think it was very clear. I think the renderings were very well done. Also, I did want to disclose that I have actually been down in the creek. I think this was for a creek cleanup two years ago. I have actually walked from the Bryant Street Bridge down to the Chaucer Bridge. If you haven't done it, it really is quite an experience. It looks very different from being in the bottom than it does from the top being down, looking from the top down. It actually feels much deeper and it actually feels much bigger and very much more remote than from being up at the top of the bank. Okay, on my list of items here is... I think Peter mentioned the large Oak Tree on Chaucer and Palo Alto Avenue; I did see that the drawings are retaining it. I didn't see a tree number on it but I was curious about that with regard to all of the grading that is going to happen at that area. I saw that there is an existing bench with interpretive signage on the top of the bench and I was wondering if something like that would be retained or replaced. I did see an existing garbage can near that bench and I was wondering who maintains that. Is that maintained by Palo Alto's Parks Department? I think on the native plantings, I looked at the plant list and it looks good to me. I think my only question was whether or not we were using plant particular to that watershed. I do know that Grassroots Ecology has a plant nursery where they raise plants from specific watersheds. I was wondering if that was being considered. I was on the ARB when we did the creek widening out near the golf course. I do remember the sheet pile wall discussion and the concrete cap decision. I was curious from the JPS if that was considered successful and if you had any issues with graffiti on the walls and how the color turned out. Also, just a small comment on the drawing set. On the retaining wall areas along Edgewood and Crescent Drive, you're labeling all of the homeowner's properties with their last names and I actually grew up in Crescent Park so I do recognize many of the names. I was wondering if you could also add the address numbers to that. It makes it easier for us to get bearings and wayfinding. I think I am generally in support of the project. I think that the landscaping looks good. I am concerned about the sheet pile walls aesthetically and how that fits in with the existing conditions around the creek. I think the lighting looks good. I do support the decks. I think that is all that I have got here. I look forward to seeing it next year.

Chair Baltay: Alex, would you like to have the applicant discuss the sheet pile walls now while it's still fresh in our memory?

Board Member Lew: Sure, if they have anything to present.

Chair Baltay: I think this is a study session. The more we get a back and forth the better it is. To the applicant, Board Member Lew brought up a concern about the sheet pile walls asking if you had issues with graffiti or color on the previous in phase one. I think the underlying question really is are there any options. Maybe you could respond to that.

Ms. Bruce: Okay. I understand that the sheet pile walls can come in a variety of colors. It is my understanding -- I am sure Kevin Murray can correct any misstatement I make about this since I was not present at the time of the project -- they were painted for aesthetic reasons according to Palo Alto's request. I have noted that in a couple of locations there have been some graffiti artists taking advantage of the sheet pile walls. There does happen to be some graffiti. The concrete cap seems like it is working fine. It is not so high that you can't look over it. It is tummy-height, chest-height and it provides an opportunity to look out over the creek. It seems to be holding up very well. It does not require additional maintenance. At this point, I would like to hand it back to Kevin if he has any comments about options or alternatives to the colors or treatments to the sheet pile walls.

Mr. Murray: The standard sheet pile wall is kind of a rusty-looking color. I am sure you have all seen in (inaudible) environments. For the downstream project, the sheet pile walls that we installed were in an area that was going to be highly visible to the public because we are also creating public trails. There were existing public trails there that we improved and we also created new public trails along those sheet

pile walls. There was a lot of interest from this body and from others to make them as aesthetically pleasing and to provide a color that matched the natural environment as much as possible. Certainly those options still exist. To paint and epoxy resin the sheet piles as we did the downstream project is very expensive; however, in this location where we are proposing sheet pile walls, it is a much shorter distance. It will be less of a cost impact to the project. It is also important to consider the sheet pile walls that we will be installing in this reach of the project won't be nearly as visible to the public. You will be able to see them from certain vantage points, at the West Bayshore Bridge for example, but it's not a lot of public right of way. It's along a closed area of easement that is held by the Santa Clara Valley Water District that is gated and locked and only accessed for maintenance. It's not nearly the public feature that the (inaudible) and the downstream project represented in an area where the channel is largely been engineered to conform with more of a trapezoidal or vertical channelized area. Not in this natural creek environment that is adjacent public rails and marsh and a slow environment.

Board Member Lew: Thank you.

Chair Baltay: Thank you. Alex, does that address the concern you raised?

Board Member Lew: Yes, I think it makes sense.

Chair Baltay: Great.

Board Member Lew: I think it makes sense.

Chair Baltay: Okay. Why don't we move on to Dave Hirsch? Would you like to talk next, David, please?

Vice Chair Thompson: Sorry, I just have a really quick question on the things we were just discussing. The sheet pile walls are the items that will sort of go up the side of the bank? Is that what we are talking about?

Ms. Bruce: They are more vertical metal corrugated panels that are driven into the soil along the creek bank and they form a rigid vertical corrugated wall.

Vice Chair Thompson: Okay.

Ms. Raybould: I can share my screen for a second. Hold on.

Vice Chair Thompson: Yeah, can you point out to where because I know this lingo sheet pile wall. I just want to make sure we are thinking about the same thing.

[Setting up presentation.]

Ms. Raybould: This is the soil nail wall which is slightly different than the sheet wall but it is kind of the same concept where you have a vertical wall right here and then you have bank toe protection. As you can see, these areas are where sacked concrete is existing. The sacked concrete would be removed to allow more capacity in the creek and then you have a vertical wall that is constructed. In this case, this is the soil nail wall and you can see how the soil nails are constructed into the creek. I don't have a figure right here of the sheet pile wall. I think it is just driven in straight so it doesn't have these soil nails.

Ms. Bruce: In many places, it is actually pressed in instead of driven in like a pile driver. There is just a hydraulic ram that slowly presses it in so you don't have as many disruptions from impacts and vibration.

Ms. Raybould: Great, thanks for clarifying. Does that help?

Vice Chair Thompson: Sorry, we were discussing the finished... in the renderings, it is showing a bunch of rocks. Is that where the bank toe protection comes in?

Ms. Bruce: Yes, yes.

Vice Chair Thompson: Okay. The finished architectural treatment here that's the rusty finish that we're talking about?

Ms. Bruce: Yes.

Vice Chair Thompson: It is like a concrete add-mix?

Ms. Bruce: On the sheet pile wall it is metal. It would look like oxidized steel. It looks like rusty metal. It's a dark reddish-brown red-ochre brown color unless you want it to have an epoxy finish and color coat, which I suppose there are a number of different colors and textures that could be chosen. The natural rust is just rust-colored.

Board Member Hirsch: Is that a corten material? Is that what you're describing?

Ms. Bruce: I am sorry, sir?

Chair Baltay: It's not corten, David, it's just steel that's allowed to rust. It's thick enough that it can withstand that. Board Member Lew, I believe I had been addressing the issue of when you paint it does that attract graffiti artists to it. I think he was asking if on phase one if there was an experience of having greater amounts of graffiti or difficulties with the painted finish. Is that right, Alex?

Board Member Lew: I don't think that's quite right, Peter. The phase one is actually in the Baylands, so a corten or rusty metal finish would actually be preferred.

Chair Baltay: Right.

Board Member Lew: I think our concern was that with the naturalized finished and once it gets graffiti, then what happens? Is it getting painted over with grey or beige paint? Then what happens? I think the thought was that if it was painted then it can be repainted the same color or something similar to that, right? It is very hard to cover over rusty metal with one paint color.

Chair Baltay: True.

Ms. Bruce: I wonder if my colleagues at Valley Water or if Kevin would know the answer to whether or not paint on a rusty surface can just be wire-brushed off. The rusty surface tends to be a little bit friable, a little bit flaky anyway. I wonder if that would be an option; instead of repainting, wire brushing it away. I don't know the answer.

Mr. Murray: I don't know that either. It certainly seems logical that removal of graffiti rather than painting over is more likely for a surface that isn't finished with a paint. However, I would like to note that sheet pile walls, even if we don't change the color, they will be coated with an epoxy to prevent corrosion. This still is a title environment and we will have salty brackish water up against the surfaces at times. We will likely coat them with an epoxy. It could be clear, though, and we can save the color or it could be over the top of a paint but the surface wouldn't just be this hard brushed-metal surface. It would have some sort of finish on it. I guess just an observation -- I have no expertise particularly on this -- is the rusty color is not a really good backdrop for graffiti. Where I know of these types of structures, where I have seen them -- you do get a little bit of tagging. People will always put something on a surface that's available for them to put something on but you don't see the big artistic large-scale type of graffiti on these just metal-colored sheet piles in other location.

Ms. Raybould: I guess I would just add to that that, again, these are in locations that are really not visible. I think the likelihood that you're going to get graffiti in areas that it isn't going to be visible to anybody to be less likely. It is also a little bit less accessible than some of the areas in the beta Highway 101.

Mr. Murray. Thanks, Claire. Again, just one more observation, in the area near West Bayshore Road someone would have to put down planks to access this area because if you just walk out there in the creek channel you're going to be knee-deep in mud.

Chair Baltay: Okay. Let's try to move on here. I think we have discussed the lagging there. David, your turn to make some comments.

Board Member Hirsch: Thank you. Can you hear me all right?

Chair Baltay: It would be great if you could speak more directly in your microphone. You're always a little bit hard to hear.

[Adjusting Audio.]

Board Member Hirsch: On the set of drawings, it would be very helpful... unfortunately we got them very, very late and the ones that are (inaudible) are not easy to reference back and forth. It would be nice if there were an index on the drawing so that we could look to (inaudible) one to the other. I think there is a pretty good section on S13 through the railing and the detail of that but it would be better if we had more detail, larger-scale architectural drawings of some of the way in which the detail of the railings worked and the lighting detail. In the lighting, we are looking only at the catalog drawing, not how it is fastened to the deck rail. On that item, it is a traditional light fixture and personally, I think that you might try something a little different on the bridge. We may agree or not agree on this but my feeling is where the bumpouts are, where the observation and the community spaces are located, which I think are a good idea, I think that the design of the bridge that allows participation in that and locations you can view the creek, especially when it is developed the way to will be, will be a vantage point that will be very useful to the community. It would attract people and create a social relationship between Menlo and Palo Alto, or a place where people that (inaudible). There is a lot of that, by the way, in Palo Alto (inaudible) it's a bit safer at the edge of the creek. There is a sidewalk as well. I am in favor of the bumpouts. I think they would be good on both sides the way they are shown. I am in favor of the span the way it is designed. Just from experiencing the way in which... I don't think those in-between structures will cause a problem (inaudible) during heavy rain. (Inaudible). What concerns me is the light fixture, again. I think it is possible to design a fixture or choose a fixture that is designed to light the roadway that could have a little more presence. For example, if it was incorporated closer to the street side of those bumpouts as a free-standing element instead of attached to the railing. I think the bridge detailing is fairly attractive in my opinion. I think (inaudible) on the detail of that. It is pretty monotonous in the way it is all the same color, the same surface finish with some detail as to the layering of it. I think it could be steadied a bit more so that perhaps the lower level of it was a darker concrete and the railing part was separate (inaudible) in color. The landscaping as it is shown doesn't really describe as a way in which it ought to be. In other words, the in-between plants that are at the water edge ought to be more like what was verbally described with a more natural of an ultimate look to the way in which the riff-raff is going to be covered and softened by the planting along the sides. I would hope that we could just change the drawing to make it look more like what you described. I am hoping that it isn't a series of individual linear elements the way that that particular drawing shows it, and it is instead a more natural scene. That looks like a very man-made installed grid. It looks not what I would ultimately hope this would look like. The riff-raff I think is certainly a tremendous improvement over the concrete (inaudible) and bags of concrete look. It would be nice if we could see some samples of what it would ultimately look like. Maybe you could include those at City Hall or somewhere where we can take a look at it; perhaps in the creek. I guess I think it is interesting the way that the nail rail idea -- I'm going to agree with my fellow Board Members here -- the question of keeping it looking good. My comment is that you spend money on capital improvements but are you going to spend any money on maintenance? That is true throughout the whole creek there. Lots of lots and trees which are dead and could be removed, and unfortunately (inaudible) never in the budget. It is a park, you know? Our parks are beautifully maintained and I wish that Palo Alto and Menlo could get together and decide to spend a little money and clean up the tree portion of the park. This is certainly not part of your project here but it is just a comment here that the (inaudible). I think on the aesthetics that pretty much all I have to say. I look forward to this bridge. I see (inaudible) and it certainly going to (inaudible) future storm and

I like the way it was kind of a light-weight feel to the whole bridge. My comment is I hope that you don't make the no left-turn because (inaudible). We need access to the bridge at all sides. I don't find it that heavily used the way rush hour (inaudible). It just has to be properly signed so that people don't turn left without looking right, right without looking left. I think it is going to be a great improvement. I think you really need to work on the landscaping imagery to make it completely agree with the way it has been described. I think the riff-raff look to it is a very good and useful feature and a long-term maintenance look on all sides. (Inaudible). My major concern is that the light fixture (inaudible). Thank you.

Ms. Raybould: It was a little bit difficult to hear you Board Member Hirsch I think the takeaways I got from that is that for the railing you would like to see some additional clarification on how it is attached and would prefer to see a free-standing light versus something attached to the railing. You have expressed that you would like to see some maybe pictures of riprap to get a better understating of what that looks like. It looks like you had mentioned something about some changes to the drawing to show a more natural stream and I just wanted to et clarification because I am not sure what the JPA might be able to provide that would be a better rendering of what they are proposing.

Chair Baltay: Claire, can we finish going through everyone's comments before we dive into that if you don't mind.

Ms. Raybould: Of course, sorry.

Chair Baltay: Why don't we go on? David, if that's complete, Grace would you like to go ahead next, please?

Board Member Lee: Yes, thank you. I will just start and thank the applicant as well as the community members who spoke. I will just say right out that this is just a terrific project. I really appreciate Margaret, your presentation, as well as Claire, your staff report. To me, the set was very clear. I especially appreciate the sections; thank you so much for walking us through and reminding us what a soil nail wall is and sheet piles. I want to take a step back and just remind everyone this is 1940's and now we are in 2020. The power of this kind of project in terms of our public realm is quite compelling. This is a public space. I did want to just talk about how a lot of these infrastructure projects -- we don't get to see these -- don't occur that often. There is a real significance in the experts, the team here, who is looking at regional systems and I really appreciate seeing where your other projects are, the understanding of water flow. I guess my view -- I'll just come out from the outside -- is really about the sustainability and building the future for this project, and its impact for the City of Palo Alto and reaching out to the City of Menlo Park. The other piece that I wanted to mention is thank you so much, Peter; you're questions are really helpful in terms of going back to how is this going to happen in terms of coordination with Menlo Park and other groups. That is something that I just really hope we all can come together, the dates might magically align and we can be consistent in our communication in understanding the feedback that the applicant receives and how they proceed. The other piece that Chair Baltay also mentioned was this whole issue of date commemoration. I feel like this is an excellent opportunity for environmental education in terms of this project. I did want to talk a little bit about ecosystem restoration and creek stabilization and other projects that are happening in the Bay area. I feel like that's an opportunity here and we should embrace it. Not knowing what the budgets may be and the purviews may be and that it is quite complex. Then, staff had asked us to talk about lighting planting, and I believe you call it out as the four observation decks. I can start with the lighting and planting and then most of my comments will be actually on those lookouts and the design of the bridge. On lighting, I am very happy to hear that the goal -- and we will see this coming back and we will discuss further -- is that the lighting will not be affecting the habitats in terms of the water. We don't want to disturb anymore. We want to think about the future and make sure about that lighting. That was just my simple comment. I just want to make sure about that. Then, also in terms of lighting as it relates to users: public safety and night and just understanding... when I went out there -- it's a wonderful place -- I remember when I first went out there years ago I was kind of surprised because it is invisible. I mean, I definitely agree with the community member who said you almost don't see the creek. I remember feeling like, okay here I am but where's the water. Now there is an opportunity to understand that place. In terms of when I was out there, it was the late afternoon this week and there were people walking and

we were in shelter-in-place. It's definitely a community space that is used by neighbors, maybe, and maybe people who live a little bit further off. How do we design it and understand that there needs to be comfort for the users in terms of how they walk and find the place, and knowing that it's not a dense, dense... we're not seeing the numbers of pedestrian and vehicles; I mean when I am out there I haven't but I understand there is the future to think about. How do we understand the lighting and how that is going to affect the users in terms of safety and walking. In terms of the plants, I really defer to the experts. I do think it is very important to make sure about that future canopy. I love these renderings that we saw one, two, three years later where it has grown; the ten-year mark for these trees but that is very much a concern. I will leave it at that. The other piece that I wanted to mention was related to the landscape. I guess I just have to touch upon walking because I understand the landscape is going to be very layered as we make it to the sheet pile walls and down there where it is really muddy, but I do think it would be great if a team could presuppose where natural paths may occur because sometimes people walk off the path. If, as designers and engineers, we begin to think about the natural ways that people gravitate or move in public spaces I think that's important. On the bridge itself, my immediate reaction -- I know these renderings were highlighting the intervention within the site and they are a bit deceiving renderings right, in terms of how they are modeled -- was that is there a need for four observation decks? I am just putting it out there. Is there a need for four observation decks of those dimensions? The 15-foot dimension, if we think of that on an arch situation, in open space in landscape you do want a more generous dimension, right? We think of 15/16 feet in a room but this is outdoors, right? We are thinking, well let's see, 15/16 feet sidewalk on El Camino or a bulbout and crosswalks and I just want to get a sense of the pedestrian bridges you've been on in the past and this neighborhood and the scale of the place, I just wonder about that number four and just how big it is. I feel like it could be scaled down. I am also just open to just talking about it as a group and seeing it move forward. I feel like the bridge is very heavy. My reaction -- I know the views that we have seen are from above, like a bird or an elevation and you don't get those views. You actually are seeing obliquely, you are actually more aware in these public realm spaces of the ground. That is why I just wanted to make sure we talk about paving and crosswalks. It is just a lot of surface area. I find in landscape projects the ground is often not designed and it is a missed opportunity. Here we have a lot of intersections, so I just want to pull that forward. The railings and the four observation decks of a similar material... I feel it is just a missed opportunity in terms of some transparency. If there is a way to think about the materials that are going to age in a way that we feel that it is sustainable and we presuppose where or how people are going to look out and how many people... in my notes, I also wrote -- this good back to Board Member Lew -- presuppose where graffiti will occur. That is important. I think it was reacting to your rendering from the R3 parcel and all of that graffiti, which is over the years. I actually am worried about graffiti on the bridge. I know that it may not occur; however, I have been on a lot of pedestrian bridges not only in the States but abroad where there is graffiti on the bridge and it is so unfortunate. As designers, maybe we can think about that and I just wonder about the solidity of the design and it feels a little heavy and monumental right now. I just wonder if it needs to be that way. This whole issue of transparency, just to be clear, I am talking about the railing and I understand the need for definitely solidity and safety in terms of an opaque, solid bridge. I am just wondering about that railing from where an arm might sit or you might actually look out. There is a design opportunity there. I will leave it at that and pass it over.

Chair Baltay: Thank you, Grace. Thanks very much. It's wonderful to hear you remind us that the previous structure has been there for 80 years and this one maybe will be there for another 80 years. We want to keep that at the top of our minds. Osma, your turn, please.

Vice Chair Thompson: Sure. Thanks to everyone for their good comments. It seems like we're getting a nice range of input here. I will dive into it. For the lighting choices, I could be open either way either. It is on the railing or off the railing. My main concern with the lightning was what we have already discussed about shining onto the area and then also the color temperature. The drawings are showing a 4,000 Kelvin and I think 3,500, a warmer color, makes more sense for nighttime rather than a colder color which will feel more like daylight. That would be my recommendation is to lower the color temperature and make it clear in the drawings that the light fixture does shield away from the water. I think the fixture right now looked only directional but the lighting calcs show that it shield; just a note for the future. I love the idea of paving patterns on the floor. That something I hadn't considered until Board Member Lee brought it up, but that could make this place of public realm really interesting. I

actually didn't mind the observation decks. I have heard two of my Board Members sort of voice maybe that they shouldn't quite be what they are but I like the idea of having a place to dwell a little bit and have some sort of connection to the bridge. It is going to look so different. Right now it is very concealed but this new design is going to clear a lot of that landscape that is covering everything and also make that channel feel bigger. Having places to stop and sit in that area would be a good thing. My main concern aesthetically is the railing, the guard rail that has been chosen for this design. That guard rail is what, I think, we approved for the Newell Bridge because I think at the time that design didn't really speak to any moments of dwelling. It was really more of a pass-through. I think because we are talking about people wanting to have this be a semi-destination that guard rail is not appropriate. It's just very much like a CalTrans guard rail that is really meant for blocking cars, and if we're going to have people there I think the guard rail needs to have a smaller, lighter, more granular scale to it that makes it really pleasant to be around. I think otherwise something that big and hunking can feel really intimidating and it can feel really blocking off in a lot of ways by the way it is designed from the perspective of a human when you're looking down. It doesn't feel like you're supposed to sit there and look over it. It feels like you're supposed to pass through. If you have something that is thinner and lighter that makes it feel like you can lean on it and feel like you can connect more with the surroundings I think that would be a lot more appropriate. The existing barricade is twofold; there's this little wooden element and then there is a more concrete base wall and that two layers of having the appearance of something that's light versus the thing behind it that is actually providing all of that protection might be a strategy that we could suggest. In general, I think the railing itself I would not recommend; I think it is not appropriate for this location. For the trees, I really appreciate the members of the public coming out and talking about the trees. I think it is a concern; just looking at that tree removal plan is a little scary to look at. It's like, wow, you're getting rid of a lot of stuff. It sounds like we have talked about it a lot so I don't want it to go too much more in-depth, but I am also concerned about if we were removing everything that we absolutely need to and to be careful about what it is... the other habitats that we would be affecting and we are trying to restore this habitat but there are potentially existing habitats that we would be demolishing that we should be careful of. Yeah, I will leave it there for now.

Chair Baltay: Thank you very much, Osma. Thank you, everybody, for very insightful and productive comments. I will chime in on five different topics, more or less. I agree with most of what everybody has said but I agree with Osma strongly regarding the railing design. I agree with Grace's idea that a paving pattern might be really nice. I agree with David's suggestion that different materials or different colorations of the concrete would help but it is a little bit too much of a feeling like this is a CalTrans highway with the design of the railing. It is a very pedestrian-oriented place too and I think another pass on the design might be surprised at how much softer it looks. I think the lighting, as well... it's a nice light fixture but I don't see how that meets the standard of keeping the light only on the bridge and rather than say what I think you should do, I just think it needs to be thought about a little bit more to perhaps solve that. I do support one more round on the design of the details, the railing, the lighting, the paving patterns. I strongly support the idea of an observation deck of some kind. I agree with Grace's gut feeling even that four of them at 16 feet diameter is maybe too much. It is a big series of areas. I think the basic idea of having a place for people to congregate to look at the creek or to talk and be is important. To that end, I would suggest that some sort of benches or places to sit are actually really important. When I was out there recently and over the years, there are a large number of people who do just pause as they go over the bridge or next to the bridge. As Wynn Furth would have said, we really need a bench at least on some of these things. Again, I am not so fixed on having four of them at this dimension but having something that makes it more than just a walkway or a passageway for cars is important. I would then like to suggest that the bridge needs to have a date marker stamped in concrete, not just painted on it. To me, that is something we leave to our children coming behind us that when you stamp it in concrete it doesn't require maintenance. It is just there forever. It got me thinking that maybe on these observation decks we could have some sort of commemorative plaque reminding people if the Joint Powers Authority is successful with their mitigation efforts, we are not going to have a flooding problem anymore. That seems to me that has been a pretty big part of Palo Alto's history, the floods that have come from this creek and 99 percent of the time when you walk past or go over it you have no idea that this could happen. It just looks empty and dry, yet a plaque on the bridge, some sort of historical or educational marker saying back in 1998 the water was up to here or something to help us remember and remind us of our history; to remind us of the importance of these things. I think it is a

very powerful thing to do. I don't think it's expensive or hard and this is an opportunity for us to look forward and to pass on what has been done, why this has been done, and why it is important. Even to say what is this creek doing? It carries water from where to where. It is a really good thing to do for the public in general; it makes it more interesting and it is easy. It is just a matter of doing it. I am very strongly in favor of more careful commemorative markings and perhaps some sort of historical thing even tied into the bridge somehow. The single biggest impact this will have on the community aside from fixing the flooding problems is the trees. It'll be shocking when all of these trees are taken out. I fully support that it has to be done; it's necessary to get the flow right. Most of these trees were planted after the first bridge was put in. They're not there by acts of nature alone. Nonetheless, I would be very happy to see a more detailed plan of what new trees are going to be planted. How are we going to try to mitigate the impact of removing all of these trees, and if possible how can we try to save more of them. I would like to see some documentation to show how we're going to save, I have called it tree 38. It's the large, large Oak Tree on the corner of Palo Alto Avenue and Chaucer on the bay side of the bridge. It might be tree 58 if I misread that tag but I would like to see this staff look at that particular tree and just make sure either it is going to be saved or to address it honestly and say it can't be saved and here's what we think we have to do. I think the trees are really going to be an important thing though. My last comment has to do with many, many people who talk to me about this project say to me, look it's been going on for 20 years, why isn't it done? What are we doing? Why are you guys so slow? I think that is part correct, and in part, as Grace pointed out, these public works projects are here for a long time and we need to get them right. It has to be built technically very well and competently and we want it to aesthetically have some value too because it is going to be here a long time. That said, the more we can do to make the process more efficient the better. In this case, I believe the Menlo Park Planning Commission, which is sort of the similar body in Menlo Park to ours in Palo Alto, will be looking at this as well. If we can in any way try to facilitate the coordination between these two public bodies I think that will be really helpful. If there is a way, Claire, for example, just to appoint one or two ARB Members from Palo Alto to discuss or meet with our colleagues over in Menlo Park as some way to try to take everybody's input but to come to a consistent response to the applicant it makes it so much easier for them and then take Menlo Park's comments and respond to them and do it piece by piece but rather collect all of the input, respond, and then we move forward. If there is any way we can try to improve the coordination with the other public body's reviewing this I think that would be really good. I am suggesting in this case you try to really facilitate getting members of our Board and members of Menlo Park's board in the same place to discuss this thing. Those are my comments about this project. Does anybody else have anything else they want to add? This has just been a study session, so it's a matter of putting information out there. To staff and the applicant, have you heard us? Do you have any questions for us? Anybody else? No? Margaret, go ahead.

Ms. Bruce: I would just like to chime in really quickly. I think we need a couple of better renderings of the bridge drawings. Several of you commented about the railing and how it is uniform in color and how it seems opaque. If you look at the detail there are actually fairly large gaps in the railing. It's not like a bulwark, but if that is not clear to you we will come back to you with better drawings and drawings that can show some of the treatment alternatives so that the parapet part and the railing part can be distinguishable and have different architectural treatments and different colors. There are code requirements for public safety reasons that the gaps between the railing segments have to be a certain small size so that children can't accidentally crawl through the railing and fall but we can address your questions and hopefully respond to your design comments with more detailed drawings at a scale that makes those images clearer to understand.

Chair Baltay: Thank you, Margaret. Yes, I do think perhaps some larger scale details or renderings of the railing might help, but please don't underestimate our comments that we're five trained professionals and I think what we are saying is that we don't really like the railing the way it is designed. We get what it is even though it is not perfectly presented. It would be really great if you could go back to the drawing board a little bit more on the railing detailing.

Ms. Bruce: Got it.

Ms. Raybould: If I could also just add because I see that NV5 is present, but I do want to get clarity as to what our options are in terms of that because my understanding was that the bridge side railings do need to meet certain safety standards for crash barrier. Maybe, Russ, if you could clarify if that is the case or maybe it's not in this case.

Russ Nygaard, Project Manager: Happy to try to help as I can. Hello, everybody. My name is Russ Nygaard and we are the NV5, I am the project manager for the design team on the bridge and roadway. Any questions you have I am happy to help. The general/typical answer for a bridge engineer when you're talking about a rail on a bridge is, yes, it has to be crash tested and an approved bridge rail. Anything that has state or federal funding that is an absolute requirement. It has to be CalTrans approved, it has to be FHWA which is the Federal Highway Administration approved and those are crash tested at a couple of different facilities around the country. That is really what sets the size and the bulk of the railing that you're speaking to in that. I will say this is not receiving those funds. Local agencies can decide that they want to do something different and make the determination at the local levels to do that. I had a case of a bridge up in Tahoe City at the Tahoe Basin where the folks -- mainly the public -- wanted to keep what is considered... it has never been approved because it has never been able to get crash tested but it is a concrete rail very similar but there is one arch window after another going down that structure that is currently known as the Fanny Bridge up in Tahoe City. They wanted to keep that same thing, and even though it was not crash tested and approved because it was a local bridge and going to be owned, operated, and maintained by the locals they made the determination locally that they would go with that type of railing in order to keep the aesthetics that they wanted to have. In this case, Menlo Park and Palo Alto working with the JPA and Valley Water obviously because it's all agencies involved could make the determination to go with a different rail than necessarily a crash-tested rail but as a bridge engineer, I have to be very cautious in recommending that because at the same time we need to keep cars and trucks on the structure not falling in the creek if something does go awry in the middle of the night sometimes. We do need to have it strong enough to take care of cars and trucks but we can play with the aesthetics to be meet not a crash-tested and approved railing but something that everyone can still live with and appreciate.

Ms. Raybould: Margaret, maybe you can add to this but my understanding is that we are receiving state funding for this project and may be seeking federal funding.

Ms. Bruce: Yes.

Ms. Raybould: Designing something that would preclude this project from seeking additional federal funding may be very concerning in allowing this project to move forward.

Ms. Bruce: That's right, Claire. We already have a \$3 million FEMA Cal OES grant. We are obligated to hose state and federal standards. If the City of Palo Alto and the City of Menlo Park wanted to have a non-crash-tested barrier for the railing it would obligate the cities of Menlo Park and Palo Alto to fully fund this project.

Chair Baltay: I don't think we're advocating for a non-crash tested barrier. We are just asking for one more round of thought about how it looks. Let's not twist the discussion that way. I don't think any of us were saying that.

Ms. Raybould: I just want to make sure it is clear in the understanding because when we do return to you there may be certain limitations as to what could be done in terms of refining the design because this is... I am familiar with this only because it was the same issue that we came across with the Newell Road Bridge project, which was that providing a different type of design meant that the city would have to go through significant efforts to build that design, crash test that design in order to prove that it met those requirements. It sounds like there are some modifications that could be made that the JPA is open to exploring but there may be limitations as to how much the design could change to provide a thinner barrier, for example.

Vice Chair Thompson: I will echo Chair Baltay's note that we are all trained professionals and some of us are very familiar with this guard rail design. We understand that there are crash barrier rules but I think what we are asking is that... we understand that this is an option; there are other options out there that are not this option that could provide a lighter feel even if it's not actually lighter. For example, there are concrete walls that have articulation on them that make it feel light and granular but it is a concrete wall. This is just a 12-foot concrete block that is going all of the way. I am looking at the detail right now and it is not the rendering; this is the design that we are commenting on. There are ways to do that and then there was the other suggestion where there is a concrete wall that is further back and then something lighter in front of it to give that impression of lightness without the big monolith right in front of you. There are other CalTrans... I know there aren't very many standard CalTrans details out there and that is too bad because I think it really ties our hands for what we end up doing. We shouldn't have to succumb just because there is one, or two, or three CalTrans details that that is going to have to be the aesthetic of our time and that is going to be what defines the aesthetic of this bridge for the next century. I think we need to do a little bit more work if you're asking our opinion.

Chair Baltay: Thanks, Osma. Any other thoughts on the applicant not relating to the railing and detail like that? Okay, with that, I think we have spent two hours on this project now. Why don't we close the hearing for the Pope-Chaucer Bridge project and take a five-minute break? Then we will resume with the rest of our agenda? It is now 10:38. Let's say we will be back at 10:45.

Ms. Raybould: Thank you.

Chair Baltay: Thank you everybody and thank you very much for the very nice application. Seven minutes.

[The Board took a short break.]

3. Architectural Review Board Annual Report to Council: Review of Letter

Chair Baltay: I see everybody here. We are back in session again. It's 10:45. This is the Palo Alto Architectural Review Board. We are going to move on the action item number three, Architectural Review Board annual report to Council. Jodie, do you have a staff report or should I just start this?

Ms. Gerhardt: Yeah, I don't have any special staff report for this one. I believe that I did receive a few comments from Board Member Lee but I don't know that I had a chance to pass those on.

Chair Baltay: Okay. To my colleagues, this is my effort to try to get this ritualized a little bit more carefully; that we prepare this letter every year at the end of the year done by the outgoing Board Chair. I have taken the lead on this one today. It is important to me that we can unanimously support this letter. If you have issues with some of these things let's really speak up and try to make sure we can get it through today. Who wants to start with any comments they have about this? Osma, why don't you help me out here first?

Vice Chair Thompson: Sorry, I am just getting oriented.

Chair Baltay: Or anybody else. It doesn't really matter. It is very tough to do these without meeting in person even, and then with the Brown Act restrictions of not being able to go back and forth on them. I would much rather just take things out we can't agree on and get this done.

Board Member Lee: I can start because I just have a couple of comments.

Chair Baltay: Sure, go ahead, Grace.

Board Member Lee: I just want to thank you Chair Baltay for drafting and talking with us about this letter. I think it's important. I am very much in support of it. My only comment that I sent to Jodie was just in terms of the listing of the final where it is says architectural review is important in F and

alternative list of house projects. I could go either way if you want to pull out the housing as a separate list or imbed it under the F. My only comment is just in terms of a quick read, I don't think we need to repeat housing units so many times in the list. If we just label it these are housing units or go the other way and have another column that just calls out what kind of project it is. It says alternate list of housing projects for, example, I think we wrote new mixed-use... I just feel like sometimes the columns are easier to read for Council to quickly say here is the address, here's how many housing units and then what kind of a building it is. Then the other comment I had was just in your architecture review is important under F. I felt like it is important to call out if it is affordable housing or if it is housing for special needs or just some kind of descriptor.

Chair Baltay: Okay, Grace. I put that alternate list of housing projects because we had talked about just showing housing projects.

Board Member Lee: Oh, okay. That's what...

Chair Baltay: Then I realized when I called the list is that there was only two of them for 2020. It wasn't that impressive. I mean, it really wasn't...

Board Member Lee: But it does say something about what it is that we review and how many times these projects come up?

Chair Baltay: It does. What I was shocked by, which everybody is talking about, is that there are so few.

Board Member Lee: I think it is important to note that there are so few.

Chair Baltay: Fair enough. I put the list out there, we had talked about it and at the Board's advice how we want to mention it. What I heard you say is that on item F we should put where it is mixed-use building also where it is affordable housing?

Board Member Lee: Yeah, I just felt like -- I am happy to discuss further. I wonder about the way it is shown in terms of the parenthesis. I just feel like it is hard to read. I would just pull it out as another column in terms of descriptor if it's near mixed-use or if it's new residential. I just feel like it's important. I mean 3705 El Camino Real is different from 2755 in terms of residential. I might just call that out...

Chair Baltay: We could put Wilton Court where it says 59 housing units we could say 59 affordable housing units.

Board Member Lee: Yeah, we could do that.

Chair Baltay: Does that help?

Board Member Lee: Yeah. I think that helps.

Ms. Gerhardt: Board Member Lee, are you also saying to make it the bullet points into three columns of address, what it is, and then...

Board Member Lee: When I do lists I just... sometimes there is no need to put housing units if they are all housing units and on the ones are rooms or parking spaces you just call that out as different and then up high you say units, you know? Not to repeat that in every line; just ways to make it really clear.

Chair Baltay: Would you be able, Grace, to format that list in a way you think is clearer? I am having a hard time understanding exactly but...

Board Member Lee: Yeah, I guess... maybe Jodie, what I am just saying it is typically for lists there are columns and then up high you can just have a label of what that column is.

Ms. Gerhardt: We can put it not more table format instead of bullets.

Board Member Lee: I don't know. I prefer the table.

Chair Baltay: Would the Board prefer that that list included all of the stuff down below which is basically housing projects from previous years as well?

Ms. Gerhardt: I think we are talking about 2020 here. Maybe there could be a sentence about the previous years that explains there are less housing projects this year. I don't know that you would want to list out 2018 and 2019.

Chair Baltay: That's why I left it separately like that. Other Board Members, any opinions on this? Okay, so we are going to try to restructure that listing under section F, maybe Grace can help with that. What other thoughts, or changes, or recommendations from anybody? David, are you about to speak?

[Adjusting Audio.]

Chair Baltay: Anybody else, Grace or Alex?

Board Member Lew: Peter, I sent an email to staff adding two projects won AIA Santa Clara Valley Award in 2020. The first is the Newell Road Fire Station and the second is 2555 Park Boulevard. I think we should mention that. We might want to add a comment about the fire station because it went through a pretty difficult ARB review. Then, also 2555 Park Boulevard we may want to mention just because that one was appealed and the group was removed by Council, but the project turned out really well.

Chair Baltay: You are suggesting we add those two to our list of item F?

Board Member Lew: Yeah.

Chair Baltay: Okay. I can support that. I had forgotten about the firehouse, you're right.

Ms. Gerhardt: Alex, I am sorry I wasn't able to pass this on but I do have your email from the 10th. It looked like you had some comments on item B under the San Antonio corridor. Do you want me to show those?

Chair Baltay: I am sorry, Alex, I didn't see your comment.

Board Member Lew: Yeah, I guess I had some comments on the San Antonio. If you wanted to strengthen the argument about the San Antonio corridor I think we could make a stronger argument.

Chair Baltay: Okay, how so? What should we say?

Board Member Lew: Yeah. I think Jodie has it. I don't have my email right in front of me.

Ms. Gerhardt: It should be showing in a second here. It is showing.

Board Member Lew: Great. It is mostly about urban context and constraints there; that it's different than El Camino and downtown. They are unique circumstances. There is a 25-foot special setback. The streets aren't tied into the neighborhood like El Camino is. There are a lot of large projects that are internally oriented, like the JCC and the greenhouse project. It is really very different and I don't think you can just apply El Camino or downtown guidelines to San Antonio and expect it to come out okay.

Chair Baltay: Yeah, it needs a distinct process to come up with its own unique guidelines.

Board Member Lew: Yeah.

Chair Baltay: Okay. These are good points. We can incorporate these in this section, I think. That's shouldn't be a problem.

Vice Chair Thompson: Yeah, I am fine with that. I think where the section is suggesting that maybe we develop new design guidelines for this area versus applying others.

Chair Baltay: That's my intention. I don't think we can just transfer guidelines from someplace else. Does it not make that clear?

Vice Chair Thompson: It is clear to me.

Chair Baltay: Creation of new design guidelines. Should we say unique design guidelines instead of new?

Vice Chair Thompson: Yeah. I don't know if that... oh, is Alex talking? Sorry.

Ms. Gerhardt: Yeah, I think so.

[Adjusting Audio.]

Board Member Lew: Peter, I think that the approach was... the last project that was approved was to apply El Camino zoning to San Antonio.

Chair Baltay: You mean the apartment building down... okay, yeah.

Board Member Lew: Yeah. I think we should just reconsider that.

Chair Baltay: We should maybe make it more clear that that's probably not the smartest way to go.

Board Member Lew: Yeah. Let's just really make it a conscious effort.

Chair Baltay: We should just say more clearly unique design guidelines are necessary for this area.

Vice Chair Thompson: Yeah, that sounds good.

Chair Baltay: Okay.

Ms. Gerhardt: Maybe you say that as a second intro sentence. The zoning regulations are outdated; therefore, unique design standards are needed.

Chair Baltay: Okay. Right after that, I will say therefore... what's a better word for it than unique? Design guidelines specific to the area are needed?

Vice Chair Thompson: Yeah, specific to the area is a good way of saying that.

Chair Baltay: Then we include Alex's bullet points in this. Will you folks be okay if I put the wording of this together and then send it off without another review taking in these comments or should we do this right now?

Board Member Lee: I am fine with your next iteration. I agree with these comments.

Vice Chair Thompson: Yeah, I'm fine with it.

Chair Baltay: Alex, are you okay with that?

Board Member Lew: Yes, I am fine with that.

Chair Baltay: I don't want to take up our time right now typing this stuff.

Vice Chair Thompson: I did have another comment on item A; the last sentence about suggesting a hybrid model. I was wondering if we could change that sentence to say however, a hybrid model with meetings held with the option to attend both remotely and in-person could increase public participation.

Chair Baltay: I see, so you could do both at the hybrid model.

Vice Chair Thompson: Yeah.

Chair Baltay: Okay, I wasn't clear about that. Do we all support that? Is that something we think could work?

Ms. Gerhardt: Yeah, we would have to figure out how to do both but I think that is the best option as far as public participation is concerned. They have done it in the school so we should be able to figure it out.

Chair Baltay: So if we said, however, a hybrid model with meetings allowing both remote and local participation. How would that work?

Vice Chair Thompson: Remote and in-person.

Chair Baltay: Right. With meetings allowing both remote and in-person participation. Does that do it?

Vice Chair Thompson: Yeah.

Board Member Lee: I just want to ask the question are we referring to community members who want to attend or are we referring to board members?

Vice Chair Thompson: I would say both.

Board Member Lee: Yeah, I think we should make sure that's understood.

Vice Chair Thompson: Yeah, because there have been times pre-pandemic where I haven't been able to attend just because of time constraints, but if there had been a remote option where I could have called in I would have been able to attend more meetings. Having an option where that could be an option in the future post-pandemic would be cool.

Chair Baltay: The sentence now, let's see. However, a hybrid model with meetings allowing both remote and in-person participation could increase participation. Well, that's redundant but, Osma, you talk about not just increasing public but board member participation. Could facilitate involvement by all.

Vice Chair Thompson: Yeah, while still meeting the needs of... or while still meeting the quality of what an in-person meeting might achieve.

Chair Baltay: I have just changed it to however, a hybrid model with meetings allowing both remote and in-person participation could facilitate involvement by all. Is that okay, then?

Vice Chair Thompson: Yeah.

Chair Baltay: I am just trying to keep it... could facilitate involvement by all. I will go through it once more but that is the gist of what we're trying to say?

Vice Chair Thompson: Yeah.

Chair Baltay: Are we all supportive of Osma's change on this one, everybody?

Board Member Lew: Yes.

Vice Chair Thompson: I just want to state for the record it appears that we have lost Board Member Hirsch.

Chair Baltay: Yeah, I was wondering what happened to David.

Vice Chair Thompson: I don't see him on the call anymore. Maybe he will come back.

Chair Baltay: Veronica, do you have a phone number for him?

Vice Chair Thompson: Oh, he is coming back. Yay. Hey, David, are you there? Audio is still lacking.

[Adjusting Audio.]

Ms. Gerhardt: Board Member Lee sent a draft table if you want me to show that. It is handwritten but I think it gets the idea across.

Vice Chair Thompson: Sure.

Chair Baltay: Sure.

Ms. Gerhardt: Let me stop sharing and re-share.

Chair Baltay: This is for section F.

Board Member Lee: It was with quick handwriting but I just thought maybe a table is clearer. This is a small one. The only issue there is you would have to put an asterisk for hotel rooms, but normally this is how I do it so you don't have to put housing units, housing units, housing units three times.

Ms. Gerhardt: Is it showing the right screen? Are you seeing the table?

Chair Baltay: Yeah, I see the table. Yeah, it looks fine. I think that's a good idea.

Ms. Gerhardt: Okay. I can email that to you, Peter.

Chair Baltay: Yes, send that to me along with that list of things that Alex had I will be sure to get them in here. I will let you, Jodie, do the final -- if you don't mind -- editorial pass on it. I appreciate your help on it and that's a fair way to make sure it reflects what everybody has been saying.

Ms. Gerhardt: Sure.

Chair Baltay: Do we have David here? David? No, still can't hear you David at all.

Vice Chair Thompson: Yeah, we still can't hear you.

Board Member Lew: We might want to try to have David connect with the phone audio and computer video which is what I use. I find it more reliable.

Ms. Gerhardt: Veronica, can you put up the phone number?

Board Member Lew: We might have to do it next time because it takes an extra step.

Ms. Dao: Oh okay.

Ms. Gerhardt: We might have to do thumbs up, thumbs down.

Chair Baltay: I had gone out and taken some photos; I was looking at the parking garage. I concluded that the architect's final rendering is very close to what is built and it is actually a better image than any photograph I could take at the moment. I didn't want to try to mess with it. I got some photos of the hotel but we don't have a before image yet.

Vice Chair Thompson: There are also typos on page four. What should say final proposal...

Chair Baltay: I fixed that, yeah.

Vice Chair Thompson: Okay.

Chair Baltay: It says initial proposal and final design twice. Thank you for catching that, Osma.

Vice Chair Thompson: It seems like you already caught it, though.

Chair Baltay: My big thing is that I have been trying to put forth when we first saw that hotel it was more or less a straight wall along San Antonio, and the final result is anything but that. I think that is a great service we did to the city by getting that through. I wanted to pat ourselves on the back for that. It really requires us, Jodie, getting an image of what that initial design was and I just can't find that.

Ms. Gerhardt: You're talking about for 744?

Chair Baltay: Yes. Also, I sent you the photos I did get of the building. I wanted to make sure everybody saw them and basically am I correct in my assumption that that is important.

Board Member Lew: Peter, I typically save all of the drawing sets from big projects, so I might have something for the hotels.

Chair Baltay: Okay. It is true, I probably have it, too, but the pile is just so big. I went through everything available online and I just couldn't find any of the original presentations. Maybe there wasn't as much as I think there was. That's what I am concerned about.

Board Member Lew: Also, sometimes for preliminary items they are not necessarily on the website.

Chair Baltay: Yeah. Here is the photo I took just yesterday of the hotel that I found really sticking when I first noticed the way it was coming out. My feeling is to compare the photo Jodie is sharing with us now with something, even an elevation drawing earlier is a good thing to do. Do we have support for that idea, though?

Vice Chair Thompson: I support the idea. I haven't seen the photo, but the concept sounds fine.

Chair Baltay: You see the finished photo? Does that seem to convey the image, though, do you think?

Vice Chair Thompson: No, I mean the before photo.

Chair Baltay: Yeah. The finished photo, is that close enough, though, to... it is still under construction but...

Vice Chair Thompson: I mean the picture that you had that was just the rendering of it is very similar to the picture that you're taking.

Chair Baltay: Should we just leave the architectural rendering instead?

Board Member Lee: I vote for the photo. Sorry.

Vice Chair Thompson: I could go either way; I don't feel strongly one way or the other.

Board Member Lee: I just really appreciate the extra footwork that you've taken.

Chair Baltay: Oh, it's not that big of a deal, Grace. The problem is I went out in the morning the first time and the sun was behind the building and it's just really tough. This was the best one we had yesterday.

Vice Chair Thompson: So long as it is an apples to apples kind of comparison. I wouldn't want to show a rendering from the initial design that's really different than what this is zooming in on. It's not clear what the change is.

Chair Baltay: I don't think we had great renderings at first. If I remember we were pressing them for this image.

Ms. Gerhardt: I am looking at a plan set right now and I am hoping I can find it in a minute here.

Chair Baltay: Okay. Do we have the support of the Board that if we can find suitable images this is something we should put out there? Grace is nodding yes. Is David even able to nod? Alex, Osma, are you in support of this?

Board Member Lew: Yeah, this hotel was a very controversial project. I think it should be included.

Chair Baltay: Yeah.

Vice Chair Thompson: I think the hotel should be included. I think without seeing the picture or knowing what it is that I am saying yes to it is a little hard to...

Ms. Gerhardt: Let me try, on second.

Vice Chair Thompson: If the majority wants it then there's your straw poll.

Chair Baltay: It was a dramatic thing, Osma, the changes we were able to effect on that hotel and the impact on the community. I think it's pretty big.

Vice Chair Thompson: Oh, I don't disagree. I don't disagree. I feel like if you're going to show an elevation like this then it would be more striking compared to a similar elevation versus (inaudible) of something else.

Chair Baltay: If you look at this right-hand- image there, Jodie, are you able to make that bigger? But even that was quite a way into the review process, Jodie.

Ms. Gerhardt: Yeah, this is probably a second or third plan set. I was not able to find the very first. I will have to keep looking for the very first one.

Chair Baltay: I really wanted to get something showing the first thing that they put in front of us. Okay, anything else on this letter? We are going to not show this bottom list of housing projects, is that what we have decided, mostly because it's just not this year.

Vice Chair Thompson: That's what I heard, yeah.

Chair Baltay: David, can you hear us now?

Ms. Gerhardt: David, can you give us a thumbs up if you hear us, at least? Oh, okay, he can hear us. Maybe he can't talk.

Chair Baltay: I can try to call him on my phone and see if he can...

Ms. Gerhardt: The other thing Board Member Lew added a sentence to section D of the architectural awards just saying that the awards typically occur every five years per the bylaws.

Chair Baltay: Just that we have postponed the architectural program until 2021 due to the ongoing pandemic. The awards typically occur... just say that.

Ms. Gerhardt: Yeah, here is the... I can email you this sentence, too, but I think I am showing it now.

Chair Baltay: That's fine to put that in.

Ms. Gerhardt: Okay. Then I don't see anything else Board Member Lew, correct? Then, you were talking about this list here at the bottom would be eliminated or do you want to incorporate it some different way?

Chair Baltay: I think we should eliminate it. I just don't see it being germane to what we're talking about. Do we have a consensus on that? I think we do.

Vice Chair Thompson: Yeah.

Chair Baltay: Is there a phone number David can call in on to do this? Can we just tell him the phone number?

Ms. Gerhardt: Veronica, can you put that up?

Ms. Dao: Sure. I also messaged him the phone number.

[Adjusting Audio.]

Board Member Lee: I have a question and I can wait until David comes back.

Chair Baltay: No, go ahead, Grace.

Board Member Lee: Oh, okay, thanks. I just wanted to understand how we hear back from PTC and Council on their reaction or thoughts on this letter.

Chair Baltay: Well, last year we did not.

Board Member Lee: Okay.

Chair Baltay: The Council does what they want and we can't say...

Board Member Lee: I recall in previous years we did not except informally. I just want to put it out there. I assume it will be the new PTC and new Council that would be receiving this early in the New Year.

Chair Baltay: Last year I made a big of a stink that we actually present it in person and we ended up having some big session with the Council. You remember; you were there, right? This year I think we just give it to them at face value.

Ms. Gerhardt: I think if you want to put something in the letter that says how you would like them to respond. We can't require but we can ask.

Chair Baltay: I think we have in here already asking for more communication. There's a whole section set up on, look we need to get this better. The message, I believe, is getting through. I am not sure we're that high on their priority list. Their docket is very full, that's true.

Chair Baltay: It's always full. It's just the nature of the beast. Would you like to add another bullet point, Grace, on section C where we ask for formal feedback?

Board Member Lee: Yeah, I think the letter is pretty clear in terms of our desire for feedback. My thought was I just wanted to hear back on also the San Antonio discussion in terms of when we talk about it.

Chair Baltay: I think if we next year as an agenda item we can just say we asked staff to find out if Council is talking about it. We can just push that we want to know what they're thinking.

Board Member Lee: That makes sense; maybe that's the way to do it.

Chair Baltay: Yeah. Okay, any luck with Dave Hirsch?

Ms. Dao: Yeah, I think I see him in the attendees.

Ms. Gerhardt: David, if you just mute your computer and unmute the phone. How does he unmute the phone, Veronica?

[Attempting to Connect Board Member Hirsch to the Zoom meeting.]

Board Member Hirsch: Listen, I missed an awful lot of the letter comments. I am wondering why we aren't showing other facilities besides housing. Now, are we on to hotels, therefore, Peter?

Chair Baltay: We just added two, David. Alex pointed out that we approved the Newell Road Fire House, and then there was a large office building 2555 Park.

Board Member Hirsch: Great. Also, in the research park, there is the small waiting areas for buses.

Chair Baltay: The bus stops?

Board Member Hirsch: The transportation bus depot little waiting areas.

Ms. Gerhardt: Yeah, in the Stanford Research Park?

Board Member Hirsch: Yes.

Chair Baltay: I wasn't sure that was our proudest moment reviewing those but if you want to put those...

Board Member Hirsch: Oh, no, I thought they were well-done from the beginning to the final one. It was very successful.

Vice Chair Thompson: I think the point is to show projects that evolved, though, right? not projects that were already...

Chair Baltay: Yeah, that was the problem with the building on the research campus you're talking about David. It was such a good design to begin with that we didn't do a whole lot to it or for it. I didn't...

Board Member Hirsch: I think we did.

Chair Baltay: You think we did? Okay.

Board Member Hirsch: The final one was much more successful.

Chair Baltay: Okay, we can put that on the list.

Board Member Hirsch: I have comments on the existing ones that are shown in the... Hamilton Avenue, that elevation is hardly from beginning initial proposal to final design is nothing much changed.

Chair Baltay: What changed is the height of the building.

(Crosstalk)

Maybe I can clarify the detail because there is a number written in there, or we don't have to show it if it's not sufficient.

Board Member Hirsch: My opinion is it's not significantly changed as an image and they won't pick it up.

Chair Baltay: That's a legitimate point. What does everybody else think? Is that just a waste to show that image?

Board Member Hirsch: I think if you showed Hamilton Avenue side it might be more important. I don't recall exactly what it was but I think it was a little bit more of a change.

Vice Chair Thompson: I think David has a point. That project, just looking at it from sort of far away, it does look very similar to itself, the initial and final.

Chair Baltay: The difference is that we lowered the building down a couple of feet to mitigate the impact on the neighbor. We don't have to show it but it is one of the few housing projects that are in the list.

Board Member Lew: Peter, there is a way if you add a dotted line where the height originally was.

Chair Baltay: That's a good idea.

Board Member Lew: Then you can highlight the fact that it's made shorter. I just had on one of our previous Council...

Chair Baltay: I remember that. Sure, that's easy to do.

Board Member Hirsch: Also, I am not in love with 788 San Antonio. Yes, it's different and it is the same view of a lesser quality product there than the initial proposal. It's not very good but I am wondering if the straight-on elevations wouldn't be better for both images.

Chair Baltay: For 788 San Antonio?

Board Member Hirsch: Yeah, 788.

Chair Baltay: I can look into that, sure.

Board Member Hirsch: Let's just leave it open to look into it.

Chair Baltay: I want to closure today on what we're doing. Does everybody else agree that an elevation would be stronger for that one?

Vice Chair Thompson: I'm impartial.

Chair Baltay: I would have a tough time finding images at all, David. It was not...

Board Member Hirsch: I think that Alex had a good idea.

Board Member Lew: Alex, repeat again, please.

Board Member Lew: My comment was on the (inaudible). On San Antonio Road, I don't think I would use elevations because it doesn't really show the stepping of the massing.

Board Member Lee: I agree with Alex. I think it's important to leave it as shown because you see how that scale is so large and continues the same elevations but the final design shows the drop in scale and a different treatment in the elevations. I also want to find consensus, so if you want to look...

Chair Baltay: Yeah, David, I think I think on San Antonio I think this is about as good as we're going to get.

Board Member Hirsch: Can you hear me?

Chair Baltay: I can hear you, yes.

Board Member Hirsch: Okay, that's fine.

Chair Baltay: I am hearing on the Hamilton Avenue project I will add some imagery on top of the images explaining that the height difference is what we're talking about. Is that sufficient?

Board Member Hirsch: I think Alex said a dotted line is a good idea.

Chair Baltay: Yeah, I'll make a red line. That's easy to show.

Board Member Hirsch: Okay.

Chair Baltay: Then, we are going to add the Stanford Research Park you were talking about, David. We will add that to our list of projects we have reviewed.

Board Member Hirsch: Oh, that's okay. I think the fact that we deal with small projects is significant.

Chair Baltay: Okay. Then, you want to add the bus shelters as well at the research park?

Board Member Hirsch: Yes, I think so.

Ms. Gerhardt: Peter, what was the first project you were talking about in the research park?

Chair Baltay: I forget the name of it now. It was the building they were putting forward. It had a large, very low-pitched roof.

Board Member Hirsch: No, I am talking about the bus shelters.

Vice Chair Thompson: Which bus shelters?

Chair Baltay: Bus shelters or the building, David?

Ms. Gerhardt: We approved bus shelters in the research park.

Chair Baltay: Okay, is that what you're referring to, David, bus shelters?

Board Member Hirsch: Yes, bus shelters.

Chair Baltay: I see. Okay, we can put bus shelters on. That's fine.

Vice Chair Thompson: I am having a hard time remembering that one.

Ms. Gerhardt: They had the butler building type bus shelters that they were proposing that were kind of seen as an older style and we ended up with a modern, off-the-shelf style.

Chair Baltay: Yeah, we pushed them to design something custom, which they did.

Board Member Hirsch: It was much nicer.

Board Member Lew: (Inaudible).

Vice Chair Thompson: Sorry, Alex; we couldn't hear you.

[Adjusting Audio.]

Board Member Lew: Osmo, I don't think you were present for the bus shelters.

Vice Chair Thompson: Oh, that could explain why I don't know about it. Okay.

Board Member Lew: (Inaudible) for the last review.

Chair Baltay: Did we review any bus shelters in 2020, Jodie?

Ms. Gerhardt: I don't know the date off-hand, but maybe we can make that caveat that if they were reviewed in 2020 we will include them, otherwise not. If you can give me a minute I can find out the real answer.

Board Member Lee: I'll just say I do recall bus shelters but it's Stanford so I recused myself from that meeting, but I am pretty sure there was a bus shelter project.

Chair Baltay: Are you thinking, David, we should dig up imagery of that, too?

Board Member Hirsch: I missed it, Peter.

Chair Baltay: With the bus shelters, do you think we should have images of it as well? Probably.

Board Member Hirsch: I do.

Chair Baltay: Okay.

Vice Chair Thompson: If it's within 2020. Should we try and make a motion and move on with this item.

MOTION

Chair Baltay: I am all for that but let me see if I can summarize the changes we are making. I am going to move that we approve this letter with the following changes. In section A, we added a statement about the hybrid model would allow both remote and in-person participation from everybody and facilitate involvement by all. On the San Antonio standards, we are going to add the list of points Alex made reinforcing the argument, then upfront we added the statement that says therefore design guidelines specific to the area are needed. Under the awards program, we added a sentence the awards typically occur every five years per ARB bylaws. Under the architectural review is important, we are going to change the way we tabulate the list of projects to be a series of columns: one is the project and address; one being the number of housing units; third being -- I don't have it in front of me; Grace gave a sketch of how we are going to do that -- the kind of project if it was housing or mixed-use. Then, we are going to modify the 565 Hamilton images to show some additional lines to show the height of it more clearly. We are going to come up with a better before image for the hotel on 744 San Antonio, and we are going to include the bus shelters over on the Stanford campus before and after. Then, we are going to remove this alternate list of housing projects. That's the motion with those changes.

Board Member Lew: Peter, there is one other item. We were just going to list the two projects that won awards under F.

Chair Baltay: I am sorry; you're right. We are adding under F, as well, 2555 Park Boulevard and the Newell Road Fire Station, but we are not showing imagery on those, Alex. You're okay with that?

Board Member Lew: Great, yes.

Chair Baltay: Okay. Do I have a second for that motion, then?

Vice Chair Thompson: Sorry, David was saying something.

Board Member Hirsch: How about the elevations at Wilkes Bashford? We did a lot to change that.

Chair Baltay: I guess, David, we started this and the discussion as to try to focus it on housing. We have gone through this whole process with that in mind and now you're bringing up three or four non-hosing items. We kind of (inaudible) to do that. I agree (inaudible).

Board Member Hirsch: Yes, I mean I think it is a stronger illustration of our ability to comment on projects and improve them.

Chair Baltay: Okay, so should we add the Wilkes Bashford building? Jodie, was that approved this year or last year again?

Board Member Hirsch: No, that was this past year.

Ms. Gerhardt: One minute.

Chair Baltay: I thought we approved that, David, in 2019.

Board Member Hirsch: No, I don't think so. It is more recent. Certainly, the final meeting was this year.

Chair Baltay: I don't think it matters that much. If we want to put it in we can. Do we have a consensus to include that building as well?

[Adjusting Audio.]

Vice Chair Thompson: I am fine with it but the scale of changes that you just mentioned sounds like this document is going to evolve a lot and I am now more thinking in favor of seeing it one more time before we send it out. I know you don't want...

(Crosstalk)

Chair Baltay: I have worked really hard on this. We have had a lot of chances to put these opinions out there. Now, at the last minute, I am hearing this stuff, okay. It's not fair. It doesn't work that way. We have all had chances to speak, David, many times to bring it up. The consensus last time was to focus on hosing, remember? We all said we wanted to get this focused on housing. That's what the Council wants to think about.

Board Member Lee: I am happy to support the focus on housing.

Chair Baltay: I want to...

Vice Chair Thompson: You have a motion; it's seconded. Why don't we...

Chair Baltay: David, I want your support on this. Can you support it without adding the Wilkes Bashford building so Osma can support getting it done today?

Board Member Hirsch: Of course.

Chair Baltay: Of course. Okay. The motion has been and who seconded it?

Vice Chair Thompson: Alex.

Chair Baltay: Alex seconded. Can we have a vote, please?

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No: (0)

MOTION TO APPROVE PASSES 5-0.

Chair Baltay: Thank you, everybody. Okay, good.

Ms. Gerhardt: Peter, you made the initial motion with Alex seconding?

Chair Baltay: That's right.

Ms. Gerhardt: Thank you.

Chair Baltay: I will get this final draft to you, Jodie, and then you'll have it approved so we will get this out this year.

Ms. Gerhardt: Yeah, I have taken some notes and Wilkes Bashford was approved around May of 2020.

Chair Baltay: Okay, well we took that off the list to keep the consensus happy. Thank you, David and Osma, for working with me on that.

Ms. Gerhardt: Okay.

4. Election of Chair and Vice-Chair for the Architectural Review Board, and Direction on Minor Updates to the Architectural Review Board By-Laws

NOMINATION

Chair Baltay: Let's get going because we have two more things to cover. Next item, the election of the Chair and Vice Chair for next year. With that, I would like to say that I have been delighted and honored to work with Osma Thompson over the past year having her as Vice Chair, and I think she will make a wonderful Chair for our Board for the coming year. I would like to move that Osma becomes Chair of the Architectural Review Board.

Board Member Lee: I am happy to second.

Board Member Hirsch: I am going to second that. You beat me, Grace.

Chair Baltay: Made and seconded. Can we have a vote, please?

[Adjusting Audio.]

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No: (0)

NOMINATION APPROVED 5-0

Chair Baltay: Okay, Osma, congratulations.

Vice Chair Thompson: Yay, thank you.

Chair Baltay: Next item is the Vice Chair. Traditionally, one Vice Chair works towards the next. Osma, do you want to have a discussion or do you have an idea of what you'd like to do?

Vice Chair Thompson: I haven't had a chance to talk to anybody about this. I would be very happy if Board Member Hirsch or Board Member Lee... interested to work with either entity. I would like to hear from Board Member Hirsch and Board Member Lee about their interest in being Vice Chair. Maybe start with Board Member Hirsch.

Board Member Hirsch: Okay, I can make it simple for you. I prefer not to be a Vice Chair. That makes it extremely simple.

Vice Chair Thompson: Okay.

Chair Baltay: How do you feel about it, Grace? Are you able to step up?

Board Member Lee: I was thinking I was going to nominate Board Member Lew given I believe it is his last year and I wasn't sure if that is something that Board Member Lew would want to do and Chair Thompson, what do you think?

Vice Chair Thompson: I am happy either way. Let's go in order. Board Member Lee, why don't you let me know your feelings towards being Vice Chair and then we'll go to Board Member Lew.

Board Member Lee: Yeah, I am very happy to serve and step in. I have done it in the past; however, I am also just very open to whatever you think is best or if another Board Member would like to step up that's good too.

Vice Chair Thompson: Okay, great. Then, let's hear from Board Member Lew.

Board Member Lew: You know, normally we just rotate through (inaudible); however, like next year is my last term and so it makes sense for somebody who is going to be Chair to get in and learn... like, I actually think it makes sense for David to learn what it takes to do all of that. As well, it could be Grace. I am happy to help if nobody else wants to do it but it doesn't really make (inaudible).

Chair Baltay: I think given David's statement not wanting to Grace should do this. Osma, I think you should make the motion for it.

NOMINATION

Vice Chair Thompson: Okay. I move that Grace Lee be the Vice Chair of the ARB.

Chair Baltay: I will second that motion. It has been moved and seconded. Can we have a vote, please?

Aye: Baltay, Hirsch, Lew, Thompson, Lee (5)

No: (0)

NOMINATION APPROVED 5-0

Chair Baltay: Thank you, Grace. Grace is now our Vice Chair and Osma is our Chair.

Ms. Gerhardt: Yes and those positions will officially start in the New Year.

Study Session/Preliminary Review

5. Study Session on Ex-parte Communications Between Architectural Review Board Members and Applicants, Developers and Other Persons (Continued from November 19th)

Chair Baltay: Yes. Congratulations. Thank you, everybody. The next item is the study of ex-parte communications. I have to say our communications have broken down so badly today I don't know that we can successfully do that. Do we let it go to the next year? How do we feel about that? Osma, are you okay with that?

Vice Chair Thompson: I am okay with that.

Chair Baltay: Unfortunately, the City Attorney has been on this the whole time.

Ms. Gerhardt: I was going to say but that's fine.

Chair Baltay: Try to push our way through it? I mean, it is awfully hard to hear.

Vice Chair Thompson: Did we want to just try and make it brief?

Ms. Gerhardt: We can ask Albert if he is able to attend the next meeting would January 21st or that is just an option.

Albert Yang, Deputy City Attorney: I can attend a meeting in January. That is fine.

Chair Baltay: I just hate to be wasteful of your time, Albert, that's all. David, how well can you hear us?

Board Member Hirsch: I can hear you fine just many times.

[Adjusting Audio.]

Chair Baltay: Let's push our way through this, then. Do we want to have Albert's summary of this or Albert were you prepared to do that or just prepared to sit in?

Mr. Yang: I was just here to sit in and answer any questions. I didn't have a specific presentation or anything.

Chair Baltay: Okay. We did, back in 2018, a detailed review of ex-parte communications and roll of the way the ARB should work. This is coming out because we have had a few instances of Board Members outside of meetings communicating with other Board Members and the public in a way that other Board Members felt was inappropriate. We want to be really clear with each other and with our attorney what is the proper amount of communication we can have outside of a board meeting. My understanding is that we are allowed to meet with members of the public but once a hearing has started we should not be doing that. Is that right, Albert?

Mr. Yang: Yeah, I am happy to give a quick overview. Yeah, it is permissible to meet with members of the public and to meet with project applicants to discuss a project. What needs to happen, though, is once the public hearing starts if there is any information that a Board Member receives -- maybe it's just a visit to the site or something you observed that isn't already in the record-- that needs to be disclosed into the record so that members of the public and the parties can respond to that information. Everyone

is working from the same set of information. As a general rule, once a hearing has started and it has been continued it is the best practice to not have additional ex-parte communications after that point. We treat it as if you were just in the hearing room the whole time continuously for a continued hearing. At the same time, from a strictly legal perspective, it is sufficient for the contacts, if they occur, for them to be disclosed into the record when the hearing restarts. That is more permissible when you accept public comment or applicant comment a second time because then those parties have the ability to respond to that new information again. If you are continuing a hearing but you're not accepting public comment again, then it is more problematic to have an ex-parte communication.

Chair Baltay: Albert, could you address the issue of communication between Board Members both before a project and during a review process between continuations.

Mr. Yang: Yeah, for communications among the Board Members it is really the Brown Act that comes into play, and what we are trying to avoid is having what would be considered a meeting of the Board outside of the official noticed meetings. That can occur whenever you have a quorum of the Board, so that would be three or more Board Members who, in one way or another, get to know what each other thinks. It doesn't have to be that they are all gathering or speaking on a teleconference; if there is an email that gets forwarded from one to another and then suddenly you have three Board Members who know the thoughts of each other on a topic that could be considered a serial meeting under the Brown Act. It is okay for one-way communications to happen. A Board Member could send their thoughts and comments to staff and staff could email out to the rest of the Board as long as there is no response where everyone would now know the thoughts of that one Board Member, but no one knows the other Board Member is thinking about that. So, you don't have a conversation that is happening. It is also permissible for multiple Board Members to email staff their thoughts and then for that email to be distributed to the whole Board at all once as long as there, again, is no conversation or response to one of the board member's thoughts that is going out.

Chair Baltay: Wouldn't, Albert, if everybody independently put their thoughts out there, emailed them to staff for distribution is that effectively a conversation even if it is one-way, technically?

Ms. Gerhardt: I am putting them together in one email and sending them out all at one time. It is still that one-way communication, correct, Albert?

Mr. Yang: Yeah. I think the key point is there is no ability to build a consensus because you are not having the exchange of thoughts. Someone could read all of those comments and get a sense of what each board member thinks but the board members are not trying to influence each other or engage in that dialogue.

Chair Baltay: Okay.

Board Member Lee: Chair Baltay, I have a couple of questions if...

Chair Baltay: Yeah, go ahead, Grace, please.

Board Member Lee: Okay, thank you. Peter, I did want to note I reviewed the minutes from November 1st, 2018, where you first started the study session on ex-parte communication. So, in terms of some clarification...

Chair Baltay: Sure.

Board Member Lee: ...because this is different from when I was on the Board previous. A couple of things: if an applicant reaches out to board members for a site visit or something where it is difficult to visit the site and they need to accompany that typically occurs before it comes to us. Then, I just wanted to say is there a situation where it might occur in a meeting that is after that first meeting and I assume we should just say no. That's my first. Also, I have in the past -- the longtime past -- been contacted by an applicant who reached out after the first meeting, and at that time we could discuss the project and

then at the board meeting that followed the second we would just disclose what they imparted. It sounds like now each Board Member should say no, I am sorry given our rule I am unable to meet with you given this is the second meeting. I also want to ask is that actually communicated to applicants in the ARB review process, and if not shouldn't we do that as part of how it is to submit an application? That seems like it would be a fair way to communicate, or is it up to just each Board Member saying it and then copying staff in an email communication? I just want to know the protocols.

Chair Baltay: Excellent questions, Grace. Jodie and Albert, what do you think?

Ms. Gerhardt: As Albert was saying, there is the legal requirement and then the requirements that the Board places on themselves. I think for the most part we have if you want to visit the site at the beginning of the project before there is a hearing that is normally where it would be encouraged in between hearings is where most Board Members have said no and that that is a Board decision. Staff certainly conveys that as much as they ask us but they don't always ask us.

Mr. Yang: I have a few thoughts in response. First is if you have a situation where the site is difficult to visit and you need to be accompanied one thing we have done in the past at some point is notice the site as a meeting of the ARB, then the whole Board can go at the same time. If there are members of the public who want to go and observe what the ARB is observing they are able to do that; they know the time and location. About communications that happen in between continued hearings, the ARB is a little bit unique in that continued hearings are very common. They are very common and when you come back to the hearing usually the applicant has new information, there's a new presentation, new round of public comments. It is not that you just continued because you ran out of time. For that reason, I think it is different from other Boards where in other Boards you might not want the Board Members to be speaking to the parties in between a continued hearing. In the case of the ARB, it probably is helpful and as long as there is a disclosure because you are allowing the public to speak again, you're allowing the applicants to speak again, the disclosure should be sufficient. That is really a Board choice I think that the Board can make in terms of how they want to deal with that. I think from a legal perspective, it is definitely defensible to have those sorts of communications as long as you disclose the contents.

Board Member Lee: Thank you Albert and thank you, Jodie. I just had a follow up in terms of do we as a Board feel like staff, or in the written ARB application materials, we should instruct applicants at the get-go that you will be coming to the ARB, ex-parte communications are not allowed after the first hearing. I just feel like that would be fair that that is part of it because it gets awkward and we have a lot of applicants who have submitted projects 10/15 years ago who are coming back and they just don't know how our process has changed. I feel like -- I would love to hear how other Board Members feel but we don't have to do it today if we don't have time -- and it just seems fair to communicate what the ARB has decided as a group and what is legal per the City, and how to operate in this process of submitting. The other question I had -- I am sorry, Peter, just one more -- is an HRB or a PTC member or a Council member speaks to one of us regarding whatever, some comment about the application or project after the first meeting or before, we need to share that?

Chair Baltay: Yeah.

Board Member Lee: I am just asking that question. It hasn't happened to me recently but I just want to know the answer.

Mr. Yang: Yeah. Let's say you speak to an HRB member and they provide you with their thoughts, I think that needs to be disclosed if that information isn't already in the staff report. The staff report will usually try to summarize the HRB's comments on this, but if you hear something that is not already reflected then that should be disclosed.

Chair Baltay: I think that is about right. Disclosure is the real thing, Grace. I think it would be good to give applicants a clear understanding of what the rules are. I do think, however, there are many situations where between continued hearings we want some form of ex-parte communications. For one, I always visit the site pretty much every time. It changes when they have a new application and it really

helps me to see the situation again. Not frequently, but occasionally applicants might want to speak between hearings and I don't know that it needs to be an absolute rule that you can't speak to people as much as the disclosure is really important. You have to tell people what you have heard. I think as long as you're being open about that that is fine, at least with me. I don't know that we need to have a hard-and-fast rule about no communication beyond the first hearing. Sometimes a hearing goes on and it can be a year between hearings even and big changes happen.

Vice Chair Thompson: Yeah.

Chair Baltay: I know on the Stanford shopping center project, for example, I remember having a meeting with the applicants between hearings because they were so upset about my wanting them to have parking garages underneath the building and they really wanted to make sure I understood what their situation was about that. I think that it was fair that they were allowed to talk to me. I don't know that we want a hard-and-fast rule so much as an explanation to people that whatever you say to us has to be considered as being said to the entire board. It is better if you say it to everybody in the same form whatever you do.

Vice Chair Thompson: I think it is also for the first time, well not for the first time... just hearing the way that Albert has framed the idea of ex-parte communication that typically in other situations when this law was sort of put into the thing there wouldn't be new information in between hearings and the ARB is a huge exception because so many things change. I feel like framing it that way really helps me understand. Up until now, I think I have been really reluctant to meet with applicants in between hearings but that new information is really key and it is really important, I think, in approving a project. Maybe if we are okay as a Board that the disclosures are very transparent then I think communication between hearings would make sense on a case by case basis.

Ms. Gerhardt: I do wonder that maybe some of our language on the staff side could be changed because we do say that these meetings are being continued when really that is not exactly the case. We are having a second and a third hearing and we are allowing presentations and public input each time, so it really is sort of a new hearing. I don't know; maybe I can talk to Albert offline if we can change that verbiage.

Chair Baltay: Could you also, Jodie, is it possible to just put a paragraph in the staff report and just have it go on every formal review staff report stating the police of ex-parte communication with applicants? It can be a very brief thing but if it is there in the staff report everybody sees it like Grace is mentioning. It is just out there.

Ms. Gerhardt: I don't know if I would want to put it in the staff reports, maybe in the agendas.

Chair Baltay: Somewhere where it is just published for the record. The same paragraph over and over again.

Ms. Gerhardt: The paragraph would say that meetings are allowed but the information must be disclosed or...

Chair Baltay: Yeah. I think what you really want to emphasize is that the information has to be given to everybody equally, so anything you say to one member should be considered as being said to everybody. That's what I have heard is important anyway. I want to come back on something else, though, that I am bothered by. Even if Albert says it is okay, I don't like the idea of individual ARB members sending an email of their thoughts to everybody on the Board between hearings. I think we have ample time during our meeting to express our opinions and to try to persuade each other. I think allowing that outside of the meeting is just opening up Pandora's box of potential back and forth or endless emails. I would rather see us do that through the public forum when everybody sees and hears what we have to say. That said, I think it is perfectly fine for any two board members on a board of five to discuss a project at any time. As long as you don't cross that line of the Brown Act where it becomes a meeting that's the nature of our political system and I don't think we should just waive that. I am frustrated sometimes

that other members on the boards won't respond to my question about a project out of fear of the Brown Act, when really it is only two of us and as long you keep it that way that is okay. It is actually good; it's healthy. That is what politics is about. That is what trying to figure out how to get to an answer and how it works. That's my two cents on this. I really strongly disagree that we should be allowed to send a message to all five of us between hearings though.

Vice Chair Thompson: I would agree with you Board Member Baltay.

Chair Baltay: David, do you hear me? Can you participate on this?

Board Member Hirsch: I agree with you.

[Adjusting Audio.]

Board Member Hirsch: I agree with you, Peter.

Chair Baltay: Okay.

Board Member Hirsch: Absolutely agree with that. I think it would be terribly confusing for us to be emailing each other back and forth on items and it easily could lead to pressure, which is (inaudible).

Ms. Gerhardt: Maybe, Albert, you can weigh in on this. Peter, you were asking about sending an email to one Board Member and wanting to have a conversation and that appears to be okay. I think that other Board Member would want to know I am only having this conversation with you. I am not going to carry this on because there could be a serial meeting, or what is it? This spoke and wheel kind of thing where you talk to this person, talk to that person, talk to that person, and that starts to become an issue.

Chair Baltay: Absolutely. Every Board Member has a deep responsibility to be very cognizant of that, and if you have a conversation with one person you can't then talk to somebody else and say this person said that. With that said, I think it's a mistake also just to refuse to talk to anybody ever. There is a real benefit to being collegial. I think other boards and city councils do that kind of thing.

(Crosstalk)

Ms. Gerhardt: I think you're talking about when you're talking about projects. If you're talking about the holiday's, everybody can talk.

Chair Baltay: Yeah.

Mr. Yang: I guess I just want to clarify that the back and forth is only permissible when it is two people. The one-way is permissible but you can't have a back and forth in that context.

Chair Baltay: Absolutely. Okay, do we have any other thoughts, ideas, questions on this topic? Osma, have we addressed...

Vice Chair Thompson: I'm good.

Chair Baltay: You're good?

Vice Chair Thompson: Yeah.

Approval of Minutes

6. Draft Architectural Review Board Meeting Minutes for November 19, 2020

Chair Baltay: Everybody else? Thank you, Albert, very much for staying with us. It's been a rocky meeting here. Why don't we move on to the last item which was draft Architectural Review Board minutes? Do we have any comments, questions, opinions, Alex?

Board Member Lew: No, I read through them and I didn't see anything.

Chair Baltay: Why don't you make a motion for us?

MOTION

Board Member Lew: Okay, I will move that we approve the minutes for November 19th, 2020.

Vice Chair Thompson: I'll second.

Chair Baltay: Moved and seconded. Can we have a vote, please?

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No: (0)

MOTION TO APPROVE PASSES 5-0.

Board Member Questions, Comments or Announcements

Chair Baltay: Wonderful. Thank you, everybody. Last item on our agenda is the North of Ventura Coordinated Area Plan. Alex, do you have any more information about that for us?

Board Member Lew: Yes. The staff presented the project to the PTC and they continued the hearing to January. I think there was a lot of concern about the Sobrato Townhouse project and how that will impact the three alternates that the staff is proposing. They are looking for more information on that. I think that is all that they have. I think the committee is not going to meet for a while. I think the committee may meet again before the project goes to the Council. I think that is all that is happening on our end.

Chair Baltay: Okay. Thank you, Alex, for your continued effort there. Okay, with that we are adjourned. Happy Holidays, everybody. As we say, see you next year.

Ms. Gerhardt: Yes, have a wonderful holiday. No meeting on the 7th except for the subcommittee. Board Member Thompson and Board Member Hirsch I will send you details.

Chair Baltay: Thanks, everybody. Bye now.

Adjournment