



CITY OF
**PALO
ALTO**

Architectural Review Board

Staff Report (ID # 14458)

Report Type: Approval of Minutes **Meeting Date:** 6/16/2022

Summary Title: Minutes of May 5, 2022

Title: Draft Architectural Review Board Meeting Minutes for May 5, 2022

From: Jonathan Lait

Recommendation

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

Background

Draft minutes from the May 5, 2022 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: Minutes of May 5, 2022 (DOCX)



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: May 5, 2022
Council Chamber & Virtual Meeting
8:30 AM

Call to Order / Roll Call

The Architectural Review Board (ARB) of the City of Palo Alto met on this date in Council Chamber and virtual teleconference at 8:30 a.m.

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

Absent: None

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

Chair Thompson introduced the item and called for a Motion.

Ms. Gerhardt stated that the item was so that the ARB could continue to operate in a hybrid model as needed.

MOTION: Boardmember Baltay moved, seconded by Boardmember Rosenberg, to adopt the Resolution authorizing use of teleconferencing for the ARB during the Covid-19 State of Emergency.

Boardmember Baltay stated that he was in favor of hybrid meetings because there was a public State of Emergency for health reasons. He was not satisfied that hybrid meetings were acceptable outside of the State of Emergency and indicated they needed to think carefully about how to proceed and perhaps seek City Council guidance on the matter.

Chair Thompson asked if Boardmember Baltay thought that once the State of Emergency ended that the ARB should discontinue the use of hybrid meetings.

Boardmember Baltay thought that the ARB should have the discussion because it was a significant change in procedure. Further he did not believe it should be a decision of the ARB but rather that of the City Council. He believed that remote attendance was not as good as being in the same room. He also believed it was better when the applicants were in person. As long as there was a health emergency the ARB should continue the hybrid model.

Chair Thompson called for further comment, but there was none. She thought that it was important to consider working remotely versus not being able to attend at all.

Boardmember Baltay agreed and noted that there were other benefits to consider such as enhanced public participation which is why the issue was for City Council.

Chair Thompson thought it was important for Boardmembers to voice their opinions since they were the ones who facilitated the meeting. When in person she missed her computer for practical reasons. The hybrid model came with many opportunities, but she agreed they should continue evaluating the situation monthly.

Ms. Gerhardt confirmed that the ARB had to handle the matter once a month.

Chair Thompson called for the vote.

VOTE: 5-0-0-0

Oral Communications

Madina Klicheva, Administrative Assistant, stated there were none.

Agenda Changes, Additions and Deletions

Jodie Gerhardt, Manager of Current Planning, stated there were none.

City Official Reports

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

Ms. Gerhardt reminded Chair Thompson of the teleconferencing item.

Chair Thompson indicated they would return to the item [Note-did so above]. Following the passage of the teleconferencing resolution she called for Ms. Gerhardt's report.

Ms. Gerhardt shared her screen with the ARB and displayed the ARB 2022 Meeting Schedule. All future meetings are currently scheduled to be held in hybrid format. The next hearing will discuss 488 University Avenue and 2609 Alma in the ad hoc committee.

Chair Thompson asked who was on the ad hoc committee for that issue.

Ms. Gerhardt indicated she would look that up and provide the information shortly.

Action Items

3. Staff Recommend That the Architectural Review Board (ARB) Consider, Provide Feedback or Changes, and Recommend Approval of the Proposed Permanent Parklet Program Design Standards to the City Council.

Chair Thompson introduced the item and called for the staff report.

Ms. Gerhardt stated that Assistant Director Rachael Tanner and another staff member were present via Zoom to give the presentation.

Rachael Tanner, Assistant Director of Planning, explained that Sophie Gabel-Scheinbaum of Urban Planning Partners would give the bulk of the presentation. Staff wants ARB feedback on the Parklet Program, which will be considered by City Council on May 9th. Staff planned to request that Council extend

the pilot program for the remainder of 2022 so they can continue to develop the standards and for Parklet owners to transition to those standards. If the ARB feels strongly it can recommend the Parklet Program for approval, but if not there would be time to return to the ARB if Council extended the temporary program. She clarified that this topic was on the Parklet Program only and not related to the California Avenue closure.

Sophie Gabel-Scheinbaum, Urban Planning Partners, shared her screen with the ARB and explained that they were seeking feedback on proposed changes and a recommendation if the Board were so inclined. For background parklets became crucial for businesses during the pandemic to provide dining spaces compliant with public health orders. Parklets have been very popular in Palo Alto and City Council has received thousands of supportive emails about the program over the past two years. In June 2020 City Council adopted an Ordinance allowing for temporary parklets. In April 2021 Council directed staff to develop a permanent program and extended the pilot program to December 2021. In September 2021 the pilot program was extended to June 2022. On May 9th staff will provide Council with an update on the permanent program and they will consider extending the temporary program to December 2022 to allow for transition to the permanent program. The design and implementation of the pilot guidelines has led to a variety of parklet designs and operations. Compliance with the guidelines varied greatly between permit holders. Staff documents and issues violations to permit holders, but compliance and corrections are challenging based on the guidelines. Parklets are an extension of the pedestrian right of way and will continue to be permitted for existing restaurants on streets with a speed limit of 25 miles per hour (mph) or lower. There are three primary parts to a parklet including a platform, an enclosure or periodic barrier, and traffic safety features. Parklets may also include roofs, lighting, landscaping, umbrellas, or other furnishings and fixtures. She provided example images of parklet design. There are three overarching approaches that staff wants the ARB to consider and use to frame the discussion. First, they must determine the intent of the parklet. Some businesses have been concerned about eliminating sidewalls or coverings due to patrons expecting weather protections. There are safety requirements for transparency as well as safety considerations. Staff also requests guidance on how guidelines should relate to colors and materials. As drafted the guidelines require neutral and/or earth tones for platforms, roofs, and enclosures with up to three additional colors allowed in furniture and fixtures. The standards should be objective and easy to implement, and staff wants the ARB's opinion on if they are too flexible or not flexible enough. They also need information on high quality materials or the types of materials that would be expected in parklets. The intent of the proposed guidelines would be to increase landscaping potential and greening of the City although some businesses are concerned about maintenance issues. There are subcategories for the design standards related to platforms, enclosures, roofs, colors, signage, furniture, landscaping, umbrellas, lighting, and heaters. Platforms are proposed to be made of one material in one color, enclosures require a periodic barrier of "high quality material" in neutral tones with vegetation incorporated every six feet, roofs can be solid made of several materials except for fabric and could also be of open construction. With color the platform, enclosure, and roof would be of neutral or earth tone color with additional furnishings and fixtures introducing a total of three more colors. If an applicant wanted a non-neutral for the platform, enclosure, and roof then they would be limited to 2 additional colors total. Applicants will also have to match their storefront for increased consistency. Furniture will be required to be made from high quality sturdy all-weather materials and staff needs help ensuring the requirement is appropriate and objective. Landscaping will be required to be native, low water use, and

draught tolerant plantings. Additionally, no plants shall have thorns, spikes, sharp edges or be poisonous or invasive. With umbrellas several types would be permitted so long as nothing extends beyond the edge of the parklet. Additionally, umbrellas cannot restrict views between 3 and 8 feet from the street.

Boardmember Rosenberg interrupted the presentation to note that the ARB could no longer see it on their screens. She stated that it came back and requested Ms. Gabel-Scheinbaum repeat her last statement.

Ms. Gabel-Scheinbaum explained that string lights, solar powered/rechargeable battery powered, and overhead light fixtures would be permitted if shielded on the sides to focus light downward. Heaters affixed to parklet roofs must be hidden from the street to the extent possible. Staff requested ARB feedback and proposed changes. The draft guidelines are available in the report.

Chair Thompson called for the public comment.

Ms. Klicheva indicated there was one public speaker participating via Zoom.

Michael Ekwall thanked the City for the permanent parklet program. He explained that he and his wife own a restaurant on California Avenue and their survival during the pandemic depended on outdoor dining. He also appreciated that the program would be streamlined and uniform but had a few issues regarding the design. The use of sidewalls and coverings is very important because of cooler evening weather. He hoped that they would be allowed in a thoughtful way. He appreciated the idea of a streamlined parklet design under a basic permit fee. Electric heaters use 20 amp service, and many businesses are not prepared for that as electrical work requires permits and carries significant cost. Based on that he requested the City reconsider the banning of propane heaters. With neighbor approval he noted they were lucky to have friendly neighbors that did not mind the tent space on the street but was concerned about neighbors having veto power over parking spaces might cause significant problems. He thanked the ARB for its time.

Chair Thompson called for ARB disclosures.

Boardmember Baltay stated that he had done extensive research and visited many restaurants while thinking about the issue.

Boardmember Rosenberg echoed Boardmember Baltay and stated she ate in parklets regularly.

Vice Chair Hirsch indicated that he had eaten out several times but did not consider himself a parklet expert.

Boardmember Chen stated that she also had outdoor dining experience but was not an expert.

Chair Thompson disclosed that she had followed San Francisco's parklets for several years, had friends who designed parklets, and had eaten outdoors. She called for questions of staff.

Boardmember Rosenberg brought up the public speaker's comment about neighbors having veto power and requested to view the language.

Ms. Tanner shared the language on her screen and explained that if the parklet would extend beyond your storefront then the neighboring property owner and ground floor business owner have to agree.

Boardmember Rosenberg confirmed that the only time someone would require neighbor approval for their parklet is if it “invaded their space.”

Ms. Tanner stated that was correct.

Boardmember Chen asked why fabric roofing was not allowed as that was a common shading material.

Ms. Tanner explained that in the pilot program there were many areas they had not achieved compliance with the guidelines and there have been some safety concerns, such as the interaction between the roofing and heating elements. Fabric roofing and tenting is not being used with regard to manufacturer’s recommendations and has been close to flame. Staff could explore the item further, but the Building Division and the Fire Department had significant safety concerns regarding fabric roofing and fire hazards.

Vice Chair Hirsch inquired about provisions intended to ensure that water could flow freely in the street and to drains.

Ms. Tanner explained that they were working on a design for water to flow through even if it’s located under a parklet. Parklets would also have to open in order to accommodate the cleaning of the gutter. Finally, there is a proposal to have an annual inspection in part to address the gutter maintenance. Unfortunately, the City has already had a parklet related flood since it was not constructed in accordance with the standards and water accumulated.

Ms. Gabel-Scheinbaum stated that the draft diagram was contained on Packet Page 31.

Boardmember Baltay requested the rationale behind the electric heater only rule.

Ms. Tanner explained that the County Fire Marshall had issued directions related to the use of propane heaters. The propane cannot be stored inside, and the Palo Alto Fire Department had not observed compliance with that regulation since most restaurants do not have appropriate outdoor storage areas. Additionally, the City is attempting to limit greenhouse gas emissions so prohibiting propane heaters is in accordance with that policy.

Boardmember Baltay asked if restaurants with outdoor dining were allowed to use propane heaters. He wanted to know if the parklets were handled differently since they were in a public space.

Ms. Tanner did not know if the propane heaters were restricted on private patios, but any that were used would have to follow the Fire Marshall’s direction. She indicated that she had to look into the matter further.

Boardmember Baltay inquired about how applicants were asked to bring electricity to their parklet. He asked why they could not ask that the electric be run under the sidewalk.

Ms. Tanner stated that part of it was not wanting the sidewalks to be torn up for the parklets especially considering how restaurants tend to turn over quickly. Parklets may come and go with the opening and closing of those restaurants. Given the semi-permanent nature of parklets it seemed that overhead conduit would be both expedient and flexible.

Boardmember Baltay followed up by inquiring about a restaurant that wanted power run for a private purpose. He asked if they were allowed to run conduit under the sidewalk or if there was a restriction other than for parklet uses.

Ms. Tanner did not understand the use case for anything other than a parklet. If that were how electric was provided in the area it would possibly be allowed, but she indicated that she was not certain.

Boardmember Rosenberg inquired about the language related to the platforms and Americans with Disability Act (ADA) requirements. Specifically, she wanted to make sure that there was a seamless or very low threshold transition in the guidelines.

Ms. Tanner indicated that there was and that parklets had to be ADA compliant. Staff would review parklets for compliance.

Boardmember Rosenberg asked how umbrellas were allowed but fabric roofing was not.

Ms. Tanner stated that if an umbrella was present there would not be a roof. If there were no roof then electric heaters are unlikely as they are normally affixed to a structure and pointing downward. So there is limited conflict between a heating element and umbrella fabric.

Boardmember Rosenberg asked if a fixed fabric roof without heaters would be compliant and permissible.

Ms. Tanner stated that could be permissible with ARB direction. Staff has experienced a high degree of persistent noncompliance over the past two years which may be why the standards seem so conservative.

Boardmember Rosenberg indicated she also had a question about colors. She noted that some parklets serve as lounge areas and inquired about brightly colored throw pillows or other non-fixed or non-permanent items.

Ms. Tanner indicated that was a question staff really wanted ARB direction about as they had debated it frequently. Business owners and the public have advised staff they prefer a more uniform look. The neutral tones/earth tones plus three colors were to accommodate those requests. Staff wanted to provide the flexibility as to how the colors were used but limit the parklets to three colors.

Vice Chair Hirsch noted that the public speaker mentioned that in inclement weather it was helpful to have an enclosure. He asked how staff would respond to that. He suggested drop down enclosures and asked if that was possible. He noted that the staff report was very informative overall.

Ms. Tanner said that was not directly addressed in the standards because staff assumed they would not allow anything above a certain amount.

Ms. Gabel-Scheinbaum indicated that was 42 inches.

Ms. Tanner said that the 42 inch enclosure had to surround at least three sides of the parklet. Above that needed to be clear. Several business owners were interested in being able to enclose their parklets and one suggested a transparent barrier. Other cities allow plexiglass in that area. Staff thought that the question was how public versus how private the parklets should be and how the City could achieve what was desired.

Vice Chair Hirsch noted that there was a conflict between servicing the parklet and the pedestrian traffic on the sidewalk. He asked how that space would be monitored.

Ms. Tanner explained that compliance was determined through the annual inspection, public complaints, and staff observation while out in the community.

Boardmember Chen inquired if parklet size was restricted and how it related to the property it serviced.

Ms. Tanner said there are no maximum size limitations although staff would not expect a parklet to stretch for an entire block. In order to have a parklet one must have at least two angled parking spaces. One parking space does not yield enough area to make a parklet viable. Generally at least two or three spaces are used. On University Avenues there are planters with tree wells, and it often makes sense to take the whole area.

Chair Thompson asked if the design intent of the parklets were for them to be removable over time or if they are meant to be more permanent.

Ms. Tanner stated that they needed to be removable in case a business closed or for street repairs or maintenance. The parklets are more permanent than under the pilot program but must still be removable.

Chair Thompson asked if they were encouraging uses outside of dining such as lounging or a standing bar area.

Ms. Tanner said eating and drinking establishments could apply for the permits. Applicants have options for their parklets so long as they provide accessible access.

Chair Thompson clarified that storefronts that were not restaurants could not have parklets.

Ms. Tanner stated that was the standard under the pilot program and it is proposed to carry into the permanent program.

Chair Thompson asked if the “no amplified sound” rule was new or carried over from the pilot program.

Ms. Tanner believed it was in the current guidelines.

Ms. Gabel-Scheinbaum confirmed it carried over from the current guidelines.

Chair Thompson called for more questions and hearing none called for ARB comment.

Boardmember Baltay stated that he reviewed the draft ordinance and would comment on that. He noted that people frequently go out to dinner on bicycles and the 4 foot setback requirement was a perfect place for bicycle parking. Accordingly, the City should consider whether it wants to require restaurants to provide bicycle parking. Currently people put bicycles wherever they fit as there is not enough street bicycle parking. People also jaywalk frequently making the spaces between the parklets critical. When the City closes a street if the parklets are too densely packed and contain bicycles then pedestrians are unable to move from the traffic aisle back to the sidewalk. The 4 foot safety setback between parklets should be carefully considered by either being made larger or by addressing the bicycle parking. Section C1 Notes E and F state that parklets cannot be within 5 feet of a manhole cover or a storm drain catch basin. He preferred to see applicants have more flexibility to work with staff on that as well as clearance to street

trees. Staff should have the latitude to approve something unless it would hurt a tree and he noted that parklets are minor construction and should not hurt a tree by themselves. With respect to the design of the platforms he noted that it was critical that they be ADA compliant. He also questioned if they should be sloped and noted that happened as the platforms were long and reached into the angled parking. Based on that he suggested considering a requirement that the platforms be flat. He commended staff on including the construction diagrams as templates for applicants and recommended they be as simple and clear as possible. Under Section 4. Roofs he thought it was inappropriate to only allow civil or structural engineers to stamp and approve the parklet drawings. He thought they should not require design professionals at all for such simple structures. If applicants can demonstrate compliance with the Code the parklet should be allowed. If the City does require professionals then they should allow licensed architects and licensed landscape architects to be involved as further restriction is unfair and unreasonable to the applicants and unlikely to help promote better design standards. He repeated that design professionals were not needed for parklets. The roofs should be set to an 8 feet minimum instead of 9 feet. With fabric roofing he thought what they were trying to prevent was plastic or vinyl materials, but genuine fabric was not much of an issue. He suggested prohibiting "tent like" structures. That was not an objective standard for staff, but that was the intent of the Ordinance as reacted negatively to the large tent structures. With the enclosure of a parklet the issue was that there needed to be a visual connection to other activity on the sidewalk. Seated in a chair eye level was approximately 42 inches; therefore, establishing the barrier height at approximately 36 inches is appropriate. He stressed that it was important to promote the visual connection to the rest of the activity on the street. Section [B 1... 1D 1:04:48] discusses complying with the building code for guardrails, but that was grossly inappropriate. Guardrails exist for safety, and he argued that did not apply to parklets. It was convenient for staff to include it, but there was no justification. Aluminum should not be prohibited as a material, and he questioned the color restrictions. He did not believe the color created the dissonance on the street as much as the design and the large wedding tent like structures. He was not opposed to requesting neutral tones, but he also agreed with Boardmember Rosenberg's point that it was difficult to regulate the colors. In summary he wanted to integrate and consider bicycle parking and access from the street by pedestrians. Second, visibility was critical so the height of the barrier should be approximately 36 inches. Third, vegetation was critical so they should request a barrier with vegetation every 6 feet. Every parklet he found successful had some vegetation at the edges. He also advocated for language excluding "tent like" structures. Next it was important to allow a broader spectrum of design professionals to get involved or to not require the application be signed off by a design professional. Finally, they must determine the level of weather protection allowed between the top of the enclosure and the underside of the roof. He explained that Nola's parklet had a series of plexiglass panels above the enclosure for wind protection. There is a tradeoff on whether the business gets to enclose its dining versus the public's interest in having the space be part of the public environment. He did not have an answer but was leaning toward allowing transparent shades. The City needs to avoid any sense of blockage and it must be enforceable by staff.

Boardmember Chen felt similar to Boardmember Baltay on the topic of bicycle storage. She suggested the areas between the parklets could contain a sitting area for pedestrians. She also agreed with the other Boardmembers on the color issue as the parklet was an extension of the business and she did not see a reason to limit the colors used on decorative items such as pillows and cushions. Allowing businesses to pull inspiration from their indoor design would also make a more seamless experience for their customers.

They also needed to consider multiple weather conditions and how parklets could remain useful during different conditions; shades and side protection are necessary.

Boardmember Rosenberg said she would echo some of the thoughts she already heard. First, she agreed with Boardmember Chen that the permanent structures should be restricted to certain colors but anything soft or serving as a cushion could be different colors. She cited a chocolatier's parklet as an example where color helped it feel alive. She did not want the parklets to resemble each other so much that they became bland. So anything soft or considered an accent should not be restricted by color. She agreed with Boardmember Baltay that aluminum should be allowed. Vinyl should be restricted as it did end up looking very tent like. She read from Packet Page 32 regarding the allowable roofing materials and encouraged that plywood sheeting not be left bare, it should be painted or stained so as to not appear as though it was part of a construction zone. She agreed that fabric roofing should be allowed, especially when strung through a frame, but with the condition that no space heaters were allowed. Fabric is a more economical way to provide shade and shelter and therefore should not be limited. Packet Page 32 also discusses accessibility and she thought staff should add a maximum slope to the section. She further agreed that requiring structural engineering was a gross overstep. The idea that an applicant would have to upgrade their electrical and spend tens of thousands of dollars on outlets had her concerned. She understood why they hoped to push for electrical but noted that propane heaters were attractive and useful and so long as the propane was handled appropriately they should be allowed. If the City wanted to have all electrical they need a streamlined process for businesses to upgrade their electrical panels to be compliant. She agreed with Boardmember Baltay on the 4 inch sphere and the 36 inch enclosure height. So long as the barrier was attractive with planting every six feet it was sufficient. She repeated that aluminum should be allowed, and heaters should not be used with umbrellas.

Vice Chair Hirsch thought that his colleagues had already pointed out what needed to be addressed so all that was left for him to do was repeat their points. He noted that restaurants needed waiting areas and suggested the 4 foot area between parklets be used as such. The area could also be increased to provide more area to congregate while waiting for a seat. He agreed with Boardmember Baltay's suggestions and understood that the parklets needed to allow for utility issues so business owners would have to be flexible and work with the City. He agreed with the other Boardmember's comments on the colors and the lighting and felt that should be left to the business owners to create consistency with their interior designs. The principles are laid out in the document very well and the ARBs suggestions are made to allow for more flexibility in design. Overall the topic was well covered.

Chair Thompson said that she mostly agreed with the rest of the Board but had other ideas for them to consider. First, she felt they should not restrict color at all as the black, beige, and neutral colors made her think of a bleak future. She thought it was exciting to see the expression of the local community in the parklets. There was nothing wrong with extending a restaurant's interior design into the parklet. The document limits many things that might create a carnival look. She noted that there was a nice "tent like" structure on Castro Street. It is very large and would not translate to a parklet so she could agree with banning "tent like" structures. She asked the ARB to consider recommending that the City not restrict color. The parklet should have a relationship to the storefront. With lights there is a standard that felt too restrictive. She noted that there was a parklet Downtown with chandeliers and it was a very cool space. Therefore, they needed to be careful of any standards that would restrict that level of creativity. Wheel

stops and reflective delineators are very ugly, and she wondered if there was a nicer way to achieve their goals. Page 17 showed the wheel stop and delineator and she noted that she loved the idea of incorporating seating or bicycle parking there. The area could have a planter that acted as a wheel stop with a reflective line and she noted that she had forgotten to ask staff if that could be an option. The standard “city things” that they see all the time are sometimes difficult to look at and the City should do better for the aesthetic environment. The standards had a blank space about a standard parking space size, which she thought varied. She asked if staff wanted a suggestion from the ARB about the size. Staff should be encouraged to think of uses other than dining like lounging or even allowing parklets for non-food and beverage retailers. A fashion boutique could have merchandise in the parklet and that could create a vibrant space. The diagram mentioned by Boardmember Baltay contains line weights that needed a lot of work. She recommended that they redraw the diagram. With respect to the concept of amplified sound she understood there was a restriction but noted that some of the best spaces had amplified sound with music coming from the restaurants. There could be a time restriction included, but music was good for an enlivened street, and she cited New Orleans as an example. Staff requested that they discuss vegetation and she encouraged them to include it as part of the standards. Allowing for wind screening was also important and she agreed with Boardmember Baltay that it should be transparent. No tarps or soft plastic materials should be allowed. She stated that she could support fabric roofs and agreed with Boardmember Rosenberg on propane heaters. The City is looking to transition to electric, but the heaters might be a place where gas makes sense. She asked the ARB to state how they feel about color.

Ms. Tanner apologized for interrupting and stated that she wanted to respond to some of the things that were mentioned for context. Some safety matters they proposed could be carried to City Council, but staff would be reluctant to support them. For example, wheel stops and delineators are safety measures to help prevent vehicles from crashing into parklets or to guide a driver while parking. Delineators were particularly important at night. Therefore, she did not believe staff would support removing those. The 4 foot buffer zone is meant to be free of obstruction and the Office of Transportation would have to consider if bicycle parking was allowable. The structural engineering was only required for roofs to understand the wind load. Anything premanufactured would include a cut sheet that would suffice so long as it was appropriately installed. A platform with a railing would not require a design professional’s help. Staff can take the 36 inch railing to Public Works and the Building Department, but the 42 inches and the sphere were previously supported by staff as children could certainly be in the parklets. Just as the parklets need to be ADA accessible they need to also be safe for children. With the lighting staff discussed directionality as the parklets line streets and they were concerned about the lights interfering with motorists.

Chair Thompson thanked Ms. Tanner for those explanations. She asked if the wheel stops and the delineators could be achieved by another means.

Ms. Tanner said that with the reflective delineators she did not believe there was a viable replacement as they had to be two feet out. There could be reflectors on the enclosure, but that did not address the intent of having the two foot buffer zone. The delineator marks the buffer zone so anything replacing it would have to attach to the roadway and not the parklet. She stressed that these items were required for safety and not designed to be attractive, such as a bright construction vest. With respect to the wheel stop she thought planters were allowed. There are also heavy traffic safety devices available, but staff did not

propose those as they are also generally unattractive. The wheel stop is still recommended per the Office of Transportation and the National Association of City Transportation Officials (NACTO) did as well.

Ms. Gabel-Scheinbaum stated that every city that staff studied included wheel stops and delineators, so she thought it was a Transportation requirement. Staff could ask to see if there were alternative ways of fulfilling those requirements.

Vice Chair Hirsch stated that a wheel stop was based on the size of the car and asked if staff could explore that further. He repeated that in order to keep the sidewalk clear there needed to be other places for people and things to go. The areas on the perimeter of the parklets needs to be rethought and better utilized.

Ms. Tanner understood the point but did not see how staff could support people being allowed in the 4 foot area. Based on their review of other cities programs she did not believe staff would support changing or removing the delineators and wheel stops.

Boardmember Baltay noted that Chair Thompson was not advocating for no wheel stops, but rather to allow an applicant to provide an alternate design solution. Staff could add "or acceptable alternative" to the code.

Ms. Tanner stated they could ask the Office of Transportation if that was acceptable but noted that strayed from the streamlined review process.

Boardmember Baltay said that in the code it stated that a building official could accept an alternate process.

Ms. Tanner noted that parklets were Public Works permits and not Building permits. Staff was trying to create a program that included the different disciplines in a streamlined fashion. She indicated that staff was happy to have the dialog and they really wanted the feedback on the aesthetic standards, so they had not brought the staff to discuss the safety standards. Staff has extensively discussed the safety standards and she did not want the ARB to be surprised when Staff advised City Council they were not in favor of changing the safety standards.

Boardmember Baltay said that no one was interested in discussing the safety standards. they all wanted them to be fully implemented but were looking for the opportunity to have alternative aesthetic means of meeting the standards. he indicated support for Chair Thompson's suggestion.

Boardmember Chen thought they should limit the size of the allowed parklet for each business since new businesses were always opening and they deserved equal opportunities to have outdoor space. She also appreciated Chair Thompson's suggestion to allow retailers to have parklets for outdoor sales or displays.

Boardmember Baltay noted that the parklets were not free space and the City was required to still meet parking demands. Each parklet allowed places the City at a deficit for parking. Therefore, the City Council had to make the decision regarding other retailers and parklets and any related lease fees.

Boardmember Chen agreed that the issue needed to be reviewed and carefully regulated but restated that it was important to limit the parklet size and suggested tying it to Floor Area Ratio (FAR) or the storefront length.

Boardmember Baltay stated that the Council may want to consider that as part of the broader discussion on who qualified to have a parklet.

Chair Thompson explained that currently a parklet had to be a minimum of two parallel parking spaces.

Boardmember Rosenberg thought that it should be in alignment with the building façade unless there was an agreement with the next door neighbor.

Boardmember Baltay suggested that in situations where there was a disagreement between neighbors staff could render a judgement. The standard should not be so tight that it keeps staff from rendering judgement.

Boardmember Rosenberg agreed with Boardmember Baltay's point.

Chair Thompson did not want to discount the importance of the support of a neighbor and so was unsure about that point.

Vice Chair Hirsch supported Chair Thompson's ideas on color and lighting. He did not think parklets needed to be restricted to three colors. The City needed more of a bazaar experience on the street and color and lighting were very important.

Boardmember Baltay also supported not restricting color or lighting whatsoever.

Chair Thompson brought up Ms. Tanner's point about the lighting and vehicles and noted that she thought the previously mentioned chandeliers were cool and she wanted them to stay. She asked if there were a provision for omni directional lights to be shaded in some way for motorists. Further, University has a lot of light such as the twinkle lights on trees so she did not know how much of a problem the omnidirectional lights really would be.

Ms. Tanner suggested that they identify a strength of the light or some other measure that would allow omnidirectional light but only to a certain brightness.

Chair Thompson suggested a 5 foot candle minimum and indicated they would need a maximum.

Boardmember Baltay was not sure there was a problem with the lighting and thought they were attempting to regulate something that was not necessary. The Transportation Department might have overthought the matter at the expense of design quality and quality of life. Further, light violations might be impossible to enforce, and requirements would be a burden to the average restaurateur. The proposed code contains a mixture of other code items that he thought was concerning. For example, many restaurants used extension cords and overloaded circuits. There is a robust California Electric Code which should just be enforced as it amply covered the parklet situations. The Fire Marshall already has the authority to enforce those codes. On Packet Page 36 under Section 4 on Lighting there are details that might be constructed to go around the Electric Codes and he did not think the City should go that far as the matter was already carefully regulated.

Ms. Tanner said that part of why staff included that in the standards was to avoid what was currently happening with electric cords and parklets.

Boardmember Baltay thought staff was encouraging that type of use by implying it was allowed. It was not allowed and quite dangerous.

Ms. Tanner stated that it might not be reading correctly, and the conduit could only cross over at one point. Staff was trying to figure out how businesses could use the receptacle for the length of the parklet.

Boardmember Baltay expressed certainty that the Electric Code had a standard for how things were done on private patios and parklets should be no different.

Ms. Tanner thanked him for that feedback.

Boardmember Baltay thought that there was a City code on space heaters for private patios and the same thing should be used for parklets. It did not need to be included in the parklet code; the City just needed to follow its current space heater code. Gas for outdoor spaces is a large political conversation for the City and it should not be included in a design standard.

Chair Thompson thought she had seen electrical run over the ground with a cover over it. She questioned if the City really wanted to encourage restaurants to all have exposed conduit overhead.

Boardmember Baltay thought that was a good discussion for the ARB. He thought the conduit should be run under the sidewalk as that was not that difficult. Sidewalks are cut for all manners of reasons and there is existing code and procedure in place to cover it. Otherwise Chair Thompson was correct, overhead wires were unattractive and possibly not that safe. He questioned the ability of a wire run through a conduit to sufficiently power a space heater. Again, any safety issues already addressed by code should simply be followed.

Chair Thompson noted that the ARB had an additional three items. She thought that as they made numerous suggestions they may not be ready to approve the item yet. She suggested creating a subcommittee to work with staff on the specific comments made by the ARB. She asked staff if they wanted to do that or if they preferred she summarize the ARB comments.

Ms. Tanner stated that she had taken notes. She would convey the dialogue of the meeting in an at places memo for Council's May 9th meeting. Assuming the Council extends the program it would be appropriate to work with a subcommittee.

Chair Thompson suggested some straw polls for consensus. She called for a vote on not restricting color at all.

Boardmember Chen, Vice Chair Hirsch, Boardmember Baltay, and Chair Thompson all supported no color restrictions.

Boardmember Rosenberg voted no and explained that she thought the permanent structures might be chaotic without restriction. The City regulates color all the time. She supported soft furnishings and allowable accent colors but did not want to see a chaotic situation. Any permanent structure should be neutral but anything inside could be whatever color the applicant saw fit.

Chair Thompson called for a poll on not limiting directionality for lighting.

Boardmember Rosenberg stated there should be no restriction on lighting with the possible exception of omnidirectional flood lighting.

Chair Thompson supported that exception.

Boardmember Baltay, Vice Chair Hirsch, and Boardmember Chen also supported no limits on lighting.

Chair Thompson said that she would take the setback, the wheel stop, and the delineators together. Staff has advised that certain activities cannot happen in the setback.

Boardmember Rosenberg loved the idea of allowing for bicycle parking and suggested that occur in addition to the 4 foot right away. The City could regulate how frequently the bicycle parking needed to occur.

Vice Chair Hirsch did not find that to be sufficient to meet the needs of people waiting for seats at restaurants. He thought the City needed to provide for the possibility of people standing in the areas. He suggested an area that delineated where pedestrians and people waiting to be seated could queue and wanted that included in the code.

Chair Thompson suggested that if Council granted the extension the ARB would encourage staff to study the perimeter setback both programmatically and aesthetically. She asked if the ARB would support that.

The ARB unanimously supported that idea.

Boardmember Baltay suggested that if a restaurant came to the ARB and stated that it wanted to double its seating capacity they might say that the business needed to double its bicycle parking. He asked why the City was not considering increased bicycle requirements when they increase dining areas via parklet. Increased dining room size would usually trigger a list of regulations.

Chair Thompson noted that there were comments about visibility above 36 inches. She asked if the Board supported visibility with an allowable enclosure above 36 inches.

Vice Chair Hirsch agreed that the solid element should be only 36 inches. The proposed code also requests planters so that was likely to exceed 36 inches.

Boardmember Baltay believed staff's interpretation of the purpose for the guardrail requirement in the building code was inappropriate in the case of parklets. 36 inches or something close to that is important as it is a public outdoor dining area on public land.

Vice Chair Hirsch saw no reason for a guardrail except in the in-between areas.

Boardmember Baltay stated it was an issue of the height.

Vice Chair Hirsch agreed height was critical and did not believe it was a code issue.

Boardmember Baltay requested they hold a straw poll.

Boardmember Rosenberg also thought that the intent and purpose of a guardrail was for a height change of more than 21 inches.

Chair Thompson called for a straw poll to change the verbiage to 36 inches instead of 42 inches. The 4 inch sphere could remain.

Boardmember Rosenberg argued it was too restrictive. She understood the child concerns, but as there was no grade change she thought that was unnecessary.

Chair Thompson said that the straw poll would be on a 36 inch perimeter wall with a solid element. Above 36 inches visibility was required but a solid element could continue for wind screening.

Boardmember Baltay suggested they separate out the windscreen issue.

Chair Thompson stated that they would keep them separate.

Ms. Tanner asked what the ARB meant by solid as right now the 36 or 42 inches needed a periodic barrier, but it did not have to be solid. She asked if they wanted it to be solid.

Chair Thompson said they did not. She stated they were discussing the height of the periodic barrier.

Boardmember Baltay clarified that it was Section B1C and that they wanted to change 42 to 36 inches.

Chair Thompson stated that was the straw poll and the ARB unanimously agreed upon the change. She moved to the windscreen or side covering above 36 inches.

Boardmember Rosenberg said that clear plexiglass and not something flimsy was fine, but if it's a sunshade or similar that is 50% transparent it was a separate issue that should be regulated differently. She cautioned that transparent and translucent are different and should be handled differently.

Chair Thompson said they could separate it and discuss transparency first.

Vice Chair Hirsch said that there are two use cases: looking out and looking in. Owners are going to want the feel of more privacy for upscale dining. Therefore, he thought the transparency should be left to the owners.

Chair Thompson asked if they wanted to allow completely opaque screening above 36 inches and called for the straw poll. The ARB unanimously agreed they did not want to allow completely opaque screening. She noted that everyone agreed on vegetation, and it did not require a straw poll.

Ms. Tanner confirmed that the ARB had agreed upon prohibition of opaque above 36 inches. She asked if they planned to come back to other ideas.

Chair Thompson thought they were going to leave it open.

Boardmember Baltay suggested that they advise City Council that the matter needed further thought and the subcommittee would like the time to look into a suitable recommendation with staff about the appropriate level of transparency and opaqueness.

Boardmember Rosenberg stated that the committee also needed to discuss the allowable level of permanency.

Ms. Tanner thanked them for the input.

Chair Thompson stated that there were comments about “tent like” structures which would include tarps or plastic.

Boardmember Baltay asked if they could use the “tent like” language.

Chair Thompson said that it could be defined as vinyl, tarp, or soft plastic. She asked staff if that was permitted as a note on the quality of materials. She indicated that she saw nods from staff. The ARB’s note would be to discourage or prohibit the use of plastic vinyl material, tarp, or soft plastic as part of the roof, side covering, or enclosure. She called for comments prior to the straw poll. The ARB unanimously agreed to prohibit those materials. She noted that Boardmember Baltay had made a comment that 8 foot roofs should be allowed.

Boardmember Baltay stated he wanted to provide applicants more design flexibility.

Boardmember Rosenberg stated that it should be 8 foot clear on the underside. The other item she wanted to consider was the fabric roofs.

Chair Thompson asked how she wanted to frame that straw poll.

Boardmember Rosenberg said that she wanted to allow for the possibility of a fabric roof and also for the use of aluminum material.

Chair Thompson called for the straw poll on allowing fabric roofs and aluminum materials. The ARB unanimously agreed that those materials were acceptable. She called for other items.

Vice Chair Hirsch mentioned the heaters and asked if they were finished with that.

Chair Thompson stated that there was a question about whether that was part of the parklet code and should be included.

Boardmember Baltay said that currently the proposed code called for electric heaters only.

Chair Thompson agreed that should be discussed.

Boardmember Baltay strongly felt that the parklet code was not the place to define electric versus gas heater usage. Heaters were already highly regulated as they are dangerous and should not be redone.

Vice Chair Hirsch said that they needed to give direction on if they agreed that it should be electric or if it could include gas heaters.

Boardmember Baltay thought outdoor space heaters should be allowed so long as they met the appropriate codes.

Vice Chair Hirsch said that the Fire Department needed to provide clearances, etcetera.

Boardmember Baltay said that putting fabric over a space heater was clearly dangerous and not allowed by existing fire regulations.

Vice Chair Hirsch thought the space heater issue should be reviewed by the committee.

Boardmember Baltay appreciated that staff wanted to streamline it so that applicants knew what to do.

Chair Thompson stated she heard an ARB majority that it would like the restaurants to maintain viability by allowing heaters in the capacity that they are allowed. She suggested that they leave it at that and consider studying heaters and parklets in the subcommittee. For the record, the ARB understood heaters were crucial for the viability of restaurants. She called for further items.

Boardmember Rosenberg mentioned Boardmember Baltay's points about requiring civil and structural engineers. The code should be clear that prefab items do not carry that requirement. Custom built trellis should be allowed but signed off by civil, structural, architectural, or landscape architectural professionals.

Boardmember Baltay understood staff had push back from the Building Department. He noted that to put a prefab item in his backyard he did not need civil or structural engineering and the parklets should not be treated differently. If the Building Department felt structural calculations were necessary that was fine, but the standard should be for the Building Department to decide if it met the code.

Ms. Tanner stated that they needed wind load calculations on a roof structure that was affixed to a platform affixed to a roadway in a manner that would differ from being affixed to the ground.

Boardmember Baltay said that opened the door for expensive engineering and that was unnecessary for lightweight temporary structures. The public benefit of having the parklets outweighs the thousands of dollars in engineering and construction. It was difficult to calculate the wind loading or seismic loading on an open trellis structure. The City has not seen these structures collapsing or causing hazards so they should push back against the requirement. He hoped the ARB shared his position.

Chair Thompson stated that on prefab materials there were cut sheets.

Boardmember Baltay thought that applicants had to demonstrate compliance with the code and did not need design professionals.

Chair Thompson called the straw poll and Boardmembers Chen, Baltay, Rosenberg, and herself agreed.

Vice Chair Hirsch stated he was favorable to eliminating excessive engineering but was not sure it would be difficult to get prototypical wind load calculations prior to construction. The minimal dimensions and details should be included in the packet in order to satisfy the Building Department.

Chair Thompson stated that was a good idea and that she could support something being included with the parklet materials that would help applicants.

Boardmember Rosenberg [microphone was off 2:13:52].

Chair Thompson repeated that one of the diagrams needed to be revised for line weights. She suggested that go to the subcommittee.

Boardmember Baltay stated that the intent was there.

Chair Thompson said that it was not clear.

Boardmember Baltay stated that it was clear enough and Chair Thompson should let it go.

Chair Thompson asked if anyone wanted to make a Motion referencing the straw poll.

MOTION: Vice Chair Hirsch moved, seconded by Boardmember Baltay, to propose the items they voted on to the Council as a representation of the ARB's unanimous or nearly unanimous commitment to the details.

FRIENDLY AMENDMENT: Boardmember Baltay suggested the ARB recommend to City Council that they extend the pilot program and allow the ARB to review the items in further detail.

FRIENDLY AMENDMENT ACCEPTED: Vice Chair Hirsch indicated he accepted the Friendly Amendment.

Chair Thompson called for questions on the Motion by staff but there were none. She called for ARB comment.

Vice Chair Hirsch thanked staff for the good study and research.

VOTE: 5-0-0-0

The ARB Took a Break

4. PUBLIC HEARING / QUASI-JUDICIAL. 546 Oxford Ave. [22PLN-00243]: Consideration of a Major Architectural Review to Allow the Demolition of 450 sf Commercial Office, and Single-Story House with Detached Garage and the Construction of Two New Two-Story Single-Family Homes; Unit at the Rear of lot shall be two-story with a basement and detached garage approximately, 2000 square feet, Front Unit, new two-Story Single Family and an attached carport approximately 1400 square feet. Environmental Assessment: Exempt from the California Environmental Quality Act (CEQA). Zoning District: RMD (NP) (Low Density Residential, Neighborhood Preservation Overlay). For More Information Contact the Project Planner Emily Foley at Emily.Foley@CityofPaloAlto.org.

Chair Thompson introduced the item and called for disclosures.

Boardmember Baltay disclosed he visited the site earlier in the week.

Boardmember Rosenberg disclosed she had also visited the site earlier in the week.

Boardmember Chen disclosed he visited the site earlier in the week.

Vice Chair Hirsch disclosed he visited the site and the neighboring property as well.

Chair Thompson called for the staff presentation

Emily Foley, Project Planner, shared her screen with the ARB and displayed an aerial view of the project location as well as photographs of the existing conditions. The zoning is RMD, so the allowable uses are single or two family residential use. As a part of the proposal the existing non-conforming commercial building and the existing residential structures would be demolished, and two new detached residential units and a detached garage would be constructed. The site is 37.5 feet wide and 139 feet long. The rear unit would receive the detached garage and the front unit would have an attached parallel parking carport. The property is adjacent to single family residential to the rear and is subject to the Individual Review (IR) process. Surrounding uses include multi-family residential, a hotel, and commercial/office mixed-use across the street. She displayed the proposed project elevations and explained the materials were wood siding and stucco. the proposed materials were available to the ARB on the material board.

She displayed the side project elevations including the garage and the carport. The ARB is asked to comment on massing, materials, landscaping, consistency with the Comprehensive Plan, ARB Findings, and Zoning Code. IR applied to the portion of the rear property line as it is adjacent to two family use. Staff and its consultant reviewed the project and have no IR concerns. Staff is asking the ARB to comment on the project and expects it to return for a formal recommendation in the future.

Kyu Kim, architect, indicated that the presentation would start with the property owner.

Rosita Wong, property owner, thanked the ARB for their work and time. She explained that she purchased the property for her parents who are moving to the United States. They are in their seventies and do not drive or speak English, so she felt the location with the market across the street was very convenient for them. She thanked the ARB for coming out to look at the site and mentioned how the hotel was very tall and cast a wide shadow, so the design was informed by that. She met with the neighbors the day before and indicated she was open to additional landscaping to address any concerns. She explained that a homeless man sleeps next to the hotel and so the property was designed with the driveway on the opposite side of the property from the hotel. She thanked the ARB for keeping her parents in mind as they made their deliberations and for working on the project.

Mr. Kim thanked Ms. Foley and the ARB for their work. The lot is unique and quite narrow. The existing buildings were constructed in the early 1950s. He displayed an aerial view of the project area including labeled streets. There is currently an existing one story office building, a single family residential structure, and a detached three car garage on the property. The Stanford Terrace Inn is a neighbor as is a four unit condominium project. He provided street and aerial views of the existing condition and noted the large wall from the hotel. The site has clearly deteriorated, and the proposed replacements are two single family homes and a detached garage. He displayed aerial views and elevations showing the proposed project and explained that the driveway was moved to the other side of the property and would serve as another buffer for the neighboring condominiums. The driveway was also moved in order to provide the project with additional daylight. The site was challenging to work with due to its width and the required driveway for both homes. Additionally, the site required three parking spots, at least two of which had to be covered. Accordingly they designed a detached garage for the rear unit and a covered carport attached to the front unit. The carport also serves as a buffer between the two residential units. Each dwelling unit is two stories with the front unit just under 1,400 square feet (sf) and the rear unit is just over the 1,400 sf. The arborist and landscape designer took inventory of the trees including a significant coast live oak tree on 550 Oxford. The driveway placement also helps to limit digging near the oak tree. There are some smaller trees on the property which may have to be removed due to the positioning of the driveway but would be retained if possible. The project also intends to plant additional landscape for screening along the property as possible in the limited space in addition to a fence. He displayed photographs of plants that the landscaper was considering for the project. The material palette is meant to be simple, contemporary, and clean. The first floor of each unit would have horizontal wood siding with stucco on the second floor. The ARB was provided with samples of the materials. He displayed the elevations again and noted they needed to do some architectural gymnastics to deal with the site constraints. The applicant was open to ARB and neighborhood comments. The project was only before the ARB due to the zoning, which was unique and possibly no longer necessary considering the new State rules and

regulations. He thanked the ARB for its consideration and requested they pass the project that afternoon if possible.

Chair Thompson stated that the ARB had two wood samples before it and requested the applicant clarify what they were looking at.

Mr. Kim indicated that they had a preference for the UFP sample. The other sample was what was available to them at the time they needed to submit the samples. They are open to any comments the ARB has on color or stain.

Chair Thompson confirmed that the UFP sample was in the proposed color.

Mr. Kim indicated that it was.

Boardmember Baltay stated that the wood was raw and asked about the proposed finish.

Mr. Kim stated the wood was thermally treated and had a sealant coat that was applied by the manufacture. The sample should look like natural wood and may fade or weather over time.

Boardmember Baltay clarified that they were proposing not to put any other finish on the surface.

Mr. Kim stated that there would be a clear coat or stain to help preserve the wood.

Chair Thompson called for the public comment.

Ms. Klicheva indicated there was one public speaker.

Hanna Chandler stated she was a homeowner adjacent to the property and was representing the other homeowners of the four unit condominium. They were concerned about preserving 8 existing trees at the mutual fence and two large trees on 546 Oxford. The drawing does not show all the existing trees and neighbors had mentioned that before. Neighbors want to maintain a health environment between the properties and the project seeks to run a driveway that required removal of 5 trees without mentioning how they would be replaced. They were concerned for the health of the trees on their property as the roots may be covered by the driveway or garage or be damaged in construction. Loss of the trees would affect wildlife as they have multiple birds and a hawk nesting in the trees. The neighbors did not accept the argument that the trees could be replaced as it takes years for a tree to mature. Based on this the neighbors request that the driveway be placed on the other side of the property and the green screening between the properties be maintained. She asked the ARB to consider the quality of life of the neighbors and integrate their thoughts into the new construction.

Chair Thompson closed the public hearing and returned to the ARB. She asked if the applicant wanted to respond to the public comment.

Mr. Kim stated that their arborist and landscaper returned to the site and inventoried the trees. Sheet L1 contained all the trees.

Chair Thompson indicated that they would move to questions of staff and the applicant.

Boardmember Rosenberg stated that it looked like two trees were slated for removal and asked if that was accurate.

Mr. Kim indicated there might be up to two more trees affected and asked for a moment to review his drawings.

Boardmember Rosenberg stated that there was a 4 inch tree and a 12 inch pepper slated for removal.

Mr. Kim explained an acacia tree had been mislabeled as a pepper tree.

Boardmember Rosenberg said that Google Maps appeared to show other trees. She asked if they were too small to be shown on the plans.

Mr. Kim said that the discrepancy was due to that as the surveyor only marks trees 4 inches in diameter or larger. The arborist and landscape designer included other smaller trees. The three trees marked for removal are the 4 inch tree, the 9 inch acacia, and a 3 inch maple at the middle of the property.

Boardmember Chen noted a discrepancy in the plans about the roofing of the carport and requested clarification.

Mr. Kim explained there was a missed notation there. Previously they had proposed a standing seam metal roof. The roof of the carport and the detached garage should be composite asphalt shingles. The applicant was open to alternatives if the ARB found that necessary.

Vice Chair Hirsch stated that he had further questions about trees. On T5 the fence would be retained as would the willow trees. He asked if they were all willow trees.

Mr. Kim indicated that the trees at the back of the site on the 550 Oxford lot were all willow.

Boardmember Rosenberg indicated that T4 said Trees #2, #3, and #4 were European white birch and European white birch strawberry.

Mr. Kim said that he would defer to the arborist's report.

Boardmember Rosenberg advised Vice Chair Hirsch the trees were inventoried on T4.

Vice Chair Hirsch asked about the willows.

Mr. Kim explained they were white birch and white birch strawberry.

Vice Chair Hirsch noted that the current garage did not interfere with the trees, but the new garage was closer to the corner. He asked what the arborist thought about the trees.

Mr. Kim believed the arborist mentioned that in the report and in the impact assessment and inventory. Those are moderately tolerant species that would hopefully hold up through construction.

Boardmember Baltay noted that the impacts of construction part of the arborist report stated that the proposed basement extended into the Tree Protection Zone (TPZ) of the neighboring live oak. There were then changes made to the plan. He inquired if the design was the initial stage or if it reflected the changes.

Mr. Kim said (interrupted)

Boardmember Baltay stated that his question was of staff.

Ms. Foley explained that the proposed design was made following the arborist's report which was dated October 2021. The plans were submitted in February. Urban Forestry reviewed the submitted plans and had no concerns about the basement in its proposed location.

Boardmember Baltay asked if there was documentation to that effect because the initial arborist's report was damning.

Ms. Foley said that Urban Forestry made a recommendation of approval with conditions. She indicated that she would pull them up and put them on the screen.

Ms. Gerhardt noted that staff was not requesting a recommendation at this hearing, only comments. Staff would take Boardmember Baltay's comment and work on it in the interim.

Mr. Kim said that the initial plans for the basement were to follow the footprint of the first floor and would have encroached on the oak tree. The current plans show that the basement footprint was revised to avoid the tree drip line.

Chair Thompson called for ARB comments.

Boardmember Rosenberg stated that she still had questions of the applicant.

Chair Thompson indicated that she could ask them.

Boardmember Rosenberg indicated she was looking at Plan A2.0 Basement Level Floorplan 1 and it showed the TPZ. It appeared that a corner of the closet was encroaching the TPZ as was the basement bathroom shower. She asked if that was correct.

Mr. Kim said that they did encroach partially into the drip line, not the TPZ. The dotted line indicated the drip line.

Boardmember Rosenberg stated that the front unit had no primary suite.

Mr. Kim agreed that was accurate.

Boardmember Rosenberg asked if the parking space between the two buildings was feasible.

Mr. Kim stated that it was both feasible and inconvenient.

Boardmember Rosenberg asked if it was parallel parking between two buildings.

Mr. Kim agreed that it was.

Boardmember Rosenberg stated that she understood Ms. Wong's parents did not drive but noted the ARB could not take that into consideration.

Mr. Kim agreed and stated they had to provide the parking.

Boardmember Rosenberg commended Mr. Kim for his work on such a narrow site. The solution was creative, and she had concerns about the parking. She inquired about the setbacks for the rear detached garage.

Mr. Kim said that they did not want a zero setback condition due to eaves and gutters and other things and looked to keep those on the property. That was how they arrived at the setback. If the ARB recommended expanding the 1 foot setback to 2 feet they were open to it.

Boardmember Rosenberg asked about the distance between the front right corner of the garage and the back left corner of the rear unit.

Mr. Kim believed it was 8 feet.

Boardmember Rosenberg confirmed that the minimum would be three feet.

Mr. Kim agreed.

Ms. Gerhardt said that it looked like it was 6 foot 9 inches and the minimum allowed was 3 feet.

Boardmember Rosenberg directed their attention to A3.2 and the side elevations. On Elevation #2 the side stepping roof maintains a height limit and followed the FAR.

Mr. Kim said that was correct and explained that because they were so close to maxing out the area of the project they had to step the roof.

Boardmember Rosenberg confirmed it was the same reasoning used for the front sloped angle roof on the front unit.

Mr. Kim stated that was correct.

Boardmember Rosenberg asked for the angle of the slope of the carport roof.

Mr. Kim said that he was currently displeased with the slope of the roof. He wanted it to match the pitch of the new proposed roof on the homes. They have decided to reduce the pitch and it should be consistent with the pitch over the dwelling units.

Boardmember Baltay stated that Mr. Kim indicated that the basement encroached on the drip line of the tree but not the TPZ. He advised staff that he thought the opposite was the case. The drip line was approximately 10 feet and showed on the drawings. The City's TPZ was 18 feet and the record needed to be clear on that. He asked if Ms. Foley could confirm the TPZ.

Ms. Foley stated that the TPZ was 10 times the diameter of the tree trunk. Therefore, she would ensure that the plans showed the proper TPZ in the future.

Boardmember Baltay thought the plans correctly showed the TPZ. He stated that the applicant was not allowed to put the basement within the TPZ, yet the drip line was closer to the tree. He had heard the applicant state the opposite, so he wanted to be clear about the situation.

Chair Thompson called for ARB comments.

Vice Chair Hirsch stated that he built his house next to an oak tree and that it was 10 feet from his foundation wall. Construction showed that there were no roots from the oak in the area so they could build the corner of the back of the house. The willow trees could be more of a problem than the oak for this project. If the applicant could agree to provide testing during the preliminary stage before

construction they might get answers to some of the tree issues. The oak and the other trees that are large enough should be taken very seriously and the ARB would prefer that they remain. The two dwellings run two materials together and are not as aesthetically pleasing as if continuous material was used. The way the materials met was not as well defined as they might be due to the shape of the buildings. If there was no overlap between the oak and the new construction there might be a way to consider porous paving to get water to the roots of the tree. In general he found the plans pleasing and understood that they were planned for the future as well as for the use of the elderly couple. He questioned which home was intended for the elderly parents.

Ms. Gerhardt stated that it was best for the ARB to not focus on who would reside where.

Vice Chair Hirsch stated that the parking was a major issue as the lot was very narrow. Cars would have to back out of the lot. the covered carport might allow for a vehicle to turn around, but the rear garage was very limited. He did not know how to solve the issue, but he did see it as a problem. He suggested that it might be easier for a car to get out if the garage were turned or if the buildings were closer together. The site was very deep, and it could be an issue to back a car out of it. The issue would be lessened if they were not trying to build two dwellings. In order to solve the problem they may not be able to have two dwellings placed in the proposed manner.

Ms. Gerhardt clarified that the parallel parking spaces met the code requirements. Therefore, they were not able to require much more than that other than small tweaks to make it better.

Vice Chair Hirsch stated that he found it to be a problem and thought it should be mentioned. There were other ways to handle the parking. The way the carport met up with the buildings created an odd angle and interrupted the back of the building. he questioned the reason for the carport and stated he did not see that it was necessary and thought it might be better operated as a turnaround. The plans were quite nice, but he wanted to see more landscaping in the front. He was pleased that the project came to the ARB early in the process so they could give their feedback on the project. The internal planning was well done, and the use of cellar space was interesting. Another major issue is that there are a lot of large windows facing a building with a lot of large windows. The ARB has not been shown what would happen where the windows were on the adjacent building, and he would like to see that in the future. He referred to A4.2 and noted that there was a large window in the upstairs open space and one of the rear bedrooms. Programmatically he was concerned that privacy was an issue. The front of the building was a one story structure facing the street and has an open deck. He found that to be a weak relationship. He did not understand the small amount of stucco and the large amount of wood. There was no detail or definition of how the materials would relate. He thought the open space should be closer to the interior of the lot. Generally he was not comfortable with the relationship of the bottom to the top of the buildings and the privacy issues from the second floor of both buildings.

Boardmember Chen thanked the applicant for their presentation. The site was challenging and quite narrow. She found that the architect did a good job with the floor plan. The site plan made sense to have the driveway on the lefthand of the site to allow for the south facing windows and gave more distance between the neighbors. She was not comfortable with the parallel parking but understood that it was allowed by the code. She asked if the carport could be turned 90 degrees. The materials were good, but the applicant needed to supplement where they wanted to put the materials. She suggested that they

play with the materials in different locations. She was also unsure of the roofline although she understood they did it because of the FAR. She did not know if the applicant was open to downsizing the program and perhaps eliminating a bedroom to allow for the staircase to be within the building shell. She was also concerned there was too much glazing on the elevations and about the Title 24 calculations. The applicant may want to reconsider the window size and locations for privacy.

Boardmember Rosenberg repeated that the architect did a good job squeezing the project into a narrow space. She was concerned about the use case for some of the structures. First, the large bi-folding door to the side of the garage led her to think it would never be used for a garage. That also led her to believe it would not be used as parking, which was required for the project. The carport also could be used as a patio and then the project would have zero parking spaces onsite. The entire left side of the project is a paved driveway that pins in the rest of the property, and she was not sure it would ever be used as a driveway or a parking structure. She had concerns that it was all being put there for alternate use, so the driveway was for naught. She noted that none of the bedrooms in the front unit had closets. Bedroom #4 would be reduced to a 7 foot wide bedroom with the inclusion of a closet. She understood that the use of the building was not necessarily the ARB's concern, but a seven foot bedroom led her to believe that it would be used as an office. She questioned if all four bedrooms would be used as cubicles and the house would actually serve as an office. A house should be designed and used as a house which requires closets. The rear unit felt more like a house with a primary bedroom, on suite bathroom, and walk in closet. The upper bedrooms were very small with Bedroom #3 only being 7 foot 7 inches in one direction. The windows in Bedrooms #1 and #2 felt out of scale and proportion. She appreciated the driveway provided a privacy buffer but thought the windows were grossly out of scale and made privacy a concern. The downstairs light wells could have sliding windows rather than swinging. With the roofing she disagreed with the code and found the stepping down of the roof over the staircase to be unattractive. She understood why the applicant did it and the code but wished it could be different. She did not like the sloped roof over the front staircase but understood why it was there. With the rear elevation on Sheet A3.1 #2 should be the primary façade for that large window. Having the large window on the side facing the neighbors was out of scale and inattentive to privacy concerns. She wished the slope of the garage roof and the carport were lower. She echoed other Boardmember comments that the transition between the wood and stucco was abrupt and could use a detail of some kind to tie the two together. She loved the wood and stucco combination and colors, but the transition needed more attention. She had no concern about the skylights so long as they were allowed by Title 24. She thought that by flipping the housing to the side away from the oak tree the applicant gave it the best chance to survive and thrive. The oak was exactly the type of tree that Palo Alto wanted to protect. The potential encroachment on the dripline seemed pretty minimal and if she were the homeowner she would appreciate the flexibility to expand the basement if no roots were found.

Boardmember Baltay thanked the applicant for the application and commended the architect on his work. Overall the project was not ready for approval as there were too many inconsistencies that had not been thought through yet. The project needed another round of work. On the site plan the project is constrained by the City's parking requirements. An Accessory Dwelling Unit (ADU) could go in the back instead of the garage and eliminate the requirement for one covered parking place. That would provide the applicant more square footage, the City with more housing, and solves half the parking problem. He asked if the applicant had considered that. He further questioned if they had the correct layout for the

occupants because of the large wall to the side of the project. If the driveway were flipped the space might be used better. He stressed that he was not stating that was the answer but that he was not convinced they had thought that solution through. The birch trees were the nicest ones on the property and would not be seen in the current site plan. The applicant needed to rigorously rethink its options for development. The form of the building was attractive but not thought out for elderly people. The most significant tree that needed to be saved was the coast live oak on the neighbor's property. The tree had a dripline of about 10 feet and the proposed project did not encroach on the tree. Therefore, he questioned why the arborist condemned the project and stated that he did not understand the answer that he had been provided. He stressed that the applicant needed to do some exploration to determine where the tree's roots were so they could be allowed to build the basement as desired. Currently that was not happening, and the applicant was still proposing a basement in the TPZ. He asked why the pieces were not put together and stated that by the time a project came to the ARB it should have a strong measure of protection from the arborist stating that the project would be ok. With respect to the floor plans he was not concerned who would live in the homes, but as Boardmember Rosenberg indicated they did not work. Some bedrooms were too small, some did not contain closets, there was a kitchen with a countertop to refrigerator clearance of 2 feet. Those items fundamentally do not work so the design needed another pass. He suggested there could be too many bedrooms. The lightwells in the basement were strange and he suggested adding one along the side of the basement staircase to would flood the basement with light and take care of the issue with the neighbors retaining wall. The furniture arrangement in the rear unit did not make sense and provide for clearance. Vice Chair Hirsch's concerns about privacy were echoed by other Boardmembers and were extremely important. There are large windows facing a neighboring property with large windows so everyone would stare at each other. He requested a demonstration of how the building would not impact the neighbor's privacy. He suggested shifting and resizing the windows. The ARB had struggled with objectifying that standard and in this project it appeared to not have been considered. The lot is narrow and had to work for the applicant so the ARB would work with them, but the privacy needed to be carefully considered. The building massing was attractive, and the architect provided clever designs. Sloping the roof over the stairs would not work and save the floor area so there would have to be design revisions made in other places. With the materials the wood boards proposed would turn a warm grey in 18 to 24 months per the manufacturer's website. That is a different look than what was presented to the ARB. The material is also extremely expensive, and he found it unlikely that was the material that would actually be used. Therefore he wanted to see what they would really use to achieve their goals. Vice Chair Hirsch correctly pointed out that the detailing in the joining of materials was critical. Here the building is offset so the soffit would need to be detailed. The ARB needed to see the detail and he was left with the feeling the item had not yet been thought out. He stated that the presentation to the ARB was not serious, and he wanted it to be. The landscape plan made him question the plant choices, specifically the odd pine shrub proposed at the base of the large concrete wall. He did not think any of the plants were native, which is required in the code. The landscape plan seemed inconsistent with the schedule. Three large lawns were not thoughtful landscaping. Many people in College Terrace do things like group native grasses but this project did not seem thought through. Lastly, the project had to meet the green building requirements, but the paperwork was not filled out and submitted. Based on all of that he suggested to the ARB that the project would require an additional hearing.

Chair Thompson reminded the ARB that they were not asked to make a recommendation, only to make comments on the project. She thanked the applicant, members of the public, and the ARB for its commentary. In general she slightly disagreed with Boardmember Baltay on the driveway configuration. The current configuration maximized the open space. There were other ways to make the parking spaces more convenient, but they would cost open space. As the proposal maximized open space to its full capacity she appreciated it because she would prioritize open space above cars. She also appreciated Boardmember Rosenberg's point that the parking may not be used for cars and thought that was up to the residents. One of the biggest questions she asked herself was about the configuration and if there was a better one to maximize open space and keep privacy between the dwelling units but after consideration she did not mind the current configuration. She appreciated the other Boardmembers comments on the coast live oak and agreed that if there was a way to better prioritize the trees on the site, even the three inch maple, she would support it. She suggested the applicant add a detail for how the stucco material would meet the wood and better define the treatment of the wood and how it would age. She could make Finding #2 as the project had a unified and coherent design. When the project returned to the ARB she thought she would be close to being able to make the Findings. She further encouraged shading on the south windows. She asked staff if the ARB needed to summarize its comments or if the discussion was adequate.

Ms. Gerhardt wanted to know if the applicant had questions so that they were clear about what to return with.

Chair Thompson called for follow-up comments from Boardmembers. Seeing none she asked the applicant if they had questions of the ARB.

Mr. Kim did not have questions about the comments but thought the property owner wanted to speak.

Chair Thompson indicated that the property owner was welcome to ask questions.

Ms. Wong stated that she appreciated the ARB's time. She noted that the front dwelling was designed for her parents. They have two grandchildren who visit on the weekends but do not live there, which is why the rooms were designed without closets. The children will also use the upstairs family room to watch television as they speak English, and her parents watch Chinese television. So she just wanted to make it clear that the front house was designed for her parents and noted that her mother did not use stairs and would remain on the first floor. There was no intention to make the rooms offices and she made the architect increase the window size because she appreciated the light. She had no problem changing the garage sliding door to a wall and stated that they were open to the ARB's feedback and appreciated their time. The property was unique because it was really designed for her parents.

Chair Thompson reminded the ARB that its purview was the exterior of the building.

Boardmember Baltay stated that the purview included functional architectural design and in the past the ARB had taken issue with interior floor plans as they affected the outside of the building and declined projects due to that. He thought what Boardmember Rosenberg said about the floorplan was correct and that it would be changed after the ARB reviewed it, which they were trying to avoid.

Vice Chair Hirsch added that exteriors were designed in conjunction with the interiors. The ARB had to look at the whole picture and he was concerned that sometimes they were overly focused on materiality, and they needed to take a more general approach to the review.

Chair Thompson noted that the public comment was closed and then attempted to close the item but was reminded they needed a Motion.

Ms. Gerhardt stated that they needed a Motion to continue to a date uncertain.

MOTION: Boardmember Baltay moved, seconded by Boardmember Rosenberg, to continue the item to a date uncertain subject to the comments made.

VOTE: 5-0-0-0

5. PUBLIC HEARING / QUASI-JUDICIAL. 180 El Camino Real [22PLN-00028]: Recommendation on Applicant's Request for Approval of a Board Level Architectural Review application to allow for a new storefront façade and signage for Brilliant Earth retail tenant (formerly Marimekko – Space #71, Bldg. D). Environmental Assessment: Exempt From CEQA per Section 15303 (New Construction). Zoning District: CC (Community Commercial). For More Information Contact the Project Planner Tamara Harrison at Tamara.Harrison@mbakerintl.com

Chair Thompson introduced the item and called for disclosures.

Boardmember Rosenberg disclosed she visited the site.

Boardmember Baltay disclosed he visited the site.

Boardmember Chen disclosed she visited the site.

Vice Chair Hirsch disclosed that he had not visited the site this time but had visited in the past.

Chair Thompson disclosed that she had not visited the site. She called for the staff presentation.

Tamara Harrison, Project Planner from Michael Baker International, explained that she would make the presentation as the Contract Planner for City staff. She shared her screen and explained the item was for the Brilliant Earth façade and sign change at the Stanford Shopping Center. She displayed the project location and explained that it was subject to the Master Tenant Façade & Sign (MTFS) program. Storefronts that exceed 35 feet in length require an ARB public hearing. The project is in the center of the Stanford Shopping Center and faces Sand Hill Road it seeks to change the existing façade and proposes new signage. The project does not increase FAR, height, or lot coverage nor does it propose a use change. The new exterior façade featured four design components consisting of thin white brick veneer, a champagne colored trim at windows and doors, open storefront glazing, and dark bronze metal signage. The design is consistent with the MTFS program and the character of the shopping center. She displayed the color and material board against an elevation of the store. The sign is subject to the Palo Alto Municipal Code and is allowed a maximum of 65 square feet for wall signs. The Municipal Code also allows for a blade sign up to 3 sf in area. Signage is also subject to the MTFS program which allows for one wall and one blade sign. The ARB must determine compliance with its Findings, the MTFS, and the City's Sign Code. Staff recommends the ARB recommend approval of the proposed project façade changes and signage to

the Director of Planning & Development Services based on findings and subject to staff's conditions of approval. She stated she was available for questions.

Chair Thompson called for the applicant's presentation.

Jason Smith, Landshark Development, thanked the ARB for its time. He noted that he had been before the ARB previously with other façade and sign projects. They have taken Boardmember Baltay's comments about bicycle parking into consideration. Staff is working with Simon Properties to get those implemented and placed throughout the Shopping Center. He introduced Tanya Springer of Brilliant Earth to discuss the project and noted that the design architect would follow her.

Tanya Springer, Construction Project Manager for Brilliant Earth, stated that they were grateful to be before the ARB and were greatly anticipating joining the Stanford Shopping Center. Brilliant Earth was founded in Palo Alto as both CEOs graduated Stanford. The company began as an ecommerce bridal jeweler in 2005 and has expanded into the fine jewelry market and providing customers with a stronger retail experience. The company went public in 2021 and opened 7 new locations bringing the total physical presence to 19 stores nationwide. The brand caters to a Millennial and Gen Z audience, so the goal was to provide an elevated and elegant design to offer enhancement to the product experience. They loved natural lighting, neutrals, and textures with pops of muted color. She introduced Mitch Pride from MG2 to go through the design components.

Mitch Pride, Associate Principal at MG2, stated that they had worked with Brilliant Earth since 2019. In general the design was about affordable and approachable luxury. They wanted to key into that with their materiality, especially in California with its ease and approachability. The white painted brick added texture and familiarity and the champagne and metal aspects add luxury. He shared his screen and displayed the existing condition versus the proposed façade. The façade will brighten the corner, ensure that the store is visible from the lot to customers, and adds to the atmosphere of the shopping center. Another unique thing about Brilliant Earth is the transparency at the window line for jewelry. Natural light is the best way to display diamonds, so it was important to let as much in as possible. He explained the entry included an eyebrow canopy above the door and signage in dark bronze with halo illumination behind it. The showroom is to the left of the door with the blade sign on the far left for wayfinding. Sconces are used as accents to provide a luxurious feel to the environment. They were excited to open in the shopping center and he was available for questions.

Chair Thompson called for the public comment.

Ms. Klicheva indicated that she had no speaker cards and saw no raised hands.

Chair Thompson called for ARB questions of staff or the applicant.

Boardmember Chen inquired about the detail treatment over the left window. The rendering showed vertical bricks, but the elevation showed horizontal materials. She requested clarification.

Mr. Pride said that the intent was to match the depth of the canopy over the showroom window.

Boardmember Baltay indicated that Drawing A102B appeared to show the showroom window to the left as smaller than the entrance, but the plan showed it 25% bigger. He asked if that was a graphics issue or for the intended size of the showroom window relative to the entry door and window.

Mr. Pride stated it would match the plans, so he thought it was a perspective issue in the rendering.

Boardmember Baltay asked if he heard correctly that there would be a soldier course of brick above both openings. The prospective showed the champagne finished metal canopy over the door.

Mr. Pride explained the soldier course would be over the lefthand opening and the canopy over the righthand opening. They would match in height and provide a datum line.

Chair Thompson clarified that the elevation on A201 should show the soldier course.

Mr. Pride stated that was correct.

Vice Chair Hirsch asked which drawing showed the canopy over the entry door.

Mr. Pride stated it was on A201.

Vice Chair Hirsch said that it was hard to read in a straight on elevation without shadow lines. He asked if there was an interior door that would cover the windows at night or if they would remain glazed and open.

Mr. Pride explained they stayed glazed and open. The windows would have security film in order to do so safely.

Vice Chair Hirsch confirmed that the door on the far right was for egress. He asked if that was part of the design or part of the operation of the building or another area.

Mr. Pride explained that the far right door was an exit from a common corridor. It was captured in the storefront for consistency. The previous tenant also captured it in their façade, so they were following through with the finishes to the corner of the building, but it was not their space.

Chair Thompson asked if the applicant could confirm if the amount of coverage was the same related to the not in contract door.

Mr. Pride stated that it was. They were doing a straight finish update from the existing condition.

Chair Thompson thanked the applicant and called for ARB comments.

Boardmember Rosenberg appreciated being able to see the materials in person as the rendering appeared to have a grey brick and yellowish metal. The white brick and champagne metal in person gave her more confidence in the material selection and she felt they were high quality and aesthetically pleasing. Otherwise the design was understated and simple.

Boardmember Baltay thanked the applicant and noted that the storefront was too plain looking. He agreed that it was nice to see the materials in person. He found the brick nice and the champagne metal color fine but thought a 20 plus foot tall wall of painted brick with little detailing not acceptable. He asked for something more detailed as the white brick seemed too plain. He also suggested more trim or detail

around the windows. The soldier course above one opening was inconsistent and wanted to see more treatment of the opening of the wall. He also was not sure that the “bought” the painted brick. He acknowledged that there was a large tree in front which would offset the impact, but he was unconvinced the project was acceptable.

Boardmember Chen shared Boardmember Baltay’s feelings about the huge wall. She would appreciate a more detailed treatment above the windows and something additional on the façade.

Vice Chair Hirsch agreed with the other Boardmembers. He was bothered by the door in the corner which would draw the eye due to the contrast between the white and the door. He wished the line of the storefront doors was maintained and suggested an outer door. The door was an eyesore compared to the rest of the façade and he suggested studying it and recognizing it in the design. He noted that the area of the shopping center where the store would be was the darkest part of the shopping center so the white was a nice contrast in that respect. Otherwise he agreed that there was not enough detail to the façade. He suggested adding a third element to the design. The entire presentation could be better and the door to the far right needed to be addressed.

Chair Thompson stated that her opinion was closer to Boardmember Rosenberg’s, and she thought the materials were doing much of the heavy lifting. She thought it was okay to do a large wall with brick because of its scale and grain. She did appreciate the other Boardmembers opinions that it was too plain and noted that the adjacent store was all black and quite plain. The elevation on A201 and the rendering do not match, and it appeared that the distance between the edge of the not in contract door and the wall was smaller than shown on the elevation. She suggested further study of the site conditions to make sure the elevation was accurately reflecting what was onsite. She stated that she was ready to recommend approval and asked if changes could be addressed in an ad hoc committee or if the ARB felt the project needed to return.

Boardmember Rosenberg stated that every store did not need to be a showstopper. She admitted that she was a minimalist and appreciated a clean, simple design. The project could have more of a wow factor. She understood the other Boardmembers thoughts, but she was not opposed to plain. The tenant was trying to show off what they were selling on the inside and therefore it was okay to be subdued and understated. The façade did the right things with the texture and color, and she thought the ARB needed to have faith in the designers. She stated that was only her opinion and she understood why other Boardmembers disagreed. With the spacing between the side door and entry door could use more breathing room, but the issue felt small and not enough to warrant the application’s return.

Chair Thompson said that was an interesting point and noted that she was trying to think of ways to make the façade more interesting. She suggested possibly varying the depth of the brick to give the façade more play. The material looked cool in light. She asked how the ARB wanted to move forward.

Boardmember Baltay wanted the project to return to the ARB. He thought there was more work than was reasonable to put to a subcommittee. There were three issues: the non-contract door to the right, the overall detailing around the windows, and the material itself. He also thought it was important for the ARB to flex its muscles when necessary and noted the project was visible from the parking lot and Quarry Way. He stated that the project should be continued and that he could make a Motion.

Chair Thompson indicated that she wanted to hear from Boardmember Chen and Vice Chair Hirsch.

Boardmember Chen stated she wanted to see the project return after the applicant worked on some details.

Vice Chair Hirsch thought the project could be handled in committee but also agreed that it could come back to the full ARB. The materials could be worked on further and he wanted a subtle variety added to the brick. More detail would also be appreciated, and he repeated that the door to the right was an eyesore. For the door issue alone he thought it was a good idea for the project to return to the ARB.

MOTION: Boardmember Baltay moved, seconded by Boardmember Chen, to continue the project to a date uncertain subject to the comments made with the caveat that the ARB had no problem with the light finish color or the minimalist design approach.

Ms. Gerhardt asked if they wanted to make sure the applicant and architect understood the ARB's direction.

Chair Thompson stated that she would be open to that.

Ms. Springer said that the door in question was not in the project's scope and asked how they should move forward.

Boardmember Baltay stated that it was not the door itself but the opening in the wall could align or have the same treatment around it as the other doors. They could also consider shifting the entrance further to the left making it further from the door. The ARB was not requesting they change the plan of the door in any way but do something to mitigate its impact.

Ms. Springer stated that was helpful and noted that their goal was to open and be a part of the shopping center. Anything specific the ARB wanted to see they were open to feedback.

Mr. Smith requested a date certain for the next hearing as they were attempting to push the project and get the store open. They design team would be able to put something together to address the ARBs concerns.

Chair Thompson stated the next hearing was the 19th.

Boardmember Baltay indicated he was open to a date certain if staff had one.

Chair Thompson instructed staff to think about a possible date. She requested to add the treatment of the parapet to the Motion.

Boardmember Rosenberg understood there was a Motion on the table but indicated that she had a question. She asked if the applicant had flexibility with the door and about the possibility of painting it white. She was concerned that if the applicant tied it into the design that people would think it was part of the store, which was not a good solution. She repeated that she did not know if anyone present could answer the question but wanted to know what the applicant could actually do to the door.

Ms. Gerhardt assumed that painting the door would be reasonable but did not believe anyone from the Shopping Center was at the meeting to answer the question.

Mr. Smith agreed with Ms. Gerhardt but noted he shared Boardmember Rosenberg's concerns about possible customer confusion.

Boardmember Baltay noted that the previous tenant treated the windows differently to achieve the goal the ARB is asking about. Vice Chair Hirsch suggested they reconsider bringing the brick all the way into the corner. A reveal of some sort would accomplish the goal. There were design options that would fulfill the request and does not require redoing the door.

Chair Thompson stated that the ARB was not requesting attention be brought to the door. She noted that the rendering might not be doing the project any favors since it had the door front and center. The question was of proportionality at the base as well. The rendering showed the parapet going all the way to the top and she asked if there was a continuous parapet that the storefronts had to adhere to. She requested staff be prepared to discuss that condition at the next hearing.

Ms. Gerhardt explained that the façades needed to reach the top to cover the main building. The cornice treatment or other things are up to the applicant.

Vice Chair Hirsch said it was obvious they wanted to run the material to the top and keep the texture going. Not differentiating the top adds to the simplicity of the façade. That was reasonable and he was only concerned about the detail and how the top was finished.

Chair Thompson said that the elevation showed a metal cap at the top.

Mr. Smith stated it was a prefinished parapet cap and was shown on A201 and 401A3.

Chair Thompson said that she would rescind her request.

Ms. Gerhardt said she did not hear questions from the architect and indicated there was a Motion on the floor.

Chair Thompson called for comments before the vote, but there were none.

VOTE: 3-2-0-0

Chair Thompson said that the no votes were allowed to speak to their votes.

Boardmember Rosenberg found the proposal met the findings. It was simple and could be improved, but she wanted to allow for the company and shopping center to regulate themselves as there was no problem with the approval.

Chair Thompson stated that she also voted no because she found that the design met the findings. She thanked the applicant and noted that she thought it was changed to a date certain.

Ms. Gerhardt said it was a date uncertain. She thought the Notices went out for the May 19 [received confirmation off mic]. Moving the item to the 19th allowed no time to make changes so she suggested June 2nd as a reasonable date.

Chair Thompson asked if the Motion was left at date uncertain if the applicant could get in on the June date.

Ms. Gerhardt explained they could do June 2nd or anytime thereafter. If the ARB wanted them to come back on the 19th they would have to change to a date certain, but that did not allow any time for changes. The changes would have to be done in less than a week.

Mr. Pride indicated they could make the changes in less than a week.

Boardmember Baltay asked if they could rescind the vote and move it to a date certain. He asked how that technically worked.

Chair Thompson asked to confirm with the applicant that they were interested in May 19th.

Ms. Gerhardt explained staff would need plan sets in the office by Wednesday. Therefore, the architect would pretty much only have the weekend to make changes.

Mr. Pride asked if they needed a physical plan set in the office or if they could do digital.

Ms. Gerhardt said they needed a paper set by Wednesday afternoon.

Mr. Smith said that they could be printed locally and delivered.

Mr. Pride agreed.

Chair Thompson asked if the current Motion was left if the 19th could still be done.

Ms. Gerhardt said that under the current Motion May 19th was not a possibility.

Chair Thompson asked the applicant if they wanted the ARB to Amend the Motion.

Mr. Smith stated that they wanted the Motion amended for a date certain of May 19th.

AMENDED MOTION: Boardmember Baltay moved, seconded by Boardmember Chen, to continue the item to a date certain of May 19, 2022.

Chair Thompson noted that the original Motion stood and would be amended. She noted that the ARB was voting on the Amendment.

VOTE: 5-0-0-0

Mr. Smith thanked the ARB for its time.

Chair Thompson thanked the applicant.

6. Discuss the Draft Architectural Review Board's (ARB) Draft Work Plan, Suggest Changes, and Recommend Submitting the Draft Work Plan to the City Council; and Discuss the ARB's Annual Report and any Bylaw Changes Needed (Continued from March 3, 10, 17, April 7 and 21, 2022).

Chair Thompson introduced the project.

Ms. Gerhardt stated that she had a presentation and shared her screen. The ARB Work Plan was based on the Council's Board, Committee, and Commission Handbook. It needed to be prepared in the 2nd quarter and would be reviewed by City Council. Council may add additional items to the Work Plan and the ARB would be able to amend it as issues came up. The Work Plan was different than the Annual Report. The

Work Plan looks at the year to come whereas the Annual Report retrospectively looked backward. The Annual Report could be discussed at a later date. Previous Work Plans included similar items, but the new Work Plan is in a different format and includes the Mission Statement, the goals, timeframes, and staff resources. She read the goals aloud and indicated that the Work Plan placed a high importance on housing. She listed the guidelines the ARB could consider updating and noted that the El Camino Guidelines were from the 1970s. The third goal was to finalize review of the Objective Standards Project, which was complete and going to Council shortly. The fourth goal was to finalize the ARB Awards and hold the event. Finally, the ARB needs to update the Bylaws in the near future and ensure that they align with the other guiding documents.

Chair Thompson called for the public comment, but there was none. She called for ARB thoughts on the Work Plan and whether or not the ARB wanted to approve it at the meeting.

Boardmember Baltay asked if staff could provide the ARB with the packets seven days in advance as the BCC Handbook requested.

Chair Thompson stated that they received the packets on Friday and asked if he wanted them on Thursday.

Boardmember Baltay said that Council was insistent that all Commissions received them a week in advance as it triggered the public notification.

Chair Thompson asked if that was part of the Work Plan.

Boardmember Baltay stated it was part of the staff assistance in the Work Plan.

Chair Thompson said they could add a week in advance into the resources needed.

Boardmember Baltay said that it was possible under Goal #2 that Council would undertake a housing study on University Avenue since there was a grant pending. If that was done the ARB would likely have involvement and it would likely go on the Work Plan.

Chair Thompson asked if his proposal was to put that under "high priority items."

Boardmember Baltay said that it would be under Goal #2.

Chair Thompson called for further comments.

Vice Chair Hirsch said that he had proposed they continue working on Objective Standards to some degree assuming the future would require adjustments to the present document. So he suggested they add further refinements to the objective standards.

Chair Thompson thought that was included in Goal #3. It was listed as a low priority since they were waiting for Council approval.

Vice Chair Hirsch asked when Council approval would happen.

Ms. Gerhardt stated they were hearing the item in May.

Vice Chair Hirsch stated that was fine. He thought it was interesting to the look at the standards relative to projects that were built and available as images. He suggested that they do that in the future as a way of ensuring their own objectivity.

Ms. Gerhardt said in response to Vice Chair Hirsch's comment she noted that the ARB wished to refine the Objective Standards based on research from projects as they move through the Objective Standards ministerial process. That may require additional consultant funding which she noted for Council's information. Under #2 she added the University Avenue Housing Study.

MOTION: Chair Thompson moved, seconded by Boardmember Baltay, to approve the ARB Work Plan as notated by Ms. Gerhardt.

VOTE: 5-0-0-0

Chair Thompson thanked Ms. Gerhardt for her work and closed the item.

Approval of Minutes

7. Draft Architectural Review Board Meeting Minutes for March 10, 2022

Chair Thompson called for a Motion.

MOTION: Boardmember Baltay moved, seconded by Boardmember Rosenberg, to approve the minutes of March 10, 2022.

VOTE: 4-0-1-0 (Boardmember Chen abstained)

8. Draft Architectural Review Board Meeting Minutes for April 7, 2022

Chair Thompson called for a Motion.

MOTION: Boardmember Baltay moved, seconded by Boardmember Rosenberg, to approve the April 7, 2022 minutes.

Boardmember Baltay requested to speak to his Motion and stated he read the minutes and found the discourse impressive. He thought the respect and discourse showed in the minutes and he was proud to be a part of the ARB.

VOTE: 4-0-1-0 (Boardmember Chen abstained)

Board Member Questions, Comments or Announcements

None.

Adjournment

Chair Thompson adjourned the meeting.