



# PLANNING & TRANSPORTATION COMMISSION MINUTES

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*Wednesday, May 25, 2005*  
**REGULAR MEETING at 7:00 PM**  
*Council Chambers*  
*Civic Center, 1st Floor*  
*250 Hamilton Avenue*  
*Palo Alto, California 94301*

**ROLL CALL: 7:00 PM**

**Commissioners:**

- Phyllis Cassel – Chair*
- Bonnie Packer – V-Chair*
- Lee I. Lippert*
- Karen Holman*
- Patrick Burt*
- Michael Griffin*
- Annette Bialson*

**Staff:**

- Lisa Grote, Chief Planning Official*
- Don Larkin, Senior Deputy City Attorney*
- Amy French, Current Planning Manager*
- Zariah Betten, Executive Secretary*
- Steve Emslie, Planning Director*
- Russ Reich, Associate Planner*

**AGENDIZED ITEM:**

- 1. Revisions to the Individual Review Guidelines

Chair Cassel: I would like to call the meeting of the Planning and Transportation Commission for Wednesday, May 25 to order. Will the Secretary please take the roll? Thank you.

Do you have any cards for Oral Communications?

**ORAL COMMUNICATIONS.** Members of the public may speak to any item not on the agenda with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a speaker request card available from the secretary of the Commission. The Planning and Transportation Commission reserves the right to limit the oral communications period to 15 minutes.

Chair Cassel: I have no items for this so we will close that item.

**CONSENT CALENDAR.** Items will be voted on in one motion unless removed from the calendar by a Commission Member.

Chair Cassel: I have no items for Consent Calendar.

1  
2 **AGENDA CHANGES, ADDITIONS AND DELETIONS.** The agenda may have additional  
3 items added to it up until 72 hours prior to meeting time.

4  
5 Chair Cassel: There are no Agenda Changes, Additions or Deletions. Therefore we will go on  
6 to the public hearing for this evening. It is a Revision to the Individual Review Guidelines. The  
7 Commission's review and recommendations on the revisions to the Individual Review  
8 Guidelines. May I have a presentation by Staff, please?  
9

10 **NEW BUSINESS:**  
11 **Public Hearings.**

12  
13 **1. Revisions to the Individual Review Guidelines:** Commission's review and  
14 recommendations on the revisions to the Individual Review Guidelines.

15  
16 Mr. Steve Emslie, Planning Director: Amy French will be giving the presentation in just a  
17 moment. I wanted to make a few introductory comments. This is the second time the  
18 Commission will have seen the Individual Review Guidelines. At its last review the  
19 Commission had significant comments, which have been incorporated largely in terms of revised  
20 format and other major substantive changes. I did want to point out that the purpose of the  
21 Commission's review is established in the Individual Review Ordinance is for review and  
22 comment. These Guidelines are actually adopted by Staff and used by Staff. We would urge the  
23 Commission to keep that in mind as you go through your comments this evening is that this is  
24 largely a tool that Staff uses to communicate with our audience which is largely design  
25 professionals, primarily architects, that will be using this and implementation of the Individual  
26 Review Guidelines. It is also intended to provide the kind of clarity and certainty that we have  
27 received a significant amount of feedback from our customers in implementing this program and  
28 it has been a common theme in feedback that we have gotten. So we really hope the  
29 Commission wants to take that approach in incorporating this feedback that we are getting from  
30 our targeted audience of design professionals and applicants. So now I am going to turn it over  
31 to Amy who will give you a brief overview. We also have our consulting architect, Arnold  
32 Mammaella, here as well who has a few comments.  
33

34 Ms. Amy French, Current Planning Manager: Thanks Steve. Good evening Chair Cassel and  
35 Commissioners. I would also like to introduce Russ Reich who is the IR Liaison and Arnold as  
36 Steve mentioned who is responsible for the lovely illustrations in the new guidelines.  
37

38 We are asking tonight for high-level input from the Commission. We are not here to discuss the  
39 IR process, it is very important to remember that. We will discuss process and evaluate the  
40 program's success once again in the annual update coming up in the late fall or early next year,  
41 2006. Staff is requesting the Commission's comments on the Guidelines prior to adoption by the  
42 Director.  
43

44 The revised guideline document does not alter the direction, intent or meaning of the previous  
45 guidelines. It does reorganize them and provides clarity and greater understanding about how to  
46 comply with the guidelines. Staff and the consulting architects have now spent three and a half  
47 years working with the applicants and architects and about 98 percent of all of the IR guideline's  
48 audience is architects hired by property owners to design their homes. So this is our target

1 audience for these guidelines. The previous guidelines required a great deal of Staff time to  
2 provide further clarification and explanation due to the vagueness or lack of specificity in some  
3 cases. The nine guidelines were not ordered in a way that paralleled the design process and there  
4 was redundancy. The three categories privacy, mass and streetscape are still represented in the  
5 new guidelines but in reverse order again paralleling the design process. The idea behind the  
6 restructuring is that they should follow the same order. In other words, streetscape is first which  
7 is covered by guidelines one and four. This is where the garage decision occurs which is a big  
8 part of the design process. It effects how the site plan will be arranged. The mass topic is  
9 covered in guidelines two and three and the privacy topic is covered in guideline five.

10  
11 In 2004 Staff met with focus groups and later with the IR group co-chairs to ensure that we had a  
12 clear understanding of the issues and intent of the guidelines. Then we presented to the  
13 Commission the direction and proposal to reduce from nine down to five guidelines or criterion.  
14 After that Staff proceeded with the illustrations, formatting and revisions in early 2005. We met  
15 with the co-chairs again in early May to review an early version and we shared the latest version  
16 of the revised guidelines with several architects and applicants. We did send out notices to the  
17 folks who had been at the focus groups and there may be some here tonight, I don't know but we  
18 have been encouraging them to come. The revised guidelines continue to reflect Comprehensive  
19 Plan Policies L-12 and L-49 as well as Programs L-11, L-48 and L-49. I will just read the  
20 policies just briefly.

21  
22 Policy L-12 states, Preserve the character of residential neighborhoods by encouraging new or  
23 remodeled structures to be compatible with the neighborhood and adjacent structures. Policy L-  
24 49 states provide an ordered variety of entries, porches, windows, bays and balconies along  
25 public ways where it is consistent with neighborhood character, avoid blank or solid walls at  
26 street level and include human scale details and massing. The revised guidelines are consistent  
27 also with the new R-1 Zoning Ordinance. We have heard from several Commissioners that the  
28 captions under the illustrative examples could be improved for clearer understanding and we  
29 have ideas for how we can improve these. The illustrations are not intended to dictate for  
30 instance that rear garages are required. In fact there is really only one illustration that shows a  
31 detached rear garage most of the others do show attached front placed garages. Staff will  
32 provide clarification that the zoning code allows front placed garages on some streets and  
33 restricts other homes to rear placed garages based upon the neighborhood context and that the  
34 zoning code requires contextual front yard setback in some neighborhoods. We can also add a  
35 note about the revised R-1 code in the introduction.

36  
37 Finally, regarding photography on the pages following the guidelines our goal was to show  
38 examples of different style homes that had been approved through the IR process so that  
39 applicants would understand we are not prescribing any particular style. We were not intending  
40 to provide streetscape photos of each block for each successful home. As far as the angle of the  
41 shot it was very hard with mature street trees in front yards to get a good straight on photo of  
42 each home that we had selected. For the next IR update review we will certainly bring more  
43 homes in the context photo as we did last time as requested by the Commission to allow for  
44 again the evaluation of the IR program's success. Please note, at your places are the existing IR  
45 Guidelines for comparison purposes and also at places is a list containing what is distributed to  
46 applicants in the pre-application meeting Staff has. The guidelines are just one of 12 items that  
47 are given out to the applicants in pre-application meetings. Staff also does encourage the  
48 applicants to look at some of the plan sets that are in the draw of active projects to see what is a

1 good submittal and give them some idea. With that I am going to just again introduce Arnold  
2 Mammaella who has responsibility for the illustrations and has been working closely with Staff,  
3 Russ Reich who has been working closely, the three of us and with the co-chairs to craft, I  
4 should also mention Gloria Humble in the Planning Division who did a great deal of work with  
5 this computer program to get the layout to where it is now. I will finish and turn it back to you.  
6 Thank you.

7  
8 Chair Cassel: Thank you. Do we have one or two cards? No cards? Okay. Then it is back to  
9 the Commission if you have questions. Does anyone in the public wish to speak? If you wish to  
10 speak come forward you will need to fill out a card but go ahead and speak first. I would like  
11 you to give your name and your address and then go ahead and speak you can fill the card out  
12 later. You have five minutes to speak.

13  
14 Mr. Timur Bilir, Palo Alto: I work at Young and Bullock Architects across the street and we  
15 have been involved in a number of these IR projects and some have gone better than others. So  
16 we just want to have a chance to offer some of our comments which really parallel a lot of what  
17 you have heard already which is that architects really love specificity and precedent and  
18 consistency because it is very challenging to communicate with clients who don't deal in design  
19 at all and tell them what the City is looking for or if the City will approve what they want. We  
20 can say, we'll see. So the stronger and clearer that the guidelines get the better for everyone.

21  
22 I also wanted to add sometimes we will go through sort of prescriptive measures to meet with  
23 neighbors beforehand to avoid any sort of showdowns, which occasionally happen. We have  
24 been a little bit surprised sometimes that we can gain consensus with neighborhood groups and  
25 no kind of objection or anything like that and meet all the guidelines, setbacks, height limits,  
26 whatever and yet we will get actually comments and forced changes through some Planning  
27 people or consulting architects as the case may be. Not that I want to pick on any consulting  
28 architects. It is just the clearer we can be the better for everybody. That is basically the  
29 comments I have.

30  
31 Chair Cassel: Thank you very much and we would appreciate if you would fill out the card. I  
32 will bring it back to the Commission then. Does anybody have any questions for Staff?  
33 Michael.

34  
35 Commissioner Griffin: I am wondering, Amy, if you could reiterate a little bit about our charge  
36 for this evening. We are to critique this document is that that basic idea?

37  
38 Ms. French: Yes, comments, critique and any suggestions. We have been playing with them for  
39 a little while but we welcome any suggestions you might have.

40  
41 Chair Cassel: We are not being asked to vote on anything tonight or vote approval of them.

42  
43 Commissioner Griffin: You mean we can't vote whether we approve or disapprove of this  
44 booklet?

45  
46 Chair Cassel: That is what I am saying.  
47

1 Mr. Emslie: You do not approve these. They are submitted by ordinance to the Planning and  
2 Transportation Commission for your comment and it is approved by the Director of Planning.

3  
4 Commissioner Griffin: Well I did have a comment.

5  
6 Chair Cassel: May I interrupt you just a second? Would you please note for the record that  
7 Annette is here. Thank you.

8  
9 Commissioner Griffin: On page two and actually it is a spread I am not going to say I struggled  
10 but I was a little unsure in the early stages of reading this exactly what was being portrayed here.  
11 It was pretty clear that the house in the middle was the project house. I was thinking that there  
12 was, this is nitpicking alright but I did think that instead of calling it existing site plan that  
13 perhaps if it had said existing adjacent house for example because it took a little while before I  
14 realize that you were showing the context. Small item but it would be helpful for me anyway if  
15 the existing adjacent houses were so identified.

16  
17 Chair Cassel: Are there other questions? Lee.

18  
19 Commissioner Lippert: We are working on the Zoning Ordinance Update and part of that is also  
20 the form code. The form code explicitly talks about commercial development. Why isn't  
21 something like this being incorporated into the form code? Really it is dealing with very similar  
22 issues.

23  
24 Ms. French: I can say working with John Lusardi and his team with the technical document or  
25 form code the idea would be this would become a part of that. Right now it is first one to be in  
26 use but we are talking about incorporating that into a larger technical document.

27  
28 Mr. Emslie: But we are not developing a form code for single family so this would still remain  
29 under the IR and still be the guidelines under the IR. The zoning code is not going to be  
30 developing a form code for R-1.

31  
32 Commissioner Lippert: The point that I am trying to make is that what this does for single  
33 family residential is very similar to what the form code does for the other commercial and multi-  
34 family zones. So why not use a similar process?

35  
36 Mr. Emslie: For the multi-family form code, have that set of guidelines to go along with it? Is  
37 that the suggestion?

38  
39 Commissioner Lippert: No, what I am saying is that this is being reviewed and approved by  
40 Staff, correct?

41  
42 Mr. Emslie: Correct.

43  
44 Commissioner Lippert: The Director.

45  
46 Mr. Emslie: Right.

47  
48 Commissioner Lippert: Okay. But the form code doesn't follow that route, correct?

1  
2 Mr. Emslie: Well, it hasn't been developed yet.  
3  
4 Commissioner Lippert: Right.  
5  
6 Mr. Emslie: We could pass that suggestion on to the ZOU team and have them consider that as a  
7 part of their recommendation, yes.  
8  
9 Chair Cassel: Bonnie.  
10  
11 Vice Chair Packer: Going back to your comments. Well, first I want to say I think this  
12 document is great. Overall I think the approach of the steps of starting out with a big design and  
13 going to the smaller steps in the design process makes a lot of sense. I wanted to just go back to  
14 a suggestion to tie this to the earlier versions of the IR guidelines, which have the three main  
15 areas of streetscape, mass and scale and privacy and the very clear understanding that this was  
16 not design review. So I have a suggestion for the first paragraph on page one that instead of  
17 saying by placing specific requirements on the design of new two story house, etc. that we just  
18 say something to the effect of placing specific requirements relating to the streetscape, mass and  
19 scale and privacy of new two story homes. Just eliminate the 'design' because that was clearly  
20 not our intent and that just relates back and it follows the goals then underneath where it talks  
21 about the same thing. So that is my one point for now.  
22  
23 I also want to say I agree with what Michael said about the clarity of the presentation of the  
24 drawings so that we can understand what they are really doing.  
25  
26 Chair Cassel: Well, I have a question related to under Single Family review in the ordinance  
27 there is a fifth goal, enable the emergence of new neighborhood design patterns that reflect  
28 awareness of each properties affect upon neighboring properties. It was not included in here,  
29 why?  
30  
31 Ms. French: If I understand you correctly you are referring to the new R-1?  
32  
33 Chair Cassel: The R-1 ordinance as it was presented to City Council for its final draft for the  
34 final vote indicates that there are five goals and you have listed four. Why did you not include  
35 the fifth?  
36  
37 Ms. French: Did we just miss it?  
38  
39 Mr. Arnold Mammaella, Consultant: I think the response to that is the old set of guidelines or  
40 the ones that we are working with now had a lot of text in the introduction and before each  
41 section of the guidelines. What we found is people basically did not read that and what we are  
42 trying to do is take that text, all that text it was several pages, and condense it down to one page  
43 to sort of setoff the five guidelines. In doing that try to sort of pull it all together. So we tried to  
44 find language that would do that the best we could.  
45  
46 Chair Cassel: I will have a comment about that later. Are there other questions? Annette.  
47

1 Ms. French: I would like to add to that. We actually added a goal in there and this was taken  
2 from the SOFA II guidelines on compatibility or the visual unity of the street. We took some of  
3 that language and added it in so we condensed and added some new language that we thought  
4 would be helpful.  
5

6 Chair Cassel: That didn't answer the question of why you didn't include in the list of goals all of  
7 them that were in the ordinance. But let's go ahead, other people may have questions.  
8

9 Commissioner Bialson: I have questions and concerns that I want to express. This mainly deals  
10 with the front facing garage. In looking at the 2005 form of the guidelines there seems to be a  
11 great emphasis on the garages not become dominant features. I can certainly understand that but  
12 when we started this we were very concerned that additions and new homes contextually fit in  
13 with the neighborhood. Somehow we have gotten to not only must they fit in the neighborhood  
14 but they also must have the garage and driveways as secondary or subsidiary element. When  
15 you look at the examples and you look at some of the language you use I think you are getting  
16 away from what the committee that helped us draft these guidelines talked about which was  
17 again context and what people who own Eichlers or other front facing attached garages or  
18 whatever design you call that but those sort of ranch type homes. Am I reading this incorrectly?  
19 It just seems throughout. There are four different pages where it says that they cannot be what  
20 they previously were or what the neighbors' might be in terms of where the garages are.  
21

22 Ms. French: I would like to respond to that. You have at your places the previous guidelines,  
23 look at page 17, guideline 10. Guideline 10 says, Design garages and driveways to mitigate their  
24 visual impact on the street and so that they are subordinate to the house, landscape and  
25 pedestrian entrances. The new guideline, which is Guideline 1 incorporates that same language  
26 about subordinate and that has been a key point and policy direction that was been established  
27 back when the guidelines were originally created that the garage was to be subordinate. Now it  
28 doesn't mean that it can't be forward it just means it needs to be subordinate and there are  
29 techniques to create that subordination. It should not be the dominant feature of the home and  
30 that is not a change from the previous guidelines.  
31

32 Commissioner Bialson: What happens if it is a dominant element on every home on the block?  
33 That is the case on a lot of streets in Palo Alto. I was just speaking to an architect, John  
34 Northway, who said it would be very, very difficult for him to design homes of that type and put  
35 in second stories or even modify them with the language that exists in this 2005 form. As I read  
36 it I had to agree with him. I think we need to take that sort of comment to heart and recognize  
37 that what we had written previously was all of one sort of guidelines numbering 10 and they  
38 dealt with many things. Here we keep repeating over and over again and the examples are the  
39 same they do not show those garages staying the same. So what you are essentially saying is if  
40 you improve one of the homes so that is subject to review you better change the garage and that  
41 to me is not acceptable.  
42

43 Chair Cassel: Karen.  
44

45 Commissioner Holman: I think I have a comment about that. I think the language for that is  
46 very difficult. It is very difficult because Eichlers for instance and ranch homes too while the  
47 garages are apparent and even forward in a lot of cases it depends on one's perspective I guess  
48 whether they are considered dominant or not. I don't consider, this is me personally, I don't

1 consider that Eichler garages even though they are front a lot of times that they are dominant.  
2 They are just a forward feature but they blend so well into the existing form of the building that  
3 they aren't dominant. That language is very, very difficult. I do understand what Commissioner  
4 Bialson is struggling but it is very difficult language. So maybe there is some way to make that  
5 clearer but I thin it is very difficult.  
6

7 I have a question for clarification. By the way, I do think that this form of this draft is so very  
8 much improved for clarity, and organization. I think Staff and consultant are to be congratulated.  
9 I think it is so very much improved. The forms, just for instance, on guideline one if you open to  
10 that spread and the middle parcels here that are indicated, there is the dashed line when you are  
11 looking at the streetscape drawings there is the dashed line that starts at the property line and  
12 goes up and then goes over and then caps off. There is no indication of what that is. One could  
13 presume that that's an indication of lot line, daylight plane and maximum height but there is no  
14 place that it is indicated what that represents. I am thinking that it might be helpful to have some  
15 indication of what that is for clarification.  
16

17 One other comment is on the handouts list this is a very good list. I find one thing that is lacking  
18 and maybe other people will discover that there are others. Item number seven is a parcel report  
19 to ensure that there is no single story overlay FAR potential, etc. and there is no indication if a  
20 property is historic what the review process or where to refer them in the code for what those  
21 requirements are. So I think that would be an additional handout that should be included.  
22  
23

24 Ms. French: Actually, if I can respond to that, the parcel report includes other things besides  
25 those things you mentioned and one of them is the historic category that it might be.  
26

27 Commissioner Holman: Thank you.  
28

29 Chair Cassel: Do we have more questions? Pat.  
30

31 Commissioner Burt: I think my fellow Commissioners have raised some interesting points on  
32 the garage door aspect. It is a difficult one to address. I believe that architecturally we do  
33 benefit from an evolution away from garages that were not necessarily well thought. There was  
34 certainly a period of architecture where garages were stuck on front and they weren't considered  
35 in terms of their architectural impact. So if we are in somewhat of a consensus that we would  
36 like to see improvement over time in some of those aspects the question then becomes what is  
37 the wording that is most appropriate at this time? I have actually gone around with my digital  
38 camera and taken photos of 50 or more garages in town. Most of them are ones that are  
39 examples of surprisingly good things that people have done with their garages over the last  
40 decade. There is an evolution that is happening. It didn't necessarily involve relocating the  
41 garages at all either when the home was remodeled or people just redid a garage or whatever. I  
42 have recently seen brochures on a whole variety of garage types that are very attractive. They  
43 are just not our ranch style flip up garages that many of us grew up with. But that doesn't  
44 necessarily mean that that attractive feature in a garage is subordinate. I think in many  
45 neighborhoods there is a pattern where they are subordinate or rear garages and those are very  
46 attractive neighborhoods. Then we have other neighborhoods where the historic pattern is that  
47 the garage is out in front. I am not sure that it is fair to go all the way to mandating that it  
48 become subordinate but we all have some sense that we would like, when these remodels

1 happen, to see a positive movement in that architectural direction. So I am not certain about  
2 what substitute language I would recommend. It might be something along the lines of that the  
3 garage should be, this is not suggested as exact wording, but the sense being that it is a favorable  
4 architectural feature, which doesn't necessarily mean that it has to be subordinate. Some of these  
5 new garages they are still sticking out and they are a prominent architectural feature and they  
6 went from being what I would consider to be a fairly unattractive one to a much more attractive  
7 one. It was a surprise to me and I said, wow, look at what those people have done with the  
8 garage and it is sitting right out in front but it is a neat thing. I might still personally prefer  
9 recessed garages but I don't think that we necessarily have to go so far as to mandate that they be  
10 subordinate or that they be secondary. So given that that's a difficult challenge for you folks to  
11 try to come up with language that balances those different objectives I do agree that maybe we  
12 need to try to work at tweaking that language so that it takes a half step backward from what we  
13 are saying right now about that they much be secondary/subordinate but still is conveying that  
14 we want them to have better consideration and become a better architectural feature than they  
15 have often been in the past.

16  
17 Chair Cassel: I would like to make a comment on that subject. It relates to some other  
18 comments I will have on the wording in this document. The difference between this language  
19 before was that it was one statement and it fit into the whole and it wasn't mandatory due to  
20 other language in here. It was a little more flexible. There is a number of other statements in the  
21 previous one that indicates 'if you can make this' or there is just some looser language which is  
22 what everyone seemed to be uncomfortable with but that looser language allowed you to say  
23 subordinate but. In this document garages are mentioned and then garages are mentioned in  
24 many different ways and it begins to put a lot of focus on garages. Where our original emphasis  
25 had been on privacy, mass and scale and garages had been part of it. Now, garages are in three  
26 different sections here and privacy is in one little on in the back. So the emphasis has become  
27 the garage, it has to be here, it has to be located to be minimally visible and the next one in the  
28 same area on page three it has to avoid placing a second story such that it would emphasize the  
29 garage and then it goes on in other sections. I think that that creates a heavy emphasis on  
30 garages that may be part of the issue here. I have some comments later on other language that is  
31 also I think making things seem very stiff and very requirement oriented. Annette you wanted to  
32 next and then I will go back to Lee.

33  
34 Commissioner Bialson: I am generally pleased with this and I don't mean to say that I am very  
35 disappointed in the document as a whole. It is just what Phyllis just very well put I think that we  
36 have gone off somewhat with regard to garages. Some of Pat's comments I appreciated a great  
37 deal but they highlighted to me what we have to go back to which is what is the purpose of this  
38 document? I thought what we were trying to do was deal with making sure that improvements  
39 respected the privacy of neighbors and also were contextually appropriate for the neighborhood.  
40 Now we are trying to improve the architectural design as people improve their houses. I am a  
41 little concerned about crossing that bridge and saying what we are doing with this review is we  
42 are going to start determining what is or is not good design. That is not what this program was  
43 intended to do. If that comes about as a result of making people aware of all these things that is  
44 great but we should not make that a requirement. So I take you back to what you have on page  
45 one, the goals, and they are not to have a positive movement in architectural styles or to improve  
46 the neighborhoods over time. That is not what we are about.

47  
48 Chair Cassel: Let me go from Lee to Bonnie to Michael.

1  
2 Commissioner Lippert: I am looking at the privacy section on page 14 and 15. Was any attempt  
3 made at all at rating or ranking spaces? In other words, if you were to have a bedroom looking  
4 into another bedroom obviously that is problematic. But having a bedroom say looking into a  
5 living room is much less problematic and maybe those two space aren't really used during the  
6 same times of the day or their might be window coverings or some other things. Was any  
7 ranking given to that at all?

8  
9 Ms. French: Not this time around. I don't know if it was done last time around I wasn't part of  
10 the original guidelines. On page 14 and 15 what we were trying to accomplish is again more  
11 specificity on what matters as far as privacy. We didn't capture that in terms of it is a living  
12 room or it is a bedroom but to try to indicate with those arrows ways that you could reduce the  
13 privacy impact.

14  
15 Commissioner Lippert: Then just as a follow up on that was any thought given to distance? So  
16 if you had a side window that looks at the adjacent house or from a deck to the adjacent house  
17 and it is right at the setback line that can be problematic but if you had a window or a deck that  
18 was setback say the distance of a rear yard setback the condition is no worse than looking into  
19 the neighbor's backyard. Was any thought given to that at all?

20  
21 Ms. French: In guidelines five there is a couple of places where proximity and distance are  
22 mentioned in the guideline itself of approval criterion. It says, in close proximity the size,  
23 placement and orientation, etc. and patios located in the rear and sides of the adjacent property in  
24 close proximity then under a key point two we talked about design the house to mitigate possible  
25 privacy impacts by providing several things or sufficient distance between houses. So although  
26 we didn't give a number we didn't say when you are 40 feet then you don't have to worry about  
27 privacy at that point but this gives us flexibility as Staff to say we think this distance is going to  
28 provide adequate mitigation.

29  
30 Chair Cassel: Bonnie.

31  
32 Vice Chair Packer: I am going to go back to the discussion we were having just a minute ago  
33 mainly focused on guideline one. Because there is this big note on the table of contents that  
34 says, meeting each guideline is mandatory for approval that means the guidelines need to be ones  
35 that can reasonably be achievable. So when I looked at guideline one and I realized that this is  
36 going to apply to a second story it wouldn't work because you are not changing your site plan  
37 when you are doing a second story. So one, it should be clarified that that guideline applies only  
38 to new construction because you are not changing the – if you are putting on a second story you  
39 are not going to be doing anything with the garage or the front entry perhaps. You are not going  
40 to be necessarily remodeling the whole house. So if somebody is doing a second story they may  
41 not be able to meet that guideline and they would fail and that is not our intent. So I would  
42 recommend that be clarified.

43  
44 Then the other thing to address the concerns that my fellow Commissioners were raising about  
45 the ability to meet the guideline in new construction with this subordinate garage may be hard to  
46 achieve that maybe that last phrase just be removed and some reference to the subordination of  
47 garages could be made in the key points as a suggestion. You still have the reinforcing the

1 neighborhood's existing site pattern, which was the goal we wanted to achieve with streetscape.  
2 How you do that will depend on the neighborhood.

3  
4 The final thing I thought we would want to add to guideline one is this issue about entries. The  
5 location of the entry I would think would also be part of that initial site plan, where you put your  
6 front door. Again, you would want that entry to be consistent with the neighborhood pattern.  
7 There is another section on entries but I wondered doesn't that come up in the initial site plans  
8 too where you are going to put your front door and shouldn't that be in that front part of these  
9 guidelines?

10  
11 Ms. French: I will just address the entry statement. Again, we didn't want to be too redundant  
12 and repeat in too many places so we tried to focus the street-facing façade in guideline four  
13 whereas the guideline one is really more about the site plan level not the two vertical but more  
14 the horizontal plane.

15  
16 Vice Chair Packer: But the location of the front door whether it is going to be on the side or the  
17 front may affect.

18  
19 Ms. French: Right, it would definitely would.

20  
21 Chair Cassel: Michael.

22  
23 Commissioner Griffin: I will take a cut at this garage business. Colleagues that may have  
24 followed the IR discussion of a few years ago may recall that a fair amount of time was where  
25 we talked about what was referred to as snout-houses which is an unpleasant reference to houses  
26 that look like they arrived from the moon and dropped down into a traditional neighborhood with  
27 the garage shoved out in front and basically not contributing to the harmonious streetscape of the  
28 affected neighborhood in which they were placed. I am going to suggest that is how we kind of  
29 how we got into this area of using a term such as subordinating the garage to the rest of the  
30 structure. I don't have any problem with that. In the context of the IR committee meetings we  
31 were all of pretty much a like mind that if there were a way to diminish the impact of front facing  
32 garages that it would enhance and further the goals that we were trying to accomplish. I will  
33 quickly concede the point that Commissioner Bialson brings up which is some neighborhoods  
34 consist solely of houses with predominant garages. In fact, on page two the first item here is a  
35 rancher and there it is the garage is coming right at you. I think perhaps Eichlers largely are in  
36 that same situation. I don't know it has to be a balance here. Personally I like the concept of  
37 keeping this wording of keeping the garages subordinate to the rest of the structure and maybe  
38 you can tack on some other words having to do with parenthetically with the rest of the  
39 neighborhood in mind or going with the prevailing streetscape or something of that nature.

40  
41 Commissioner Burt made an interesting point that I agree with about the evolution of garages or  
42 the evolution of garage doors. When my wife and I go walking through Menlo Park and Palo  
43 Alto and looking at current architecture it is becoming increasingly clear that the massive 20-foot  
44 wide monolithic garage door is a thing of the past. Now people have three-car garages but they  
45 are carefully segment, each garage space with its own garage door for example and lots of  
46 obscured by vegetation going on in order to de-emphasize the huge panel flat fronted garage  
47 door that we grew up with. Thank you.

1 Chair Cassel: Maybe I should say something at this point. I read this and I was extremely  
2 uncomfortable when I read and yet I knew we passed all this and we worked on it. So why I am  
3 I uncomfortable? I went back and I reviewed what we have in front of us with what we had  
4 before very carefully. I think what was missing for me was less emphasis on the design review  
5 and more emphasis on the compatibility and the occasional comments throughout the first  
6 document that states that this is not intended to be a design guideline document but rather to  
7 control mass, height and so forth. It is done in different ways in different spots but the result is  
8 that the statement that the garage should not be dominant, which is in the original one is sort of  
9 recognized by some of this other language and softens it a little. The use of words that say  
10 'preferred' and 'avoid' rather than 'appropriate' and 'inappropriate' for instance actually felt  
11 more comfortable for me. Now it may not be working for you down in the front room but it felt  
12 like what you were saying was preferred and avoid so you are going to avoid having a garage  
13 that is significant in the front but if you start looking in here and then you pick up your checklist  
14 it says can you do this? Is there some reason why you shouldn't do this? And you can write it  
15 in. You can say my house was designed, and many of them in Palo Alto are that are not Eichlers  
16 but are similar. You keep referring to them as Eichlers because of their low profile. Lots of low  
17 profile places some of them have garages in front that are not connected to the rest of the house  
18 and the front door is behind that. If you were to put a second story on it what are you going to  
19 do? Your garage is out front. So in the original document and in your little check sheet you give  
20 people, people have the ability to say that is what is going on and no you can't put the second  
21 story on unless you did something really weird to this place on an existing one. Now if you are  
22 doing a second unit you are going to have to do something contextual but the slightly softer  
23 language although it may be uncomfortable for you helped me say that these are guidelines and  
24 not design review. So I picked up exactly what Annette picked up and that is that this felt  
25 exactly like design review and that this is pretty severe design review is the way it felt to me. It  
26 was that missing language. It was missing the fifth goal. It was missing the introduction, in this  
27 introduction section, which you say no one reads, but it says the intent of the guidelines and  
28 somewhere on this first page it indicates that this is not the intent of this document to not allow a  
29 variety of design and options. Just those few words scattered here and there does two things.  
30 One it says that these are guidelines and not design review that you have to obey precisely. It  
31 doesn't have to be exactly like the neighbor's house it just has to be below the height and with  
32 the garage door less predominant if you can do that. Somehow the other thing is that the  
33 neighbors now have all the clout. I think what is happening is you are seeing the problems down  
34 in your place and what I am looking at is from a little distance. So one of the things we didn't do  
35 in here was we didn't say Palo Alto Single Family Individual Review Guidelines for second  
36 story development. We wrote it as if it was for everything. Someone picking it up wouldn't  
37 notice that. I never thought of it that way until this afternoon when I was saying why am I  
38 uncomfortable. Well, the way this reads anyone building anything in Palo Alto isn't going to  
39 notice that this is just for second story. We have been working with it all this time and working  
40 really hard on it and I never I picked that up. Now most houses are going to have to because  
41 most houses are going to develop to the second story. But I think the crux of my concern is that  
42 these statements that are located elsewhere that indicate that this is not going to determine the  
43 exact design of your building but rather the height, the mass, the setbacks and so forth is missing  
44 here and therefore it feels like design review rather than design guidelines.

45  
46 The other thing is you need to invert the positive stuff first and the negative stuff second. Go  
47 ahead.  
48

1 Commissioner Burt: First I would like to add my positive support to what several other  
2 Commissioners have said that I think this document has provided better organization and better  
3 clarity and a better format in general and that I find it to be beneficial in each of those  
4 improvements. Then I would like to fess up to a bias. That is that the architectural  
5 recommendations that are adopted or recommended here are ones that in general I like. I think  
6 favorably toward them. Having said that, I think my fellow Commissioners have raised a  
7 number of points that we need to be perhaps more sensitive to and that is despite the fact that I  
8 like these guidelines are they creeping beyond the original intent of the IR review process? In  
9 doing so might we be risking a backlash? We have had a number of circumstances over the last  
10 half a dozen years in this city where in trying to push a set of values that many of us may share  
11 and impose them on everyone that we risk that we can have a loss of community support for  
12 progress that we might otherwise be making. I think that we might be approaching that point  
13 right now. I say that as someone who says gee, I look at this and I would prefer what they are  
14 recommending to be in my neighborhood. So I am torn by that and I may not go as far as some  
15 of my fellow Commissioners in terms of the concern level but I think some valid points are being  
16 raised and we may need to step back and make sure that we aren't going further in some of these  
17 recommendations than was the original IR review intent.

18  
19 Chair Cassel: Karen.

20  
21 Commissioner Holman: I have a little bit different cut on that. I am not reading this as design  
22 review. The language that I read in here addresses compatibility in that it addresses height,  
23 streetscape, street mass and presentation and site planning and privacy another issue. If you look  
24 at the drawing on page five for instance I can understand if one took a quick glance at that and  
25 said if you compare that to what was not meeting the guidelines on page four I guess you could  
26 say that that's design review but the streetscape would not be harmonious if a Georgian was built  
27 between for instance those two low slung homes that exist currently. That is addressing  
28 streetscape it is not design review. So I guess I have less discomfort with the other's comments.  
29 I have seen modern homes that have been built in fairly traditional neighborhoods and I have  
30 seen some that work very, very well. I don't see those being prohibited by these guidelines. I  
31 know of one modern home that is a gorgeous home but it is incompatible because something that  
32 is addressed here is that its plate-height really overwhelms even though it is a single story garage  
33 unit, it overwhelms the two story house next door in that there is no transition at all. These kinds  
34 of guidelines if they just break up that mass by stepping it in or adding a bellyband type of  
35 feature that is what this is addressing. But I don't see that this prohibits either a traditional type  
36 of development or a modern type of development as long as the streetscape is compatible.

37  
38 Chair Cassel: My point is that this doesn't say what you just said. This deals with the height and  
39 the height of that plate and it deals with other issues. This doesn't say but it doesn't have to be  
40 Georgian or modern I don't get that in this document where it is in the other document. In  
41 looking through it this almost reads exactly the same in both documents. So I think what I am  
42 missing is not that what they are proposing is almost the same with the exception of some  
43 emphasis and the order, which mostly is good, but rather it is missing that statement that says we  
44 are not trying to tell you whether to build a modern or a Gregorian house we are trying to tell you  
45 that the plate needs to be lower in the neighborhood when all the houses are very close to the  
46 ground. That is what I am concerned about. When I went back and said what is it that makes me  
47 uncomfortable I think that is what I found that I am missing those pieces. Bonnie and then  
48 Annette.

1  
2 Vice Chair Packer: I had an entirely different reaction. When looking at the drawings and  
3 looking at the photographs I understood very clearly that this is not telling an architect to use a  
4 certain style which is what I think of as design because I saw so many different examples of  
5 architectural styles. Walking around town, as I was this weekend I just was delighted to see new  
6 construction much of which was modern and yet compatible in its own way and it was delightful  
7 to see the eclecticism in neighborhoods where eclecticism works. So I don't think that is  
8 happening in the city. I don't think that is something we really have to worry about. But I do  
9 agree that some of the wording in the guidelines, which are mandatory, probably should be  
10 softened so that it is achievable. I think with that a lot of Phyllis's concerns might evaporate.

11  
12 Chair Cassel: Annette and then Lee.

13  
14 Commissioner Bialson: I hear what everybody is saying and I tend to agree with much of it. I  
15 think what we have to keep in mind is what we have been asked by the one public speaker who  
16 was an architect and I would like to hear Lee's input on this, when the public speaker mentioned  
17 specificity what I sort of interpreted that as being clarity. I don't think we are clear here and if  
18 we are clear it can be seen that we are being clear in a very prescriptive way and that is not what  
19 the original intention of Individual Review was. So I think we have to be very careful because  
20 even though we don't intend it if the words can be interpreted in such a way and the application  
21 of the guidelines occur in such a way that seems to be design review and I think we are all saying  
22 that we don't want to do that. One of the things we have to keep in mind as we talk about second  
23 stories, etc., while it may not be something that we like to be reminded of many people are on a  
24 budget when they remodel. While there are lots of ways to design things wonderfully each of  
25 those things needs to be weighed by the homeowner when they do design. Certainly if it is  
26 something that can be done on a reasonable basis we want to see them do it but quite often  
27 making some of the changes that we are finding attractive and desirable people are not going to  
28 be able to afford to do them. I don't want to have them feel like they can't afford to do these  
29 things in Palo Alto and move out. It is not what we are about in this situation. So I think we  
30 maybe need to be very sensitive about this point.

31  
32 Chair Cassel: Lee was next.

33  
34 Commissioner Lippert: In reviewing this I had a very visceral reaction because my colleagues  
35 up here are reviewing these and looking at these and whether they will work or not I look at  
36 these and I say to myself I have to work with these every day. They are very specific. They are  
37 beginning to dictate as to what you can do and the real questions that come to my mind are  
38 several from my client's point of view. Number one, if I am renovating a house are some of  
39 these things easily achievable or are they not achievable? Am I really contorting myself and  
40 working hard to try to do something that is not going to be a satisfactory solution? If we are  
41 starting out at square one where a site has been leveled and we are starting from scratch many of  
42 these things are very achievable and very easily done but in renovation gee, I am maxed out on  
43 the ground floor with the maximum FAR and I am looking to go up and the addition really can  
44 only happen over a certain portion of the house in order for it to be an economical job and be  
45 compact and be able to happen. It may not be something that is easily achievable in meeting all  
46 of these guidelines. So there might be a way that we want to look at these and begin to say what  
47 are we trying to do here in terms of preserving these neighborhoods and their compatibility? If it  
48 is a small addition maybe all of these standards are not something that we need to look at, only a

1 couple of them. Whereas if it was a major renovation and teardown of a house or even if the  
2 whole house was stripped down to the skeleton yes, that is something that is easily achievable.  
3 So that is my first feelings about this. These are very, very lofty goals. I do think that they are  
4 achievable but at what price? I think that everyone from the Chair to Annette had some very  
5 valid concerns with regard to that.

6  
7 Chair Cassel: Pat.

8  
9 Commissioner Burt: I would just like to dovetail onto a couple of comments that have been  
10 made by fellow Commissioners. That has to do with the concept of we may have a series of  
11 guidelines but to what extent are we mandating that all remodels must fully conform to all  
12 guidelines? The note on the contents page that says, meeting each guideline is mandatory for  
13 approval, I think may be excessive for some of the reasons that other Commissioners pointed  
14 out. If we have small remodel that doesn't necessarily give an opportunity to achieve all these  
15 different guidelines if they are only remodeling one aspect. If we take it literally we are saying  
16 that we are going to impose that if you do a small remodel you have to do a big remodel in order  
17 to meet all these other guidelines and I don't think that is our intent.

18  
19 Mr. Larkin: I just want to interrupt real quickly, I don't want to cutoff the discussion but when  
20 you get into some of these are actually part of the ordinance itself and we are not talking about  
21 the ordinance itself. We will come back to that issue. In terms of meeting the guidelines for  
22 Staff approval that is part of the ordinance so we don't want to get into a discussion of amending  
23 the ordinance at this point because that is not on the agenda.

24  
25 Commissioner Burt: I am not following how you interpreted what I was saying as amending the  
26 ordinance.

27  
28 Mr. Don Larkin, Senior Deputy City Attorney: You are talking about making the guidelines  
29 mandatory.

30  
31 Commissioner Burt: No, I am referring to the guidelines stating that they are mandatory on the  
32 contents page.

33  
34 Mr. Larkin: It does say that and that is a clarification of what is in the ordinance. If you want to  
35 talk about how it is addressed in the guidelines.

36  
37 Chair Cassel: Does the ordinance say you have to meet each guideline or does it say you have to  
38 meet guidelines?

39  
40 Mr. Emslie: Yes. Each guideline. What we are telling you is that you are getting into an area  
41 where you are discussing the actual legislation and that is not what is on the agenda tonight.

42  
43 Commissioner Burt: Okay. Can you cite for me then that language in the ordinance just so I will  
44 make sure that I am steering clear of that and then maybe at the end our discussion if we think  
45 that we would like to agendize or include some of this or make a recommendation to Council for  
46 a review then we could do it at that time.

47  
48 Mr. Larkin: That would be appropriate time to do that.

1  
2 Chair Cassel: I have that with me I just have to take a look.  
3

4 Commissioner Burt: Okay.  
5

6 Ms. French: Pat, can I help out just a little bit as far as where I think you are going? Existing  
7 conditions are not subject to the review. If you are not changing a part of the house we are not  
8 going to say all of a sudden this window over here that is existing now all of a sudden has to  
9 meet privacy guidelines for instance. So only the part of the house that is changing receives the  
10 review.  
11

12 Commissioner Burt: Okay, so is that adequately clear in the guidelines that that is the context for  
13 them? Because when we open to the content page we have in bold this statement that doesn't  
14 have those qualifiers on it. Then when we flip to guideline number one for instance it is an  
15 approval condition it doesn't have qualifiers.  
16

17 Mr. Emslie: This is a document that is meant to be interacted with it is not going to give you  
18 everything you need to know in order to comply. It is a process. The professionals who advise  
19 their clients interact, they interact early with Staff, this is a great tool to begin that discussion but  
20 I really advise strongly against trying to expand this to the point where you are going to cover  
21 every possible situation and clarity. I think you have made some very good comments about the  
22 direction and tone and language. We will take those back I think those are very valid points and  
23 they definitely need to be incorporated in here. I think we need to recognize what this really is  
24 intended to do. There are a lot of components that go into the design process and most  
25 importantly it is the dialogue and the discussion and how these apply to individual site  
26 constraints. I think you are going to torture yourself if end up trying to make this fit all of the  
27 circumstances that you can think of in town. We are an eclectic community.  
28

29 Chair Cassel: I think part of our problem is that this reads to us like it is supposed to do that and  
30 that is probably what we are saying to you. As I read these findings it says neither the Director  
31 nor the City Council on appeal shall grant an Individual Review approval unless it is found that  
32 the application is consistent with the Individual Review Guidelines. It doesn't say every one of  
33 them has to be met only this document in front of us says that. So it is consistent and that gives  
34 you that flexibility and that is when you have an actual application process that allows people to  
35 go through each guideline and say it meets it this way or it doesn't meet it this way and if it  
36 doesn't meet this way, why and that gives you that flexibility.  
37

38 Ms. Lisa Grote, Chief Planning Official: If I could interject, I do think that is what some of your  
39 overall context about broadening and perhaps softening the overall language are very pertinent.  
40 We can take that direction and add notes and changes throughout the document reflecting the  
41 kinds of things that you have said such as in this note meeting each guideline is mandatory for  
42 approval and will be applied within the context of the proposed changes, things like that taking  
43 your general direction and then modifying these sections or areas of the guidelines.  
44

45 Chair Cassel: I think Karen hasn't spoken for awhile so we better flip to her.  
46

47 Commissioner Holman: I was listening to Mr. Emslie's comments and if you look at the  
48 applicability I think we are going down a road that we needn't because the applicability says it

1 applies to new two story homes, new second story additions to existing one story homes,  
2 expansion of existing upper story that exceeds 150 square feet and modifications to previously  
3 approved IR projects. Now maybe there is a way to make that a littler clearer that it doesn't  
4 mean you have to change a lot of existing development. I think when it says here what it is  
5 applicable to it would seem to me that that would preclude that if you are going to add a second  
6 story then you are going to have to start changing other things about your existing house. That is  
7 how I would read it maybe I am unusual in that regard but that is how I would read this that is  
8 only applicable to these things that are listed.  
9

10 The other thing is I think Russ who is sitting there nodding his head sometimes and shaking his  
11 head other times I think it might be perhaps a little enlightening since you go through some of  
12 these to hear what stumbling blocks you have run across, just in brief, and why this is or is not  
13 helpful to you to have more clarity in there.  
14

15 Mr. Russ Reich, Planner: Thank you, Karen. The real reason that we embarked on doing this was  
16 because of the severe need to provide that clarity to applicants. I have heard a lot about the  
17 language may seem a little harsh or prescriptive or too clear but this is a really important tool that  
18 we really feel that we need because the old ones just were far too vague. People were not getting  
19 the message. One thing that it is important to keep in mind is that we look at each application on  
20 a case-by-case basis so what you may read in here is really just a guiding document in providing  
21 people guidance and information but we work with these applicants every day one on one and  
22 certainly go through all these questions to resolve ambiguities in what they may be reading in  
23 here. So when you talk about the garages and the word 'subordinate' we really work with them  
24 and explain what that means. There may be instances where the garage could be forward of the  
25 entry feature or something if in fact it is designed to be subordinate. So that problem just isn't  
26 here when we work with those applicants. I can see your concern just reading the document and  
27 not having had that experience of working with everyone one-on-one for the last three and a half  
28 years. We have really found that we need this clarity to really hit home the message that we are  
29 trying to convey. There is nothing in this new document that wasn't in the old document and  
30 there is nothing in the new document that alters the way we have been applying the old  
31 document. So while some of this stuff may sound different or more restrictive than what your  
32 understanding of the old guidelines was it is not different than we have been applying it for the  
33 last three and half years.  
34

35 Chair Cassel: The guidelines that you have in here haven't changed but a lot of the language that  
36 you had in the other one you eliminated in an attempt to make it simple. When I talked earlier to  
37 Staff they said the complaints that they are getting from neighbors tend to be I don't like that  
38 design. There is nothing here that gives you the ability in the new ones to say we are not  
39 reviewing the design we are reviewing these other factors. That is only a small piece.  
40

41 Mr. Reich: Well if you read through each of the guidelines there is nothing in there that specifies  
42 that they do have to do any particular design. In fact we actually were very careful about  
43 including a variety of drawings. The old guidelines actually kind of guided you to one  
44 Craftsman style but these new guidelines have a variety of different styles and there is nothing  
45 that dictates the style that someone has to go with.  
46

1 Chair Cassel: I warn you that what you are saying is I am in the middle of this down here and  
2 this is what is happening to me and you are going to go from here to here instead of to the  
3 middle. That is what I am worried about. Go ahead, Lee.

4  
5 Commissioner Lippert: I want to sort of build on Commissioner Holman's comment there a  
6 little bit. I think we are fooling ourselves when we think that this is a two story set of rules  
7 because the truth of the matter is that people don't want their houses to look like a Picasso by the  
8 time they are done. They don't want pieces to be disjointed. So if you do something that makes  
9 sense on the second floor, on the second story as an addition, there are things that have to be  
10 mitigated or dealt with on the first story. That often involves reconfiguring rooms,  
11 reapportioning spaces because people are going up for a reason. So we are not looking at this as  
12 just being a second story addition to a house we are also looking at it as a major reconfiguration  
13 of the way the first story is being used. So I am reacting mainly to what Commissioner Holman  
14 said.

15  
16 Secondly, one of the concerns that I do have is that in reading through this I see certain property  
17 owners having rights that maybe are trumping other peoples' rights and they are not being  
18 considered equally. If I were a homeowner and I had a two story house, which I don't have, and  
19 I already have my windows in place and they are located it begins to put a restriction on my  
20 neighbor's property and begins to say well, you can't put your windows in front of my windows.  
21 Now I am not saying that that's a good thing that you should be able to just willy-nilly locate  
22 these windows but there are some real practical planning problems that come along with where  
23 these windows are located, catching the right sun, the right angle, the right views. We don't  
24 want people looking into each other's bedrooms but the point is that the existing house  
25 subordinates the rights of the new house that is being built. Is that something that we are trying  
26 to do here? That is just one example of that happening.

27  
28 Chair Cassel: Okay, we will go down the line again. We are going to try to figure out where we  
29 are going. We are just supposed to make comments so they can understand it and what we are  
30 doing is something that is very interesting and that is sensing where we have been for a year and  
31 half with the real facts in front of us as to what we are going to do and what we are doing.  
32 Bonnie.

33  
34 Vice Chair Packer: I just wanted to follow up on the issue clarity in the guidelines and how  
35 prescriptive or non-prescriptive language this sounds. I hope the Staff goes back and makes  
36 some changes and looks at each of the guidelines to see that it is written so they can be  
37 achievable. It could be a double-edged sword if a neighbor who is concerned about the project  
38 can interpret this subordination let's say the subordination of the garage as an example  
39 differently from the way the Director has in approving guidelines and can say this garage is not  
40 subordinate and therefore it doesn't meet the guideline and therefore the Director was wrong in  
41 approving this because it doesn't meet the guideline. So you want to be careful when you redraft  
42 the guidelines that must be met that they are achievable and it won't be used as a sword by a  
43 neighbor who misinterprets the prescription that the guidelines were trying to enforce. Do you  
44 follow what I mean? It is difficult. It is not easy to do that. I know it means that you can't be as  
45 clear as you would like to be but maybe that would be a good thing. Maybe that is one of the  
46 struggles we have to live with.

47  
48 Chair Cassel: Pat and then we will go right down.

1  
2 Commissioner Burt: I wanted to get a clarification on the applicability aspect. I think I have  
3 heard from different Commissioners actually tonight different interpretations of that  
4 applicability. As I have read and reread I haven't been able to from reading the guidelines get  
5 my own clarity on applicability. So does it mean that the guidelines apply to any remodel that  
6 hits any of those four bullet points under applicability and therefore all of the guidelines apply to  
7 that remodel? So if somebody put 160 square foot addition on their second story and they have  
8 to look at the garage, look at all those things and I didn't think it meant that. My point is from  
9 just reading this literally I couldn't find the clarity of the intent. I didn't think that was your  
10 intent but I couldn't find that clarity.

11  
12 Chair Cassel: Michael.

13  
14 Commissioner Griffin: Well I am an advocate of this new document and I do applaud Staff's  
15 attempt to try to become more specific and to take out some of what I will call wishy-washy  
16 language that perhaps some of my colleagues enjoyed in the last version. I can put my self in the  
17 position of Staff trying to explain what this means in a way that is meaningful to applicants and  
18 this new language I think helps do that. I agree with the comments that Russ in particular has  
19 made.

20  
21 Lee's comments here a moment ago talking about property rights and the new guy on the block  
22 being somewhat subordinate to the placement of the windows of a preexisting structure, I think I  
23 am saying that right, that was a part of the discussion that we had in the IR committee trying to  
24 figure out to what degree are you going to oblige that new neighbor who is coming up to the  
25 second floor, to what degree are you going to oblige him to manipulate his design so that he  
26 doesn't impact the person that was there first. I think that is implicit in this whole process that  
27 there is a certain amount of give and take on the part of the person that is coming up his second  
28 floor and having an impact from a privacy, massing, streetscape aspect. I think it works. I like  
29 this. I am not sure whether the purpose of our meeting here tonight is to reinvent the wheel of IR  
30 although it is an interesting discussion, I will say that.

31  
32 Chair Cassel: Annette.

33  
34 Commissioner Bialson: I think we are dealing with a lot of things that at least for me point to the  
35 need for some revision of the draft we have before us. We have gone into a philosophical  
36 discussion and I think it is an appropriate one because I think it touches on what are we  
37 conveying to the public both the applicants, neighbors and general public by these guidelines. If  
38 we have this confusion ourselves can you imagine what the rest of the citizenry are going to  
39 have? We have to be aware that the audience for these guidelines while mainly is going to be  
40 professional, that is architects, they are also going to be used by neighbors and the general public  
41 to try to educate themselves on what their rights are under Individual Review. While Staff now  
42 speaks to both neighbors and applicants you may find yourself speaking more to neighbors in the  
43 future who come in and are looking for ways to assure themselves that their neighbor who is  
44 improving their property is going to meet each and every one of these guidelines and I think you  
45 are going to be inviting a lot of discussions that we are asking you to avoid by being clearer in  
46 this document. So I think it would be an aid to Staff as much as to us and the citizenry.

47

1 I am somewhat comforted by looking back in my experience somewhat concerned as well by  
2 Staff saying that they are going to be the ones talking to the applicants and others to sort of  
3 interpret or convey the sense of what these guidelines are about. My recollection in a somewhat  
4 similar situation to this where we had design review, I believe it was in Los Gatos, was that I had  
5 a lot of contractors and architects come to my law office complaining that it was just a heck of a  
6 lot easier to let Staff design their improvements in Los Gatos than to try to do anything to change  
7 that. It became easier for Staff, now again I was only hearing one side of the story, but you had  
8 the perception over several years that it was just easier to let Staff design it and it was worth a lot  
9 of time and a heck of a lot of client's money to just accept what Staff had done in the past and  
10 what they approved. You started getting homes in Los Gatos that looked a heck of a lot like  
11 what Staff wanted.

12  
13 Mr. Larkin: To avoid the appearance that I was picking on Commissioner Burt we are again  
14 getting into something that is actually part of the ordinance. So if there are comments on that it  
15 is probably appropriate to save them until after this discussion and do it during Commission  
16 Comments.

17  
18 Commissioner Bialson: I am going to the discussion as to what we are to include in these  
19 guidelines and Staff raised the issue of we have to keep in mind that Staff will be talking to  
20 individuals.

21  
22 Mr. Larkin: Right and Staff talking to individuals is actually written into the ordinance so that is  
23 in the context that we go by the rules and your comments are appropriate but it would be better if  
24 they were save until the end.

25  
26 Commissioner Bialson: Well what I think we need to do is change the language such that we  
27 make it clear aside from Staff comments that the concerns the Commission has raised tonight are  
28 ones that are totally addressed in the guideline statements with regard to not insisting on designs  
29 but rather looking at what we thought we were looking at which was compatibility with the  
30 neighborhood.

31  
32 Chair Cassel: Karen.

33  
34 Commissioner Holman: A couple of things. One is if I could just offer up something that might  
35 help appease some of the Commissioners and maybe provide some clarity. If we are looking on  
36 page one the very first paragraph would it be helpful to amend the first paragraph as a suggestion  
37 such that it read something along the lines of the single family Individual Review process and the  
38 applicability of these guidelines were established by PAMC 18.12.110. Then insert something  
39 along the lines of, "While the Individual Review process is not design review it is intended to  
40 preserve the character of Palo Alto neighborhoods." That might help clarify. I am not saying  
41 that is the specific language but something along those lines that would put right up front and  
42 early that it is not intended to be design review.

43  
44 Chair Cassel: Karen, I think what the Staff wanted us to do was make comments and then they  
45 will come back with us. They didn't want us to actually try to amend it. I think I agree with you  
46 there are a couple of spots in there that will make that kind of changes that will help.

47

1 Commissioner Holman: Well I was just putting that out there to see if other Commissioners  
2 might feel more comfortable with that I am not making a motion or anything of that nature.  
3

4 So that is one thought. Another is the Staff did meet with the IR chairs and there was reference  
5 made earlier to one of the architects or I guess the architect on that committee or one of the  
6 committee chairs. Staff has incorporated or not incorporated those comments from the chairs or  
7 it sounds like there are still outstanding issues. Could Staff address that?  
8

9 Ms. French: We did respond to some of the concerns and Annette I know you mentioned John  
10 Northway and he was one of the three co-chairs at our meeting. He did bring up the comment  
11 about how we worded the ways of creating garages that were less prominent than the house or  
12 subordinate. We did listen to that and we made some adjustments there.  
13

14 Commissioner Holman: Then I have a question on page six for instance and this is where we are  
15 looking at guidelines as they are in front of us. Under guidelines two in the black box there is an  
16 asterisk which says meeting this guideline may require a house to be substantially lower than the  
17 maximum height limit, 30 feet, set forth in the R-1 regulations. That height can address mass.  
18 Has Staff ever encountered where that might also address an imposition on accomplishing FAR  
19 because these are guidelines, FAR is codified. I am asking about the interplay of those. Has that  
20 ever been a difficulty?  
21

22 Mr. Emslie: You can't. IR Guidelines by ordinance and we are getting again into the ordinance  
23 cannot be used to reduce FAR.  
24

25 Commissioner Holman: Understood. I was just wondering this asterisk here looked like it might  
26 be indicating that it could and that is why I was asking for a clarification about that.  
27

28 Mr. Emslie: Staff may care to elaborate but I think it is pretty clear it relates specifically to  
29 height and could not be construed nor by ordinance could it ever be used to achieve that result.  
30

31 Mr. Reich: We have actually never had a situation where the guidelines have prevented someone  
32 from using their maximum available FAR. We fully understand that that's the goal and we have  
33 never tried to prevent someone from doing that in complying with the guidelines.  
34

35 Commissioner Holman: Thank you for that clarification. Then just lastly not meaning to pick at  
36 something and it may sound like that so I wanted to make sure that it is not the intention. When I  
37 had stated earlier by reading what the applicability was of course anybody who does a second  
38 story addition it is a holistic process but I think maybe the examples, and you are welcome of  
39 course to talk to this Commissioner Lippert, but I think the examples that were given are driven  
40 by function of the building and not the IR process. So parts of a second story might have to be  
41 redone but they are not going to have to be redone because of the IR process they are going to be  
42 redone because of the function of the building. At least that would be my thought.  
43

44 Chair Cassel: Shall we go down the row once more and then consider maybe unless we have any  
45 other comments or additional new issues to raise that we will probably then give this back over  
46 to Staff because that is what they have been asking us to do is raise issues? Lee.  
47

1 Commissioner Lippert: First I would like to just take a moment and just respond to  
2 Commissioner Griffin's comment towards me or in my direction. I think you misunderstood. I  
3 was stating that an existing property that was a one story house that was going up next to an  
4 adjacent second story house might have their rights subordinated by the fact that the second story  
5 is there even though both properties have been there maybe an equal amount of time. The point  
6 that I was trying to make is something that I had questioned Staff about earlier which is rating  
7 spaces and adjacencies which are if you had a bedroom that overlooks a living room does that  
8 create a privacy issue or a bedroom or a bathroom that looks into a study does that create a  
9 privacy issue? So I think that there needs to be some way of rating what these views are and  
10 what space trumps what space. So that is my first comment.

11  
12 The second thing is that there is one thing that is missing in here, which is materials and  
13 windows and all the sort of pieces that go into making a building. I think that that is something  
14 that contributes to neighborhood quality, character and compatibility more than anything else  
15 that is described here. When you have an Eichler neighborhood with this beautiful siding that  
16 they don't even make any more and then you have a stucco building that goes in there that is two  
17 stories that really creates an eyesore in a neighborhood. It is really disjointed and sticks out. So  
18 that is something here that I think also needs to be further sort of flushed out.

19  
20 Mr. Reich: Can I comment on that?

21  
22 Commissioner Lippert: Sure.

23  
24 Mr. Reich: Staff wholeheartedly agrees that materials play a big part in the design and the  
25 compatibility and the massing of the structure although early on in the discussions about  
26 Individual Review as has been mentioned here earlier tonight we are trying to stay away from  
27 being design review. When you start dictating colors, materials, things like that people get really  
28 uncomfortable with it. So we specifically try to stay away from talking to applicants about  
29 materials too much. We do bring it up. We mention this might work better or that might work  
30 better but we don't dictate materials and maybe that should be changed in the process but at this  
31 point we don't include that in our review.

32  
33 Commissioner Lippert: I am just identifying that, as that is the elephant in the room.

34  
35 Ms. Grote: Some of the original single-family advisory group members may want to speak to  
36 that but that was specifically talked about in that advisory group and determined should not be  
37 addressed in the Individual Review program, which is the reason why we haven't.

38  
39 Mr. Mammaella: I would like to add to that that in the meetings with applicants we try to take  
40 the queues from the applicants, what are you trying to do? And try to understand what they are  
41 trying to do so we can bring these guidelines into play in a way that really works with their goals.  
42 So if they bring up certain issues then we may work with them on those issues but we do not  
43 focus on those issues at the outset, things like materials and details are not things that we focus  
44 on but if they bring it up we will help them relative to that in the review process.

45  
46 Chair Cassel: Pat.

47

1 Commissioner Burt: So just following up on that as I understand it that you might offer that as a  
2 suggestion but not a requirement in any way and if applicants are comfortable with receiving  
3 those suggestions then I think that is a positive thing as long as we all agree that those are the  
4 boundaries as much as I might agree with you on those suggestions we didn't want to go that far.  
5

6 Mr. Mammaella: I think we offer the suggestions relative to individual applicants and how  
7 receptive they are and what they are asking from us at the time.  
8

9 Commissioner Burt: I have one final clarifying question. When we talk about meeting each  
10 guideline can you clarify for me to what degree the Staff use meeting a guideline as an objective  
11 decision versus a subjective one?  
12

13 Mr. Mammaella: I will take a stab at that. It is neither totally objective nor totally subjective.  
14 When I goes to either extreme, if it is totally objective it becomes a standard like a height limit.  
15 If it is totally subject it becomes a feeling or an impression. So what we try to do is we try to  
16 work with the context of the neighborhood that we are in and take our queues from there. For  
17 example the height context in that neighborhood you are dealing with houses that are built low to  
18 the ground with low rooflines. That is what we might be dealing with in a situation and we will  
19 use that as the data to discuss whether they are meeting that particular guideline. So hopefully  
20 that partially answers your question.  
21

22 Commissioner Burt: I think it does and I think it captures what I assume to be your approach  
23 and some of the understandings I have had about how the Staff views this process. With all due  
24 respect to the City Attorney on what I was attempting to address earlier I am not proposing that  
25 we change the language of the ordinance. What I wanted to address is we have important  
26 semantic differences. Semantics is the study of meaning in this language. When we put in bold  
27 on the front here this reiteration that meeting each guideline is mandatory for approval the  
28 implication to me is that you have removed the subjectivity. What I have heard from you and  
29 what I have understood to be is that we are striking a balance between objective and subjective  
30 criteria and that the implication that I receive from this is that we have removed much of the  
31 subjective that I think in fact you exercise and that you exercise in a good manner. So that is  
32 why I have a reservation about putting the most bold statement on this being one that may  
33 misdirect what in fact is Staff's intention and I think the concurrence of the Commission as well  
34 and the ordinance's intention.  
35

36 Mr. Mammaella: Can I just respond to that? I think it comes from the basic problem with the  
37 work guideline. I have been doing this for over 15 years and the work guideline really makes it  
38 tough because it immediately sets into motion in people's minds often that these are merely  
39 suggestions or preferences. So somehow in the balancing of that we have to find the right words  
40 to convey to them that there is something more than a suggestion there is something they need to  
41 consider in their design process.  
42

43 Commissioner Burt: I agree it is a difficult task to draw that line. My point would be that this  
44 might go a bit too far but I sympathize with the struggle that you have with trying to strike that  
45 balance.  
46

47 Chair Cassel: Bonnie.  
48

1 Vice Chair Packer: These are going to be my wrap up comments. I want to say that when we  
2 first reviewed the Individual Review Guidelines I was skeptical and I think I was one of the sole  
3 Commissioners that voted against it. But over the past three and a half years just sort of seeing  
4 the kind of construction that is going up in this town I think these bigger homes look softer.  
5 They seem to blend in a little bit better. It is subtle but I think the guidelines seem to be working  
6 so I can congratulate all of us for doing this.

7  
8 Now going back to these revised guidelines I look at the one, two, three, four and five all in a  
9 row here and just reading the language. Two, three, four and five seem a lot softer in their  
10 wording than one and I think guideline one is the one that was giving us the most difficulty. So I  
11 think with all the comments that all the Commissioners have given you I expect that with the  
12 softening of the language the issue that Pat is having with that note and the requirement in the  
13 ordinance that all the guidelines have to be met I think that issue can be resolved by just making  
14 the guidelines a little less stringent sounding.

15  
16 Very importantly I think each guideline has to be clarified as to which type of construction it  
17 applies to and which it doesn't. Clearly guideline one is not going to apply to the second story  
18 addition if that is the only thing that is going on because you are not changing the site plan. That  
19 is kind of obvious but it might be helpful to put that in so it isn't use as a sword by a neighbor  
20 that is opposing it. So just things like that will really help this new set of guidelines. I think as I  
21 said on the whole I really like the layout and I think it is going to continue improving the stock of  
22 new construction in our city. Thank you for your hard work.

23  
24 Chair Cassel: Michael.

25  
26 Commissioner Griffin: I will just say again that I feel that this new edition of the guidebook  
27 does a better job of fostering the goals that the IR committee came forward with. I like it. I  
28 think again a nitpicking comment the pictures on the back while attractive don't seem to be very  
29 instructive in terms of informing applicants what it is that we are trying to achieve here. Perhaps  
30 to redo them showing context, what these houses look like in context with the streetscape would  
31 perhaps improve the situation. Otherwise I don't see the value of them. But I like your work.

32  
33 Chair Cassel: Annette.

34  
35 Commissioner Bialson: Thank you. I too believe it or not do like the new iteration of the  
36 guidelines but I have concerns and I expressed them previously. I think we really need to go  
37 back to just what are we trying to do. The history of what we have done so far has been very  
38 educational. I think it has resulted in better designs. What we were trying to accomplish was  
39 neighborhood compatibility and an increase in privacy for neighbors. Let's also be aware that  
40 many neighbors have misunderstood what the guidelines are about and in hearing from people  
41 who have gone through Individual Review what they have considered important enough to tell us  
42 is that we have got to be aware that we can't give ammunition to neighbors to hold up their  
43 projects or make their projects much more costly as a result of their demands, questions, pursuit  
44 of what they feel these guidelines give them by way of right. So we need to be aware that these  
45 guidelines have two different audiences both the applicants and their design professionals and  
46 the neighbors.

1 The pictures that Michael was referring to would be a little more helpful if you included again  
2 those homes like Eichlers or ranch homes which we have quite a few of in this city to show that  
3 there are some homes where we have garages in front and what has been done with regard to  
4 them and they may not be fabulous designs but they are acceptable, just to let people know that.  
5 Last, to keep in mind really what we are looking for here is clarity that what we are doing is  
6 trying to accomplish the result of what this community said it wanted, again neighborhood  
7 compatibility and preservation of privacy not design review because I still think flavor design  
8 review.

9  
10 Chair Cassel: Karen.

11  
12 Commissioner Holman: I guess just three comments or so. I do congratulate Staff on this. I  
13 think largely it is a very positive direction. You have heard the comments that the Commission  
14 has made. I think the more the clarity for the applicants probably the fewer comments and less  
15 consternation there is going to be with neighbors and applicants. That is after all one of the goals  
16 of this that we achieve better compatibility with new projects then there will be less neighbor  
17 concern. It is about predictability for both the applicant and the neighbors. What seemed to be  
18 happening before this process was an applicant-centric process and this is to be a compatibility  
19 with not just the structures but with the persons who live in the neighborhood. I think this clarity  
20 will further that goal.

21  
22 A comment about the list of items that go in the packet. Since that was provided to us I presume  
23 I can comment on that since I asked a question about it earlier. I am somebody who likes clarity  
24 myself and I think if this list were more specific in what it does include that over time that will  
25 be more clear that all people who are distributing these handouts will be sure to include all of the  
26 things that are intended to be handed out. One of the things I mentioned earlier was not on this  
27 list although it is something that is handed out so I would ask for clarity on that.

28  
29 Then is this a time I could ask about a posting question or should I hold that for later?

30  
31 Mr. Emslie: Later.

32  
33 Chair Cassel: That is a process question.

34  
35 Commissioner Holman: Okay. I guess those would be my only comments then at this point.

36  
37 Chair Cassel: This is not a normal time that someone from the audience speaks. Is that all right  
38 with everyone? Okay, then go ahead.

39  
40 Ms. Annette Ashton, Palo Alto: I am one of the co-chairs from the Individual Review process.  
41 So I just wanted to mention one thing and I am not going to get into any of your discussion  
42 tonight. I just wanted to remind you of where this came from. When we decided what the  
43 problems were that we were hearing the privacy, mass and streetscape, we decided that we could  
44 either solve the problems that we heard either by hard code actually changing zoning code, and  
45 some of that did get changed and clarified, or we could do something that was on the other  
46 extreme which you are calling design review. We decided to do something in the middle. The  
47 guidelines came out of the idea of not hard coded, the specificity, but some way to give an  
48 artistic design, allow our neighborhoods to change, allow neighbors to get what they want thus

1 the guidelines which were meant to have a conversation between Staff and the applicant and also  
2 avoid the problems of privacy, mass and streetscape. So I wanted to emphasize that is sort of  
3 why it is a little bit vague because you see a good house that fits in the neighborhood when you  
4 see it and it is very hard to actually codify that. So that is point number one.  
5

6 Point number two, when we, the three co-chairs, saw the documents I think you rightfully picked  
7 out the issue of garage placement as being the one area that we did address. It is sort of really  
8 redone by point number three on page three by talking about custom fit with the neighborhood.  
9 Again, I am not going to talk about that. Where I wanted to go that may be helpful is there were  
10 some pieces of Individual Review that were left out. I think that if we had the next element and  
11 Staff is probably not going to be happy with this but we have left out some specificity for Eichler  
12 neighborhoods, for historic neighborhoods, for neighborhoods in the flood plane and also in the  
13 open space. So if there were a chapter or something specific that added to the Eichler  
14 neighborhoods that do have garages in a pretty different place I think that would help a lot of the  
15 comments that you have tonight. So I did want to point out that there is something that we could  
16 do in the future that would be more specific because flood planes are also a problem.  
17

18 Finally, the last thing which I think will help a lot which we have never addressed that was an  
19 original recommendation is to take examples of good architectural design, whatever that is, and  
20 model them by giving once a year an award to really good design styles. This was part of one of  
21 the things that never got actually implemented. It would be very cheap maybe the cost of the  
22 print on a piece of paper. That might also help to give the right message.  
23

24 Chair Cassel: Thank you, Annette. My comments are in fact that I like the guidelines they have  
25 been working in the city. You have been doing good work. It has been coming out. It has been  
26 hard on you sometimes but the result is what you see going before City Council and that is not  
27 much of anything. That shows that you have had good work and things have been resolved. My  
28 concern is that we don't go too far the other way trying to solve the problems that you are facing  
29 in this and what has been going well in the process and slide us too far the other direction. This  
30 is mostly a matter of wording. We are looking for consistency not mandating. In the term in the  
31 front I think is what you are looking at and you are looking for consistency with each guideline  
32 and some comments about what we have been talking about it is the not the guidelines  
33 themselves that we have been having so much trouble with is my feeling when I went back and  
34 compared the two documents side by side. So I want to thank you for all your hard work and  
35 your attempt. You have a question now?  
36

37 Commissioner Lippert: Are these going to come back to us?  
38

39 Mr. Emslie: No.  
40

41 Commissioner Lippert: Okay.  
42

43 Chair Cassel: We are going to end that item for now. I thank everyone for their comments.  
44 Thank you for your hard work. We will go on to the next item on the agenda.  
45

46 Do we have any Reports From Officials?  
47

48 **REPORTS FROM OFFICIALS.**

1  
2 Chair Cassel: Are there any Commission Member Questions, Comments or Announcements?  
3

4 ***COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.***  
5

6 Chair Cassel: Has anyone been to City Council in the last month?  
7

8 Mr. Larkin: If I could just make a comment kind of on general process because I kind of peaked  
9 a couple of people off today and I wanted to explain my intentions. It certainly wasn't meant to  
10 be an editorial comment. One of the things that happen as a natural tendency especially in a  
11 free-flowing discussion like this is that it is easy to kind of wander off the agenda and get into  
12 something else. When I do that what I would encourage you to do is to make mental note or  
13 write down where you were at this point in the agenda is the time to raise that issue. You won't  
14 get a response today but that will allow us, Staff, to come back with a proper answer, agendize  
15 the question properly and properly respond. So I apologize for cutting people off but that was  
16 the purpose behind it. It is not an editorial comment and it certainly isn't to cutoff debate but  
17 mainly just to make sure we are focused exactly on what was noticed on the agenda.  
18

19 Chair Cassel: We have been cutoff before by City Attorney's. Karen, you had a question and  
20 then let me go back to you Pat.  
21

22 Commissioner Holman: Yes. It is a question too because I think we have some comments that I  
23 think we wanted to make that have to do with Individual Review and the planner in charge of  
24 that is leaving the room. So I am just wondering if we could haul her back.  
25

26 Chair Cassel: I think the point is they are not agendized items and so we wanted to write the  
27 question down.  
28

29 Mr. Larkin: The comment you can make and the questions you can ask but you won't get your  
30 answer tonight anyway.  
31

32 Commissioner Holman: Understood but I just want to make sure the information.....  
33

34 Mr. Emslie: If you have anything on the process or other things in the ordinance get them out  
35 now. They will be incorporated into our annual review. Most likely we would have that in the  
36 fall part of our regular review and modification of the process.  
37

38 Commissioner Holman: Okay. I have a comment about the process. That is regarding postings.  
39 Recently it came to our attention that the posting were being changed such that they were going  
40 to be more consistent with conditional use permits and there would be no graphic examples on  
41 those postings. In speaking with other Staff there is an indication that more information is better  
42 than less information. So this Commissioner at least would rather see and think it more helpful  
43 and more instructive that there be a reinstatement of having graphic examples on the posting and  
44 even more elevations shown than fewer. Also that the purpose, if you will, of the Individual  
45 Review also be included on that posting. Having read several of them I think what they do is say  
46 that this application has been forwarded and your period of comment is until x date. I don't  
47 recall that the purpose, I could be mistaken on this but I don't think so, the purpose I think of  
48 Individual Review is not included on that posting and I think that might also help clarify for

1 neighbors and eliminate some of the consternation that does happen albeit that it has not been  
2 that much.

3  
4 Chair Cassel: Was there a comment down here that you wanted to make, Pat?

5  
6 Commissioner Burt: Just briefly, I would like to concur with what Commissioner Holman had  
7 said. I think from a process standpoint that is the one aspect of the IR process that I had hoped  
8 we were going to go further on in this last appeal that went to the Council I went to the site and  
9 said okay, I am going to walk up here and see what is this issue that people are raising. I knew  
10 that we were going to be subsequently reviewing the process which we did before this meeting  
11 and I wanted to have some sense of why is this one raising objections, are they legitimate or not?  
12 From looking at the posting I couldn't get a sense of it. I couldn't get a sense of what the  
13 ramifications would be of that project. Then I think when I raised that issue at our last meeting  
14 on this I was told that well, it was a cost saving measure to not put up more or actually an  
15 intention to reduce the posting whereas I was hoping we were going to make them more clear.  
16 Furthermore I think that clarifications on the noticing that do state the purpose and in a way  
17 make sure neighbors understand the limitations of what their prerogatives are on the subject  
18 might help as well.

19  
20 Mr. Larkin: I don't mean to assume that what you are going to address, Commissioner Lippert,  
21 but we shouldn't get into an extensive discussion. The comments have been noted and Staff will  
22 respond.

23  
24 Chair Cassel: Lee, did you have a comment on something else?

25  
26 Commissioner Lippert: Yes. Just that again not to get into a discussion here what I would like  
27 to say is I concur with the discussion that we had previously on this and the direction that we had  
28 given Staff previously for a number of reasons. One of which is that in other communities it is  
29 problematic having those postings and people trespassing onto property to look at those drawings  
30 or documents and by having them in the City Hall and having it properly noticed saying where  
31 you can look at those documents actually creates less problems.

32  
33 Chair Cassel: I think we shouldn't be getting into a discussion. Those comments are noted in  
34 our record. Thank you very much. Is there something on another subject? Well, usually  
35 Commission Member Comments and Questions come first. Karen do you have something else?

36  
37 Commissioner Holman: I have a question about the Zoning Ordinance Update working group.  
38 There have been a couple of items that have come to us recently that have not come to the  
39 working group and I am just putting that out there that that hasn't been happening it seems. Staff  
40 doesn't need to respond why or if it is but it seems as though it is not.

41  
42 Chair Cassel: Are there any other comments at this time? Can we go on to the minutes?

43  
44 We have a set of minutes to be approved tonight. Approval of the minutes of April 27, 2005.

45  
46 *APPROVAL OF MINUTES*: Minutes of April 27, 2005.

47  
48 MOTION

1  
2 Commissioner Bialson: I move that we approve the.  
3  
4 SECOND  
5  
6 Commissioner Griffin: Second.  
7  
8 Chair Cassel: That was moved by Annette, seconded by Michael. You have a comment,  
9 Bonnie?  
10  
11 Vice Chair Packer: Yes. I came a little late to that meeting so my approval will be based on the  
12 time that I was there not on the time that I was absent.  
13  
14 MOTION PASSED (7-0-0-0)  
15  
16 Chair Cassel: Thank you. Any other comments? All those in favor please say aye. (ayes)  
17 Opposed? That passed unanimously. Thank you very much.  
18  
19 The next meeting is on June 8, 2005 here at seven o'clock.  
20  
21 *NEXT MEETING*: June 8, 2005.  
22  
23 Ms. Grote: I just wanted to make a brief announcement. I sent out an email earlier today but this  
24 is my second to the last meeting with the Planning and Transportation Commission. I will be  
25 leaving on June 16, 2005 to become the Director of Community Development for the County of  
26 San Mateo. I just wanted to say how wonderful it has been working with all of you. I have  
27 learned so much and it has really been an enjoyable experience. I am going to miss you all.  
28  
29 Chair Cassel: Thank you and we will miss you and congratulations.  
30  
31 Mr. Emslie: Yes, we will be planning an appropriate opportunity for everyone to give Lisa their  
32 best wishes so we will make sure that you are told of that event.  
33  
34 Chair Cassel: Thank you very much and good luck to you, Lisa.  
35  
36 The meeting is now adjourned. Thank you.  
37  
38 *ADJOURNED*: 9:00 PM.  
39