



HISTORIC RESOURCES BOARD MEETING  
MINUTES: January 25, 2018  
City Hall/City Council Chambers  
250 Hamilton Avenue  
8:30 A.M.

**Call to Order/Roll Call**

Present: Chair Martin Bernstein; Vice Chair Bower, Board Member Margaret Wimmer, Brandon Corey, Roger Kohler, Michael Makinen

Absent:

Chair Bernstein: Well, we'll wait, Brandon will be here in about 5-10-minutes so we have minutes to approve but he spoke at the minutes so we should wait for him. We could do

Vice Chair Bower: We could do Board Member questions or comments (inaudible). Could we change...

Ms. Amy French, Chief Planning Official: (inaudible)

Chair Bernstein: Yeah, I know that, right.

Ms. French: (inaudible – off mic)

Chair Bernstein: Welcome everybody to the January 25<sup>th</sup> meeting of the Historic Resources Board. Would staff please call roll?

[The Board heard agenda changes, additions, and deletions first]

**Oral Communications**

Chair Bernstein: I'd like to open up next on our agenda would be oral communications and any member of the public may speak to us on any item, not on the agenda. I have one card from Jessica Brettle and welcome Jessica.

Ms. Jessica Brettle, Assistant City Clerk: Thank you, Chair Bernstein and Board Members. My name is Jessica Brettle, I'm the Assistant City Clerk here in Palo Alto in the Clerk's Office. I'm just here briefly to speak to all of you about a recruitment that we're opening up for our Board Members. We know you all are very connected in the community. So, if you know of anybody who is interested in applying and serving, we encourage you to talk to them and get them to apply so that we can get some really great, qualified people on our Boards and Commissions. Right now, we are recruiting for four different Boards and commissions, we're actually recruiting for one open position on this very Board; HRB and that term would end in 2019. We're also recruiting for three positions on the HRC, which is the Human Relations Commission, three terms on the Public Art Commission, and two on the Utility Advisory Commission. So, if you know of anybody who is interested, please encourage them to give us a call at the Clerk's Office or go to the City's website at [cityofpaloalto.org/clerk](http://cityofpaloalto.org/clerk). The deadline to apply is March 20<sup>th</sup> at 4:30 p.m.

Chair Bernstein: Jessica, the – I know for the HRB, previous elections there where several people applied for a position. Do you know if the Clerk's Office can reach out to those applicants to remind them?

Ms. Brettle: Yes, if we've received applications in the past, we do reach out to those folks and we keep them on file. So, we will reach out to them and ask them to apply once more for that vacancy.

Chair Bernstein: Excellent.

Ms. Brettle: If you have any questions, give us a call.

Vice Chair Bower: I have a quick question.

Ms. Brettle: Yes, sir?

Vice Chair Bower: Is there any prohibition from a Board Member serving on more than one Board or Commission here?

Ms. Brettle: You know that's an interesting question, I would have to look into that. Are you interested in serving on another Board sir?

Vice Chair Bower: (inaudible)

Ms. Brettle: I will have to look into that. That's a good question, I will have to find out for you.

Vice Chair Bower: I just wanted to put it out there so that maybe the City Clerk's Office or City Attorney could share with the community whether that's an issue.

Ms. Brettle: I don't think that it has happened in the past but I don't know if we have a certain provision that excludes that from happening. I'd have to look into it.

Board Member Kohler: I think there was someone a long time ago that was on two Boards or he was – anyway, never mind. I think...

Ms. Brettle: No, it's a good question. I'll have to look into it.

Vice Chair Bower: Actually, you asked me if I was but I'm on the Storm Water Management Committee, as well as this Board, and there was a discussion before I got on that other Committee.

Ms. Brettle: Whether or not that was allowable.

Vice Chair Bower: Right but that's a Committee and not a Board.

Ms. Brettle: Right.

Vice Chair Bower: I'm not sure -- or a Commission and I'm not sure there is a distinction but I just thought it would be worth clarifying.

Ms. Brettle: Sure, definitely, thank you for that suggestion. Thank you for your time.

Chair Bernstein: Thank you.

Ms. Brettle: I have some flyers, I'll put them in the back. Thank you.

Chair Bernstein: Ok, thank you, Jessica.

[The Board moved to the election of Chair and Vice-Chair]

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

Chair Bernstein: Alright, first I'd like to actually start with agenda changes, additions and deletions and I'd like to suggest that we then move to Board Member comments and questions at that point.

[The Board moved to Board Member comments and questions]

### **Selection of Chair and Vice Chair**

Chair Bernstein: Alright, we are still without Board Member Corey and our next item would be the item on 526 Waverly Street.

Ms. French: I'm sorry, the...

Chair Bernstein: Yes, please, go ahead.

Ms. French: So, the selection of Chair and Vice-chair is the next item so if you could put that to the end of the meeting then.

Chair Bernstein: Ok, that's a good way to do it.

Chair Bernstein: Alright, moving ahead and welcome Council Member Holman to our meeting and I see our planner Holly is here also – Keene, thank you, welcome.

[The Board moved to City official reports]

Chair Bernstein: Alright, I think all the Board Members are present now so we can actually move to selection of Chair and Vice Chair. I would like to start by nominating Vice Chair Bower to be Chair of the HRB. I believe in this process for HRB, a second is not required for nominations? I don't know if they are or not. May I have a second to the nomination?

Board Member Wimmer: I'll second that.

Chair Bernstein: Ok, great. I'd like to actually speak to my motion or nomination, that I've seen that Mr. Bower and – currently Vice Chair Bower has been on the Board for numerous times and I believe that you would be well – the Board would be well served for you as Chair. You're very well spoken and very thoughtful and you help illustrate all the different sides and fairness of issues so that's why – that's my basis of my nomination. Any other comments? Would you like to speak to your second?

Board Member Wimmer: Yes, I think David we – would be an ideal leader. I think he does a lot of homework before each meeting. I think he's been in the community from a long time and he even resides in a historic house so I think that he would be an ideal Chair for our Committee.

Chair Bernstein: Any other comments? All those in favor – go ahead, Mr. or Board Member Makinen.

Board Member Makinen: I totally confer – agree with that comment. Excellent choice.

Chair Bernstein: OK, all those in favor signal by saying aye. Mr. Chair, congratulations. Yeah and then Vice Chair.

### **VICE CHAIR BOWER WAS VOTED 5-0 TO BE CHAIR**

Chair Bower: I am honored that my fellow Board Members feel that I can take this job in hand and I follow Martin's excellent stewardship of the Board. I certainly appreciate this opportunity, I was Chair in 2011 and I had just come on the Board a couple before. I think I have more to offer now that I've been

here for a while but I'm still relatively young in terms of 10-year on the Board. I think the next order of business would be to appoint a Vice Chair. Are there nominations? Martin or Michael?

Board Member Makinen: I'd like to nominate Margaret Wimmer.

Board Member Kohler: Oh, I was going to do that too.

Board Member Makinen: Well, I beat you to it.

Board Member Wimmer: Thank you, I have been Vice Chair for at least one term, a term in a half but I was actually going to nominate Brandon Corey to see if he would like to step up to be the Vice Chair this term.

Chair Bower: I would second that nomination of Brandon. I'd second it for Margaret but Margaret has – appears not to be interested.

Board Member Wimmer: Well I've done it so I also like to – I act in fairness so I feel like maybe someone else would like to have a turn.

Board Member Kohler: I think that's a very appropriate proposal.

Chair Bower: Roger, you want to have a comment?

Board Member Kohler: No, I think it would be a good choice.

Chair Bower: Yeah, I'd like to speak briefly to Brandon's nomination. He, Margaret and I have been working on the Mills Act program and I've been very impressed with his insight and energy as we have addressed that issue. So, I think he would be a very good person to be in the Vice Chair seat so I would strongly encourage my fellow Board Members to support that. Any other comments?

Board Member Wimmer: Should we ask Brandon if he wants to be Vice Chair before we put him in that position?

Chair Bower: No, no...

Board Member Wimmer: Maybe we should hear from Brandon.

Chair Bower: ...we don't go there.

Board Member Wimmer: Oh ok, you can't say anything. He should be able to say – shouldn't he be able to say (inaudible)

Chair Bower: I did hear a no so.

Board Member Corey: No, I'm certainly honored to do that if you guys think -- I think I'd be a good choice, I'm happy to take on that challenge.

Chair Bower: Good, I do. Michael, do you have anything else to add? Your lights on that's why...

Board Member Makinen: No, I agree with that nomination.

Chair Bower: Alright, any further comments? All in favor of Brandon as Vice Chair say aye? Good, it's unanimous.

**BOARD MEMBER COREY WAS VOTED TO VICE CHAIR WITH A VOTE OF 5-0**

[The board moved to action item number two]

## City Official Reports

### 1. Historic Resources Board Meeting Schedule and Assignments

Ms. French: Should we talk about the next – City official reports as the next item?

Board Member: Yes, please, go ahead.

Ms. French: We have our next meeting is the retreat on February 8<sup>th</sup>. We are going to meet here and then we will go to the Girl Scout House as a field trip so right after the retreat. As noted, this was before Council Member Holman arrived, we will be discussing the new Comprehensive Plan policies with respect to historic preservation and other matters. If you want to get a sneak preview of that, you can look online at February 11<sup>th</sup> because we had a staff report for that. You can kind of see what we're going to do on February 8<sup>th</sup>...

Board Member: Excellent.

Ms. French: ...and then the meeting after that, so far, we do not have items for the meeting on the 22<sup>nd</sup> but stay tuned, we may.

Board Member: Great.

Ms. French: Reflect that Brandon Corey, Board Member, arrived.

Board Member: Welcome Board Member Corey, great.

Vice Chair Bower: I have – there were three meeting dates that I know I will not be available at this point. Should I just say this for the record? They are March 8<sup>th</sup>, April 26<sup>th</sup>, and August – I'm sorry, September 13<sup>th</sup>. September 13<sup>th</sup> is questionable, I might still be in town so I just wanted to put that on the record.

[The Board moved back up to selection of Chair and Vice-Chair]

## Action Items

### 2.. PUBLIC HEARING / QUASI-JUDICIAL. 526 Waverley Street [17PLN-00454]:

Recommendation on Applicant's Request for Approval of Façade Restoration and Associated Historic Designation Reclassification From a Local Historic Resource Category III to a Category II Historic Resource. Zone District: CD-C(GF)(P). Environmental Assessment: Exempt from the California Environmental Quality Act per Sections 15331 (Historical Resource Rehabilitation). For More Information Contact the Historic Planner Emily Vance at [emily.vance@cityofpaloalto.org](mailto:emily.vance@cityofpaloalto.org).

Chair Bower: Let's move onto our action items. Oh wait, did we do the study section? Yes. Public speaking? I think we're on the public hearing for 526 Waverley Street. I'll just read the title as we have been – as it has been presented to us. This is a recommendation on applicant's request for approval of façade restoration and associated historic designation reclassification from a Local Historic Resource Category III to a Category II Historic Resource. The zone District: CD-C(GF)(P). Environmental Assessment, it's exempt from the California Environmental Quality Act per Sections 15331 (Historical Resource Rehabilitation). To begin (inaudible), is there a presentation from the applicant? Oh, I'm sorry, staff presentation first.

Ms. Vance: I'll just give a brief...

Chair Bower: I apologize.

Ms. Vance: No worries. I will give a brief presentation on the project so on October – August 24<sup>th</sup>, 2017, the Historic Resources Board conducted a study session regarding the façade restoration and historic designation elevation of 536 Waverley. A two-story Spanish colonial revival commercial building designed by Birge Clark. On December 15<sup>th</sup>, 2017, an application was submitted for a commercial remold and façade restoration of 526 Waverly Street. Exterior work includes the removal of modern brick finish and the restoration of various original architectural features including but not limited to, ironwork, entry arches, wood lintel and tile work. The building is currently a Category III historic resource on the local inventory and is located within downtown Palo Alto. Staff supports the restoration of the façade as indicated in the submitted plans. This includes the removal of applied siding and non-original trim, removal of the brick finish, restoration of window grill to the northernmost window on the second-story, restoration of iron balconies, restoration of plaster trim, brackets and wooden lintel and restoration of the arched entryway at the southern entrance. Here we see the original 1927 Birge Clark elevation and additionally, two sets of French doors were located on the second-floor with iron balconies visible in these plans. Both sets of doors have since been removed and multi-paned windows inserted in their place. The restoration of the two sets of doors would not be necessary in order to achieve Category II statues. Continuing, staff supports the restoration of 526 Waverley façade to its original 1927 appearance with HRB's guidance and input regarding tile choice and other architectural details which we will be discussing momentarily. Staff also finds that the proposed changes would meet the Secretary of Interior's Standards for restoration. The restoration would also allow for the building historic status to be raised to a Category II based on definitions found in the Palo Alto Municipal Code 16.49.020. Staff would support a change to the historic category designation after the completion and inspection of approved work to be done at a staff level. Alright, here it's working, here's floor plans and the definitions of Category III and II. That concludes staff's report, I think we're going to turn it over to the applicants for their presentation.

Mr. John Shenk: Oh, it is on. I was looking for a light, sorry about that. Good morning.

Board Member Kohler: I have to interrupt for a quick second. I have to disclose that you're working with John Shenk, is that correct?

Mr. Shenk: I am John Shank.

Board Member: (inaudible) relationship.

Mr. Shenk: There's another John Shenk running around here.

Board Member Kohler: There is, ok. Why did you confuse me then?

Mr. Shenk: If you'd like to get coffee or something.

Board Member Kohler: Somehow, we got the impression – anyway, let's just forget about that.

Chair Bower: Roger has a prior relationship with a different John Shenk...

Mr. Shenk: Understood.

Chair Bower: ...and just wanted to be clear that you make it clear to the public that you're not that same person.

Mr. Shenk: It's happened more than once so that's – I was – I knew exactly the confusion that had happened.

Chair Bower: Welcome and please continue.

Mr. Shenk: Thank you very much. Good morning, Chair Bower and Vice Chair Corey, well done and other members of the Board, City professional staff and of course Council Member Holman. My name is John Shenk, not to be confused with the other John Shenk and I'm CEO of the Thoits Brothers. Over the past few months we worked successfully I believe, with staff and with you prior feedback, we are excited to be here today to ask for your approval of our proposed restoration of what was once an iconic building and piece of the fabric of the downtown. Our architect Randy Popp will walk you through the details of the proposal but I'd like to share a little, quickly, of why we are here and why this project is perfect for its organization. In 1880 Edward K. Thoits came to Palo Alto with his family and by the way, this little bit of history I thought was appropriate given you're the HRB. In 1880 the Thoits – Ed Thoirts came to Palo Alto. He opened a shoe store and I was actually looking at the picture that you all have up there at the beginning of the meeting. His first store was in that 100 block of University next to the Bank of Palo Alto building. His reason for opening the shoe store was Stanford had opened, the train station was there and he thought there would be a significant increase in foot traffic. His two sons, Willis and Edward C. or E.C Thoits where the original Thoits brothers and they went on to become leaders in the Palo Alto community while investing in the local real estate. E.C in partnership with Willis's widow Hazel continued growing the family's real estate holdings during their lives. Following E.C death, Warren Thoits, together with his siblings, continue the family's interests and investment in the local real estate. Warren also ran a law firm and was very involved in the community throughout his life. The third or cousin's generation consists of fourteen children, all descendants of Willis and Hazels five children. They are the primary stewards of the family's assets today. Over the years we've received recognition for our care of other historic structures and have also just recently completed a redevelopment of a non-historic site to show our continued commitment to the long-term health and vibrancy of the downtown. Just last year we were approached by the Hoffacken family to acquire their building and we were honored that they approached us. We've intentionally not leased the retail space and are hopeful that our process with the City can move forward expeditiously so that we can afford to do the things that we'd love to be able to do to the building. I'm happy to answer questions later but right now I'll let Randy walk you through our proposal. Thank you.

Mr. Randy Popp: Thank you and good morning. Randy Popp, architect, thank you to the staff for the great presentation and the report and thank you to the Chair and Board for the time today. I often come to this room to face a challenge or add my voice to a difficult topic but we're here today to do something really fun. We're going to repair and protect a bit of Palo Alto history and learn a little bit about this elegant little building in the process. When we were hear last, you were all clear and helpful. You supported the concept for the restoration, you identified the goal for the reference date and you described your desire for efficiency. We all benefit from the existence of the archive of Birge Clark work at Stanford. It's always so striking to me how much they were able to accomplish with a few simple sheets. Fortunately, the information is clear and provides a roadmap for us to find the original design although it often takes much more detail to create a building these days. John and I are committed to the same level a basic integrity exhibited in these documents so here's what we see today. We'll focus on the front façade and using the drawings as references, describe the intended restoration elements. First, the chimney and the roof and eave are all relatively good condition and have remained unchanged and are just in need of minor repair and maintenance. Moving left to right, the eastern bay will have its arch restored. We've shown some nearby examples of the craftsmanship present on similarly detailed Birge Clark buildings. These types of references, along with the drawings, will guide us. The storefront will be recreated, along with the tile base, above ironwork and any ironwork balcony will be closely recreated and installed. Note that the window height will remain due to the interior floors and the coordination of them and in our discussion with staff, as they mentioned, this is not problematic. The amount of encroachment over the public way resulting from the reattachment of the balconies is not a code issue at this height. At the central portion, the storefront and entry recess will be closely restored. Currently, not in compliance with the requirement for pedestrian covered area, the changes we're proposing will allow the building to exceed the minimum requirement under current zoning. Repair of the wood lintel will be challenging but we will attempt to accurately recreate the unique beam and design while maintaining the surface character typical of this kind of woodwork on Birge Clark's buildings. In a similar fashion to what I described earlier, the plaster details and balcony will be recreated as described at the eastern bay. At the western bay, it gets more interesting. This was the original Sports Shop location once they opened in the early 1930s. The recess and storefront will be returned, along with the plaster pediment and more ornate

corbels. At the upper portion, we'll install a pair of matching iron window grates and we were fortunate to discover some historical photos which display the building's signage from early to mid-1930's. We love this type of history – we love the history of this type of signage reflects and believe it to be an iatrical aspect of the overall character. We hope we can hear some comments from you regarding your support in this so staff can include your thoughts during ARB signage review. In closing, we'd like to draw upon the experience of the Board and request some advice regarding the tile. The drawings are specific and accurate photos are not available. We've examined a number Birge Clark building and found a range of design, complexity, color, and intensity. Much as Mr. Clark proposed – purposely built this building for his client, we would ask for some flexibility to allow the tile to reflect the next tenant. The lack of specificity in the drawings gives us some leeway which we hope you'll indulge. Our hope is that you allow us to officially review selections with staff once we get to that point. In closing, I want to thank you for your time today and look forward to your thoughts and discussion. John and I would be happy to respond if you have further questions or seek clarification for any of the items we've touched on. Thank you.

Chair Bower: Thank you. That's a very informative and concise review of the project. I'd like to say that yesterday I had an opportunity to go by the building and was lucky enough to actually see the inside because you're – I guess it's a tenant, was there and I explained to them why I was there so they invited me in – just stood inside the building. I – as I have said before in Board meetings, I've been here for 67-years and that building was the place that Palo Alto residents bought sports equipment. We didn't have Big Five or any of these other giant stores and it was a family-owned operation and so I have spent many, many days there getting new baseball mitts or other kinds of sporting equipment. I was astounded to see the inside is effectively unchanged from the way it was developed. It's painted in kind of an odd way and the elevator is not an attractive addition but I was reminded of the building across here at 630 Ramona that we reviewed 5-years ago. That has been – it has had or had a similar history where it was three separate business entrances that have now been combined into one but the original balconies that look over the main tall, two-stories space was – it still exists and was renovated and it's quite a beautiful building. I'm wondering if at some point there's a moment that we could talk about what your plans are for the inside too. Let's start with questions the Board has for the applicant or staff. Martin?

Board Member: Thank you, Chair Bower. The – moving – if the Board agrees to and moves to move it from Category III to Category II, are there any benefits -- either the applicant or the staff can answer, are there any benefits that the applicant and owner can receive or apply for if it moves from a Category III to a Category II? I didn't hear anything in the presentation that if there are any such benefits being applied for.

Ms. French: Historic bonus is available in the commercial downtown district for a restored building that goes through the proper paperwork and all that, following approval and these other paperwork filings. There can be a bonus issued that could be used either onsite or transferred off-site to a non-historic property.

Board Member: So, like whatever those bonuses are – wait, I didn't hear that in the presentation so – but it may not be a concern for the HRB if those are going to be asked for during this project.

Ms. French: When a – I mean it's – when a project comes forward showing the addition to the building perhaps using that bonus that would come after designation as a Category II, then that's a next step.

Board Member: Ok, great, thank you so much.

Chair Bower: It's difficult, my mic today. Any other comments?

Board Member Kohler: I have a quick question I guess on...

Chair Bower: Roger?

Board Member Kohler: Are you going to keep the painting done by Greg?



Chair Bower: Brown.

Board Member Kohler: Greg Brown, yeah. I just had it here, on the side, there's a painting done by him on the wall.

Mr. Popp: Yes.

Board Member Kohler: You will, oh good.

Mr. Popp: That's a one-word sentence but yes, the intent is that we will keep that and do whatever repair it needs to be done to maintain that. It's a great little addition over there, whimsical.

Board Member Kohler: Yep, he was quite a guy.

Chair Bower: Michael.

Board Member Makinen: Thank you, Chair Bower. I'm really pleased to see the project of this scope appear before the HRB. Typically, we deal with rehabilitation, this is one of the first restoration projects that I can recall, it being not the typical thing we look at. We usually do a rehabilitation which means keeping the character-defining features and the historic elements in place and making it useful for modern use but a restoration is atypical to our normal business here. So, I congratulate you for doing the restoration, I think it's the proper thing to do. The second thing that I noticed, you're going – obviously, the report says you're going back to what it appears to be a 1927 and one of my comments on your previous study session is that you need to clearly define a period of significance. I know you're – everybody is saying 1927 but there's not a clear synced statement saying the period of significance is 1927. I couldn't find it in the reports anywhere I looked but somewhere that should be stated.

Chair Bower: Roger.

Board Member Kohler: I just wanted to chime in that David's comments about going there to buy baseball gear and stuff is I did the same thing with my mom and dad and them taking us there. I remember it's quite a – you know having grown up here, quite nice to see these improvements to return to what it used to be. It's really quite a great looking building and now it sorts of got evened out in such that it's not a lot there to really get excited about except for the tile roof. I'm very pleased to see this happening.

Chair Bower: Brandon, you have a comment?

Board Member Corey: No, I mean I don't have anything as a specific comment but I love the plan overall. I think it looks really good and I second the comments about the – from Michael over there. I think this is a great way to kind of revive this building and kind of bring it back to a great place.

Chair Bower: Martin.

Board Member Corey: Thanks for all your effort in putting this together.

Board Member Wimmer: Are we just asking questions or are we making suggestions or comments?

Chair Bower: I think it's questions and comments. Questions?

Board Member Wimmer: Or suggestions?

Chair Bower: Comments? Sure.

Board Member Wimmer: I just wanted to respond to a couple of design elements. In the – on the left side where there's an arch, you're going to restore that arch? I think that it would be nice if the storefront, if the door could respond to that arch and you used – if you go back a couple of slides where you were showing an example of another arch. I think that's on the – I know the building, you were just using it as an example. If we could go back to that and you'll see how that arch -- the storefront entry door responds to the arch because that's the only bay in that building. There are three bays in that – there.

Mr. Popp: Oh, sorry, just a little too quick.

Board Member Wimmer: I think that – see how that arch, see – do you see how – oh, that's the [Mansoor and Gorb] building, is that – I don't know.

Mr. Popp: That's Avenidas.

Board Member Wimmer: Oh, Avenidas, sorry. See on the storefront how the window responds to the arch. I think that would be a really beautiful element if you could make the storefront – the glazing responds to the arch because there's a symmetry here in this building. I mean there are three bays, the center bay is obviously the more prominent one and has more going on but there's asymmetry. Then in the left, I think it's really neat – it's unique because it has an arch but the entry door conflicts with that beautiful arch. I mean I would just love to see that echoed or that arch element sort of responded to in the glazing so that was my one comment. Then in terms of the tile, can we talk about that yet? Is that ok?

Chair Bower: We'll get there.

Board Member Wimmer: Ok.

Chair Bower: I wanted to – if no one else has comments, I'll make a couple of comments. I think it's important that even though in our packet we have the descriptions and the qualifications of Category I and II and III buildings. I wanted to point out the definition for a Category II building is a major building of regional importance. The building is – these buildings are meritorious works of the best architects, outstanding examples of an architectural style or illustrates the stylistic development of architecture in the state or region. Those are three different ways in which we could classify this building as a Category II building. I think this building probably satisfies each one of those requirements so I'm fairly confident that meeting that definition—these definitions is not going to be a problem assuming that the project moves forward as presented. I noticed in the Public Works Department review that they had an issue with overhangs so I went and looked up -- I don't know why the Public Works Department didn't provide the information in our packet but I went in and found the California building code section. It seems to me just from a brief review of the elevations that you provided which are original elevation, that probably isn't going to be a problem. I wanted to address that issue because should – the only place I can see that being a problem is the deeper balcony that would be added back in the middle of the building. Just as a reference for – you can't have any project into the public right of way in the first 96-inches or 8-feet. For every inch above 96, you can project out one so it's a one to one ratio. There aren't any measurements on the drawings but there is a rough floor to floor measurement of 10' 6" on the two side buildings – two side spaces and 11-feet in the middle. Using that, I think you're still ok but I wanted to point out that should that be a problem, it seems to me reasonable to pull the balcony back slightly so that it meets that requirement. I don't think that would materially affect the appearance or the renovation of this building. I wanted to have that in the record because I don't want that detail to disappear because we're trying to stay with a specific or exact replication. In fact, it seems to me that pulling it back a little bit differentiates it from the original so that it satisfies another Secretary of Interior Standards.

Mr. Popp: First of all, thank you so much for your comment and I appreciate the attention to detail that you've given to this – the study. You're absolutely correct about the code and we've done a study of the balcony and the dimensions based on the drawings using the dimensions that we have and extrapolating

over dimensions from that through CAT software. The balcony, as it projects now, will extend about 23-inches which are well within the limit of what the code maximum would be for that. Even the bracket itself that supports, which extends out in profile at about a 45-degree angle, conforms to that one to one ratio that you were describing. So, I don't foresee any problem with the code relative to this but thank you for your comment and I appreciate having it in the record.

Chair Bower: Yeah, I wanted to make it clear that that kind of a detail will not come back to us but staff would, I think, need to rely on the hearing here to make a determination. I just wanted to have that in the record that I think we're all in agreement that a site modification if necessary would be acceptable. I too had a question about the mural, the Greg Brown mural, and I assume the answer was just the one you gave me so I appreciate that. I noticed yesterday that the doors in the center portion of the building – the original French doors are still there apparently although they are covered from – there is a ledge that's been added that obscures the center doors. I'm wondering if – since I didn't look at it from the inside, I'm wondering if that's something that you're aware of because there was note that the doors aren't going to be restored...

Mr. Popp: Correct.

Chair Bower: ...but I couldn't tell if whether that was the left pair or the center.

Mr. Popp: I think that there's been some siding that's applied to the building that's covering the sill but from my study of the building and being inside, it appears to me that the doors have been removed and that it's a window at that location. Just from ground level, I think it's a little harder to discern that but...

Chair Bower: So, it looked to me like it might have been an original door because I thought I saw the handle on the door. It's so – any rate, those doors are coming back or not?

Mr. Popp: They are not. There's an issue with the floor heights and the building has a lot of height change inside it. So, as we're looking forward to renovating the interior of the building and making it accessible, it's going to be very difficult for us to keep the floor heights the way they are and maintaining those doors would create a pretty significant barrier to creating accessibility inside this building.

Chair Bower: But I'm talking about the second-floor doors.

Mr. Popp: I understand.

Chair Bower: Ok, just so we are clear. In that sense, that what you're presenting today by presenting the historic drawings is not exactly what you're going to do. Are there any other deviations from these drawings?

Mr. Popp: No, no, it's exactly what we are going to do.

Chair Bower: Except for those two doors, (inaudible) pair of doors in the middle on the second floor.

Mr. Popp: I think – your belief is that it's still doors?

Chair Bower: No, I'm just...

Mr. Popp: Our intention in our drawings describes that we're maintaining the windows that at the center bay at this point.

Chair Bower: Ok and they were not doors originally?

Mr. Popp: They were originally doors in 1927, at some point and we – I've gone to the historic achieves and other places to see if I can figure out when it actually changed but it's not clear. At some point, the

doors were removed at both at the center bay and the east bay and converted to windows. Based on staffs input and our discussion about what we're going to do with this floor height because it does have about three different height changes at that upper level, the mezzanine level. It's our intention just to maintain windows but to put the balcony in front of it and that should be enough to obscure the impression that it was once doors but is now windows.

Chair Bower: Sorry, I was looking at the drawings and I thought that dash lines behind the railing suggested that was going (inaudible).

Mr. Popp: Sorry I wasn't clear about that.

Chair Bower: It's alright. Well, and you're providing very -- almost a 100 -- 90-year old drawings. Let's see so one last question and then I want the Board to discuss two issues that you brought up. It -- what's the plan for the interior of the building? How will that be built out? I know you're planning to change the balcony -- the two mezzanines I suppose.

Mr. Popp: At this point, we really don't have clear direction about what we're going to do in the interior. It's our goal to renovate that in some way and maintain some of the characters that are inside there if it's appropriate for the work and can be maintained in conjunction with all of the other items that we're doing. We're really just focused on the category reclassification and the restoration of the building at this point.

Chair Bower: Exterior?

Mr. Popp: Correct.

Chair Bower: Actually, it's front façade.

Mr. Popp: Just the front façade, right. Well, front façade and the roof, we're maintaining the tile roof as it goes back.

Chair Bower: I'd like to ask the Board to -- could you bring up the tile samples that you have in your presentation? I'd like the Board to consider these and maybe we should make a recommendation as for how the tile display or selection moves forward. Martin.

Board Member Bernstein: Actually, I'd liked to comment on Board Member Wimmer's comment about the idea or suggestion of putting the -- underneath the arch. Relocating that door from Birge Clark's location to Board Member Wimmer's suggestion. Functionally, if it stays where Birge Clark put it, is that an issue for your group?

Mr. Popp: No, it's not.

Board Member Bernstein: Fine. The reason that I'm bringing that up and then what -- I would not be supporting changing Birge Clark's original design. Birge Clark did things very intentionally, for example even the eave line is different than the eave line on the right-hand side. Then even that porch -- that bay is even a different dimension so there is not symmetry. So, I mean it just says -- if I looked at drawings from (inaudible) or Brunelleschi, I would not suggest a change since we have a good historical record. I'm going to trust that when Birge Clark put it that way there in consultation with his original client or the fact that we just have a historical record and this is street facing façade; the main façade. I wouldn't support any Board motion that includes moving it -- changing it from Birge Clarks original location. That would be my vote on that topic.

Chair Bower: I didn't -- I feel the same way. I didn't follow up on Margaret's suggestion in part because I didn't hear a motion or anything that would preclude the applicant from moving forward with this. I feel the same, I think Birge Clark intended it to be offset and the detailing -- the cornice detailing at the roof

line on the left-hand portion as we're looking at this is totally different than the right hand. The center is prominent, higher, more detailed.

Board Member Bernstein: I also enjoy architect Popp's comment about six drawings is a whole building and that's been true for many architects around Palo Alto. There was one, I forget, residential – I forget his name, down on Bryant and yeah, like two drawings. That was it, anyway...

Mr. Popp: If only, if only we could.

Board Member Bernstein: Exactly.

Chair Bower: It's now about 66.

Board Member Bernstein: Thank you.

Chair Bower: If we can talk about the tile. Do Board Members have comments about how to approach this? Margaret.

Board Member Wimmer: I wanted you to go back to the image with the Palo Alto Toy Store, the historic image because it looks like maybe that's the – that's our – there.

Mr. Popp: Sorry, I'll get there, hang on one second and I actually have a larger version of that so I'll bring that up for you.

Board Member Wimmer: I think that's our best clue as to maybe what was original to the building and it looks like it was like an 8 by 8 square terracotta maybe. That's kind of what that looks like to me, I don't know. Then obviously they changed it to a brick looking veneer or something but if I just interject my first pass thought or opinion, I like some of your images. I think some of them are from the University Art building, maybe? The possibilities in Palo Alto...

Mr. Popp: Do you want me to tell you where these are all from?

Board Member Wimmer: No, that's ok but I think that because the subject building is kind of a low – it doesn't come up, it's not so much of a Wainscot, it's more of a tall baseboard maybe? It's not so I think that if you wanted to get into a decorative tile, it would be harder to achieve that in a lower height. We only have what? Is that 16-inches of tile height, possibly...

Mr. Popp: Just a little more than that.

Board Member Wimmer: ...14 to 16 so my thought would – I mean I guess here's an opportunity to do something unique and decorative but my first instinct was to be almost kept it really simple and keep it a dark color that emulates maybe the wood. You're probably going to paint the wood – some of the woodwork and the rafter tails. Maybe you'll paint them a dark brown and the windows will probably be an oil rubbed bronze or a dark color, as well as the balconies. I would almost keep it simple and just emulate those dark colors because then it's not going to – when there are dirt and things at the sidewalk, it's not going to pick up the dirt as much as a lighter color tile. I would just go dark and keep it simple, I like the running bond pattern but...

Mr. Shenk: I agree with you. Some of those other buildings like the University Art building and such, there's enough room to...

Board Member Wimmer: To do a decorative...

Mr. Shenk: ... have some interesting design.

Board Member Wimmer: Yes.

Mr. Shenk: If we look at maybe the bottom right-hand corner where – what we're hoping for is some latitude where it's not just terracotta tile because I think, at least today, it feels cheap. It doesn't feel like we want the building to – it's not the impression that we like the whole restoration to give but like that bottom corner, I can't quite see it perfectly from here. I agree with you that it ought to be darker but in opposed to a darker terracotta. Maybe the tile has a little design, it may have a little interest in it...

Board Member Wimmer: A little relief, yeah.

Mr. Shenk: ...but I agree, it can't have the interest of...

Board Member Wimmer: I agree.

Mr. Shenk: ...a 3-foot Wainscot sort of a thing but some latitude where we can try to procure and find some interesting – appropriate but interesting tile that gives a nice accent.

Board Member Wimmer: There's a company called Fireclay Tile, I'm sure you're familiar with them and they might be a good source to consider.

Mr. Shenk: Yeah, Randy mentioned (inaudible).

Mr. Popp: Maybe I just add to what John is saying that Option G that is in the bottom right-hand corner, the reason I was more focused on that one as a preferred style is the bottom band of tile is a little bit darker and has a little bit of decoration but is fairly muted. It would help to conceal any splatter or dirt that might collect at the bottom edge. The next couple rows of tile, whether we have two or three is not perfectly clear. There's some height that we need to solve there but just a very subtle decoration to that but not just monochromatic. Then the top edge of it, it's something that I've seen in a number of these, just has a very simple little-rolled ball nose that rolls back into the oil rubbed bronze storefront metal. I really – I just love the simplicity of that and so not going as far and as detailed as the University Art building as with the waves that go through it and all the color and variation and contrast. Something that is more muted in a way that you're describing but not quite as flat as a terracotta is where I was hoping we might end up. Again, I think what I was describing earlier was we don't know who the tenant is yet and if might be nice to do some of this selection based on who we think might ultimately take the buildings. What I'm hoping is that you'll give us the kind of direction that you're giving and then perhaps we can work with staff to actually make final selections. Thank you.

Chair Bower: Other comments? I'll just make a brief comment about this. It seems to me that – this is just a comment, it's not a direction, I want to make that clear. The original – the picture that we were just shown, the 1936 picture, is 6 by 6 terracotta and I would agree with you that that's pretty simple. I think -- actually, if you could go back to the tile, I was going to refer to one of your examples. I have no problem having more colorful tile and doing something that is more interesting. I think Option E though is because it's just color and the tile is roughly the same size, it might be more compatible yet a differentiated version of what was there before. I think that the Option G is a little (inaudible) to me. I mean that's just the term that comes to mind and it's not that I don't like that but it's – this is a restoration so you're working hard to recover what was there. Technically, terracotta would be the answer but I'm – I think you should have a little bit of leeway in this because it's a big project but be mindful of the differentiation yet compatibility thing. I don't see that nice tile down at the bottom of your example G as being compatible with the original. That's how I look at it so again...

Mr. Popp: Thank you.

Chair Bower: ... you can work with staff on that.

Board Member Kohler: I like G.

Chair Bower: So, do I, just not necessarily on that building.

Board Member Kohler: It just seems more appropriate. The other is kind of a random – you went to the tile place and picked up a bunch of random colors and I just like the – G is more organized.

Board Member Bernstein: Yeah and I have a comment on that. E – just based on the photos, on E what's really striking is the colorized tile and again, I'm trying to put my understanding of what would Birge Clark do? I'm thinking Birge Clark would have more of the muted versus the – which is the Option G versus the Option E which is really kind of screaming with color. Option G is the color but it's a little more subordinate to the overall (inaudible) of the building so I'd be cautious about putting a bright color as Option E is and I would suggest Option E would be my preferred choice.

Chair Bower: I'm not making a suggestion about bright colors, just form, that was my comment. Anyway, any other comments on that? Michael.

Board Member Makinen: Yes, just one additional comment on tiles. One of the old-time tile companies S&S tile is just about ready to go out of business. I think they – I read an article that the caretaker still has all the old molds in San Jose. You might want to get in touch with him on some of the tiles that are still available, they are historic.

Board Member Kohler: I could also disclose that in the ancient days I use to sit with Birge Clark at AIA meetings and we had nice chats but I didn't ask him about the tile.

Mr. Popp: If only you had.

Chair Bower: Council Member Holman.

Council Member Holman: I appreciate it, as I said before when this came to this Board before how much I appreciate the Thoits family and John Shenks and now Randy Popp's concern and interest about this building and staff's support for a restoration here. One of the things that I've tried to do as liaison to this Board is encourage you all and I think now Chair Bower, I think you kind of lead the way on this with support and comments by others. As I look at this, I've commented before to this Board is what happens so much of the time is a project will come to the HRB and without lack of – without specificity, when it goes to the Building Department then or the Development Center this project could end up exceedingly different because what you have here is – there aren't really plans here. There's like the original drawings and I'm not trying to be a critic here, I'm trying to encourage a good outcome and the best outcome in what I trust is the intended outcome. That's my purpose in commenting and it applies not to just this building but all buildings. I noted on sheet A-31 which is really the only plan that you have, that in all of the – to the original front elevation it says similar to, similar to, similar to on seven occasions. Restorations, in my experience, has been that they are in kind, not similar too because what does similar to mean? On the photograph just above that there's a line that points to replace storefront as noted below for the main central storefront but there's no reference to what's going to happen below. So, it's going to be replaced as noted below but where is that? What is that? As to the tile, I appreciate the flexibility. It seems like there ought to be something more definitive that comes forward to the HRB because tile is such a character-defining element. Especially on buildings such as Birge Clark's and that before tile selection is made, it should come back to this body for specificity. In terms of – because these are expensive projects, this is going to be a fabulous building. A fabulous building and I trust that will be but how fabulous will it be is going to – and whether it's going to be fabulous or not has the potential for that but whether it is or not is going to depend on largely what happens at this body. As far as incentives, staff mentioned TDRs are also investment tax credits and that this building would be eligible for. The TDRs, I think would just be in a rough calculation should be somewhere in the range -- and I know Mr. Shenk would have a good handle on this but just a rough calculation at 2,500-square feet and that's just for the restoration. I don't know if there's any seismic work going on here or not which would be important to understand because that would also impact with what happens with the building

elements in terms of design. So, if it's just historic restoration and I don't mean just in the terms that someone might interpret it but if it is that aspect only, it should be somewhere between \$700,050 and a million dollars' worth of TDRs and that's pretty conservative for this marketplace that's at \$300 a foot and I don't see any objection or contradiction to that. So, around that and that's \$700,050 to a million dollars and if it's for seismic, in addition, of course, it's double that investment in tax credits which Roxy Rapp has utilized before and I'm not sure the Thoits family has or not but those are also available. Having to do with the second-floor heights and access up there, it's never been clear to me and I have tried in the last couple of years – maybe like a year and a half ago as I try to get clarity from the Building Department whether the State Historic Building Code is actually made accessible to property owners and it's lacking clarity to me whether it really is utilized. How much that might and might now help on something like a floor height, I really can't answer that but I know on a lot of elements it would apply. I don't know about floor height if that would be a flexibility that would be allowed or not but it just seems – I so much appreciate projects like this. I think it was Chair Bower that mentioned it's a restoration -- which maybe it was Michael that said it's a restoration is not usually what comes forward. I think this is terrific but is it a restoration? I think there's a lot that's not known and so much could happen after it leaves this Board. Again, my intention is not just about this project but it's about -- I've been trying to encourage the Board to be specific and encouraging true restoration renovation projects as they come through this body and understand the consequences later; as was mentioned earlier about overhangs too but that's just one example. I appreciate the opportunity to speak.

Chair Bower: Thank you, Council Member Holman. I too share that concern about these projects. I looked at the plans – so-called plans and we have more detail about how to protect the trees than we do about any other part of this. It's something that is absolutely irritating to me is that we get a plan set with a page on how to protect trees. We have no issues with trees, it's a huge waste of trees to print this and yet we don't have other details. I was going to encourage the Board to be more specific about exactly what we are approving when we get to that point should we approve this. I think there's, from my perspective, a tension between generating a lot of plans for a lot of details prior to having some kind of approval so that you don't end up spending a lot of money. As the City is currently spending on our California Avenue parking garage and designing it over and over and over again by Board. I'm unhappy with that and think it's a waste of everyone's time and money so I understand that part of it. I also understand and hear what you're saying and sympathize with it. Let's see if there are no – there's no other issue I want to – one second, one other issue I want to discuss which is part of what the applicant has asked us to review and that's signage. Then let's go back and pull it back to the Board and see how we move forward. You wanted to have...

Mr. Popp: I was just going to ask you to please comment on the signage before you...

Chair Bower: Right. So, you're referring in your presentation to the Sports Shop and Sporting Goods neon sign?

Mr. Popp: Yeah, when it was originally built the original tenant in that space was the Home Foods Shop and they had this small marquis sign that was mounted to the side of the building. Then early 1930's, it appears about 1932, the Sports Shop took that sign down and replaced it with this newer marquis sign. I don't think it's our intention to specifically describe it as being neon but we very much like the form and the character of the sign.

Chair Bower: Comments Board Members?

Board Member Bernstein: I'm in support of the old sign if the applicant wishes to do that. It reminds me of the – there was some discussion about does the Mac's Smoke Shop exceed the sign ordinance and there was a discussion but it's part of the rich character of that street. Therefore, it should be maintained and I support if there's something in this direction that the applicant wants to apply for, I'm supportive of that.

Chair Bower: Margaret? Brandon?



Board Member Wimmer: I think those hanging signs like that are very uncommon now in downtown, are they not? I mean I could see if it was still on the building and being restored but to come up with a new one, I don't know. I would just question that because that's atypical of the signage that's in Palo Alto right now. It's usually on the – flat on the front façade and not sticking out but I don't know. I'm not up on the sign ordinance.

Mr. Shenk: You're spot on, you're absolutely accurate and I think that's the point though. Is that – from our – what we're looking for is kind of like the old theaters and they have their big marquis. It's clearly an old building and it doesn't have the new signage and so the idea – whether it was the original food one. It seems to add to the impression that this is an old building, that's an old-style sign.

Board Member Wimmer: What did they do with the Shinola? Is that a clock that's sticking out like that? What did they do there?

Mr. Shenk: Yeah, they've got a clock. It's on a similar mount, right it's perpendicular to the building.

Board Member Wimmer: I just think the City would have a hard time if you put the gap on a sign like that because didn't they give Keene a hard time for putting their sign? Anyway, I just don't – I don't know if you could – I don't know if that would fly but (inaudible). I don't think we have any jurisdiction over the signage whether they can do that or not.

Chair Bower: No, we do.

Board Member Wimmer: Oh.

Chair Bower: I think we do.

Board Member Makinen: Well, I don't think that the original sign wasn't a part of the Birge Clark design so it was an accessory that was put on by the (inaudible) tenant. I don't think Birge Clark ever envisioned a sign like that so I think its...

Board Member Wimmer: I agree. I think that there's a simple beauty to that building the way it is and I don't think it needs to be cluttered. Now you are putting all these – I mean and it looks like that's on the far-right side. That's where you're going to put those beautiful iron grills over the window. I think it would compete with that, with the historic architectural elements but that's my opinion.

Chair Bower: Do you have any – Roger, any comments?

Board Member Kohler: I kind of like the sign. I can see that everyone's point that it's not necessarily part of the original building but it was done – we have no idea when the sign got put up I don't think. I'd be ok with it, it kind of reminds you of the old day and what things were like. Then people walking with younger who would say look at that sign. Why is that there? It kind of gives them a guidepost that this use to be a very important store to Palo Alto because as I said, I've been down there and I even think we took our kids there for various things. I'd be ok with the sign, I think it's a neat little feature. It's not really little but...

Chair Bower: Brandon, do you have a comment?

Board Member Corey: I like the idea of the sign. I think it's kind of fun and it does distinguish this as an old building. It's not clear to me that – if that should be a requirement and there should be maybe some flexibility there.

Chair Bower: My feelings, I share all of these sentiments and in particular, it's not part of your application so I don't that we're going to make a – I doubt we're going to make a determination about the sign. If

you're doing a renovation of the building and the building doesn't have a sign, I think that's going to be problematic. I'm just – I mean there are two signs showing on this, which one? Are you – so this is a problem in this request, I don't know which sign you want. I don't even know whether you want either of these signs, maybe you just want the platform for the gap because the gap can move in there and then (inaudible) the gap on the sign. We don't have materials, we have size scale so I think that's not going to happen in our motion today.

Mr. Popp: We're happy to develop all that information. What we're really looking for from the Board today was just whether or not it would be open to the idea of a sign like this and to give staff some direction about whether we should even consider a sign such as this. I think it's certainly not our intention to do something neon or perhaps even illuminated. It's somewhere between these two sizes and it's something looking like this but we don't know what the materials would be yet. We don't have a tenant and all of those things are down the road but we're just looking for some guidance about what you think might be appropriate or acceptable and to suggest that you're going to approve anything.

Chair Bower: I'm hearing problems with any sign, I'm hearing problems – comfortable discussions about a sign but I'm inclined not to want to have a sign there if it's not going to be exactly the Sports Shops sign or this food sign. I actually don't think that's part of the restoration because it disappeared a long time ago. I wouldn't rule it out but at this point, I'm not optimistic that that's going to be part of your project. The Varsity Theater is a huge, huge, nonconforming encroachment in the public right of way but it was there, it's part of that building. Same with the Stanford Theater, those are the two that come to mind quickly. Even on California Avenue, the Fine Arts Theater which has been destroyed for all intensive purposes still has its sign which I think is a historic façade designation or should have. At any rate, those things exist and we could evaluate them as a historic object but we don't have anything to evaluate here so we're going to recreate it and I'm just not comfortable with that.

Board Member Kohler: Well, I think it'd be good – we could all be good sports and put the sports sign up.

Chair Bower: Alright.

Board Member Wimmer: Do you think before we continue on much further, we should look at the three bullet points that are on the first page of what the staff wanted us to look at. I think there's something about going from a Category III to a Category II and making sure that we're complying with the Secretary of the Interior's Standards. Let's look at those three bullet points before we spend much more time...

Chair Bower: So, if there's...

Board Member Wimmer: ... should we focus on that?

Chair Bower: Yeah but I want to do that as a Board. Bring it back to the Board so if there are no other comments, questions for staff or applicant, I'd like to bring – Emily?

Ms. Vance: I would just like to make one thing very clear that staff is going to be working very closely with the applicants on this project. Due to it being a Group A resource and being downtown, any permit application is going to be reviewed by us so it's not like – I'm hoping to maybe put concerns – settle your concerns about missing things or something falling through the cracks. This is – like you said, we don't get a lot of restoration projects, we get rehab projects so this is kind of a special – it's a special project, it's a special building and we're going to working very closely on it. I just wanted to let you know that even things, again like permits will be reviewed at a staff level certainly.

Board Member Wimmer: Will we be seeing this project again or no?

Ms. Vance: That's a good question, I was kind of under the impression that this would be the last time you see the façade restoration project. It will come to you again when and if they do a rehab or additions

or anything like that. The tile was going to be – we were going to have this general discussion and then it was going to be approved at a staff level. Then the category elevation was also going to be something done at a staff level with the guidance of HRB but that's up for...

Board Member Kohler: You said with the guidance of the HRB?

Ms. Vance: Correct, on tile and other features and in a kind of seeing how this meeting went today.

Board Member Kohler: So, it would be coming back to us then?

Chair Bower: Not necessarily.

Ms. Vance: Not necessarily.

Board Member Kohler: Well, how do we approve the tile and everything?

Ms. Vance: That would be done at a staff level by myself. If you guys had said, for example, we love G, we all want G, that's what we want and then I would go with that choice.

Board Member Kohler: It seems like we should see this again, that's what I'm thinking.

Ms. Vance: That's an option.

Chair Bower: Let's just – let's go there in a minute. Martin?

Board Member Bernstein: Let's see, referring to Board Member Wimmer about the asking – the HRB being asked to provide a recommendation to the Director of Planning regarding the reclassification. My understanding is City Council needs to approve a reclassification, is that correct?

Chair Bower: Yes.

Ms. French: Yes, we would prepare a resolution for the Council's action on this where we could include statements that are dear to the Board.

Board Member Bernstein: Thank you.

Chair Bower: Alright, if there are no other questions I'd like to bring it back to the Board and we'll talk about how we move this project forward if we do. I would like to remind Board Members that there are a number of options that we have to deal with concerns that have been expressed today that still would allow this project to move forward which I would very much like to have happened. If the Board feels that we should see the tile and any other aspect of this that we have had concerns about today, I would recommend that we create a subcommittee – move the project forward, create a subcommittee to look at any unresolved items and then if it's – the subcommittee can't resolve those items. Then those items and those items only would come back to the Board so in our discussion I'd like to take that into consideration. Margaret?

Board Member Wimmer: I think that it would be fair if we asked them to come back after they do construction documents. I mean we have so many canceled meetings because we have no subject matter to discuss so maybe – it's not like we're not available if that's ok for the applicant. I mean I think we'll probably reiterate some of the same things that we're saying today but it seems like even what Karen says, a lot of this stuff is similar to match existing or to emulate what was there before. We're not really seeing any actual material, we're not seeing any actual drawings, we're not seeing any actual construction documents of what they are actually deciding to do. We're just seeing images, historic images which is great but we're not seeing the actual – what is that the – these aren't – these are just old drawings showing what their intent is but they don't have drawings saying how they're carrying

through that intent. So, maybe we're available to review the project as it gets a little more detailed and more decided upon. The Board is available, we'd be happy to review it again if it doesn't cost an absorbent amount of extra money for the applicant and I don't think it would. The applicant has to prepare all this information anyway to show staff so why can't we – we would be happy to review it and give out our guidance. That's what you're asking for, is our guidance, we're here to give it.

Chair Bower: Right so I'm comfortable with that as long as we're not going to redesign the project when it comes back to us because that gets to be expensive for the applicant and it's – we have staff time we're going to put in here. So, I'd like to formulate some kind of motion that would allow the City Council to determine whether or not the Category change is significant because I think that's critical to moving the project forward. It's my understanding that's required in order to get the renovation. I completely agree that we don't really have any detail – adequate details to make decisions about without drawing. As long as those have to be generated anyway, I think it's reasonable to have this come back to the Board in some form without – I am very mindful of not wanting this project to disappear because we're adding another regulatory hurdle that causes it to fall apart. This is a great project and I want to make sure that it moves forward. Any other comments? Do I – would someone like to craft a motion?

Board Member Kohler: Are we supposed to do a motion?

Chair Bower: John?

Ms. Shenk: I just want to offer some feedback if you'd like because it goes to the time – there's some – not necessarily tension but just around the timings and such and I'm happy to address that if that's helpful.

Chair Bower: Sure.

Mr. Shenk: So, time is money, right the vacant space where many, many tens of thousands of dollars a month and for us, an issue on – I'll speak more on a generic project because I think Ms. Holman was also speaking generically as to process, some specific here but also just generally to process. The more times that we come back to an HRB or an ARB means I'm hedging my bets that there's going to be a change so I'm not advancing. I'm trying to go as far as I need to go to satisfy the requirement but I don't want to keep going on the site. Hey Randy, keep going, get the full construction drawings, let's have the fire guys looking at it and everything so that I can get into the building. I'm not so the whole process slows down as we approach each hurdle. Many – I'm not saying that inappropriate, it's just so you know it absolutely slows us down from an approval today with conditions or such and then we know ok, that's where we need to go. I think more specifically with this project, I'm – I'll say a little surprised but I'm appreciating what you're saying too but to me, this restoration is exciting etc. but isn't complicated. I wouldn't think that you need to see details – construction documents on how that piece of iron that's on the second floor is attached to the building, the caulking, and what happens there? What is it? How's it anchored versus that's the one and we've shown pictures of other ones in the community? Emily is aware and so I was thinking we're going to go out there with our shop drawings, which come way later, the shop drawings from the iron person who's hired to create that. Emily can look at that and say yeah, it has the right number of twists, it's the right size bar, it's all these things and so Emily says yeah, I'm signing off on that at the building permit stage from the Planning Department who has to approve that. The arch, the arch is the arch, how it's built? Do we have a metal stud behind there? Is it a wood frame? I didn't perceive that was – those were things you guys needed to see to advance this verse that's the arch that will go there. I was excited that we had all of the details that we do have, original plans which don't have construction documents right? They just built it so that it looked like the picture on the plans and we have great examples in the community of those. It looks like the ironwork here is almost identical to the ironwork on Avenidas. The same balcony, the same spears, and the same little do-dads at the tops of the spears. That's a technical term I've learned, the do-dads but it has – we have a great amount of detail here in the example and with that thought hey, great, if you guys felt that was appropriate, we had enough to keep going. I don't have shop drawings, I don't have all of that and that's why you have what you have. I'm not trying to give you less so that we can change it later, we think we're going to be held

to a very – and expect to be held to a very high standard given that there are examples that you can walk too. That is what's going to go back over here because he did very similar things in the community with the lintels in the iron. I'll stop there.

Board Member Wimmer: I think – I appreciate that, thank you.

Mr. Shenk: Sure.

Board Member Wimmer: I think though that we're being asked to approve something that you don't really – I mean I guess it would be nice if you could at least give us a front elevation of what you're proposing to do to see that it closely matches what – I mean we're reviewing an original Birge Clark front elevation and were asked to approve that. I mean we all approve that because it was original but...

Mr. Shenk: I think that's exactly it. We are proposing the original proposal.

Board Member Wimmer: So, if this is your – if you're just basically saying this front elevation that I'm looking at right now is your construction documents. This is what you are proposing to do 100%, then ok, that makes it clear, then we can make our comments on it. It just feels like there are little grey areas here because you're showing – we see the existing building. I mean if you're saying the original Birge Clark -- that drawing is our construction documents per say. That is what – let's just say you drew that, you're – you know what I'm trying to say?

Mr. Shenk: Correct...

Board Member Wimmer: Maybe I'm not saying it the right way.

Mr. Shenk: ...and I'm sorry if that was left...

Board Member Wimmer: Like we're using something that was original so is that exactly what you're – what we're approving...

Mr. Shenk: Yes.

Board Member Wimmer: ...because we don't know – we're looking at this, yes, we love it, we appreciate it, it's historic, we want it but then you're to adapt it and you're going to redraw it. That's where the disconnect comes from because we approve this but we don't see your drawing to prove that you're really going to emulate that. That's why it's hard for us because ...

Mr. Shenk: I guess I would say that is exactly it and I think because we are not building a building, we're not doing a renovation, we're not doing anything else...

Board Member Wimmer: Right, we understand that but there's...

Mr. Shenk: We're applying ironwork, right?

Board Member Wimmer: Right.

Mr. Shenk: Actually, a detail for you all to take a look at is in the original drawing there's one piece of iron on the top right bay and it was built with two but that's whether you like one or two. We're very open to it but I think it goes to the asymmetry of the left-hand bottom corner of the door and one piece of iron on one window. We're applying ironwork across the top, that's it, right?

Board Member Wimmer: I guess I don't know why I am arguing. I'm not trying to argue it, I'm just saying let's see it in your hand. I mean let's see your drawings so we can see that – am I wrong?

Chair Bower: No, I don't think so but let's move – I think we need to move forward...

Board Member Wimmer: Sorry.

Chair Bower: ... because I think we're basically talking about the same thing. I don't think we're asking for shop drawings, that's not something that we would do but I would feel more comfortable with some dimension drawings. I guess what makes us somewhat uncomfortable is the term similar which is used repeatedly and I know exactly why it's used that way because that gives you latitude. On the other hand, I guess that's where – I think that term makes us less comfortable so how – I think we can craft this – craft a motion that will get this – still allow this to move forward. Not produce more hurdles but allow time to move forward, don't you think?

Mr. Popp: If you don't mind, I'm very comfortable with you including lineage in your motion that describes it being – I don't want to put the words in your mouth but we are committing to going back to this elevation. That's why we've shown it, that's why we've included it, that's why there are no other drawings, and we not interrupting this. We're not coming up with a new design. Board Member Wimmer I appreciate your comments about the arch and the arch door but that's not where we are going with this. We're going back to 1927 Birge Clark design, that's our intent and that drawing shows it. That's what we are doing and I'm going to give that drawing to the ironwork subcontractor that I use and I'm going to tell him that this is the design that I want you to use. Give me shop drawings based on this. I'm going to give this drawing to contractors and say when we're done, it needs to look like this. I'm going to have a full set of construction documents and they are going to go to Emily and she's going to review them just the way she described as staff always does. This is our guide, this is our intent, and the word similarly just means that it's impossible for us to know exactly what was there. There's so little detail in the drawings and we're subtly interrupting but that's really all it is. It's a very subtle interruption. Our goal is to really dial the clock back to 1927 and that's what we are committing too.

Chair Bower: I'll bring it back to the Board. I would propose that what we do is – I think we can – we've discussed the restoration. I think we have pretty clearly as a Board feel that this could be changed from a Category III to a Category II and so I would recommend that to the Planning Director that that change be made. I think if we're still concerned about the specific details and the ones that I'm concerned about are for instance stucco treatment. There's the original stucco, some or maybe there isn't but what's the new going to look like? I think that's a reasonable question and that we would see on a palette – you know a sample board. I think we – some of the plaster details that are being restored, we ought to know what those look like but again, I don't think that's going to be a deal breaker here. I think obviously Board Members are concerned about it so I'd propose that we move to recommend this project move forward and create a subcommittee and have a subcommittee look at the details that we're discussing; tile, maybe stucco – plastering details, color. I'm perfectly comfortable personally with staff, Emily, and Amy, doing this. They are very thorough but I don't want to (inaudible) the Board's position. I just want to – I want this not to be a roadblock, I want this just to be a clarification, the subcommittee. Is that – are people comfortable with that or is there a different direction that the Board Members would like to take? Margaret, are you comfortable with that?

Board Member Wimmer: Sure, yeah.

Chair Bower: Could I hear a motion that addresses the three recommendations in our report and maybe a subcommittee recommendation? Anybody want to craft that? I will craft it if no one else will. Alright...

Board Member Wimmer: You're so crafty.

## **MOTION**

Chair Bower: I am so crafty. That was Margaret that said that. I would like to – my motion is that we approve the restoration as presented today in – how do I describe this? It's not in theory but as represented in the reproduction drawings that were presented by the applicant. I think these renovations

need to adhere to the Secretary of Interior's Standards for restoration and renovation. The proposed change from a Category III to a Category II, I think is met in all three of the options for a Category II definition of a building. So, we recommend that change be made and that the project move forward. Now the condition that I – I would put two conditions on this, one that this project has to be executed as closely to these drawings as possible as presented today and if they are not executed, then that category shift does not occur. Now that's a chicken and an egg problem but if this project is not completed as proposed today then that category change cannot occur so it's – I don't know if we want to condition the change in category to the completion of the project. That's probably required?

Ms. Vance: Yeah, I think we made it clear – it was written in the staff report that the Category II elevation would not occur until after work is complete and inspected.

Chair Bower: Right so let's incorporate that into the motion which is getting a little –already too long. Lastly, that a subcommittee be formed of three people to review the detailing that – the kinds of detailing we discussed today; tile selection and probably a full materials pallet on the front of the building.

Board Member Bernstein: A question for the subcommittee, that would be a subcommittee that just meets then with Historic Planner Vance?

Chair Bower: Staff and applicant.

Board Member Bernstein: Yeah and (inaudible) – so the subcommittee would not be involved in the full HRB, that's just between...

Chair Bower: No.

Board Member Bernstein: Yeah so just communication with Emily and...

Chair Bower: Right and the subcommittee would (inaudible). Now, it's my understanding, I think, that if the subcommittee has problems with some portion of the review they are doing. They could bring that back to the Board, is that correct or am I misinformed?

Ms. French: We don't do this all the time so yeah, I think if there's an issue as you said earlier, any unresolved items that are troubling to the subcommittee. I mean you're delegated by the Board to take care of things and if you feel like they are not taken care of a need further input, I think that's always an option to come back to the Board.

Chair Bower: Ok, as long as it's possible for the subcommittee to say you know, I'm not – we are not comfortable with this or we have some other issues that we want the Board to hear about related to these selections. Then it could come back but I'm intend – anticipating that would be the case. So, to...

Board Member Bernstein: You're clear.

Chair Bower: ...restate, we're going to approve the project as it's proposed as long as it's substantially completed according to the drawings. We're going to recommend that the category change be made from III to II after the project is complete. We're going to create a subcommittee to review details with staff, Emily and Amy and whoever else is there, and client. Any other additions to that?

Board Member Kohler: Sounds good.

Chair Bower: Alright, do I have a second?

Board Member Bernstein: I'll second that. The reason I'll second that is it doesn't sound like that's slowing down the process.

Chair Bower: Ok.

Board Member Makinen: (Inaudible) Chair?

Chair Bower: Mic.

Board Member Makinen: Would the Chair like to consider the statement that it does comply with the Secretary of Interior's Standards?

Chair Bower: Yep, that was...

Board Member Makinen: (inaudible)

Chair Bower: ...part of my first remark.

Board Member Makinen: Ok.

Chair Bower: Yeah and oh, I'm sorry, the other thing that I would add to this motion is that the – if applicable, the California Historic Building Code should be used on this project. I don't know who makes that decision but I think it's obvious that this particular façade restoration should qualify for that.

Board Member Bernstein: My understanding is that the applicant can request that.

Chair Bower: Ok but I think it's pretty clear that that should be applied if the applicant is interested. I don't see why they wouldn't because there are substantial advantages to using that. Alright, any other comments? There is a second.

Board Member Bernstein: I seconded it.

Chair Bower: Emily.

Ms. Vance: I was just wondering who was going to be on the subcommittee.

Chair Bower: We'll get there.

Ms. Vance: Ok, not yet.

Chair Bower: I thought that we could approve the motion and then create the subcommittee or add subcommittee members if that's acceptable with everyone? Alright, any further discussion? No further discussion, all in favor of the motion say aye. Opposed? None.

### **MOTION PASSED WITH UNANIMOUS VOTE OF 6-0**

Chair Bower: Good so subcommittee members, who would like to be a part of that subcommittee or should I just pick people?

Board Member Wimmer: I'll volunteer.

Chair Bower: Thank you. Margaret wants to be on it. Michael, you want to participate?

Board Member Makinen: (inaudible – no mic)

Chair Bower: Michael. Anyone else? I'll be on it. Alright, so it's Margaret, Michael and me on that subcommittee and I think that takes care of this item. Sorry, it's been a long time, it says it's 3:25 on the



clock we can see from our position so it's been a lot longer than I thought. Can we have a 2-minute break just to stand up and stretch?

[The Board took a short break]

### **3. PUBLIC HEARING: Historic Resources Board Discussion and Recommendation of the Palo Alto Eichler Neighborhood Design Guidelines to the City Council**

Chair Bower: I want to call the meeting back to order. We're running a long time this morning so let's move to the next action item is number three. A public hearing, Historic Resources Board discussion, and recommendation of the Palo Alto Eichler Neighborhood Design Guidelines to the City. We have all received from staff a response packet on comments of the public review draft. We got them this morning, none of us have had time to review them but let's let staff take over from there.

Ms. French: Please. Good morning, the item that you have At Place was received last night from our consultant and what it is, is a tabulation and notes and they are preliminary, they are not ready for prime time really or they are not completed, to say what we're going to do in response to the comments. It is a complete list of the comments received and it starts at number 32 because that is the first comment following – the comments before number 32 were admin draft comments. Now, this is on the public review draft so it starts at comment number 32 and it goes to comment number 227. Those contain comments received at the community meeting that we had last Thursday. On the screen I have the schedule and it kind of shows you the trajectory of our review of these Eichler Guidelines and preparation. In yellow you can see that is today's date, we are looking towards a recommendation realizing, of course, that there are a lot of comments and you're not seeing the final version in what you have today. This is still the same version that was given to you and members of the public on November 9<sup>th</sup> of last year but I do have some slides here that say generally what we are doing in response. As well as to convene the approaches as you say potential regulatory options that we've been starting to discuss and in fact, we began last Thursday to discuss those. Our intent, of course, is to get to the City Council, we have this target date of March 12<sup>th</sup>, with a revised guideline to respond to the comments to the City Council for the adoption of just the guidelines. Then direction to go to the next stage which is to begin to formulate some regulatory measures as Council might direct us. There's the schedule and we're hoping to get these out in the final version and start using them and so we'll talk about that in a minute. We have a workshop summary here that's basically from last Thursday. We had about 35 people come, including former Chair Bernstein and our individual review consultant who looks at two-story homes. We did have some repeat customers or attendees from the prior workshops and we did tell the group there that we're planning to go to Council on March 12<sup>th</sup>, that could slip. We showed them the tools and – oh thank you, this is for Brandon, excellent. We have a – we talked about this initial tier approach to implementation show the Council direct one of those approaches and we got some feedback on those so we'll talk about that and then we talked about next steps. We're hoping to begin to look at integrating basically as a recommendation to Council this set of guidelines in some fashion to the two-story home review process so that these can be useful in that process and we're clear about that; again, I'll talk about that in a bit. A lot of the comments from last Thursday focused on similar topics so we have – these were some of the things that were noted. We had the concern about – there are some statements in here about adding onto the front may not be a good idea but then as far as a second floor but then adding on to the rear is impactful to privacy so for an Eichler tract. These are some of the comments here, we had a lot of concern about accessory dwelling units. Especially because the current regulations for secondary dwelling units in the rear yard allow for a height of 17-feet. So, several folks commented on how that should be no higher than the height of the home which actually could in a single-story overlay neighborhood really. We'd have to make an actual change to the regulations in the zoning code to make that and that is something I think worth perusing as soon as possible and we're hearing from the public about that. There was some interest about these – ACC stands for Architectural Control Committees so there are several neighborhoods that have Architectural Control Committees and that's a voluntary thing that they can use these guidelines once they are finalized in their process to look at homes in Eichler Tracts. Anyways, there are some other comments here, I'm just going to let them sit for a second. There are some interesting aspects in that there are non-Eichlers and you know how do we look at the non-Eichlers

when it comes to this. I mean obviously they are not restoring an Eichler because it was never an Eichler but how do these apply to those buildings in Eichler Tracts where they exist? There's a lot of words on the screen, I'm not going to read them. These were just some of the comments that we heard and you know McMansions, people are – it's clear – it needs to be clear that there's not going to be any retroactive enforcement, these are voluntary. These are proposed as voluntary, what the Council does next will be...

Board Member Kohler: Can you do back?

Ms. French: Yeah, this one?

Board Member Kohler: The next one back.

Ms. French: This one?

Board Member Kohler: Oh wait, go back right...

Male: Forward.

Ms. French: This one?

Board Member Kohler: Forward now sorry.

Ms. French: Oh, ok.

Board Member Kohler: So, down at the bottom it says no McMansions.

Ms. French: This was a comment that was made – these are Emily's notes from last Thursday and if you wanted to weigh in on...

Ms. Vance: Sure, this was just kind of a general comment about several people stating that they didn't like these large – I think the phrased used was stucco palaces that were popping up within Eichler Tracts. So, that was just another comment that we head at that meeting.

Board Member Kohler: Ok.

Ms. French: So, this is kind of a flavor, it gives you a flavor of that meeting. Those who didn't attend, Martin was there and he can weigh in on that too or you can talk with him about that. Here is the original table of contents from the November draft, the public review draft. There were comments on rearranging an order because the next stage being how are we going to implement this. There's kind of a need for clarity and placement of the more important guidelines near the front and the guidelines that address how to make a perfect Eichler basically with – that those would be later in the document and very clearly not ever going to be a mandatory or code change. There was also, excuse me, expressed concern about this concept of Eichler overlay which is not proposed actually. It is talked about as an option I believe and you know it's not defined but it's not intended to replace single-story overlay or it's not intended too force it on any existing single-story overlay. I mean the single-story overlay is really the best way to retain a one-story neighborhood so we're not encouraging anybody to change that. The potential reorganization of the guidelines would be in the introduction to integrate only some of the contents in Chapter 8, which is called the Process Improvement Suggestions into the purpose section so why are we doing this? Council adoption of the guidelines is required, Council action is also required for any subsequent ordinances with regulatory changes and those aren't proposed at this time. Then we – there's some other things that we can do there but inserting the known CCNRs and then which of those actually limit construction to one-story so it's clearly found. Of course, that might be – anyways. Then what are these guidelines and what aren't they? In other words, these are not mandatory, these are voluntary and anything else is by separate action. Then also clearing up the misconception that may be out there that

we're trying to change the single-story overlay guidelines with – single-story overlay zoning code with guidelines; we're not. The Council had directed us to modify the ordinance for single-story overlay establishment because we had such trouble with what we called erosion of support. That phrase appears in here and it caused confusion. We have not received, just for the record, any comments from any single-story overlay property owner tract that they want to – you know that their support for their existing single-story overlay is eroding that. That was not what that was intended to be, that was about how difficult it has been for several tracts to get a single-story overlay established because of the changing support level during that process to try to rezone their neighborhood. I just wanted to kind of say that. Here is the proposed reorganization so you can see here that the beginning part is to focus on the history and the values etc. Then the first major chapter on what's next is what to do in Chapter 4 so we talk about compatibility, new additions and that's where we put the stuff about the ADUs. So, have that in the critical chapter for people to look at when they are actually going to come forward with some kind of proposal for an addition or construction. Then the later Chapters 5, 6, 7, those are really intended for maintenance and that sort of thing. Moving on, we do have some FAQs, we had shared those and those are on our webpage, correct Emily? These are all on our webpage about this project and we have this email address that people can communicate and they have been. The concept of these and you where here for Professorville so this group is the best group to understand this. We did this already with the Professorville Guidelines and just like these, any Discretionary Review such as Individual Review for a new two-story home, this could be useful in that process. We do need to make an ordinance to say we're going to intend to use this for that process and maybe be specific about which of the guidelines in here would be useful for that IR process. That is something that we would have a discussion with the Council about. Your former comments or previous comments on the public redraft was hey, let's get these in chronological order as these tracts as to when they were built and have it listed that way so that's going to happen in the next draft. Then this – we're going to have this clarification in Chapter 3 to help understand better...

Board Member Kohler: Could you go back on more?

Ms. French: Yep.

Board Member Kohler: So, you look down here and you see number 4, number 10 and they are talking about putting underground – to go under the railroad and that's going to impact a whole bunch of these Eichler homes because they are going to get wiped out. That's what the proposal is or the last one I saw and that's nothing official but that's what they are talking about. It was in the paper and they showed that this and the one down at Churchill Avenue to try to get the trains – everyone to go under them like in Oregon. Does this...

Ms. French: Yeah, this is not the document to address...

Board Member Kohler: No, I'm just saying it's just – once you see these orange things and you realize that they – the powers to be are talking about wiping out ten or twelve of those homes.

Ms. French: Perhaps we can agendize a discussion about Caltrain possibilities at a later date. I just want to focus on the guidelines.

Board Member Kohler: No, that's ok, I'm just saying it kind of pops right out at you once you see all those homes.

Ms. French: Moving on, Chapter 4 we would make that a later chapter basically because it's about maintaining Eichler homes and not about the new additions. The part that people really care more about I think and then these would be the earlier chapter as noted. As noted, moving the ADUs into that Chapter 5, this one, which would then become an earlier chapter and this one would just basically be about the National Historic Districts. This – again, we heard no taller than the home height and the home height being the single-story so this would be certainly a regulation that could be applied City-wide but certainly in the Eichler neighborhoods where privacy in the backyards is so critical. Privacy for those plate

glass window is unique to the Eichler neighborhoods in particular. Then we have this Chapter 8 going into the background and I already talked about that kind of in the introductory to – so people understand about hey, we're going – I think might – it would say less than it says right now about this implementation. The implementation itself would talk about – yeah. Then I guess I had – this was shown to the workshop folks and this is – we spent a good hour talking about these and really people – nobody was all that excited about just a voluntary, at least the folks in the room that cared about Eichlers. They certainly – there was some popularity about this Tier One which again was let's use these in the IR process looking at new two-story homes and maybe strengthen the whole privacy guideline in the IR Guidelines. Then these later tiers, this concept of having an Eichler overlay, for instance, we have a two-story – original two-story Eichler neighborhood, [Terraria Court], they have too many two-story original Eichler homes to be considered for single-story overlay. They are not entitled to go through that existing process so this might be if they – they had come forward and asked and I said no, sorry, you don't meet the entrance requirements. If we had an Eichler overlay for that type of neighborhood, they could avail themselves on that. So, it would again be like the single-overlay; self-selecting neighbors/property owners coming together and asking to have that for their tract and it wouldn't supplant single-story overlay. When I had this here saying add – change to EO, I mean that is a possibility. We would not encourage switching from single-story overlay to Eichler but there might be a possibility of in the Eichler overlays talking about guidelines in here, some of them in particular related to Eichler overlay. This is just a start, we are starting this conversation and the chief goal is to get these to Council in their revised state as we just outlined to get those adopted. Then the next steps carry on months and how long after. Anyways, this summarized that there was not much support for this option, the Tier (inaudible) zero. The Tier 1, the concept of strengthening our massing, the scale and streetscape and privacy guidelines from the IR specific to Eichler neighborhoods was – seemed to be popular. Then the concept of tailored Eichler overlays along with IR integration for two-story. This is what kind of summarized what we heard and then with regulatory – the concept of the regulations that we might come up with for height mass and privacy. For instance, you could come up with limitations on the size of a second floor or a certain placement on the property where those would be less impactful on privacy or how you deal with privacy in an Eichler tract. That sums up my presentation such as it is and Emily if you had anything to add here. She did – we did have an exercise that was a – where folks came a put a dot on these tiers here basically and that's where the 'what's most popular' kind of came about where dots.

Ms. Vance: Right, yeah, there was an exercise at the end of the public meeting on Thursday where we had a sheet with the Tier 1, 2, 3 and it was just another exercise for people to participate into kind of gauge the feeling of the room. I got to stand over there and kind of have more one on one chats with individuals as they came up to talk about the options that we presented. I don't have a picture of it or anything but we – that's kind of where what – when we talk about this visualizing support, that's where that's coming from.

Ms. French: I guess I would add just because I'm glancing at this working draft that's At Place, you know comments that were made prior to this by staff and the HRB are underway. For instance, here's an easy one, chapter numbers are going to be added to the green section title pages. I think Roger had made that comment in a prior meeting or possibility David so we have our work cut out for us to pull together the final draft to get to Council. We would like your support in moving that forward, the final guidelines document. As to these potential regulatory, we are going to be buttoned up for Council on that, that is going to be a later effort and you will have involvement in that as well.

Chair Bower: Ok, thank you, it's a lot of material. I think because this meeting has run so long, I'd like to ask our one audience participant who has asked to speak to us to come forward. Penny Ellison, who has been here before and so welcome back. I'm sorry that it's taken us so long to get to this topic.

Ms. Penny Ellison: Well, thank you for considering this item. I live in Green Meadow which is a single-story overlay district and I'm speaking today as an individual on that; as a representative of my Neighborhood Association, we have not voted on this. Here are some thoughts that I have about it, as I look at these tiered options here, I think that the Tier Three regulatory options actually have some relevance for SSO neighborhoods. I say that because as I listened to people in the neighborhood

meetings, what I heard is really clearly is that the key issue is the protection from privacy intrusion on those indoor/outdoor glass-walled spaces that define Eichler architecture and the lifestyle associated with it. When we talk about restricting additions onto the front of the property, I think if you – I would encourage you – in fact, I invite you. I'd be glad to organize a tour of some Eichler homes in Green Meadow so that you can understand sort of how the indoor/outdoor spaces work and how the Eichler architects really designed the homes to speak to each other. The window placement is very important and so that's why I get to Tier 3, the regulatory options, even for SSO neighborhoods I think is very important because – and things – it can control things like floor heights. You know if you raise a floor in an Eichler, you can actually see your fence into your neighbor's yard. I Eichler guarded against this when they were designing – their architects were very careful about that. They were careful not to place windows on one side of a house to face the private spaces of the home next door. These kinds of – even today, like our existing code right now does not protect an Eichler home even in an SSO neighborhood from this. I can show you an example of this in my own home. Too late for me but I would really like to see other Eichler homes protected from somebody putting a plate glass wall facing yours and that can happen today. Simultaneously with the floor being raised which enables your neighbor to see into your house so those kinds of things can happen presently, even in an SSO neighborhood so it would be terrific to go to the Tier 3 thing. I was one of the people who suggested a maximum height for ADUs that does not exceed the height of the primary residence on the lot that it shares. I think that you can probably add the 17-feet into that but say whichever one is less and then that gives some flexibility for areas where people want it. Let's see, what were my other comments? Generally, I think that the guidelines are a helpful learning tool for people who want to maintain an Eichler and the comments when I distributed it in my neighborhood that I got back where you know, I wish I'd seen this before I did my remodel. So, it is going to be helpful for people who care about it but I do think that regulation is going to be important. I think that these guidelines – for some people, the read them and said gosh, these are great. This is going to protect our privacy but in fact, I think it's kind of giving people a false sense of security. It doesn't do that at all as we all know now. I do think they provide a wonderful context for the next conversation that needs to happen about regulation and we need to make sure that this process does not stop here. Thank you for considering my comments.

Chair Bower: Sure, thank you very much for coming and waiting so long. It's very important that we hear from homeowners in these circumstances. I think that your concerns, the ones that you've just expressed, are at least my concerns about the way we develop these. Also, I think to echo Amy's earlier statements, this is the beginning of a long process because at first, you adopt guidelines, then you move forward to implementation and I think that's where we'll get closer to the kinds of protection you're looking for. Today, I think that – I know Michael has to leave shortly. We received all these comments which we didn't have time to review. I'm not sure that we can actually move this forward at this point because there's too much that's still in flux; the arrangement. So, mindful – being mindful of the interest of getting this to the Council as soon as possible, I think we ought to probably continue this discussion. It would be nice to see the revised guidelines the next time we talk about this and maybe we would have an opportunity to review public comments that are on these 200 comments that you gave us today and maybe move this forward to the Council.

Ms. French: Thank you. Can I ask that – you know we had heard comments from before and we – those are – of the HRB's. If you hadn't made comments before and there are comments that you are withholding, please make sure that we have those. We basically have provided direction to our consultant to move on these and start creating the final version so we can bring those back. February 8<sup>th</sup> is to soon to get the final draft in front of you but certainly by February 8<sup>th</sup> if there was something that you can provide to us about what you received today, that would be really important to do that. So, we can put that on our retreat agenda as an item for you to...

Chair Bower: Of course.

Ms. French: Did you have some thoughts about that Emily? Ok. To give us a here, here, on these or some concerns if you do have them because we want to let the consultants move on to the next stage.

Chair Bower: Ok, Martin, do you have a comment?

Board Member Bernstein: I have a question for the speaker Penny Ellison, if I may? My question for Penny is with your experience with the Architectural Control Committees, how effective is that in implementing their recommendations? Do you have experience with that?

Ms. Ellison: I have talked with the members of our ARC in Green Meadow about that. I haven't done a remodel that required me to do that, any work that I've done has all been things like restoring siding to get back to the original siding; simple stuff like that. Generally speaking, they will tell you that they do their best to get neighbors to comply but the fact of the matter is, it's – they use persuasion because ultimately what it comes down to is the neighbor could – is the neighborhood going to sue the neighbor whose doing something to their house? Controls – City regulated controls would be very helpful, it certainly would have been very helpful in my particular instance. The Committee recommended against what the person did and it – and City regulations allowed it so it went forward and there was nothing that really could be done. Does that make sense?

Board Member Bernstein: Yes, that does. My other comment is that based on your experience and maybe even in your own personal residence, I hear the word privacy is the dominant concern. Is it – privacy –as long as the people feel that their privacy is being respected, is that the...

Ms. Ellison: Well, I can't speak for other people. What I heard and I mean I can tell you what I heard in the meetings is that the indoor/outdoor space of an Eichler – I mean if you live in an Eichler, you want your windows open. So, I can tell you what happened to me, I mean my neighbor put a plate glass window right across and I can hear everything that goes on in her house now. I know she can hear everything that goes on in mine so – and when her lights go on at night, it lights my backyard and that was never the case before so it has changed. It means that you know where I use to have a view of the sky from the interior of my house, I know how a view of my draperies which are always shut so it has really changed my, both enjoyment of my home and my privacy. That's – it's unfortunate but that's – you know, it's done so I guess what I'm saying is we're not – I can appreciate it because I've experienced what people are worried about.

Board Member Bernstein: Thank you for that.

Chair Bower: Thank you. Other Board Members have comments?

Board Member Wimmer: I just have one quick question and maybe this has already been answered. Once the guidelines are put in place, is there – if an Eichler owner wants to modify/add/alter their home, will they be required to go through like an IR sort of review with – like when you want to put on a second-story, you have to meet with Arnold. Is there going to be some kind of a review or these are just guidelines that we put out there and people can take it or leave it?

Ms. French: The ladder because we do not have a single-story home review process and I think taking that on, frankly resources...

Board Member Wimmer: That's a lot.

Ms. French: That's a lot so my preference and I think at could happen is that the regulatory – yeah, you can get to a point of what are the most important prescriptive statements you can make about one-story changes in a single-story overlay neighborhood in particular. Then figure out what those statements are and then those can be part of the Development Standards so then we're not doing a qualitative review at staff.

Board Member Wimmer: Could we empower people like Penny who – she's part of her neighborhood organization – I forget what you referred to it as but could we empower them to be somewhat of like an HOA. Where in this zone, if one of the neighbors wants to remodel their house they would have their own

Board that's made up of their own neighbors and like a lot of HOAs do that. Maybe that's not something that the City of Palo Alto would allow but would that – I just thought that out there as an idea. They could be self-regulating a forum or in an arena where each individual has to go to go through a review and a neighborhood comment but they do it themselves. So, basically, Palo Alto was delegating that activity to the neighborhood, I mean that's...

Ms. French: It's like a Municipal Advisory Council of some sort...

Board Member Wimmer: Kind of a cool idea, I don't know if it could even happen.

Ms. French: ...or Committee.

Board Member Wimmer: I mean that might be a way because that's basically, you're trying to address the neighbors. You're trying to make the community members happy so if we put it upon the community members in that neighborhood to review those projects and comment on them with the guidelines. I don't know and then my only other comment which was the same comment I gave with the Professorville Guidelines is with the book itself if we could maximize the font size. I said that before, I know that's – maybe I'm old but I see a lot of blank area on the page and maybe if we could just – instead of a 10 point, make it a 12 point. It just makes it easier to read, just simple, not to make – I don't want to create more pages. I just want to be able to see it better, sorry.

Ms. French: I think you are not alone in the quest for larger print.

Board Member Wimmer: I hate these things, I just hate it. Please, bigger font would be great.

Board Member Kohler: I have one quick comment in that my recent experience with the person who wanted to add a second floor or do a new home with a two-story, was the people complained the most were the folks who already had two-story homes and big ugly ones at that. They complained the most and we worked very hard with the neighbors and everything so anyway, it never got done. Maybe with these guidelines, we'll be able to do something.

Chair Bower: I have a couple of quick observations, I know this – we want – we all need to get moving here. I would hope that there's language in the final version of this that allows the ACC and the organizations that have CCNRs Homeowners Associations to really be the first line of defense in their neighborhood development. More local I think is better and that would be as local as you get. Mindful of what Ms. Ellison just described to us as a CCNRs or Architectural Review Committee that has to live with their neighbors and can't really – it really is not going to enforce it. I would hope that these guidelines that know neighborhood association could approve something that was less stringent than this. We're going to set a guideline standard that's kind of a standard in that individual neighborhoods could, though they Architectural Review Committees, review it but not under mind these guidelines. I don't know if that's – if there's a way to incorporate that but I think that's important.

Ms. French: One thing that I didn't mention when we were talking about the National Register Historic Districts, I think you all aware that Professorville is both a National and Local Historic District. In our code for historic preservation, only addresses local designated districts. If for instance, the Green Meadow National Register District wished to become a local designated district, that is another way to have some kind of review at least for Secretary of Interior's Standards. Right now, because it's not in our ordinance, that isn't happening.

Chair Bower: Right and that was my – one of my next – my next comment that I wanted to speak to is I would like these – this document in some way to encourage the local listing of any National Register District or property. Now, in this case, we're talking about Eichler properties so it seems to me that we should make some statement that these national districts – Eichler districts ought to be part of our local register. I know that requires the homeowners to do that but I think we could still encourage that in this document. Finally, a letter that Emily sent to us from a – emailed to us, which I printed out and then left

at home, talked about single-story overlay and I didn't understand what the issue in that letter was. That has to be part of the public record because it was sent to the Board. Can you briefly summarize what that – do you remember what that was about? I'll just – if not, I'll just – we'll just move on. Don't worry about it, let's move on.

Ms. French: Was that – sorry, when did we receive that letter?

Chair Bower: I don't know.

Ms. French: When did you receive it?

Chair Bower: Emily sent it to us earlier this week. Look, it's ok, I – we're not done with this, we'll come back to it, let's just move on.

Board Member Wimmer: (Inaudible) the ADU heights.

Chair Bower: Yeah, alright...

Ms. French: Right, we heard from several about the ADU heights and that frankly could be on a separate ordinance that's going – that's – we have these annual updates of our codes and that might be a City-wide wish that transcends the whole Eichler situation.

Chair Bower: I think we're going to need to continue this discussion, we can do it at our retreat on the 8<sup>th</sup> but maybe, is it possible to move this forward on the 22<sup>nd</sup> – on February 22<sup>nd</sup> meeting? That we would have this complete enough that the Board might make some final recommendation to the Council; 22<sup>nd</sup> of February, that's....

Ms. French: Yeah, that would help.

Board Member Corey: I would love to see – I mean you know we already talked about coming back on the 8<sup>th</sup> with all our comments and feedback but is there any way we could get a draft – preliminary draft final before we – is that not going to happen?

Ms. French: As you saw with the 200 and some comments, I wouldn't want to put the consultant in that position of not meeting a deadline so I would prefer the – continue to the 22<sup>nd</sup>. If there's some reason why we can't it to you by then, we can always target...

Chair Bower: Well, let's hope that we don't get it on the 21<sup>st</sup>...

Ms. French: Correct. Yeah, that's...

Chair Bower: ...or the morning of the 22<sup>nd</sup>.

Ms. French: That gives us a little more wiggle room to get it to you by maybe the 8<sup>th</sup> or the following week.

Board Member Corey: I guess -- I think that's my point exactly if we get it the 21<sup>st</sup> or the 22<sup>nd</sup> it's not going to be a very productive meeting.

Chair Bower: Alright so we'll continue this until time uncertain I think.

Ms. French: Or you could just say the 22<sup>nd</sup>...

Chair Bower: Oh, alright.



Ms. French: ... if you'd like to give predictability to the process and then we'll...

Chair Bower: Fine, let's do on the 22<sup>nd</sup> and then we'll visit.

### **Approval of Minutes**

#### **4. Historic Resources Board Draft Meeting Minutes of December 14, 2017.**

Chair Bower: Alright, we have one final thing to do then today and that is approval of minutes. I'm sure every one of you has read every single word in the minutes.

Board Member Wimmer: I tried too.

Chair Bower: Any changes? Martin, you have a change.

Board Member Bernstein: I do, I'll go through the page numbers here. Regarding the minutes of – let me see the date – minutes of December 14<sup>th</sup> and packet page 101, in the middle, it says IR consultant Manuela. So, in the middle and so where ever it says Manuela, it says it about – there are several pages so it's Mamorella just so that's correct there. Then also on packet page 102 about the middle where I'm saying about the Willis Polk building that says no existing historic fabric was retained. Cross off the words removed because the existing historic fabric – I'm sorry, my mistake, I'm just reading it – oh, yeah, it should say no existing historic fabric, yeah, was retained. That's what it should say...

Chair Bower: Then just cross out...

Board Member Bernstein: and cross out the word or removed. It should say that no existing historic fabric was retained, correct that record. Packet page 105 the fourth from the bottom where it says Chair Bernstein, it says the word – the last sentence says now of the fabric is going to be thrown away. Correct that to say none of the fabric is going to be thrown away. Then finally on packet page 106, third paragraph from the bottom, Chair Bernstein, it's not a Camphor tree, it's a Chamfer, C-H-A-M-F-E-R. Those are my (crosstalk).

Chair Bower: Alright...

Board Member Bernstein: Thank you.

Chair Bower: If there are no other corrects or additions or alterations do I hear a motion to approve?

Board Member Bernstein: Oh, one more on packet page 113, third paragraph from the bottom it talks about Board Member Gooyer. He's on the Architectural Review Board so whoever said yes can fess up.

Chair Bower: I missed that, that's...

Ms. French: We have the same transcriptionist doing the ARB (inaudible).

Board Member Kohler: It was put in there on purpose.

Chair Bower: Yeah, this is a test. Alright...

Board Member Bernstein: So, yes, I have read the minutes. (crosstalk)

Board Member Wimmer: Do you only read your comments or do you read all of ours?

Board Member Corey: (Inaudible)

Board Member Wimmer: Did you correct mine?

Chair Bower: Alright, do I hear a motion to approve? Motion to approve?

Board Member Corey: Second.

Board Member Wimmer: Approve, I wasn't there so I can't approve but I'll approve it.

Chair Bower: I'm looking for the motion to approve.

Board Member Bernstein: I move...

Board Member Corey: I move...

Board Member Bernstein: Go ahead.

Chair Bower: Ok, Brandon...

### **MOTION**

Board Member Corey: I move to approve.

Chair Bower: ... moves to approve. Second?

Board Member Bernstein: As amended.

Chair Bower: As amended, of course, Martin seconds. All in favor say aye.

Board Member Wimmer: I wasn't there but I'll approve it.

Board Member Corey: That's a -- you can withhold right?

Chair Bower: Ok so that's unanimous.

### **MOTION PASSED WITH A VOTE OF 5-0 WITH BOARD MEMBER MAKINEN ABSENT WHO LEFT EARLY.**

Chair Bower: So, there being – since we did the Board Member comments and announcements at the beginning of the meeting. I move we adjourn. Thank you all.

[The Board adjourned]

### **Board Member Questions, Comments and Announcements**

Chair Bernstein: If there are any Board Members that'd like to make any question or comments, please.

Board Member Wimmer: I did.

Chair Bernstein: Yes, Board Member Wimmer.

Board Member Wimmer: I wasn't here at the last meeting and I know that or when I was looking through the minutes, I see that you guys were talking about potential subjects to discuss during the retreat. I was wondering if we could discuss some of the latest City maybe changes and procedures. Specifically, I wanted to ask about the – if someone has a property that's deemed potentially historic, I think now there's – since January, there might be a new procedure that they have to go through or they have to

get a Historic Evaluation Report. Is that correct? I just wanted to learn – understand that process and learn more about it; whether that's something we can discuss right now or at the retreat. I definitely need to be educated on that process.

Ms. French: Hi, Amy French here. We definitely have that planned for the retreat. We were going to speak about it at the retreat on the 11<sup>th</sup> but we had that snafu so it is going to be discussed. What you're referring to is basically the City Council adopted a Comprehensive Plan in November and it became effective in December. Now we're addressing the – there are an Environmental Impact Report mitigation measures that became policy and that we are trying to scurry and come up with procedures for it. So, we don't have ready procedures at this time but we are operating with what we can do at this time so we will explain that at the retreat.

Chair Bernstein: Other Members? Board Member Kohler.

Board Member Kohler: I was going through all my varying piles of stuff and I came across this. Let's see, I'll give – this was – Martin, your name is on the front cover there and you can have two or three. This is a downtown Palo Alto tour that we did in 2000 and I did it within May 11, 2001, Martin, who had just gotten on the Board I think, and I did the tour and 2-years in a row we did this downtown Palo Alto walking tour. We handed out these – so, here we had a photograph and we had a list of historic sites to drive – to walk around. There's a little list that showed where everything is to go. Now, I understand this – I was thinking this was something that we should start doing again but I guess you just told me that the – we have folks coming to do the same thing, is that it?

Ms. Emily Vance, Historic Planner: Good morning, this is Emily Vance. Yeah, for the California Preservation Foundation Conference in May, we are planning a downtown tour that will be spearheaded by Palo Alto Stanford Heritage but I can pass along this information.

Board Member Kohler: Yeah because it was – it has – I think – well most of the homes – this is a long time ago, 17-years ago I guess.

Chair Bernstein: Dark ages.

Board Member Kohler: Dark ages, yeah. I think – I kind of looked over the list and I didn't see any that were – that are gone that I know of so it could still be used.

Ms. Vance: Great, thank you, this is very interesting.

Chair Bernstein: Any other Board Member questions or comments?

[The Board moved back up to oral communications.]

## **Adjournment**