



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: December 7, 2017
City Hall/City Council Chambers
250 Hamilton Avenue
8:30 AM

Call to Order/Roll Call

Present: Chair Alexander Lew, Vice Chair Kyu Kim, Board Member Wynne Furth, Peter Baltay, Robert Gooyer

Absent:

Chair Lew: (Video started mid-sentence) Review Board meeting for December 7, 2017. Can we have a roll call, please?

Oral Communications

Chair Lew: Great, thank you. Now is the time for oral communications for items that are not on the agenda and I don't think that I have any. I think I have lots of speaker's cards for Item Number Two.

Agenda Changes, Additions and Deletions

City Official Reports

1. **Transmittal of the ARB Meeting Schedule and Attendance Record, and Administrative Staff-Level Architectural Review Approvals**

Action Items

2. **PUBLIC HEARING / QUASI-JUDICIAL. 250 Hamilton Avenue [17PLN-00169]:**
Consideration of a Tier 3 Wireless Communication Facility Permit Application for the Deployment of Small Cell Wireless Communication Equipment on Utility Poles in the Public Right of Way. This Application Proposes 15 Small Cell Node Locations Within the Mid-Town, Palo Verde, St. Claire Gardens, and South of Mid-Town Neighborhoods. The Approximate Location of Each of the Nodes is Available Online at: <http://www.cityofpaloalto.org/civicax/filebank/documents/62257>. Environmental Assessment: Pending. Zoning District: Various. For More Information Contact Project Planner Rebecca Atkinson at rebecca.atkinson@cityofpaloalto.org.

Chair Lew: Let's go into the first Item, Number two, a public hearing for a quasi-judicial item; 250 Hamilton Avenue. Deployment of small cell wireless communication equipment on utility poles in the public right of way. The application proposes 15 small cell node locations within the Mid-Town, Palo Verde, St. Claire Gardens, and South of Mid-Town neighborhoods. The approximate location of each of the nodes is available at [cityofpaloalto.org](http://www.cityofpaloalto.org) – I won't read the whole thing here but it's on the agenda. The environmental assessment is pending and the zone district various. Our project planner here today is Rebecca Atkinson and maybe I'll take a moment here to introduce all the Staff. We have our Chief

Planning Official Amy French, Assistant Planning Director Jonathan Lait, and from the City Attorney's Office Albert Yang. I think what I wanted to outline first is we're going to do disclosures from the Board Members, we'll do a Staff presentation, applicant presentation, and then we'll have public comments. I have a lot of speaker cards so that will probably go on for about an hour. Then the applicant will have time for a rebuttal and then we'll do Board Member questions and comments. The recommended – Staff recommendation is to continue this a date uncertain which is different than in the agenda so let's get started. Are there any disclosures from the Staff – Board. Could you please come to the microphone because we're all – it's on (inaudible).

Ms. Genie Fleming: Of course, excuse me, I'm sorry I missed what you said. Did you just say that the – this is not going to be continued until January, what was it 17th or 18th but that a date has not been set?

Chair Lew: Yes.

Ms. Fleming: Alright.

Mr. Jonathan Lait, Assistant Director of Planning: I can speak to that so...

Ms. Fleming: Thank you for explaining and also if you could just example, almost everybody here with us is new to this process so we have been assuming that this is a pole by pole process, is it?

Mr. Lait: Ok so...

Chair Lew: Yeah, let's differ to Staff.

Mr. Lait: Why don't we – so I'll respond to the question and then we're going to go back to our disclosers and then we're going to have the public, the presentations and so forth and Rebecca, in her presentation, will describe the application that's before us. One clarification, we have a recommendation in the Staff report that it be continued to I think it's January 18th. Since that agenda has been published and Rebecca will speak to this in her presentation, we're recommending that the ARB continue this item to a date uncertain. We would re-notice a future public hearing that would take place probably in January or February but right now we'll go to disclosures, then we'll go to the Staff, then the applicant and then public testament. Thank you.

Ms. Fleming: And may I ask...

Mr. Lait: No, I'm sorry, excuse me, we do need to stick to this program. If you want we can have a sidebar conversation while the proceeding begins, ok?

Female: Thank you, I appreciate that.

Mr. Lait: Thank you.

Chair Lew: Kyu.

Vice Chair Kim: Yes, so I will disclose that back in February of this year I did meet with some representatives of Verizon, as well as Paul Albritton.

Chair Lew: Peter.

Board Member Baltay: I'd like to disclose that I met with numerous members of the public on site and in very informal capacity, just discussing this applicant. I don't have anybody's names or anything but just – I was out there talking to quite a few people.

Chair Lew: I would just disclose that I visited the mock-up yesterday and I also looked at it previously before they added the shrouds and that I visited all of the sites. Wynne.

Board Member Furth: I do have visited the sites and looked at other antenna installations around the City.

Vice Chair Kim: I three.

Board Member Gooyer: Ok, I guess I didn't – yes, I visited all the sites also.

Chair Lew: Rebecca.

Ms. Rebecca Atkinson, Project Planner: Thank you, Chair and Board Members, good morning. The project is as you stated in your introduction for 15 small cell deployment node locations in multiple neighborhoods including Mid-Town, South of Mid-Town, St. Claire Gardens, Palo Verde neighborhoods and (inaudible). This is the first cluster of multiple clusters that are anticipated to come through under the Vinculums application on behalf of Verizon. We have a total of three Formal Applications to date and I will have the application numbers on our last slide for everyone's reference. In general, we have three Formal Applications on file right now. We anticipate applications that would include up to and about 93 nodes eventually. Verizon and Vinculums propose three equipment configurations in the September 12th plans. I think the September 12th plans are really important to note because that's the current submittal that we wrote the Staff report on. The applicant plans to debut some additional design configurations options today that Staff has not yet reviewed and when I say Staff, I mean not just Planning Staff but Urban Forestry, Electrical Utilities, City Attorney and things like that. So, we haven't reviewed what's going to be debuted today. I wanted to also let you and members of the public know that we do have a City Manager's website available to follow this project, as well as all wireless projects on City Manager. I thought that was really important to prepare for members of the public. I'll just briefly show here, just for reference, the location map. There are three configurations identified in color codes and in brief, Configuration One as the ground mounted cabinet and everything else is pole mounted on the other two configurations. Again, these are the configurations from the September 12th plans, which you also saw in the prelim. The purpose of today's meeting is to receive feedback from the public and ARB Members and we also hope that you will discuss key questions posed by Staff and the applicant. Here's a slide that outlines the requested feedback. Staff has, in general, a request for feedback on location information and I'm really interested in where nodes meet the findings or maybe where they don't. I'm interested in feedback and the applicant is interested in feedback on that in terms of evolving their project so just in general. As well as locations of nodes near corners with respect to Architectural Review Finding 2. Locations of nodes in proximity to other existing adjacent wireless installations relative to Architectural Review Finding 2B. Landscaping at all nodes with respects to Finding 5. The applicant in this last plan set put in some screening trees and some nodes – not necessarily to screen the equipment 100% but just to interrupt views and we're like to hear some feedback on that. Any feedback that you might have on the orientation of the pole mounted equipment with respect to Architectural Review Finding 4 and physical and visual clearance of equipment above sidewalks with respects again to Architectural Review Finding 4. That's a lot, I know you're not going to make a motion today but in any case, that's the kind of direction Staff would find really helpful. The applicant is requesting feedback in regards to design options with respect to Architectural Review Finding 3. This is just a brief slide to outline for reference that we have many requirements that we have to go through in order to process and review a Tier Three Wireless Communication Facility Permit. Architectural Review Board has a purview and in addition to the purview of the Architectural Review Board, we have all of these other in additional requirements. Including that this project much be found to be compliant with FCC Radio Frequency Emission Standards and Noise Standard and Policies, those are really key review requirements. Also, particular to wireless applications we have this timeline – processing timeline commonly referred to as the Shot Clock and this presentation is available for members of the public to review as well. Just in brief, our – we have a current tolling agreement in place with the applicant and that tolling extends into February 2018. Next steps for this application, the public and Architectural Review Board discussion today and we're really looking forward to that. We have a recommendation to – for continuance for a date uncertain instead of the January 18th.

We plan to re-notice any future meeting in order to – the next bullet I think is really important, Staff is anticipating a comprehensive resubmittal of all application materials for the public review and City review. Including all City departments and including further evaluation of the project relative to noise and radio frequency emissions. Here's my contact information and again, the City Manager's website and just so you know, here's this pocket slide with the application number for reference that we have on file. We have Crown Castle, we have a preliminary application for AT&T and I'd be happy to answer any questions you might have. Thank you. Oh, I do have some additional remarks, I apologize. We did receive some correspondence this morning which we don't have copies of. It looks like it's unique correspondence so anybody who turned this in, I'd be happy to get more copies around but I just wanted to acknowledge the receipt of additional public correspondence this morning. We also compiled public correspondence up until last night and it's At Places here. I think all total, my estimate is we received about 1,000 pages thus far of public correspondence. I really want to appreciate the public for weighing in, we have members of the public here today obviously. We also have City Staff members that worked on the project, including Albert, Jim Fleming, Greg, Henry and Dave Doctor of Urban Forestry and Amy French. Our sub-consultant Jonathan Kramer from Telecom is not available today to attend but he will be able to attend a future meeting and a color and materials board is available for review. Thank you very much.

Chair Lew: Great, thank you, Rebecca. For the applicant, you have 10-minutes.

Mr. Rommel Angeles: Alright, Chairmen, Members of the ARB, good morning. My name is Rommel Angeles, I am with Verizon Wireless and I am the manager of the small cell deployment for northern California and thank you for the time this morning. We're here to present the Verizon Wireless small cell project here in the City of Palo Alto. On May of 2017, we presented on the preliminary ARB hearing and we received feedback from the Board. We've also been working with the Staff, received comments from the Staff and the community throughout the length of the project. What we wanted to say today is that we heard you, we received your feedback, we received your comments, and we've incorporated these feedbacks and comments into our new designs that we will present to you today. We're requesting your feedback and recommendation so that we can finalize our designs and we can submit in January of 2018. Just a brief timeline of the project thus far so on June 27th of 2016, Verizon and the City of Palo Alto signed a Master License Agreement for the ability for Verizon to attach on City assets in the public right of way. On March 30th, 2017, we held a community meeting for Cluster One at the Palo Alto Art Center. On May 18th of this year we attended our preliminary ARB hearing with the project and subsequent to that we submitted our formal application. On October 5th, 2017, we conducted a text campaign on the project and we received a great positive response from the residents. We received 430 people in favor of the project and only 6 that are opposed to the project. So, as you can see, we've been working with the City for about a year and half on this project and we've received a lot of comments on design. Here's a summary of the feedback that we received from the ARB and the Staff. The first item is to reduce the standoff between the equipment and the pole and to put it closed into the – onto the utility poles. Proposing a shroud around the bayonet and that is the extension of the pole to the antenna to provide some sort of shrouding component into that design. The third item is to propose a shroud on the equipment on the pole to make it more seamless and provide some covers into the cabling and the axillary equipment. Painting the bracket and all the components of the equipment to match the pole and to add some custom landscaping on the City – to blend in with the streets. Then from the community side we have received overwhelming feedback pertaining to noise. We received feedback from the residents in that they don't want any additional component to add noise to anything that we're putting into the utility poles. This slide here shows the initial three designs that we have presented in the preliminary ARB. You can see from the design on the left, this is actually our very first design that we've come up with and it takes about 68-cubic feet of form factor. That is due to the cabinet on the ground where the backup batteries are placed. The designs that we're going to propose to you today will significantly reduce the form factor of the design and there are four designs that we've come up with. The first design is what we call the Sun Shield Design so what we've done here is that as you can see from the design on the right in this drawing, we've put panels of metal between the radios and the purpose of this is to cover the cabling and all the other equipment between the radio. The Palo Alto – the mock site that we have at the Palo Alto Art Center actually reflects that particular configuration. What this enables us to do is to cover the cabling, make it look a little cleaner and it enabled us to move the

equipment closer to the pole and that's one of the feedback that we received from the Board. The second design is the Cake Design so this is an evolution of the Sun Shield Design. What we've done here is instead of having individual panels connected into the radio, we've come up with two separate boxes; the top box and the bottom box. The top box will provide a covering – a seamless covering into the top two radios and the bottom box covers the bottom radio so this is very similar to the Sun Shield Design except that it's a lot cleaner because it's just one unit or two separate units covering the equipment. Again, the objective of covering the equipment and moving them closer into the pole. The third design is called the Box Design so what we've done here is that instead of two separate components like the Cake Design, we've come up with one universal box that covers all of the radios. So, the dimension of the box is the same at the bottom to the top of the radio and again, accomplishing the covering and moving them closer into the pole. Then the fourth design is what's called the Cage Design and in this particular design we have put all of our radios and equipment into one box and instead of all of the radios in a vertical configuration, the top two radios were configured into a pancake configuration. So, in this case, we were able to accomplish by lowering the size of the box from about 11-feet to 7-feet but in doing so, the depth of the box gets a little deeper. This would be a matter of preference in whether it would be longer or narrow but deeper or thicker. All of these designs accomplish those feedbacks that we've received from the Board. I also want to discuss the Bayonet Shroud, we've been working with the CPAU on this. What we're trying to accomplish here is to have a seamless design from the pole all the way to the antenna. The Bayonet is required because we need that clearance between the antenna and the nearest conductor of about 7-feet so what we're trying to accomplish here is to provide that shroud to make it look like one unit. We're still working with CPAU on this but so far with the feedback we've received, it's very positive so we're looking forward to finalizing this design that we can actually build. In summary, these are some of the components that we've included into our revised designs. Number one is removing all the noise emitting equipment so as Rebecca mentioned in the design earlier, there were four poles – four nodes that had back up battery components in the design. Actually, those fans and those backup batteries cabinets are the ones that producing the noise because the fans are designed to pull the batteries. We have illuminated those cabinets on all of our designs so there will be no noise emitting equipment on any of these designs we're presenting. The radios and the antennas do not produce any noise, they are passively cooled and they don't produce any noise. We've reduced the volume of the equipment so from the 68-cubic feet, now we're looking at about 19-20-cubic feet of form factor on the equipment. We've reduce the standoff bracket to now we're looking at about 5-inches away from the pole so the equipment got closer into the pole. Then we also propose camouflage landscaping and also, we will paint all of the equipment to match. So, what is us ask from Verizon to the ARB today? We're asking your preference on the concealment design options that we have presented; the Sun Shield Design, the Cake Design, the Box Design or the Cage Design. Also, will you be supporting the shroud options that we've designed to conceal the bayonet on the pole. With that, we'll open up to questions later on in the meeting, thank you very much.

Chair Lew: Great, thank you, Mr. Angeles. Ok, so we're going to do the public speaking next. I think we have – so the first speaker I have for Genie Fleming and I do – do you want to check with Staff? I think that – was she going to speak for five people? Ok and – so, it's the first five cards? Right so Genie Fleming, is it [phonics] [Yehia Wong], Ann [Lum], Annette no last name, and it is Mary Ella or [Manchella Yarma – Varma]. So, you'll have 15-minutes for – in total and then all the other public speakers will have 3-minutes.

Ms. Fleming: Alright, thank you, good morning to all of you. As you just introduced me I won't introduce myself but I will say that I'm with United Neighbors which is a Grass Roots Group of Palo Alto resident all over the City, not just in Cluster One but of course, we are all concerned with what's going on in Cluster One. United Neighbors visited each of the 15 proposed poles for Verizon to install a site and we reviewed each of those poles in terms of the guidelines that you laid out for approving or denying approval to each of these sites. We have submitted our review of each of the 15 poles to you, have you received those? No, you haven't. We turned those in before your cut off time yesterday so I'm confused about why they haven't received them as I read your documents regarding these hearings, as long as they are received before 3 o'clock on the day before they will be distributed here today. So, you have not distributed that ma'am?

Mr. Lait: I'll just say, this is the time for your presentation to the Board. The Board can ask us questions but this is not a dialog between the public and Staff at the moment, Chair. So, if we can focus on the presentation and if there are questions we need to answer afterward we will do that.

Ms. Fleming: Well, all of you, I trust you will have an opportunity to reveal – to reveal, to review our review of each of these poles site. I don't have too much time here, let me say that first of all, of course, we looked at these sites with respect to siting, with respect to why Verizon chose to put the sites there. We understood your objective to be that these be as hidden as possible and that is that any equipment that is on these poles be as hidden as possible. I can tell you in summary that almost all of these sites have absolutely no tree screening or any other kinds of screening. So, not surprisingly, that means that just about every one of these sites is in full view of not just one home but multiple homes. Including, of course, in full view of active living areas in those homes, in full view of pedestrian and cyclists and in full view of cars. Moreover them – moreover, many of them are in very close proximity to intersections so they are in full view not just of traffic on the street in which they are being erected but to cars on other streets. With respect to safety and in particular fire safety, almost none of these sites meet your directive that the cell towers be on poles with the least electrical equipment, the lowest voltage and the most support. For example, in almost every case Verizon is planning to put a 4-foot antenna on top of a 50-foot pole within exceedingly close proximity to high voltage wires. I ask you to picture that antenna whipping around in one of our windy winter storms. One of the things that I've included with the packet for you is an article from the Los Angeles Times that talks about a \$99 million fine brought against a utility company and against Telecom companies, including Verizon, because they are being blamed for the Malibu Canyon fires. It is there equipment overloading these poles that lead to these fires. Moreover, the assertion has been made that these companies, again including Verizon, tried to hide evidence that it was their equipment overloading these old poles that lead to the fires. A couple points with respect to design, the housing stock of Cluster One does now consist of Quonset Huts. This material – this – these facilities that Verizon proposes to install are completely incompatible with the nearest homes or indeed any home in Cluster One or any home in Palo Alto; again, our housing stock is not Quonset Huts. They do not comply with Palo Alto's aesthetic ordinances. Verizon is proposing these installations that consist of hundreds of pounds of noisy – I hope I can believe the gentleman who just spoke that in fact there will be no noise but let's say merely ugly, crude metal boxes and cylinders, hundreds of pounds on them because that's what's cheap for them. Not because they can't do a lot better, not because they can't put in installations that are much more respectful of this community and of our aesthetics. Other communities have demanded that cell companies, just for example, underground their equipment and guess what, Verizon and AT&T can do that. I have a comment about significant gap, as you know there is no – if there is no – pardon me, if there is no significant gap in cellular coverage, Palo Alto may, under federal law, deny approval for Verizon's proposed cell towers. In that regard, Verizon submitted a coverage map to the City that it asserts demonstrate that there are significant gaps in coverage. Those maps don't demonstrate anything, they are assertions in a visual format. There is literally no data and no evidence in those maps. I can also tell you with respect to significant gap that we visited every single site and to be brief, not only was service just fine but we were able to play a live video stream at each and the quality of the video was excellent. So, I am actually giving you some data unlike Verizon which didn't give you any data, they quantified nothing. They didn't even bother to pretend that they were telling you anything. Verizon's playbook is really simple, they come into a City like ours, they overwhelm Staff with a huge volume of applications and in this case, over a hundred and they come with their bullying lawyers and well-paid consultants. Their game plan is to have the City just give up on fighting back. Why are they doing this? Well, they see a window of opportunity to install these ugly cell towers in our community that are dirt cheap for them and they never plan to remove them. This will be the legacy here, to have this material in our communities forever, they will never remove them. These facilities are so cheap for them. We're asking you today to not let these people get away with this. We're asking you to please insist that Verizon abide by our aesthetics, noise and other ordinances just as we residents of Palo Alto have to do. Piedmont is doing this, Palos Verdes is doing this, Irvine is doing this, Palo Alto surely can do this too. Thank you.

Chair Lew: Great, thank you. I do want to ask the audience not to applaud for any speakers. We want to have an environment such that anybody can say whatever – feel comfortable to say whatever opinion

they have. So, I do request you do that and we do that for all City meetings, all – the City Council does that.

Ms. Fleming: Excuse me, did I use my full 15-minutes?

Chair Lew: You did not, you used about half.

Ms. Fleming: I used about half, ok. Well, I scarcely know where to begin. You know I'm really concerned that you haven't see the materials that we prepared for you. We submitted those in a timely manner and you were supposed to have them today and I'm concerned about this. I'm hoping that perhaps that there's somebody on City Staff, one of the 1,500 people, who works for the City of Palo Alto who might be available to make copies of those materials for you. Is it possible to get a response?

Chair Lew: I don't have a particular response. Maybe the City Attorney wants to say – has something to say about the time window but we did receive a public communication packet here, At Places today, so it's possible that it could be in there.

Ms. Fleming: I'm sorry. Ok, well, since I have a couple of minutes left, I would like to make one final point and it's rather a small one but I think it speaks to the kind of people we're dealing with when we're dealing with Verizon and that's the following. When I was standing in the lobby I heard one of their Vinculums flaks talking to a Palo Alto resident who said that she was here because what really made her support having these cell towers was that she had read that it was – that emergency calls were being dropped. They were being lost because Verizon didn't have enough cell towers in our community and the context here is, Verizon sent out a letter to everybody in Palo Alto who's near one of these sites, in fact making that claim that emergency calls were being dropped. I have asked Verizon and Vinculums for any kind of data that they have on that point, anything, anything at all that supports their assertion that emergency calls have ever been dropped because there isn't sufficient coverage in Palo Alto. They, of course, have not bothered to respond to me. This is fear mongering of the worst type. They are sending the people of Palo Alto letters with fantasies, with made-up language in them because they will do anything to get this cheap equipment into our town. Thank you.

Chair Lew: Great, thank you, Ms. Fleming. The next speaker will be William [phonetics] [Stracka], followed by Barbra [phonics] [Stracka] and then Francesca [phonetics][Coutts] and you have 3-minutes.

Mr. William Stracka: Ok, I'll try to rush it through. I'm Doctor William [Strocka], I have – I'm a Ph.D. whose worked in the aerospace industry for a number of years but although I'm retired at this point. Currently and one of the reasons why I came to this, I'm a volunteer for the Offices of Emergency Services which is located here in this building. The function that I have with the OES is communications in case of an emergency. This means I have to carry a handheld radio when I'm on-call, as well as being available for calls on my cell phone. One of the things that I will note, not only for our house but for other houses around, one of the things that I find is that in fact the – quite contrary to what was stated here, we have much weaker calls and service inside of the house. I can go outside on the balcony and get better reception but just having a house around your cell phone actually does reduce the strength of the call. So, I'm all in favor of increasing the coverage in these small cell devices. I'm also pretty familiar with the benefits and risks of using devices that emit electrical radiation. There was a lot of stuff that was handed out -- flyers that were handed out talking about the amount of radiation and in fact, if you read some of the stuff that was put out, we're all going to be fried like Colonel Sander's chicken. They are talking about a lot of things that are there and a question for all of you to think about, do you have a cell phone? Do you have a computer? Do you have a TV set – one of these large screen TV sets? Those all put out radiation so when you talk about the radiation from a cell phone or a tower, you better think about the other things that you have as well. Anyhow, as a hand radio operator and volunteer with OES, I do have an obligation to the citizens here of Palo Alto to be readily available. Which means that I have to be available when an emergency such as flooding of the rivers and streams that flow through our town or events such as 4th of July when people all over the area are firing off fireworks and setting fires as it turns out. Well, the big ones coming one of these days --- oh, that means stop right now huh?

Chair Lew: Yes, please but – yes so – but you can send emails and we will have another meeting for this so you will have another opportunity to speak.

Mr. Stracka: Oh, ok, thank you.

Chair Lew: Thank you. Barbra Stracka.

Ms. Barbra Stracka: My name is Barbra Stracka and I live in Mid-Town and the reason that I am for this project is that the coverage inside my house is sparse. If I we were want to receive, which I do, the reverse 911 call, I may not get them because the coverage in my house is too weak. Getting any one of these boosters is not going to help because there's yet another thing and that is that you have to increase the coverage and that these cell towers would do. They are small and they are not going to be in the way. The services for the emergency people need to be supported and they also need wide coverage and increased coverage. I volunteer also with the emergency services and us my cell phone and my hand radio to participate in that. Those services are very important to the community's safety and again, needing wider coverage with the cell towers. In addition, we need towers to support the ever-growing increase in the number of people using cell phones and other devices that use the cells. Verizon had a very informative meeting in the spring where they addressed both the noise and the RF radiation. They have shown that they have addressed – just today saying that they will completely remove all the noise and I will note that if you're worried about noise, we have aircraft, we have 101, we have trains, and you can't get away from noise from outside your house. The RF remission – I mean emission, there are other devices in your home that give more emission than these towers would give. They are far enough away from homes and they demonstrated that with an outside consultant who showed the range of any of this and it affected no homes within the area of each of the towers. So, I would like the Committee to approve the installation of these cell towers.

Chair Lew: Great, thank you, followed by Jerry Finn and Jim Vanhorn.

Ms. Francesca Coutts: I'm Francesca Coutts and I've been a resident of Palo Alto for the last 50-years and lived in the same house in the Cluster One neighborhood for 32-years. I'm concerned about the unsightliness of the cell nodes and the lack of thoughtful consideration of the surrounding environment. I have friends in the neighborhood who have Verizon cell service. They say their service is good and see no need for more cell nodes. I'm worried about the extra 200 lbs. on a pole, especially in the case of an earthquake or fire; such as recently we saw what happened in Santa Rosa. I am shocked that we taxpayers are liable, not Verizon if a utility pole with a cell tower on it causes damage or hurts someone. I'm looking forward to having underground utilities someday and I'm afraid these cell nodes will make that more difficult, if not impossible. I have carefully examined many of the proposed locations in Cluster One and many of the cell nodes will stick out like sore thumbs. They will make our neighborhoods an aseptically unpleasing place to be and destroy the scenic qualities of Palo Alto. All our property values would suffer while Verizon's profits increase. There are 19 utility substations and well sites in Palo Alto and that is where these cell nodes should be placed, just like the mock one at 1350 Newell. Otherwise, Verizon should rent space on a commercial or industrial building or go underground as we all hope to someday. Please deny Verizon's request to put these cell nodes in our residential neighborhoods. They are visually intrusive and are not architecturally compatible with our neighborhood. They do not blend with the existing surroundings and negatively impact public health, safety, and welfare among other things. Thank you.

Chair Lew: Great, thank you and again, please no applause. Jerry Finn and then Jim Vanhorn and Chris Lyn.

Mr. Jerry Finn: Hi, I'm Jerry, I'm also against the installation of cells – these antennas. A few points that I wanted to make, one is I wanted to understand the process after the antenna has been put on the poles if that does happen. Can Verizon then come back and put more installation on because there is a reason why the original proposal included fans for the battery packs. I would assume that there must become

performance reasons or perhaps stability or emergency reasons why the batteries were these in the first place. So, if it is true that would improve emergency response and we remove the batteries, during emergencies it doesn't really help us at all so I want to call (inaudible) to that question. Next thing is the text campaigned that was mentioned in the very beginning where they actually saw something like 400 plus respondents that were for the proposal. I do want to say that I did follow an online petition that Verizon has made available to Palo Alto residents and when I went through it myself there was no option for me to say I am not for the project. In fact, in product design, this is called a negative pattern in which you tell users that we want to hear your support but you don't provide or your obscure options for users – for people who are against this option so that I call into question. The funny thing is, I'm not a Verizon customer and I was able to go through that survey and they never asked me at any time for Verizon customer ID so I also don't know if those users – those respondents were actually Verizon customers that they reached out too. Home values, we could talk here all we want about how pretty we're going to design the antennas but the fact is that they will be visible. Perceived value or perceived impact of the antennas in front of our homes and these telephones are literally right in front of homes. Many time – in fact in all the clusters that – in all the Cluster One poles that I've been too, they are visible within 30-feet, at most, from inside the home. So, imagine how that would do to our home values when you have someone trying to sell their homes and they see this big antenna. However well it's distinguished, it's still going to be a big box that's sitting there and it will be super visible. Your neighbors – the pole may not be in front of your house but if you're neighbor's house – their value was affected, eventually, it will affect your own value so I call that also into question. I think we need to consider that in addition to all the aesthetics and whether or not it fits with home styles here. Anyway, so again, I strongly oppose the antennas, thank you.

Chair Lew: Great, thank you, Mr. Fan. Jim Vanhorn.

Mr. Jim Vanhorn: I also am a 50-year resident of Palo Alto. I'm a Professor at Stanford and economics is my specialty. I'm opposed to this Verizon proposal. I will not repeat some of the things that have already been said in that position. I am a Verizon customer, I have not have had any problems with respect to cell phone coverage in the City of Palo Alto. I have not been everywhere in Palo Alto but I have not had a problem and I suspect that the main beneficiary of this is on a (inaudible) with people on cell phones that pass from one cell tower to another with inadequate service, perhaps in the transition. I'm not sure that's a particularly worthy cause for this proposal. Also, I'm concerned with the liability on the equipment. If a teenager climbs up or anybody climbs up and accidentally pulls down and crashes to the ground, the City, as I understand it, there's that liability and will be sued. I do not think that Verizon bares any of that. The return to Palo Alto of roughly \$260 per antenna a year is very, very small in relation to the cost of a cell tower or other means of providing service. Moreover, what we will find is that if Verizon is approved, other companies will also be approved and virtually every telephone pole – power pole in Palo Alto will have this equipment on it so for these reasons I am opposed. In addition to reasons of noise which may or may not be abated entirely and other aspects that affect our community. Thank you.

Chair Lew: Great, thank you, Vanhorn. Next speakers will be Chris Lyn, followed by – is it Channing? Channing Nick or Channing [phonics][New] and Herk Quan.

Mr. Chris Lyn: Good morning. I am a property owner -- my name is Chris Lyn and I'm a property owner and resident at 2802 Lewis Road, one of the proposed sites for one of the small cell towers. I'm opposed to the project in its current form. I understand – I use cell phones, I understand the desire to increase coverage but I am somewhat puzzled that Verizon's own coverage map on their website shows full strength coverage throughout my neighborhood. So, there some disingenuous there that makes me not understand what the real coverage needs are. My many – I understand that there are additional applications coming in the future from other companies and it seems that this piecemeal approach to adding cell towers throughout the City will just result in a creeping presence of these unsightly towers. I don't know when it will end so it seems like there's not a strategic approach to solving the problem. I'm not particularly concerned with the radiation but mainly the unsightliness of the tower and the potential for noise. I know the tower down the street from me is making constant fan noise. An earlier speaker referred to being unable to escape noise due to jets and whatnot but that's not quite true. My front yard

right now, at many times, is completely silent. I can't even hear 101 when the weather conditions are correct or just right but I have no desire to have a fan or a bunch of boxes on the tower. The proposals I saw today looked like just reconfigurations of boxes and not really a new design. I think there's no reason these shouldn't be treated essentially like public art if they are going to be installed in neighborhoods. They should be every bit as attractive as some of the more attractive public art that Palo Alto has. Thank you.

Chair Lew: Great, thank you, Mr. Lyn. Then is it Chinning or Channing New? No, ok, we'll pull another card. Herk Quan.

Mr. Herk Quan: Chairman and the Board, good morning. I'm Herk Quan, I have a Ph.D. in electrical and computer engineering. I have actually spoken here on May 18th but I think you may remember me. Basically, I'm the owner of 2490 Lewis Road and I'm opposed to this project; totally opposing it. The fact is that I – actually in the package I think one of the letters actually belongs to my house with clear pictures of how my daughter's room faces this pole. We basically just finished our remodeling and we just moved back to our house at the end of July, I think so basically August. Now our driveway is right next to this pole and we just did – the City just sent out some people to clear up the branches and everything. They also cut down a tree around that area and made it real clean so basically, that pole is totally visible to the entire public there. There's no way you cannot see these big ugly boxes on the pole. I mean, not to mention the noise if it's going to cause any problems. I'm actually the – eligible to talk about the OES that somebody talked about earlier. I'm actually apart of the PAN, the neighbor's group. I actually also operate the radios when we – in case any emergencies -- so basically, we are trained to not believe in the wireless system when there are emergencies like the big one coming. We basically have these hand-held devices ready all the time. When we are called to service, we also know how to call, which channel to listen to and what – who –how to communicate to people. Basically – and I also have land lines at home so what's the purpose of land lines? Basically, if you have emergencies, you are being told by even Skype or anybody who produces wireless or this communication equipment, you don't trust this equipment basically. So, the thing is not to mention those things then and if you look at pictures in the packet later, you can see how clearly this pole is now too – from our backyard to our great room and from our rooms. Everywhere you can basically see clearly the entire bare pole right there. Basically, I just oppose to the – we think that our property value will basically go down if people see oh, you have big antenna close to this high voltage wire on the pole. Then basically I don't know what to describe so please look at that carefully in the letter. Thank you.

Chair Lew: Great, thank you, Mr. Quan. Next speaker is [phonetics] [Kauri Shugee], followed by Russian Wyn and is it Jon Macintyre or Joan Maken – [phonics Mellenchunk].

Mr. Quan: Kauri is my wife so I already spoke on behalf of (inaudible) – yeah, thanks.

Chair Lew: Excellent and is there a Russian Wyn? Ok, great.

Mr. Russian Wyn: Hi, good morning. I'm Russian, I live close to a pole near 2802 Lewis Road which a small cell will be proposed to be installed. We've used a cell phone for many years, we (inaudible) connection with a reception problem and that the signal was very strong inside the house and outside the house. Actually, one AT&T small facility is (inaudible) install in our neighborhood block, just off of 400-feet from this pole. We didn't understand why two small cells are required to be installed so close in distance. When you're – these two facilities belong to two different companies but there are so many providers so if each one asks to install so we don't know what's happening in Palo Alto. We totally disagree in install this cell in a residential area and there are many other reasons. We hope the City of Palo Alto keep the (inaudible) and natural. Ok, thank you.

Chair Lew: Great, thank you, Mr. Wyn. Jon Mellenchuck, followed by James [phonetics][Mishocko].

Mr. Jon Mellenchuck: I'm Jon Mellenchuck and I'm a resident of Palo Alto since 2002. I'm in South Palo Alto and the cell towers as planned right now are not in the neighborhood that I live in but I'm concerned

about the creeping approach and a lack of overall strategy that the City is – is absent in the City's plan for introducing cell towers. I oppose the project for all the reasons that my other neighbors have suggested and I would just emphasize that I think the towers as presented are ugly. They are the cheapest possible technology and you can see that it's going to kind of be intermetal battle like a tennis match. We're going to say they're cheap, they are going to say it's not possible – the Verizon people are going to say that it's not possible to make more aesthetically pleasing and less offensively looking cell towers. I think that there are too many poles overall in the plan. I'd like to see them buried, that technology is possible so let's do that. As far as the noise consideration goes, more noise is not better. Whether there's traffic noise, whether there's Caltrain noise, whether there's airplane noise and so forth and also the proliferation of cell towers from one company is going to be followed by applications for others. I'm concerned that this is sort of the beginning of wedge and we'll get our maneuvered here. The interest to Verizon is to provide secure service and to make profits for shareholders. That's fine, they have every right to do that but I think the residents here have also the right to say that we don't necessarily agree with the corporate strategy to increase their profits by implementing the cheapest possible solution. I'd like also to ask the Review Board to review – commit to reviewing the documents that Genie Fleming's group has put together. That Grass Root Group that's prepared the documents that didn't make it to your desk today and thank you so much for your consideration.

Chair Lew: Great, thank you, Mr. Mellenchuck. The next speaker is James [phonetics][Mishocko], followed by Celia and then [phonetics] [Bocna Ramakrishnan].

Mr. James Mishocko: Good morning, I'm Jim Mishocko, I'm the Present of the Homeowners Association at 365 Forest. I'm here to just provide a brief statement in support of the project for a couple reasons. The users of Verizon service who are residents in our building would definitely...

Vice Chair Kim: Could you please speak directly into the mic.

Mr. Mishocko: Sure. The users of Verizon services that are residents in our building would definitely benefit from the improvement in service. All of us would welcome the additional emergency backup that is proposed as part of the project – proposed to be delivered as part of the project. Including the battery backup which is an important component if this thing is to perform as represented. Finally, we have one of the proposed poles just caddy corner to our building and we have no objections to the aesthetics. Especially as they've been improved during the course of the review so we'd be pleased to see the project proceed as it's been proposed. Thank you.

Chair Lew: Great, thank you, Mr. Mishocko. Celia.

Ms. Celia Chow: Good morning, my name is Celia Chow, I'm a member of the United Neighbors and Genie Fleming actually already covered all my points but I would still like to emphasize our concerns over noise, aesthetic, safety, liability, and also the long-term (inaudible) risk from the radiations. We ask the City to take our concerns into your consideration. Thank you.

Chair Lew: Great, thank you, Ms. Chow. Next speaker is Bocna Ramakrishnan, followed by Elizabeth Cody and then Ann Lyn – Ann Lee. Ok, Elizabeth Cody?

Ms. Elizabeth Cody: Hi, I'm a property owner at 365 Forest and for me, the most important thing to think about is public safety and being able to get emergency service. So, I want that to be looked into, the truth of whether really is adequate coverage or not.

Chair Lew: Great, thank you. Ann Lee.

Ms. Ann Lee: Actually, I'd like to speak – have [phonetics][Almeta] speak before me and then if she has some time left over, I'd like to speak after her.

Chair Lew: Ok.

[Ms. Almeta Cotamory:] Hi, good morning. My name is Almeta Cotamory and I'm a Palo Alto resident. My background is in Computer Science and Mathematics. After doing some research into cell tower technology, I request the ARB to reject the Verizon Wireless Small Cell Project Application for installation of privately owned cellular equipment on public poles and facilities for the following reasons. Cell tower and antennas with associated cabling can weight up to hundreds of pounds. The Board needs to consider what could happen when a teenager or drunk driver should run into one of these poles that has a 100 lbs. weight on the top and how much of a life threatening risk this would be when the tower falls. Not to mention literally millions of dollars in property damage it could cost to the surrounding residential areas. When these private companies install their privately-owned equipment on publicly owned facilities, there is no legal safeguard protecting the public from liability due to any hazard that could be caused by this equipment including fires. According to Harry Lehman, Attorney at Law in the State of California, defendants in a lawsuit does not get to choose whether to be sued. That choice is made by the plaintiff's Council and there's no way for Verizon or the Telecom Industrial representative to honestly claim that the City will not be sued for such injuries. Once the involved cellular antenna boxes attached to the government utility pole, for several reasons including the (inaudible) of fixtures as often used in tenancy situations, a melding takes place and the plaintiff's Council will (inaudible) as it's consistent with the law, that the melded unit as a whole is public property. If they want to install this heavy, potential fire hazards on poles in our residential neighborhoods right in front of our homes, they need to build durable structures themselves that they can ensure that will be safe and for which they will be responsible if the structure should collapse or become damaged in any way. Occurring to the Center of Responsive Politics, the Telecom industry pours \$1.3 trillion dollars into lobbying for it since 1998 but even with all its massive founding, the industry has not been able to buy insurance for itself to cover of any potential health hazard caused by wireless technology. Wireless technology being a health hazard is established by law in the Five (inaudible) Exemption which prohibits the installation of cell towers on fire stations due to adverse health effects experiences by California firefighters. For some reason, the Telecom industry is a widening installation of cell towers on fire stations but think it is ok to install them in front of our homes with children. (Inaudible) industrial giant like Zurich and Lloyd announced long ago that they would not insurance for personal injuries caused by cellular devices. As a result, the telecom companies ship their responsibility...

Chair Lew: You can finish that sentence and then...

Ms. Cotamory: ...of liability to another entity or entities, otherwise they could face massive and potentially (inaudible) risk. If this application is approved, that liability would shift to the Palo Alto public. It is a...

Vice Chair Kim: We're going to have to cut you off there, I apologize. You can feel free to send in your comments by email or (inaudible). Thank you.

Ms. Cotamory: Ok, thank you.

Chair Lew: Great, thank you, Ms. Cotamory and then Ann Lee.

Ms. Ann Lee: Hello, my name is Ann, I'm a physician and I'm here to request for the ARB to reject the cell – the small cell residential expansion application. I'm going to speak kind of quickly. Here's some information about background, I attended medical school at the University of Texas, completed a residency at Loma Linda University in southern California where I did research and published papers on traumatic brain injuries. Afterwards, I accepted an academic position at Stanford Medical Center and I was the attending of the Polyatomic Traumatic Brain Injury Unit at the VA Hospital. Over the years my proactive has expanded from Nero Trauma to include treatment of neuromuscular pain and chronic inflammatory syndromes, all of which are highly likely adversely affected by various types of wireless radiation. As a medical doctor, I've read peer-reviewed papers and other studies on the bio-facts of radio frequency, micro radiation and do testify that micro-radiation such as that admitted from the wireless equipment to be employed by this proposal has been showed to cause neurological damage, cardiac dysfunction, reproductive harm, immune compromise, and cancer. Our body's function is dependent on the cellular electrical stability of its organs. Non-ionizing radiation used for the therapeutic purpose in

medicine such as pulse electromagnetic frequency and infrared radiation are dose and time limited for a reason because overexposure can do more harm than good. As doctors, we can get sued for this and similarly, the 1996 Telecommunication Act does not protect municipalities liability when environmental effects of wireless radiation cause adverse health events. You may find these surprising but local governments are legally responsible for the operation of this type of equipment and undue exposures can be measured and used in court for FCC violation. The Telecom Industry wants us to believe that there is no conclusive evidence that wireless radiation causes us biological harm. That is a false belief and simply a belief because it is not based on sound science. In 2011 the International Agency for Research on Cancer, the World Health Organization, after reviewing thousands of peer-reviewed studies made a press release classify wireless radiation as a 2B carcinogen. Many experts today currently are working to reclassify wireless radiation as a Group One carcinogen, a known carcinogen such as tobacco, why is this? Because since 2011 several more Cities have concluded that there are bio-effects – bio-toxic effects from this type of exposure but most notable of which was performed by our own United States Government. The National Toxicology Program, wireless radiation scientific study was sponsored by the NIH Grant that cost American taxpayers \$25 million and is to date the most powerful, well controlled and long-term animal study on wireless radiation. This study showed DNA damage was significantly increased in the frontal cortex of male mice, white blood cells of female and hippocampus of male rats. The authors concluded, “Exposed to radio frequency radiation has a potential to induce measurable DNA damage under certain exposure conditions.” When an agent causes DNA damage, it is by definition a carcinogen. A substance capable of causing cancer in living tissue. This is now confirmed by our government in an independent study without telecommunication industry bias. Thank you.

Chair Lew: Great, thank you, Ms. Lee. The next speakers will be [Keysan Chow], followed by David Vanderwilt, and then after that is Stewart Raphael.

[Ms. Keysan Chow:] I’m Keysan Chow and I’m a retired software engineer and I’ve lived here in Palo Alto for over 30-years and I use wireless communication for many years as well. I don’t feel like we – it necessary to install additional cell towers in our area because there is already some other communication company. Again, not Verizon but as my understanding there’s AT&T cell tower over there so my question – I think many of the people who spoke before already present the concerns that we all have. I think the City of Palo Alto needs to consider how to serve the residents here because I don’t believe every individual communication company should install their own equipment on the public utility pole. Besides, the City overall has a good architecture design, a good environment policy on how to make – really benefit all the residents in Palo Alto instead of each individual company. I think this is a big concern of mine.

Chair Lew: Thank you, Ms. Chow. David Vanderwilt.

Mr. David Vanderwilts: Good morning. I’m David Vanderwilt and I live at 419 El Verano which is one of the sites proposed for installing a cell tower. I’m a – its personal but in my instance, this directly affects the quality of my life. Our second-floor den and office look right at the cell tower so every time that I look up from the desk, I will be looking at this cell tower. I’m also a gardener and the radiation -- and our basketball court is in the driveway right under this cell tower. I expect or I have spent hours outside and my kids were playing basketball out outside right under this cell tower. This is directly affecting the enjoyment of my property so whether it’s a property value or not, that’s not my biggest concern. My biggest concern – the other thing is the noise. I’m also a cyclist so bike down to Lincoln to check out the cell tower there and listen to the noise and it was almost rush hour and I was like 15-feet away from it, which is entirely within the range of my lifestyle and I’m hearing the cell tower. I have to live with that noise for the rest of my life I guess every time I go out and wash my car or plant flowers in my flower garden. It’s just a personal thing to me that how could we, in a residential area, subject our citizens to this type of an intrusion into their life? I’m just concerned that there should be or there will be newer technology that will come along – this is the newest supposable but there will be some other technology that will come along that we can mitigate these problems. Finally, I’m not convinced that there will be no noise. We have an ordinance in Palo Alto that there are no leaf blowers. I hear leaf blowers every day so

when they say well, there's going to be no noise, that would be great but that's not something that in the future we can actually commit too. I would urge you to reject this proposal, thank you.

Chair Lew: Thank you, Mr. Vanderwilt. The next speaker is Stewart Raphael, followed by Judy Decker and then Brian Chan.

Mr. Stewart Raphael: Hello Chairmen and Palo Alto and Architectural Review Board. I'm a resident of Palo Alto, my name is Stewart Raphael, I'm a Ph.D. up at the station of Information Management and I'm a Business Development Executive. I'm in support of the cell tower – small node cell tower expansion that Verizon Wireless is proposing for a number of reasons. Number one, we need secondary back up for first responders in the event of an emergency. We need better transitioning of wireless services as you move from one location to another. Thirdly, we need to mitigate the amount of traffic that occurs on businesses and individuals by allowing applications to work more effectively over these wireless facilities. Such as video conferencing and other applications that can have a much better – in a high bandwidth capacity arrangement. We also have to have a situation where technology over time does improve and we can expect that improvement to occur as the need arises and before there was a lot of these long, very large cell towers and now they've been able to miniaturize them with (inaudible) technology. I think it's very important that we embrace that transition into the new world and allow these applications to work more effectively. Verizon is bringing this technology to us and making it very economical and I whole heartily support it as a resident of Palo Alto. Thank you.

Chair Lew: Great, thank you, Mr. Raphael. Judy Decker.

Ms. Judy Decker: Hi, I live on Bryant between Seal and Tennyson and actually I'm in favor of the Verizon towers – antennas. I actually have an AT&T antenna on my telephone pole in the front of my house and it's not intrusive at all. However, I have Verizon and my calls are constantly dropped. I have to go outside or I have to sit in the car. Actually, I literally sat in the car a couple of nights ago because my call kept on being dropped. I have clients who call so I can't just say I'm sorry, I can't talk to you right now. One of the objections seems to be that house values might suffer. Actually, I'm a realtor so I can go back and pull out the data and I took a look at the map of where the AT&T poles are and where those areas – the neighborhoods have actually appreciated faster since they were put in. I'm not saying it was because of the AT&T poles, I'm just saying that it doesn't seem to have a detrimental effect. So, there was a 36% appreciation from 2014 to end of year 2017 in the areas where there are AT&T poles and there was a 28% appreciation in the areas where there weren't so I don't think it really makes any difference. Anyway, I just wanted to put in my two senses, if you'd like the data I'd be happy to leave it with you. Thank you.

Chair Lew: Great, thank you, Ms. Decker. Brian Chan.

Mr. Brian Chan: Well, my name is Brian Chan and I live in South Port and I'm about 600-feet away from one of the proposed installations. Several things have already been spoken about and I just wanted to echo some of the sentiments of some of the other members of the community regarding the health issues. I looked at the previous Verizon small cells that were installed in downtown Palo Alto and their planning documents and specifically their consultant specified radiation – RF emissions to be a certain level but after the installation [Scientist for Wire] came down and did accurate measurements on each installation demonstrating that the actual RF emissions were ten times greater than that predicted by Verizon. I'd like – I believe that Verizon needs to come back and account for those discrepancies to let us know why they are ten times greater and if they are, then they need to provide adequate RF shielding for pedestrians below the street. The next thing that I wanted to address is some of the planning document regarding the structural integrity of the poles themselves. There are calculations provided by Verizon consultants that – of regarding moment bending. These demonstrate that with the addition of Verizon equipment of about 200 lbs., moment bending reaches approximately, in some cases, over 80% capacity of these poles. We're pushing the limit of these poles by adding this equipment on and there's -- and the question that I have is I do not see any assessment of the integrity of the poles at the – underground. Specifically, with all the recent rainfall last year, there has been significant saturation of the ground.

These poles may have – need to be assessed for early signs of shell rot, internal dry rot which is underground. If – I did not see any of that assessment in their documents and if there is indeed rot, then all these calculations that they have provided, especially where pushing the capacity of these poles to 80% plus, are going to be off and need to be redone. Finally, there's no assessment – their calculations for moment bending also do not include ice calculations. Although it's not required in this area, we all know now that climates changing. We're waking up now our car – our vehicles are now covered with ice so they need to include ice calculations as their estimates in moment bending because of just another 100 lbs. of ice on top of the poles can create additional 2,000-3,000-foot-pounds a moment bending which can cause these poles to now exceed their capacity and become a public safety hazard. In the case of Malibu fire, these were related to excessive weight on the poles collapsing and causing the Malibu Fire Canyons. We don't want that to happen in Palo Alto. Thank you very much.

Chair Lew: Great, thank you, Mr. Chan. So, that's all the speaker cards that I have for today. Thank you all for speaking and thank you all also to all of the emails that we've received today. It was a record or this week or past few weeks, I think a record amount as I understand from the Staff. The next portion will be the applicant's rebuttal. You will have 10-minutes to address any of the issues that were raised by the public speakers or anything else that you would like to say.

Mr. Paul Albritton: Paul Albritton and outside counsel for Verizon wireless and Rommel Aneles the Verizon Wireless Small Cell Director for Northern California are here with me.

Ms. Fleming: Excuse me, could you say your name again (inaudible)?

Mr. Albritton: My name is Paul Albritton, I'm...

Ms. Fleming: Albritton?

Mr. Albritton: Albritton, like all the British Isles. Albritton.

Ms. Fleming: (Inaudible)

Mr. Albritton: Thank you and I wanted to address a couple quick points. First of all, I want to thank you so much for all of your time and effort in this whole process because we know it's going to continue and that we will be back before you again. Hopefully, refining this project and making it perfect for Palo Alto. When Rommel was describing the amount of bulk that we were able to reduce in our new designs, he didn't mention that the mock site that you may have looked at still have the 12-inch bracket – 12-inch setoff bracket. If you've looked at that mock site, you need to imagine that bracket reduces to 5 to 7-inches so we're able to pull the equipment in and that allows us to reduce the bulk considerably in that design. You're the Architectural Review Board, you know that and you have a dozen or so findings that you have to make and we're going to try and focus on those design-related findings and not a lot of the information that you heard today. We heard it as well and we pay attention to it but we're not going to address the gap that we have in capacity for facilities, we're not going to address our affirmations. Other than to say all of our tests are required – all of our facilities are tested post installation and for the most part are a thousand times below the predicted levels. Rajat Mathur from Hammett and Edison are here, he's a registered professional engineer in the State of California and can speak to you about any of those specific emission issues. We provide calculations that are required by the FCC and they do post installation testing to confirm compliance with FCC standards. Generally, the emissions are far below the calculated level which is worst case scenario level. I want to – in your architectural review, I want to reiterate something that we said – that we've always said and that is that we're putting telephone equipment on telephone poles. So, when you're looking at the architectural review of the telephone pole, a telephone is designed for utilitarian purpose to handle as many utilities as possible within the structural requirements and limitations of the pole itself subject to very stringent state laws, GO-95 and other laws, that are designed in order to maintain the structural integrity of that pole, maintain climbing space. The reason for the set off of the bracket is so that the linemen can put his belt around the pole and climb the pole, particularly in an emergency when a bucket truck can't get up the pole. So, we have many

separation requirements and the reason for that 7-foot bayonet on top of the pole separating the antenna from the top of the pole is not for height of the antenna for our purposes but in order to separate the antenna from the transmission lines at the top of the pole. Essentially so a lineman can stand and work or can get to the antenna or the structural element without in danger of touching those lines below it. So, a lot of the limitations on the pole are related to those requirements. We can't put designs, elegant flower pots and – it's been suggested – and bird cages and that sort of thing around our equipment because it would defeat the whole purpose of the utility pole. Which is utilitarian to provide structural support for utilities and to accommodate utilities without having to put in other infrastructure such as other poles. The principal review findings for you, compatibility with the Comprehensive Plan, compatibility with the environment and the Telecom Law firm memo's that you received are good and we are reviewing and able to comply with some of their desires but they focus in that case on the findings that are required for the Wireless Ordinance. They focus on footprint and they focus on bulk and those are not your findings, those are findings that will be looked at, at the Planning Director level. In terms of bulk, they recommend vaulting and I've got a photo up here of a vault that Verizon Wireless actually recently through Crown Castle installed in Santa Cruz, excuse me, which was required in that case. In installing this vault, it was determined that the amount of space that had to be excavated for the vault turned out to be 10-feet by 18-feet by 8-feet deep. The interior of the vault is only 4-feet by 6-feet but the excavation is required in order to allow for shoring while the vault is being installed, it provides for radios. Then with a vault like this, we have – that's a very, very large space compared to the sidewalks you have in Palo Alto. In addition to that, the vault has to be mounted with a sump pump in order to pump water out and the water has to – in this case it either has to go to the sewer system or into the street. In addition, there needs to be ventilation to keep the radios cool so on 3-feet on either side of the vault are large vents that come out and are actively cooled within the vault. That means we have fans running and we have pumps running and those all generate noise. As Rommel told you, in order to eliminate all noise from our facilities, the radios are passively cooled on the pole itself and we've eliminated the batteries which are the only thing which is the only thing that had any noise generating element at all. So, although we respect the suggestion of vaulting the equipment, we think it is not feasible in Palo Alto because of the lack of space, because of noise and other issues. One of the speakers mentioned Piedmont and Piedmont did require Crown Castle to vault recently or earlier this year and Crown Castle has now sued Piedmont for – particularly – naming particularly this point. It is infeasible for them to build a vault that will comply with the noise standards of Piedmont and that's the status of that current lawsuit. In case, we're required to comply with LDN Standards under the Comprehensive Plan and with fans and with sump pumps, we would not be able to comply. We're here today – I want to emphasize that we're here today really to get your direction. It's been a long time since we were here last May but we listened to you and we heard, we want you to streamline the look, we want you to reduce the bulk, we want you to provide a consistent circumference up the antenna, and we've actually worked very hard. There's a lot of engineering that has gone into each of those different designs that we've provided to you and we'd like to get some feedback. There's the Sun Shield Design which puts covers over – between the radios and pulls back the mounting bracket and tucks in the cables. There's the Cake Design which is a narrower rectangular box over a lower rectangular box, it's about 2-inches wider. We have something completely different called a Cage, it's the saber cage which rotates the equipment slightly but reduces the profile from 9 ½-feet to 6-feet and then we've got the bayonet. We want to know what you have to say about the bayonet. I will touch – quickly touch on a couple of the points. We do look at trees in all cases, in seven of the sites we will be adding landscaping and trees. A total of 13 trees are proposed but in every case, we try and put our facilities close to trees. We have a photo of every pole if you wanted to see it and you'll see that a majority of them actually have been located next to trees in order to try and screen. We're all in favor of undergrounding if and when undergrounding comes to Palo Alto. We will be putting in facilities like the light standards that we've put in downtown, where we've put the antenna on a light standard instead of a utility pole so this doesn't in any way get in the way of that. With that, unless Rommel has got something to add, we would love to answer your questions. Particularly about specifics one design and how you would like us to move forward with this application.

Chair Lew: Great, thank you Mr. Albritton and I'm going to close the public portion of the hearing so the Board can make it's – ask questions and make its deliberations. Are there any questions? Wynne.

Board Member Furth: Thank you. I have reviewed in the sense of sometimes closely and sometimes flipping through this 362-page Staff report. Plus, the accompanying packet of additional materials and I find myself needing your guidance on what this process is as opposed to our usual reviews here. I understand that we're operating in an area of a great deal of federal and state preemption. These are utility poles regulated by the California Public Utility Commission Standards, this is telecommunication equipment regulated by the Federal Government, we have a City Council approve license agreement to – with Verizon, no, to install these things? I'm looking at our Council here. My first question is – then we had Mr. Albritton statement in which we suggested that matters of bulk our role in this decision making at this point? What happens after we make our recommendation to the Director?

Mr. Albert Yang, Deputy City Attorney: Albert Yang, Deputy City Attorney, so the wireless permits that we're considering today require that the Director make not only the Architectural Review Findings but also CUP Findings and a number of specific findings for wireless installations which do have to do with design. I think we are looking for the Board's feedback on the Architectural Review Findings, as well as the design related specific findings for wireless permits so that would include issues like bulk.

Board Member Furth: So, both of those and then I noticed that in our ordinance, which is specific to these kinds of the antenna and related facilities, there's a discussion of looking at future expansion that would be permitted under the Spectrum Act. Then when I look at the analysis, it's the position of the applicant that's way too speculative to think about or analysis, I think that's a correct statement, and when I look at our report from our own outside expert there's also some concern about how much we can tell. When I try to read the Spectrum Act in excerpts in our code, it seemed to suggest that once a pole becomes a base facility or tower, then expansion – significantly large expansion (inaudible) a matter of right, am I understanding that correctly? I'm looking at – you probably know which pages of the report but I've got it marked if you don't.

Mr. Yang: That is true as a general matter.

Board Member Furth: Page 79 of the report.

Mr. Yang: It is true as a general matter that the Spectrum Act allows some expansion as a matter of right but there is an important caveat which is that expansion cannot defeat the stealth elements of what's currently there.

Board Member Furth: The stealth elements?

Mr. Yang: If there is something that is camouflaging the equipment or if there's something -- for example a bayonet shroud that is meant to create the appearance of a single pole. An expansion can't – there no right to expansion if that element of camouflaging is defeated as a result of the expansion. As I understand, the applicant's statement is not only that these installations would be – are – future expansion is too speculative but also that as a practical matter, given the nature of the utility pole it's not feasible to have a significant expansion.

Board Member Furth: So, you might have a right to go 10-feet higher but in fact, we wouldn't be able to bear the weight. Is that the argument?

Mr. Yang: Either it wouldn't be able to bear the weight or if you were – if the purpose of going 10-feet higher where to add another antenna that – or something like that, I think our position would be that that defeats the stealth element of what's currently there.

Board Member Furth: Ok, I'd appreciate hearing more on that because the idea of going 10-feet up and 6-feet out as a matter of right as opposed to the commentary in some places that these poles can't handle it anyway. That leaves us with an area of difficulty in trying to apply that section in our recommendation so that would be helpful. Then who has – who in the City has the responsibility of

addressing issues of structural soundness? We're not talking here about safety issues related to radiation but we're talking about safety issues related to the integrity of the poles and the likely hood of them collapsing or moving at such a clip that they cause fires.

Ms. Atkinson: In this case – well, the usual case it would be the Building Department but in this case, our Utilities Electrical Department is reviewing the pole structural calculations. We required these pole structural calculations to be included in the plan set at this time because we are aware of the Conditional Use Permit Findings and public safety integrity of the pole is really important towards being able to determine one way or another if the pole would be safe relative to Conditional Use Permit.

Board Member Furth: Thank you. Then a number of people raised the issue whether in fact there is a coverage gap and I gather the coverage gap is what entitles Verizon to install something. Who is in the City – how does the City make that determination whether there's a coverage gap?

Mr. Yang: The coverage gap is what would – what Verizon would assert to preclude the City from denying an application.

Board Member Furth: Right.

Mr. Yang: We – the City would engage with an outside expert to assess and evaluate that claim if we found ourselves in a position where we would have that dispute.

Board Member Furth: In this case, have we?

Mr. Yang: We have a consultant who we are able to use but we haven't engaged them for those services yet.

Board Member Furth: Thank you. I think that's it.

Chair Lew: Any other questions? Peter.

Board Member Baltay: Yes, thank you. For Staff two questions please. I've noticed the existing AT&T installations seem to have the antenna less than 7-feet above the top of a utility pole. Do we have a dimension for how high those are and if this is an absolute? The applicant has said that 7-feet is required clearance from the antenna to the top of the pole for safety reasons. What's the response to that?

Ms. Atkinson: Thank you for your question. With research with the Utilities Department, we found that the bayonet and the antenna on – sorry. With research with the Utilities Department, we found that the existing AT&T deployment had a bayonet plus antenna of 6-feet.

Board Member Baltay: Ok, thank you. The second question I guess is just clarification, in our package of information here it seems attached to the back of this is a memorandum and I'm just trying to understand what it is. It's from Telecom Law Firm which seems to recommend in almost every case that the equipment is put underground. I want to be clear, is this is the recommendation from the City subcontractor or is this a part of the application what the applicant wants to do? Could you clarify please what the purpose of this is and what the stance is?

Ms. Atkinson: Thank you. The City is very interested in making sure that all aspects of the application, including all the technical aspects, do comply with all of our noise requirements, our radio frequency requirements with the FCC, and also aesthetics. So, our particular sub-consultant that we have for the RF, as well as design alternatives, is Telecom Law Firm so it's a City sub-consultant.

Board Member Baltay: This information is a recommendation of the City sub-consultant?

Ms. Atkinson: Yes, it is.

Board Member Baltay: Thank you.

Chair Lew: Robert.

Board Member Gooyer: Just a quick question, going back to the idea of installing a vault. I heard the applicant say that they would have to be a hole dug that's 18-feet by 8-feet by 10-feet to put this vault in and yet from what I see on the picture here is that this looks like a slab that was sawed cut open and vault dropped in and it sure doesn't meet those – the size of those. That looks to be more a 4-foot by 8-foot opening so I mean, my god, I would think – I've had vaults put in and if somebody told me that they'd have to put an 18 by 8 by 10-foot hole to put a 2 by 2 by 4 vault in, I'd fire them and hire somebody else. I mean I'm sorry but those numbers don't make sense to me. The other thing is I heard your comment about the electrical engineers going to determine or review the calculations for the structural integrity of that pole and I don't think really that's appropriate.

Mr. Atkinson: It's the City's electrical engineers.

Board Member Gooyer: Ok, great if the City has electrical engineers, fine but that's – I wouldn't want an electrical engineer calculating -- I'm guessing (inaudible)(crosstalk)...

Board Member Furth: It's engineers for the electric section of the Utilities Department.

Board Member Gooyer: ...structural engineer that...

Ms. Amy French, Chief Planning Official: Sorry, you know the utilities electrical is a division of the Utilities Department. They have folks that are trained in structural (inaudible)(crosstalk)...

Board Member Gooyer: Ok, then it's not an electrical engineer. It's a structural engineer that works for the electrical...

Ms. French: Correct.

Board Member Gooyer: Ok well that's not what was stated.

Ms. French: Right, I'm trying to clarify.

Board Member Gooyer: I know it's nit-picking but it's something like that – these poles do – are quite strong and don't rot very often or whatever but still we're talking about putting a lot of weight on these things. Thank you.

Chair Lew: Kyu.

Vice Chair Kim: I just had one quick clarification question. There were some volume numbers as far as cubic feet for each of the newly proposed configurations and I just missed the first one for the Sun Shield so if that could just be clarified later on.

Chair Lew: I have some questions so with regard to the – from Telecom's recommendation for putting in vaults, has City Staff considered the flood zones in Palo Alto? So, typically, at least if you're trying to build a house – if you're building a house in a flood zone, mechanical equipment is not allowed below the floodplain level for example. Would that apply in this kind of situation, like a similar requirement for a utility or do we know? Has that been a consideration?

Ms. Atkinson: Thank you very much. Telecom produced these memos and Public Works reviewed a draft version and Public Works is not opposed to having underground vaults as a general rule and we're going to look at it very, very, very specifically node by node. They looked at all of the nodes and they didn't mention that as a problem.

Chair Lew: Then also many homeowners, when they are remodeling the house – their houses, will put the electric utilities underground so usually there's a diagonal line underground from the pole to a corner on the – of the house. It seems to me that – I just want to make sure that, that is factored into the vault if we do – if the City is recommending the vault design and that it's coordinated with potential underground utilities. It's all going to be coming to one point if you imagine the utility pole. It seems to me that, that should be factored in because that's something that most homeowners do and it's a pretty substantial expense so we want to make sure that happens in the future. I was wondering if Staff could outline some of the previous conditions of approval that we've done for the field testing after construction for the radio – for the EMFs? I think we did that for – I think it was mentioned in the – from one of the public speakers and I think we did that for one of the Crown Castle projects.

Ms. Atkinson: I'd like to point out Packet Page Number 83 under the Wireless Code, Conditions of Approval J, number 3.

Chair Lew: Great, thank you for that and basically, we're saying it would be tested within a year of completion. Then in talking to Staff yesterday, I think the -- you mentioned that there was – there are different noise requirements in the City, right? There's one for Comp. – mentioned in the Comp. Plan and then others mentioned in our Wireless Ordinance. I was wondering if you could -- if there – my understanding is that the Comp. Plan has a 3-decidable requirement for noise and I was wondering if there's – if we have some sort of analogy to what 3 decibels are? I should be able to -- I should know this but I don't know – I actually don't.

Ms. Atkinson: I'm sorry, offhand I don't have actually an example but I do think that some of those diagrams wherein the former Comprehensive Plan about – examples of what the – what made the certain types of decibels and then what kind of decibels are reasonable to expect in a residential neighborhood versus commercial and so forth. I would differ it back to the diagrams it somebody needed something really quickly.

Chair Lew: Then I just wanted to add that when you add decibels together, it's not like 2 plus 2 equals 4. It could be 2 plus 2 equals 2 ½ when you are adding decibels. I think that's all the – oh, I have another question on – with regarding the battery backups; actually, I have a multi-faceted question about this. One is that our – the – what's in the Staff report and what's in the drawings and then what has been mentioned today are all different. I think in the packet it shows three locations with battery backups, the drawings show two locations with battery backups and then I think today in the verbal presentation I'm hearing that there aren't any. So, I was wondering what is correct? Maybe that's for the applicant and not Staff.

Ms. Atkinson: Either one.

Mr. Albritton: Let us – we're trying to be polite, let us know when you'd like for us to get up and answer some questions. First, I want to say that the bulk of the – I didn't say you don't review bulk, I just said it's under a different criterion than the Architectural Review Board Findings. It's 19.3 cubic feet for the Sun Shield and that includes – that's including the air space between the pole and the bracket so if you take out the air space between the pole and the bracket, it's actually smaller than that. We're trying to match apples and oranges amongst the various applications. Your question was about batteries and you may remember me from the previous AT&T application and at that time there was no Conditional Use Authorization required so there was not a question of whether we had to comply with the Comprehensive Plan Noise Standard. We complied with the Palo Alto Municipal Code Noise Standard for public space which is 15 DB above ambient and minimum ambient is 40 in Palo Alto. The LDN Standard – Mr. -- (inaudible) engineer can speak to this as well is 60 daylight level. That's a 24-hour level and we feel that the batteries – it would be very difficult for any equipment that's 5-feet away from the property line to comply with that standard. Whether it's the batteries or the vents for vault or the sump pumps for a vault so it's the LDN Comprehensive Plan Standard that we felt required us to pull the batteries off of our application. That's your number one finding for your Architectural Review Board is in compliance if our

project with the Comprehensive General Plan so if that answers the question. Then quickly, the vault is actually – I have more photos, it's craned dropped into the hole so its pre-fab, it's not poured in place so the hole has to be cut and shored to OSHA Standards so the walls don't collapse and then they crane in the vault. The reason that it's actually larger than the vault size itself, which is 5 by 8, is to allow for those venting fans which are on either side of the vaults – they aren't outside of the vault – are the large vent holes. I hope that helped explain some of that and any other questions you might have.

Chair Lew: Ok so just to clarify that the – you're not – you're pulling the batter backups from all nodes.

Mr. Albritton: That's right. I have to say if you don't mind when the AT&T project was brought before you believe it or not that was 5 or 6-years ago. This Board removed the batteries because of aesthetic considerations, the City Council put all the batteries – required the batteries on the AT&T project because they wanted the redundancy at the time so that was – that's how the AT&T project ended up with batteries on all of the nodes.

Chair Lew: Great, thank you, Mr. Albritton.

Board Member Gooyer: One – I have one quick question, you're telling me that's a 5 by 8 vault, the picture that's on the screen?

Ms. Albritton: 4 by 6 interior, 5 by 8 exterior, I have my experts with me.

Mr. Angeles: That is correct, it's actually 5 by 8 inches on the width and the length is about 8-foot 2-inches. The picture is not – it's not – doesn't quite represent that but that's the scale of the...

Board Member Gooyer: Yeah, based on the equipment in there, that looks to be about a 2 by 4-foot vault at most.

Mr. Angeles: Nope, it's 4 by 6.

Mr. Albritton: Interior.

Board Member Gooyer: Ok.

Mr. Albritton: The problem with – oh my goodness – the problem with smaller vaults is – I'll say very quickly, Verizon Wireless and AT&T, the two largest wireless providers in the nation, we operate on four frequencies and so we require more radios. Some carriers, T-Mobile, MetroPCS, for example, operates on one frequency, one radio so it allows a much smaller footprint. We have the majority of customers, the majority of service, a majority of information that we need to meet the demands in Palo Alto and that's we require a little bit more equipment.

Chair Lew: Any other Board questions? Wynne.

Board Member Furth: So, having just heard that Staff what's the City's position, meaning Staff at this point, on battery backup for this new set of equipment? There's – we have a kind of shifting project description, to put it mildly, and so we were looking at one with battery backup, now we're looking at it without battery backup and we just heard that the City Council has wanted battery back up in the past. So, are batteries no longer needed? Are they no longer desired or is it likely to be desired?

Mr. Lait: I wouldn't draw from the comments that you've heard a moment ago as leading toward a City position on this particular application relative to batter back up. There's clearly a need or an interest in battery backups for this type of service, that's why they were proposed. Staff in its review of the project and the comments that we heard from the public expressed concern about noise and the applicant has heard those comments and has made a decision to pull the battery backups away from the antennas at

this time. That's the project that's before the Board and if this goes to Council on appeal, Council will have an opportunity to consider those options.

Board Member Furth: Well, you can see the problem for us is we're supposed to be commenting on design and we don't know exactly what that design might be though it's good of you to point out that at the moment it's a design without it. When you say at this point, then is this a question for Council, once we approved it without the batteries, what would be the process for adding the batteries? Would that be a non-reviewable item or automatically approved under the Spectrum Act or would it be reviewable?

Mr. Lait: If the Board – if the Director is...

Board Member Furth: If we recommended etc. etc.

Mr. Lait: This Board has an opportunity to make a recommendation to the Director, the Director would ultimately make a decision on the project. If that decision is appealed, the City Council would consider it in the manner that it does these applications. It would have if the hearing were held, the opportunity to make adjustments to the project.

Board Member Furth: I'm asking you a different question and I wasn't clear. If we recommend to the Director and the Director agrees and the City Council agrees on a design that doesn't include back up batteries at this point. Once it does its installation, I believe Verizon has more rights to expand than it did before this was approved. My question is if they then came back to say well, it turns out we want batteries, what's the review process then? Would it involve another big public hearing process or would it just be ministerial?

Mr. Lait: Albert will correct me if I am wrong on this but if there's – if it's the decision of the Director, for the reasons that have been articulated in the record about noise associated with the battery backups, we would likely put a condition on the approval, the Conditional Use Permit and the Wireless that no battery backups be permitted and an amendment to that entitlement would require review again.

Board Member Furth: The Spectrum Act wouldn't re-emp that?

Mr. Yang: That's something that we can – I can look at more closely but I don't believe adding a new cabinet which, as I understand it, is almost twice the volume of what would be existing, in that case, would qualify for the automatic expansion (inaudible).

Board Member Furth: Thank you.

Chair Lew: Let's move onto Board Member comments and again, let's focus on what the Staff is asking for and the applicant which is landscaping, screening, the alternates, clearance above the sidewalk, the orientation of the equipment, and such. Peter, will you start us off, please?

Board Member Baltay: Sure, thank you Alex. I'm going to repeat the comments that I made for the previous cell phone application, I think they are applicable here. Base stations and antennas need to be concealed per City ordinance 18.42.101 Section 6. In my opinion, that means that utility mounted poles need to be concealed with shrouds of the same color, texture, and diameter as the pole for the full height of the antenna and the mount. Secondly, all ground equipment should be below grade. I think that's the only way to meet that objective of concealing the equipment. I think once you do that, all these other questions we're talking about like a visual intrusion and potential noise impact with or without batteries is mitigated to the greatest extent possible. I think that is a viable option and as you've presented, people have done it and have been required to do it. I think the City consultant also has pointed it out as a viable option. I'd like to encourage my fellow Board Members to stand on this issue because once we set a standard, this is what will go forward for all 93 of these towers coming up down the line. Additionally, I have a lot of faith in our – the technical prowess of our society as a whole and Verizon as a company and I'm sure that having to prepare 93 vaults with all this equipment in it, you will find a way to do it

economically, efficiently, and appropriately. I think that's a real win, win for everyone, all the equipment is out of sight and hopefully, the only thing you have up on top is the antenna. If we ever end up undergrounding utilities, all we have to do is relocate the antenna somehow which is the only piece that has to be up in the air. We are able to have a robust and more efficient cell network throughout the town, which is an obvious goal that we should all embrace. Hopefully, we could even streamline the approval process for these applicants if it's – everything is underground and it's no longer an architectural issue. I feel that in order to meet the standards required in the code, the antennas need to be concealed to the greatest extent possible and the equipment needs to be underground. Thank you.

Chair Lew: Robert.

Board Member Gooyer: I basically couldn't have said it better myself, I agree completely. The shrouds around the bayonet and the antenna, like you, said most people don't look more than about 15 to 20-feet above their point of vision anyway so I think those are fine. The one thing that did bother me a little bit is the comment that the City of Piedmont had instructed that the vaults are installed and now the installer is suing the City of Piedmont because of that. To me, that seems like a bit of a threat of either you let us put it on the pole or we end up suing you. Maybe that's pushing it a bit but that's the way I take it. So, like I said, I pretty much agree exactly with everything that Peter said.

Chair Lew: Kyu.

Vice Chair Kim: Yeah, thank you for coming back for this first formal hearing. To be rather succinct, I think of the four options, to me while volume metrically the Sun Shield is the least volume, I think the box design is actually probably the most efficient as far as kind of unifying all those radios together and tying together – tying them together as one clean unit. As opposed to the Sun Shield or the Cake Design where you can kind to begin to separate out different pieces of the radios. The Cage Design, in my opinion, doesn't look quite as friendly and I think I would opt for the box although it is on the higher side volume metrically. As far as the bayonet and the antenna shroud, I'm in favor of it. I would actually comment that although it's an improvement and having that shroud is definitely better than not having it. It still, to me, feels like it's something that's added to the top of the antenna. If there's anything we can do to streamline that even more so that there's no change in the taper of the existing utility pole, I think that would be favorable. The question that I've had in reviewing all these documents is we're moving towards how do we place this equipment onto the existing poles and make it look like it's not an afterthought and it's not something that's been attached later. I don't know if that means some where along the line if there's an agreement between the City utilities and telecom companies, if there's a way to actually incorporate all these things into the pole itself but I think we – maybe it's a far-off dream but I think that's kind of the direction we need to push it into. So, that whatever we attach, whatever is designed to be on top, that it remains as close to the existing pole as possible. I appreciate the fact that the battery backups have been removed. I would not be so much in favor of putting all the equipment underground if that means having to revive fans and producing noise again so my recommendation or the best solutions of the ones that you've provided so far would be for the box. I think if there can be some improvements made to the bayonet and the antenna shroud then we may have something. Thank you.

Chair Lew: Wynne.

Board Member Furth: Thank you. Certainly, my preference would be for something that's quiet and underground. Partly I'm driven towards wanting an underground alternative because I mean my dream – I don't know if we're still – are we doing any undergrounding of existing utility lines in the past few years or have we abandoned that program? Are we still underground utilities in the City? Good. One – I mean my vision is if you look at all these pictures, one of the things you look at is none of these poles particularly look like something that would be designed to look lovely with the houses that they serve. In fact, our future vision is underground utilities so this is a step towards that future vision so this is what I would support. I try to think of what a stealth installation would be and you know it's not the palm trees with barrettes here but you know what I have outside my window is a great big, huge, transformer. I

suppose you could hide this equipment and make it look like a transformer and that would be a stealth installation but it would not be an aesthetically pleasing stealth installation. So, I think the real – only real approach is a straightforward, well-integrated antenna and everything underground to the extent possible. Thank you.

Chair Lew: Great, thank you, Wynne. I think I'm – of all the comments that we've had from the Board, I think I'm probably most aligned with Board Member Kim. I think I – the box design somehow seems more streamlined. It seems – having just one vertical element seems more similar to the AT&T DAS. I think there's something with the current proposal like when you break up the elements into three different components, that just makes it look much more cluttered. The – I do support the antenna shroud and also if you could – if the brackets can be reduced from 12-inches to 6-inches, I think makes – I think that does make a difference. I think Staff you had asked about the orientation of it, I think that many of the AT&T DAS ones we tried to orient them towards the street as opposed to let's say towards the front door of a house. I think that is – generally, I think that's the preferred option in my mind. I am not opposed to vaults if the City decides to go that route. You know I've worked on basements in houses in Palo Alto and the sump pumps and all the waterproofing and everything is an issue. It's not easy and I have heard the fan noises from equipment mounted out near the sidewalk and it is noticeable on hot days. In my mind it's not louder than like a refrigerator inside your house, that's my unscientific analysis of it. I'm a gardener, I would be concerned about – if the vault excavation – let's say on my own house if the City were proposing a 10-foot by 18-foot vault excavation near my house and I have an oak tree near my utility pole to help screen it. I would be opposed to that and I would prefer – in my own particular situation, I would prefer a shrouded box configuration but I could see other – in looking at the sites in Mid-Town, I do agree with some of the neighbors saying – who are saying that there really isn't enough screening and I think that is my – I think I do actually agree with that. When I looked at the AT&T DAS project in Old Palo Alto and Professorville, there were a lot more tree canopy, they have planning stripes and not rolled curbs and it seemed like there was more – there's just – it seemed easier to screen them in many of the locations for that particular project. It seems – with Mid-Town it seems much harder to screen them. I think that's all that I have. Oh, I think also Staff you asked for any comments on locations near existing wireless facilities and I think, if I understand the Staff report right, it's within a hundred feet possibly. I think there were two locations that were mentioned because they were within 100 feet of an existing facility and I did not review that because I didn't know exactly where the – those existing poles where. If they were right side by side on the same property line, I would be concerned. If they were – if it's a corner site and one was on one street and the other was on the side street, I might not be as concerned about that. It doesn't seem fair to have like one – if there's one property owner having two within a 100-feet. That's typically a Palo Alto lot, maybe like 60-feet by 100-feet so we're saying that they're – yeah, they are pretty close together. You have mentioned clearance above the sidewalk and I think when the AT&T DAS came through, I was hoping that they would be higher, like 14-feet or so approximately because that would be above the tree canopy or in the tree canopy. I think a lot of times City street trees are trimmed for large trucks somewhere around the 13 – around 12-14-feet. It seems like that couldn't happen, it was so difficult to make that happen given the existing wires on the utilities and so they are lower. I guess I can – I think I can live with that given the constraints there. You had asked about locations at corners and I think I agree with Peter and Robert that if you put it under the ground, that seems to resolve a lot of these issues with that so I think a corner location could be ok if there's a vault. It seemed like some of the locations – I think I was looking at two of the nodes that have batter backups proposed, there's one on Lewis and one on Verano and I did look at those assuming that there was a battery backup there. It seemed like they were putting them – trying to put them where there were existing hedges and not by somebody's front door. They sort of tried to be in the corner and I think the one on Lewis Road have an existing tree as well as some shrubs. I think that approach is – I think that's generally the correct approach and then I think I have to acknowledge that it would still be visible from second-floor windows from those houses so I think that is still an issue. I think that's all that I have for this one. I think I'm willing to entertain motions or if there are any other comments.

Vice Chair Kim: I have one more comment. I believe I read somewhere, I don't know exactly which of the two but that two of the poles are actually being replaced. So, if at all possible, is it possible to eliminate the bayonet in those two cases so that the utility pole ends up higher and that the antenna is directly

attached? I think that would be a stealthier way of going about that and it sounds like they are in agreeance.

MOTION

Board Member Baltay: If the Chair is willing to entertain motions I'd like to move that the ARB direct Staff to request the applicant to provide a design option with all the equipment underground to the greatest extent possible.

Board Member Gooyer: I can second that.

Chair Lew: Would you like to speak to the motion?

Board Member Baltay: Yes, I would. I urge my fellow members to consider that. What we're doing now sets a precedent for the rest of these applications coming down the line and I just can see no other way to get this equipment out there in a slight manner. By our deciding something firmly and directly now, by telling the applicant what will be expected, it will save everybody. The City, the applicant, all these citizens that take up their precious time to come out, a lot of aggravation by setting a clear standard for what I think is a reasonable middle ground. These poles and these cell phone tower antennas are necessary, the equipment can be concealed. I think we can set a strong standard to go one direction right now.

Chair Lew: Robert, do you want to speak to the motion?

Board Member Gooyer: Yeah, I mean I agree. It's one of these things that I hear that obviously, the ideal situation is if you have one pole then the next carrier comes in and they share the pole but if there are limitations as to what they can actually put on that, the second carrier is going to go forget it. If they've got a pole install, I'll just get a pole installed 15-feet away from it. After a while, we're just opening the door so I think we need to put a real strong statement. The reality of it is I don't blame Verizon, they are going to take the most cost-effective way that they can but there are a lot of people that have a lot of money invested in their homes and in their community. I don't think we ought to just say ok, well what the heck, we'll just do whatever the company wants.

Chair Lew: Ok we have a motion to – you're saying direct Staff to provide an option for underground equipment to the greatest extent feasible.

Board Member Baltay: That's correct, (inaudible) important clause at the end of it.

Chair Lew: Ok all in favor? Oppose? Ok, that passes 4 to 1.

MOTION PASSES WITH A VOTE OF 4-1.

Chair Lew: I think that we should clarify that this is a Staff recommendation that is to a date uncertain.

Board Member Baltay: Yes, the motion is to continue to a date uncertain.

Chair Lew: Ok so that is it for today.

Mr. Lait: If we could just formalize that a little bit more with a separate motion to continue to a date uncertain.

MOTION #2

Board Member Baltay: I move that we continue this application to a date uncertain.

Board Member Gooyer: Second that.

Chair Lew: Ok all in favor? Opposed? That passes 5-0.

MOTION #2 PASSES WITH A VOTE 5-0.

Chair Lew: Ok, I think that's it for this particular item. Thank you, everybody, for coming and we will see you at the next hearing. We'll take a break for 10-minutes.

[The Board took a short break.]

3. PUBLIC HEARING / QUASI-JUDICIAL. 180 Hamilton Avenue (17PLN-00171):

Consideration of a Minor Architectural Review to Allow for Exterior Improvements to an Existing Hotel. The Proposed Changes Include: Replacing the Ground Floor Store Fronts Along the Hamilton Avenue and Emerson Street Entries, Replacing the Existing Awning at the Emerson Street Entry, New Façade, Finishes on the First Floor and Part of the Second Floor, and Sidewalk Improvements. Environmental Assessment: Exempt from the provision of the California Environmental Quality Act (CEQA) per Guideline Section 15301 (Existing Facilities). Zoning District: CD-C(GF)(P) (Downtown Commercial). For More Information Contact the Project Planner Samuel Gutierrez at samuel.gutierrez@cityofpaloalto.org

Chair Lew: We're ready to reconvene. Item Number Three is a public hearing for a quasi-judicial item, 180 Hamilton Avenue. Consideration of a Minor Architectural Review to allow for exterior improvements to an existing hotel. The proposed changes include: replacing the ground floor storefronts along the Hamilton Avenue and Emerson Street entries, replacing the existing awning at the Emerson Street entry, new façade, finishes on the first floor and part of the second floor, as well as sidewalk improvements. The environmental assessment is it's exempt from the provision of the California Environmental Quality Act per Guideline Section 15301 and the zone district is CD-C(GF)(P). Project planner is Samuel Gutierrez, welcome Sam.

Mr. Samuel Gutierrez, Project Planner: Thank you. Once again, Samuel Gutierrez, Associate Planner and Project Planner for this project. This project is located here in downtown at 180 Hamilton Avenue. It involves exterior changes to an existing hotel and that is shown here on the first slide. Moving on, just to touch on the overview again, these are the proposed changes and this did previously go before the Board. The Board has some recommendations for additional changes along the exterior and to improve the sidewalk environment for pedestrians at this intersection at Hamilton and Emerson. Now we are including a new planter along Hamilton that will wrap around to Emerson so it starts at the Hamilton entrance and wraps around to Emerson. There will be new sidewalk grading to improve the grade and I'll go over that in just a moment and a new street tree. There's currently a street tree that is directly outside of the Emerson entrance to this hotel that just isn't suitable for the well that's there so working with Staff, we recommended a new one. To talk about the changes – the major changes to the project from the previous hearing, the sidewalk shown here along Emerson has a large planting area that's not really a tree well, it's a large planting area next to utility boxes. The Board has comments about pedestrian traffic going into that, walking into the dirt and it's just not suitable for pedestrians. We looked into this and now the applicant is recommending to or proposing to expand the sidewalk so there would be more sidewalk area here. Looking at the lower right picture there you see a zoomed in area, you'll see that the sidewalk is actually lifting up in that area. Staff looked at this here and the grade is a little significant, it's about 4% so it will be reduced and made even to be brought in line with the rest of the sidewalk heading away from Hamilton on Emerson. Then, if you noticed, the Hamilton sidewalk is flat and smooth so it's going to make it more unified in that way. There will also be some new plantings in this area and then the picture to the lower left shows the existing kind of planting situation and there's a bit of a pushback in the building's façade right there. They are actually going to plant or install a new planter that wraps around to kind of just add more green to that intersection. Again, the key project changes involve the sidewalk improvements and the regrading along Emerson. The new street tree which would be a Catalina Ironwood which would be better suited for our climate and is more water efficient. Actually,

it would do better in the tree well that exists there so it would just grow into a much nicer tree and improve the pedestrian environment. The new planting along the well area will also brighten it up and it is again, oversized and there's a lot of just dirt that is not landscaped at all so it would actually improve that visual appeal for pedestrians and the environment. Another change, because it was a comment, was about the wood trim panels along the building façade. The trim that runs along the existing awning and that overhang toward the balconies between the first and second floor were previously proposed to change and now it's going to remain as is. Then again, the new planter box that's going to wrap around the Emerson/Hamilton corner of the building. This is more of a rendering of what that planter box would look like, that kind of wraps around that – again, that recessed façade that isn't pushed against the public right of way right there at that corner. There was a question by the ARB previously to have an expanded rendering because there is currently an application in to expand the existing restaurant, the Nobu restaurant at 180 Hamilton, into the adjacent building located at 620 Emerson so that is a rendering of that larger expanded façade right there. How – this new design for the ground floor would tie into the expanded building over there at 620. Staff recommends that the Board recommend approval of this project to the Director of the Planning and Community Environment based on the findings and subject to the conditions of approval found in the Staff report. If there are any questions, I'd be happy to answer them, thank you.

Chair Lew: Before I forget, are there any disclosers for this particular item? No. Ok so we'll do the applicant presentation and I think you'll have 10-minutes. Then we do have one speaker and we'll – and then you'll have a rebuttal period and then we'll come back to the Board. So – and you –so, you come – please come up and state your name.

Mr. Greg Stutheit: Thank you, hello my name is Greg Stutheit, I'm with Montalba Architects. Thank you for having us back again to talk about the project. I almost want to say that Samuel covered it all but we did prepare a few comments so I'll just kind of quickly go through those. Ah, there we go. Wait a minute. Am I all the way there? Yeah. Sorry about that. Oh, I get it now, I'm going backward. Ok so again, here's the building as it exists now and you know last time we were here we had a good discussion about what to do to make this a more pleasing space. Especially for the pedestrian and the general public who are walking by or potentially going into the business. Three things that we discussed, in particular, was the replacement of the belt course which was raised as a kind of more technical concern with the wood. We also discussed the proposed street level façade and how to liven that up. It seemed like there was an agreement that the existing light mosaic, as it is now, worked pretty well at night but perhaps isn't so effective during the day. Then finally, there was a lot of discussion about the improvement of the sidewalk and the public space. Including that the current sidewalk creates a pinch point at the corner, the current planting is sparse, to say the least, which translates as dirt, and the sidewalk slopes quite a bit which we can get into a little bit more detail. I think we can improve that as much as possible but some of the existing conditions sort of limit what's able to be done there. Then are there opportunities to increase pedestrian interest and activity in the area? So, here are – here's a view with some of our proposals which we can – we'll get a little bit more into but first, as just a quick refresher, this is sort of what we looked at before. The interior lobby is going to be renovated to be much lighter in color, inviting and open and kind of a mix of classic tradition with the clean modern aesthetic. Then over here on the bottom left, as you had requested, we've included an image that shows the new restaurants that are also being proposed. I'm – obviously this isn't intended to be a full submittal, I'm sure we'll talk more about that at a future date but I am kind of glad that you brought it up because previously we had looked at this image and talked about how the existing restaurant there opens to the street and really creates a lot of vibrancy on the street. If I go back here, our plan would be with the new restaurant that we're proposing, is to install these large windows that essentially do the same thing. Providing visibility to and from the street and so it kind of starts to get into what we see as being sort of an overall concept for this. Where we have these two sorts of vibrate restaurants creating bookends to the corner and then the corner being more of a sort of transitory space between the two. If I just skip forward now a little bit to our proposed improvements here at the corner. We did decide that the belt course is already rendered as part of the building above and perhaps there really isn't that much benefit to replacing it. So, we're proposing that we can leave that as metal panel and that the design is just as successful and doing that is not. The rest of the adjustments that we're looking at are really aimed at

enlivening the corner and improving the pedestrian experience. As suggested last time we studied some options of putting a bench in somewhere here but what we kind of found was that this is the sort of narrow portion of the sidewalk, right at the corner. If a useable bench were actually installed there, it could start to really kind of impeded actually on the pedestrian walkway that goes through and so we actually haven't proposed that right now. We also, at your suggestion, studied some different lighting techniques on the façade and sort of quickly found out that the Public Works Department frowns on lighting in the sidewalk so that was sort of a deal killer there but we were able to make several, I think good improvements. As Samuel mentioned we're planning on replacing the crumbly little tree down the way a little with a new Catalina Ironwood. We're adding – proposing to add tree grates to all of the tree wells on both streets fronting the property which will improve movement around the base of the trees. Coincidentally, we will be suggesting the same thing for the future phase of the project – the future restaurant extension. The Emerson entry doors, which are right here existing, we've justified as far to the south as we can and pushed them in as far as we can so that the door swing really is as clear as possible to the pinch point that we have out here on the street. Then the – because we're changing the – replacing the sidewalk here and refreshing the paving, it also gives us the ability to make this existing planter at the corner a little bit narrower which will increase the sidewalk width here at the pinch point to approximately 7-foot 9-inches. We'll be planting in the dirt planter which provides a good visual cue where you can walk and where you can't and hopefully will keep people from stumbling haphazardly into the planter. This planter here has been extended around the corner. This is actually on our property and doesn't really increase – decrease the width of the sidewalk any because there's an existing little curb there as it is right now but it does provide some buffer from the wall and this sort of layered planting experience that you walk through. Finally, we have some plans for a few little floating steps stones in the planter so that in the event that there is car drop off or people who decided to cut the corner here, it can accommodate that while still being a nice planted area. In summary, what we're suggesting is having this vibrant façade here with a vibrant façade down at the bottom and treating this as sort of a transitory area where people walk and kind of be seen if you will. I have a few more slides here but they're primarily ones that we've looked at before so I think unless there are questions and we need to refer to them, I'll just cut it off there and sum up. Thank you.

Chair Lew: Great, thank you Mr. Montalba and we do have one speaker which is Martin Bernstein and you have 3-minutes.

Mr. Martin Bernstein: Thank you, Chair Lew and Board. I'm Martin Bernstein, I'm a neighbor to the building and I live behind Nobu and the property there. I'm also an architect and enjoy seeing the presentation. I spoke with the manager of the building, I spoke with the design team and also the construction manager and I'm confident that this will enhance and beautify the neighborhood and I'm in full support of the project. Thank you.

Chair Lew: Thank you, Mr. Bernstein. We do allow a rebuttal period if you wanted to address any comments but I think you'll approve of his comments. Are there any questions? Wynne.

Board Member Furth: Thank you. I noticed that on sheet A-101 it says that the planter – the planting will be a maximum of 42-inches tall. What – but I didn't see what plants were proposed for that space or what – I'm concerned about the minimum height. (Inaudible)

Chair Lew: Your microphone was off.

Board Member Furth: I beg your pardon, let me try that again. I noticed on sheet A-101 in the – looking at the sidewalk area improvements, it talks about in grade planting maximum 42-inches tall. I would like – could I have some more information about what's being proposed? My concern – my interest here is that there would be a minimum height so that it doesn't turn into ground cover and a place for pedestrian traffic to sort of slide over.

Mr. Gutierrez: Sure, I can address the height that's noted here, is to maintain the vision triangle because it is close to an intersection so we don't want something to grow in extreme height. Then possibly a small

child or something would not be visually seen by a car turning or backing up as they are loading. That is the corner where the valets operate so there could be a potential for cars slightly backing up as they are trying to parallel park to pick up and drop off.

Board Member Furth: I understand the visibility triangle but one of the goals here is to convert the dirt area into something that significantly planted so that people walking by don't get sort of shoved into it. I mean the great example was Ralph Cornell's pittosporum on College Avenue in Clairemont that keeps all the students from jay-walking because you can't get through it. I was just asking what plants are proposed here and basically sending my message that I'm hoping they're sufficient height and sturdiness so what is proposed?

Mr. Gutierrez: It's just to match existing -- we could add that as a Condition of Approval that it would be required to match existing.

Board Member Furth: But existing is nothing.

Mr. Lait: I would just suggest in this case that if the Board has a recommendation as far as landscaping, that we'd love to hear that recommendation. We can include that as a Condition of Approval.

Board Member Furth: The applicant has not proposed anything specific here?

Chair Lew: I think that -- if you look, there isn't a landscape plan right but -- and the Staff has a Conditional Approval Number 19 which is to submit a landscape plan. I guess if the Board wants to see it, I think we should include that in a motion.

Mr. Lait: Yeah or just specify species.

Board Member Furth: Ok, yeah, I thought I might have just missed it somewhere in the plan set and I'm not going to -- we can talk about that later.

Chair Lew: The applicant may have an answer for you.

Mr. Stutheit: To answer your question, we haven't specifically proposed any specific plant types but our intent would be to have something that meets obviously the (inaudible) corridor or the v-triangle will be knee height, in that range and probably a somewhat Asian aesthetic that fits in with the architecture.

Board Member Furth: Thank you.

Chair Lew: Peter.

Board Member Baltay: Two questions for the applicant, please. The planter on the corner just -- my eyes are not what they should be, what are the dimensions? It's asymmetric around the corner but how far off (inaudible) the wall on each side?

Mr. Stutheit: I believe on the Emerson side it's around 3 1/2-feet -- 4-feet? Oh, excuse me on the...

Chair Lew: Yeah, should clarify there are street planters and then there's the raised planter next to the wall.

Board Member Baltay: I'm referring to the raised planter next to the wall that wraps the limestone corner.

Mr. Stutheit: Yes, so I'm sorry, I believe on the -- I'm forgetting my streets now.

Chair Lew: Hamilton and Emerson.

Mr. Stutheit: Yes, thank you. On the Hamilton side, it's deeper, it's in the range of about 4-feet. I can't recall off the top of my head exactly what the dimension is and then as it wraps around, the dimension is less, it's about a foot or so and that basically fills the space between our façade and the property line.

Board Member Baltay: Great, thank you. Second question, the limestone wall is indicated in your renderings as being down lite from the soffit I gather; light fixture shining down but is that in the plans someplace? What fixture are you using? How is that being done?

Mr. Stutheit: Right now, we're using a sort of shallow linear LED fixture that is – it's a light (inaudible) so it goes right up against the façade. I don't know exactly where it is in the drawing set.

Board Member Baltay: I'm looking at your drawing sheet A-6.10 and it shows a recessed microlux round recessed light that I would assume is the wall washing light, is that case?

Mr. Stutheit: Yes.

Board Member Baltay: That's not a linear light, it's just a series of spots.

Mr. Stutheit: No, this is a linear fixture.

Board Member Baltay: Is there an electric plan or is that described in this packet someplace?

Mr. Stutheit: There is, I don't know that is has been submitted with this packet.

Chair Lew: There is an LED (crosstalk) – there is a linear LED light right above that, number two.

Board Member Baltay: Right. Ok, I guess we'll pick it up with conditions then, thank you.

Mr. Stutheit: Ok, sure.

Chair Lew: If there are no more questions, we can go onto comments. Kyu.

Vice Chair Kim: Thank you for coming back to the Board. I really don't have any other comments then to say it sounds like you have addressed the minor concerns that we had at the first hearing. I definitely think that it makes sense what you're doing and it goes along with the vibe of the restaurant and of course, the change in name now. I think the tree grates are also an improvement to what's there currently and I don't really have much else to say than that. I would be happy to recommend approval of this project.

Chair Lew: Can I ask a question about the tree grates? I think my understanding is that this Board had asked for them, they are not included in the large planter strip on Emerson but it seems like in the drawings there is a tree grate at the new tree, is that correct? So, it's just that one location?

Mr. Gutierrez: Yes, that's correct and because of the amount of planting in that well area, combined with the tree and how large it is, it would be difficult – plus the utilities and the irrigation that one of the conditions requires, it just wouldn't work in that area.

Chair Lew: Great, thank you.

Vice Chair Kim: But it did sound like it was implied that for the 620 Emerson tree in front of that building would eventually incorporate the same grate, am I correct? The tree in front of 620 Emerson at the restaurant expansion, that tree would also get the same tree grate treatment?

Mr. Stutheit: That would be our intent, yes.

Chair Lew: Wynne.

Board Member Furth: Thank you. I really appreciate the work that's gone into address our concerns. I think the tree grates are good. I trust that it's going to be a design that can handle people with high heels. So, it doesn't have holes wide enough for high heels to slip through, I think that would be important in this location. It's a very lively block, Emerson and with Richard Sumner Gallery and other visually interesting things going on. At the moment the two corners have been the dead spaces, congested dead spaces in the case of this building and so I really like the increased real windows looking into brightly lite spaces. It looks like the addition of the restaurant will make that whole block and corner work better which I appreciate. I also appreciate that the currently dirt planter is a really difficult space to operate in and landscape. Of course, I wish we would take out the trees, start again and 5-years from now have something great but we will work with what we've got which is a lot of utilities. Those rectangular – those rectangles in this are large stepping stones, is that right?

Mr. Stutheit: Yes.

Board Member Furth: That show in the plan?

Mr. Stutheit: Yes.

Board Member Furth: Those are designed to be stepped on and I think that's a big improvement. I would ask my colleagues if they would support a condition that the landscaping in the currently un-landscaped area, I don't know what we'd call that, be, I don't know, a minimum height of 24-inches. Substantial enough to discourage pedestrian – what I am trying to say is big enough so people don't step into it. You don't get pushed off the sidewalk into it so it creates a barrier.

Chair Lew: Ok, Robert.

Board Member Gooyer: Yeah, I'd have no problem agreeing to that. I can pretty much except the project or approve the project as it's presented.

Chair Lew: Peter.

Board Member Baltay: Yes, well I support what everybody has said and it's a fine project. You guys are a talented architect, these are high-quality materials in the design here. Two things that I'd like to question, one to my fellow Board Members, I'm not really convinced that the planter around the corner is doing what we want it to do. I'm thinking it might be better if you just had a bench on the side under the Nobu sign.

Chair Lew: You're -- can you just clarify? This is the raised planter? The 1-foot raised planter?

Board Member Baltay: The raised planter. The one that's around the corner of this limestone, it's 1-foot on one side and 4 on the other. The 1-foot side I'm afraid – I'm sure these guys will maintain it well but it's the kind of thing that can look seedy and I think 1-foot to 4-foot is so asymmetric. It doesn't really wrap the corner and I've been on that corner so many times at night. It's just jammed with people and more so as everybody is waiting for their Uber or their ride or to be picked up. Just a bench there and Wynne is constantly pushing us for that and I think...

Board Member Gooyer: But the thing is a 1-foot bench...

Board Member Baltay: No, no, no, on the other side. There's a 4-foot section – not a corner bench but just a bench next to the door on the side facing Hamilton where they have plenty of room there.

Board Member Gooyer: Oh, that – I was thinking on this side.

Board Member Baltay: No, I don't – I think on that side Staff made a good point that it just narrows the sidewalk too much but as you go around the corner, a bench would fit just fine next to the entry. I don't want to hold up this process for that but that's just my thought looking at it that the planter feels forced. You've got a beautiful planter in front of the dinner area just down Hamilton and this, at best, is just going to feel like a weak cousin to that. It doesn't, in my opinion, hold the corner to well so I'm just throwing it out as a suggestion I suppose. The second issue is that I had wanted you to try to get uplighting on the stone wall and I understand that that's not possible. In lieu of that, you'll get some kind of down lighting. To me, it needs to have a very strong presence, that stone wall, to do what the current situation does. (crosstalk)

Chair Lew: You guys so when you talk, let's not talk at the same time then it doesn't – if you look at the minutes it just says crosstalk so – then your microphone is not on as well.

Board Member Baltay: So, my understanding was that Staff replied that uplighting could not be put in the public right of way. Actually, Staff can you address that? Why can't we have up lighting?

Mr. Gutierrez: Sure. In this location the building, for the most part, -- for most of the façade that's changing along Emerson is built right to the property line and actually, if you look at the existing conditions, it's actually raised and the façade that's existing is actually kind of cantilevered out above – kind of floats over the air or excuse me, the sidewalk there. So, they are right against the public right of way and Public Works Engineering does not support these light elements in the public right of way due to maintenance. There are some examples down the street and I believe you mentioned that during the last hearing but there is a strip of private land adjacent to the sidewalk and that's the location of those up lights. So that's how it was allowed and technically, we do have some space because the building again is pushed back slightly but only a small portion of this new façade would actually have the up lights then on private property. So, it would only be a small segment of it having that up light feature, where the rest would only be able to have a downlight.

Board Member Baltay: I hear you thank you for that explanation. That makes sense and I think it's not desirable to have the façade ununiformly lit. I'd like to see perhaps that we request this to come back on a consent, just to see a better design of the lighting. What I'm concerned about is this linear LED strips and in my experience, they are generally not very bright and I think the stone with all the texture needs a fairly sharp glancing light to really bring it to life. Especially at night and I think if it's not done carefully, it will just have this warm glow at the top which is the wrong effect. I'm confident these architects can pull off what we're talking about but it might just be good to ask to see that back again to approve it. So, again my two comments where one, to consider whether we replace the planter with a bench, the planter at the corner of the building. Secondly, the light for the façade come back on consent, thank you.

Chair Lew: Ok, a question for Staff on consent. So, we've done it on rare occasions in the past but I think we've had discussions that – more recently that that's not part of the ARB bylaws and so I just wanted to hear Staff's thought on how this could return to the Board?

Mr. Lait: I think there's broad discretion on how it returns to the Board. We haven't done consent only because we don't typically have so many items on the agenda that we couldn't spend a few minutes talking about an item. We could agendize it as the first discussion item if you wanted to dispense with it quickly. It could also come back to the subcommittee but that's a little bit more uncertain in terms of timing.

Board Member Baltay: I'm sorry Alex, I meant subcommittee, not consent. I don't want to open up a different thing. I meant for it to go back just to two Members of the Board to look at after one of our meetings so, I'm sorry, we call that subcommittee. Thank you.

Chair Lew: Ok, thank you, Peter. I can support the project. It seems to me that the – I think I share your concern about the 12-inch planter. We've – I've seen -- we've done it on a couple of occasions, there was one on the Alma Street affordable housing. It was a triangular – they proposed a triangularly shaped

planter that came to a point and in the end, they just cut off the point because it just couldn't work. Then also at Bloomingdale's at Stanford Shopping Center, they had a fairly shallow planter and I looked at it after it was installed and it was just barely large enough to get the pot in the planter so I think it's tricky. It seems to me that things like certain kinds of succulents and stuff can work in a very small planter but it's limited. You're not going to get – in a foot, it's going to be hard to get something substantial in there. So, I would be welcome to some alternates but to me, this is a minor issue. It should be a subcommittee, it should not be the whole Board or something like that and I think if – I think Wynne had wanted to see the landscaping. It seems like that could come back to the subcommittee so I would support those amendments to the Conditions of Approval.

Board Member Baltay: Would you object to having the applicant address the question of the planter versus a bench just to see what they think, through the Chair?

Mr. Stutheit: As to whether we would be...

Chair Lew: Are you agreeable to a bench on Hamilton instead of the L-shaped planter?

Mr. Stutheit: I would probably want to differ that to our hotel operator. I think there's a little bit of concern that a bench becomes a place just to hang out and isn't necessarily helpful.

Chair Lew: Ok, thank you. For Peter, what is the exact language you were thinking of? Is that consider or are you – or do you want to direct them to actually make the change?

Board Member Baltay: Can I ask Wynne to chime in on this? Thank you.

Board Member Furth: Well, as you know, I always like benches and I like to sit down. I think this is such a lively and engaged corner that this bench is likely to be used in ways that would enhance the experience. I also know that you do see people hanging around in this corner and they are hanging around on this corner because they are waiting for their table or they ran into friends and I think it would be – it would really be helpful. This building is constrained by the fact that it started out as a different use at a different time. You have that big stairwell there and so you can't – all the other corners over there carve out and they provide a social space that isn't too close to traffic, that lets people stop and chat and this a street and a corner where, in my experience, you run into people you know and other people are running into people they know. I've been mourning our – the fact that we don't have lovely plazas that we all go sit in at sunset to drink our Aperol spritzers but this is probably the most social corner in the City. I support having a bench, I'm confident that you can design one that won't be used by people who have nowhere else to sit. I would also say that in my experience, people in those circumstances in the City don't seek out this corner. It's too busy, it's too occupied, it's too disturbed so I think you could do it. I actually think some foot-wide plantings work if they are high enough so that the plant is close enough to people walking by. If they are intensively maintained because they are flower boxes and flower boxes can be that width and work very well. If it was extended along the side of the bench, it might provide a bit of enclosure and sense of comfort so I would like to see this design revised to incorporate a bench on the Hamilton Avenue side.

Chair Lew: Ok, I'm willing to entertain motions. Wynne? Peter? Kyu, do you want to make your – for your last meeting, would you like to make a motion?

MOTION

Vice Chair Kim: Sure. Well so maybe I'll comment on the bench. I think it's a good idea but I really think we're making a little bit too much of it and so I will make an amendment and perhaps it will get – I'm sorry, I'll make a motion and perhaps I'll get a friendly amendment but I will move that we recommend approval of this project. Also, that the landscape plan and specifically the plants in that planting stripe along Emerson come back to the subcommittee and I'll leave it at that.

Chair Lew: I will second that.

FRIENDLY AMENDMENT #1

Board Member Baltay: Can I amend the lighting to come back to the subcommittee for the soffit?

Vice Chair Kim: I will accept that amendment.

Board Member Baltay: Thank you.

Chair Lew: You need a second with an amendment.

Mr. Lait: Well, you – I think it's a friendly amendment if you...

Chair Lew: Oh, if he accepts it.

Mr. Lait: But then you as a seconder would also need to accept it.

Chair Lew: I will accept that amendment.

UNFRIENDLY AMENDMENT #2

Board Member Furth: I have what I will suspect if going to turn out be an unfriendly amendment through actually it's to advocate friendliness. I would like to add a condition that the planter presently shown at the corner of Hamilton Avenue and Emerson facing Hamilton be redesigned to incorporate seating. So, that's my proposed amendment, friendly or unfriendly and that this is referred to a subcommittee.

Board Member Gooyer: Can I make one comment on that? Maybe the way to it, as he said, maybe the hotel owner would have – or operator would have an issue with that. Why don't we say make an effort to design or something to that effect that it isn't a mandatory issue because if we approve it that and it – the hotel operator has a real problem with it, then it's going to be an issue.

Board Member Furth: So, I understand that and I may not get support sufficient to make this amendment but I think that this fear of undesirable people sitting in our Cities in places we don't want to see them is excessive. I look at the privatizing of public spaces and I realize this is private land but we would never approve this as a new building with this kind of corner proximity without some kind of better pedestrian amenity. This is the busiest corner in terms of pedestrians without this kind of access and we're not going to have another chance. I think properly lite, properly designed and this is also a hotel where there is a lot of street presence by Staff. I mean I – every time I walk by there, right? I do appreciate the relocation of the entry further down the street. I think that's going to help but I would like to have them incorporate seating.

Chair Lew: Is there a second for this amendment?

Board Member Baltay: Is it friendly or unfriendly?

Board Member Furth: It hasn't been accepted by...

Chair Lew: Oh (inaudible) – well, yes, I'm sorry, I had the process wrong so Kyu?

Vice Chair Kim: I will not accept the amendment.

Board Member Baltay: Very well, I will second the amendment.

Chair Lew: Ok so we're going to vote on the requirement of...

Board Member Gooyer: (Inaudible)

Chair Lew: He did not so...

Board Member Gooyer: (Inaudible)

Chair Lew: We're going to vote on it.

Board Member Gooyer: Oh ok.

Board Member Baltay: So, we vote just on the amendment.

Chair Lew: So, we're voting just on the amendment to require seating in the raised corner bench or raised corner planter.

Board Member Furth: Not in the raised corner bend – bed.

Chair Lew: Ok so all in favor? Opposed? So that amendment fails on a 2-3.

AMENDMENT #2 FAILS WITH A OF VOTE OF 2-3.

Chair Lew: Are there any other amendments?

FRIENDLY AMENDMENT #3

Board Member Baltay: Can I make, what I hope is a friendly amendment, that we allow the applicant the option of providing seating instead of a planter if they so desire. It doesn't have to be the planter, they can consider one or the other.

Board Member Gooyer: I'll second that. Oh, that's right.

Vice Chair Kim: I'll accept that.

Board Member Gooyer: I'll second that.

Chair Lew: (Inaudible)

Board Member Gooyer: Ok, fine.

Chair Lew: Ok so this is considered an option for adding seating. All in favor? Opposed?

Mr. Lait: That was a friendly amendment so you're fine on that so you don't need to vote on it. If your deliberation is done, you can vote on the whole package.

Chair Lew: If there are no other amendments, we have a recommendation to approve with the landscape to come to the subcommittee. As well as the lighting design, in particular, the LED strip down lighting.

Mr. Lait: I would just for process-wise if the applicant desired to pursue a bench, that would be reviewed at Staff's level is my understanding. Thank you.

Chair Lew: Ok, all in favor? Opposed? None so that passes on a 5-0 vote.

ORIGINAL MOTION PASSES UNANIMOUSLY WITH A VOTE OF 5-0.

Chair Lew: Congratulations. Does anybody need a break? We have...

Vice Chair Kim: Several additional items.

Chair Lew: Yes, we have the annual ARB Report to Council, election of Chair and Vice Chair, minutes and we have a subcommittee item.

4. Discussion Regarding the Annual ARB Report to Council.

Chair Lew: Are you guys ready to – ok so Item Number Four is a discussion regarding the Annual ARB Report to Council. This is required by City ordinance and it's actually to Council as it's written in the ordinance to the Council and the PTC. For the Board, in the packet, I did a spreadsheet showing all the projects for the past 2-years and I used the same format that previous Chair Randy Popp did for 2013 and 2014. The current – what I did for this particular thing was 2016 and '17 so I don't have 2015 documented. It was mostly shopping center projects and some Page Mill Road projects and then also I did have the Staff send just some comments – additional comments and that came by email regarding awards that projects have received some large projects that were constructed this year. Also, I did itemize out some of the projects that were reviewed both by the ARB and the HRB. I did that because there was a change after the 429 University project where non-historic projects that were near historic buildings would get reviewed by the HRB so I did put that in there because that's been a recent change. Just in the last 2-years, there's been a 40% drop in the number of projects reviewed by the ARB so that's significant. There were several changes made at the Council level and we have revised findings as well that came into effect earlier this year. I did that just as some talking points and I didn't put in a lot of editorializing or recommendations to Council but I think we can add that in if the Board think that that's warranted. I tried to put in things that the Council Members have reacted to based on the previous letter that Randy Popp had sent on behalf of the ARB. Anyway, if there are any thoughts or if are there any other additional issues that you would like to put in there, I would welcome that. Peter.

Board Member Baltay: I had a couple of thoughts and questions and ideas but first, I've been on the Board 2-years now and this is the first we've done a report of any kind. I know you mentioned in the past that the Board just had a joint meeting with the City Council and is that how it uses to be done?

Chair Lew: Generally, yes and then I would say this year the City Staff was very good in contacting the City Clerk and the Mayor about meeting several times and as you know, Council have been very busy. A lot of very big planning issues and so the Council hadn't decided to meet even though we had contacted them several times. So, yes, that's the generally we would do a meeting instead of the letter.

Board Member Baltay: I can't blame the Council; those meetings tend not to always get a lot of strong ideas coming out but I guess I want to throw this out then. I've, over the past year or two, made an effort to just speak to as many of the Council Members, just one on one, as possible and I've consistently heard that they view our role in part as a quasi-judicial decision-making recommending to the Planning Director. A lot of them have also asked about policy and said what's your policy-making decisions? I just kind of scratched my head because I didn't – we tend to react to applications that come to us. At the same time, I'm always thinking that there's sort of a thread in some of these applications and there's some consistent ideas that a lot of times we're looking at each other thinking well, it's just to bad the code is this way. So, it seems to me that it's an opportunity for us to not only do what you've done Alex, which is a good summary of our quasi-judicial actions which is important but I may just quickly, two sets of general things. One is we just – the Council just voted in a set of Architectural Review Findings and why not get them a report of are they are working good or bad or here's what we see. Give them some feedback on it, it was a big process to get those changes made. They, I'm sure, haven't thought about it much but I for one think it's great, just fewer of them and you can remember what they are and work with it. If we collectively came up with some opinions just to give feedback. Secondly, I find that there's a number items in the zoning code that I wish were different and in my discussions with Council Members, they are just not as tuned into the details on it. I think if we could collectively come up with a few bullet points of things that maybe are worth thinking about it might help them. So, I threw out three items that just crossed my mind but it would be good if we could collectively brainstorm. One is that there seems to

be a constant tension of office buildings being approved in research and development zoning areas; that area is down on Park Avenue. Those are office buildings, they are not research buildings and that's the original intent of the zoning code. I think Council is maybe aware but not really aware of the impact on the design and the approval process and certainly, it wouldn't hurt to tell them that. A second one that I'm dealing professionally a lot is if you try to develop a small residential project, just like the one we saw the other day on the corner on College Avenue in the College Terrace Neighborhood...

Chair Lew: So, that's Staunton Court.

Board Member Baltay: Yes, the applicant is essentially forced into putting in two units on that property and then if you look at the economics behind it, they're going to max it out. Their basement is the biggest square footage and they looking at a \$3-\$4 million resale for each one, that's their target. My understanding is that goes against the general grain of what the City wants to do, against the Comprehensive Plan effort to get smaller housing that's not low income but more affordable. It could be done if you modified the zoning so that those kinds of parcels could be developed at a higher level of density. I think that City Council again is probably just not aware of how tied developers and people who build these things are. Another project that my firm has done recently on Alma Street, we ran into the exact same problem on a 10,000-square foot lot on Alma Street. Our client would have been happy to build 6 or 8 units on that, zoning was quite specific it had to be 3; no more, no less. When pressed the Staff just sort of said look, this is just the way the math works out on these codes that were written and you're in between two categories. Again, if we could just tell the powers that be what's going on. Lastly, I find that the impact of parking requirements has a big impact on the design of housing especially. Personally, I feel that we ought to consider different ways of regulating parking that would make it more feasible to produce smaller level, more affordable housing in town. Again, I think the Council could really do well to hear that from us, we're the design experts. I'm throwing those ideas out there to see if there's any traction behind expanding the scope of the report.

Chair Lew: Peter, for the last two items – well, let me address the first item. One is that there is a – the Planning Commission has been working on that area and so I think that is – that has been discussed elsewhere in the City in that particular area. I realize there are other – maybe other R&D areas as well. With regard to the housing and the number of units and the parking requirements, that is an issue. There was a Colleagues Memo by Council Member Fine, Wolbach and Kniss and this was back in November. I think I have the date, Colleagues Memo, November 6th and all the Council Members agreed to that memo and the memo is to work with – for the Council to work with the PTC to examine things like the parking requirements for housing units and stuff. That is an issue and I think that – I know – I think Board Member Furth has an interest in that as well. The – at the moment, I think in that memo it does not include ARB so I think if you want we could ask Staff to -- if proposed changes in the zoning ordinance are coming through, that may be the ARB can also comment on that before it goes to Council.

Board Member Baltay: Yeah, I don't want to be misunderstood, I'm not out to be advocating for changes as much as I am saying that what we see from the Architectural Review level sometimes is information that other people don't see. I'm not – I don't want to – I mean I have opinions but I'm not saying that I want to be advocating for one position or another. Actually, just to be saying the parking really impacts the design of the housing and we see it firsthand.

Chair Lew: Right and I think that the directive from the Council is to study this with the PTC. It was not necessarily advocating one way or the other, they were looking for alternatives to get more units.

Board Member Gooyer: I agree with Peter, that I mean it doesn't hurt to let them know that even if it's in a memo form saying that we see these things happening here, then probably that is should be addressed. Not that we have any particular, as you said, option of which way it should go.

Chair Lew: That's fine. I'm not...(crosstalk)

Board Member Baltay: I don't think it's for us to advocate a direction of the change in the zoning code, That's for the Planning Commission and the City Council.

Chair Lew: We actually do – on other previous zoning changes it sometimes comes back to us just for comment, not on a vote.

Chair Baltay: I'm thinking of – there was another project a year or so ago with again, two or three houses on a small lot in North Palo Alto and to get the backup space to pull out of the two-car garage required all kinds of giggling in the corners of the building. It just becomes an incredibly constrained design by an automobile parking configuration into a two-car garage. It creates all kinds of friction and I don't think that level of detail gets to the attention of the Planning Commission or City Council. That's what we seem to struggle with, we're trying to balance that. That's what I am thinking about more.

Chair Lew: Ok. I think that's – I think those are all legitimate issues. We can discuss it now or the other thing too is if you wanted to go into more detail about other zoning, I get you were just using that as an example, we could continue this to a retreat if you wanted to really go into a whole bunch of different issues. If you just wanted to use these as a couple bullet points, I think that's fine. Wynne.

Board Member Furth: Thank you. I – thank you very much for the analytical work that's already been done, I think it's very helpful. I think – I would suggest that we try to address these issues as part of getting this report to Council. I think it could be worthwhile to say to Council that we believe the Architectural Review Board has expertise that would be helpful in analyzing these proposed stages. I would think you would want to do it while the Planning and Transportation Commission is discussing this, not afterward; in other words, commenting to the PTC and Staff. I've been listening to the debates and writing revised Planning Ordinances here for the past 19-years and these issues always arise. I think there are very few people who understand how the different bits and pieces of the zoning requirements actually work in real economic life and design life as well as architects do and getting that contribution in earlier would be helpful. We—the first thing you learn is we have RM whatever zoning and the second thing you learn is that actually means RM something minus ten and I think that creative thoughts on how to address this if they want to address this, would be very useful. I think that's all that we need to tell them in our report.

Chair Lew: Kyu, do you have any comments?

Board Member Baltay: I was going to propose that we ask Kyu to write up a report for us that we could then circulate. In all seriousness, I know Jonathan wouldn't allow us to but normally this is the kind of thing where I or somebody would write up an email. We'd go to the next person and the whole Board would just keep chiming in until we have something we like. I suppose that violates the Brown Act in a big way but...

Mr. Lait: I could suggest an alternative.

Board Member Baltay: Please.

Mr. Lait: It sounds like – I mean there's certainly an opportunity for the Board to have a dialog about these issues and maybe there's are two or three different things we're talking about here. One is sending a message to the Council as part of the annual letter of the Board's interest in wanted to engage more and communicate more issues or concerns that the Board sees to the Council and signal the interest to do that. Then subsequently we can agendize this topic of what do we want to tackle first, what's the first discussion we want to have? Maybe develop a short little list of things that you're interested in and then we can agendize those for a discussion of the Board. You'd have your dialog here in this forum and one of you could be selected or a pair of you selected to prepare a letter that would be transmitted to the City Council making a recommendation that here's this issue, we think that these tweaks to the code could be helpful in these regards, and send that to the City Council. Then see if they are in agreement to that and they would direct Staff accordingly to make any kind of refinements. So, I think there's certainly a process that exists to allow that kind of a discussion.

Board Member Baltay: Is there a process of just creating a subcommittee so that two of us could draft something and...

Mr. Lait: Yeah, absolutely.

Board Member Baltay: ... then we could bring that back. I think...

Chair Lew: The bylaws of the Chair can create a subcommittee for anything so I think we should – we could do that now or next item we're going to be changing Chair and Vice Chair.

Board Member Baltay: I mean I – what do you recommend Jonathan?

Mr. Lait: So, if you want to form a subcommittee I would do it toward the end of your agenda which is this sort of questions, comments, announcements. I might suggest that it happen at that location in your agenda if you want to form a subcommittee.

Board Member Baltay: I'm going to leave it to you Alex. I said my piece, you're the Chair, good luck.

Chair Lew: I guess – what do I want to say? In previous – under previous Boards, Board Members have had issues with say the height limit for example and wanted some discussion about that. We did it during a retreat and for the retreat, that particular Board Member, he actually came up with a presentation on what is happening. He actually made his case for that and I think that is important instead of just talking about – just verbally, we actually see it and analyze it and not just do it with one or two antidotes. So, I think that's what – I think the subcommittee would be useful for that so that a proper presentation could be made and I think that's probably the right way of doing it if there are two Board Members that are willing to do it. We should probably do it, as Jonathan said, after because we're going to have a different – we're going to have a new Board Member.

Board Member Baltay: Maybe it's appropriate, if you're the outgoing Chair, you submit the report you've just prepared to Council as our Annual Report; this is what it is. We try to even set a president that the annual report goes out with the outgoing Chair because it really should go through the Chair I believe.

Chair Lew: Then I would say that we can add – I think we could add – the two projects that you sited about – with regards to the housing are both duplexes in the RMD zones so we could say that where issues with them. Those – both of those projects took a lot of time, in of them in particular I think went through maybe as many as five hearings so I think we could highlight that. That that's an issue and that's also something that the Board has not reviewed very many of those RMD projects so it's something different so we can highlight that there were some issues there so I can add that. If that's it, why don't we move onto...

Board Member Baltay: Do we need to move to submit the report that you've done to Council?

Chair Lew: Oh, do we need to make...

Mr. Lait: No, you don't need to make a formal motion.

Chair Lew: I will talk to Staff on how we actually do the letter. I don't actually know physically how (inaudible)(crosstalk) the letter.

Mr. Lait: We'll get you through that. It will be a letter from the Chair representing your perspective of the – you're 10-years and so it doesn't – it's a singular perspective of the – of your time.

Chair Lew: Of the Board. Ok, so I will close that item.

5. Election of Chair and Vice-Chair for the Architectural Review Board

Study Session

MOTION

Chair Lew: We'll move to Item Number Five which is the election of Chair and Vice Chair for the Architectural Review Board. I do want to thank all of the Board Members, it's been a very interesting year. I've had feedback from critics of the ARB that they think this is the best Board in years and I think that's because you guys have really put on the thinking caps and really come up with some really strong arguments on projects. So, I will nominate Wynne Furth for Chair. Is there a second?

Board Member Baltay: I'll second that.

Chair Lew: All in favor?

Mr. Lait: So...

Chair Lew: I'm sorry.

Mr. Lait: ...I'm sorry. Just before – you – good to nominate and second. I would just give pause for a moment to see if there are any other nominations that are being sought before you make a vote.

Chair Lew: Entertain other options. Yes.

Board Member Furth: (Inaudible)

Mr. Lait: I do not.

Board Member Baltay: I'd like to second what Alex just said and think that his leadership of the Board has been outstanding. There's really nothing like having a calm, thoughtful person at the helm and your experience is also really great so it's been a good year. Thank you.

Chair Lew: Ok so all in favor? Opposed? None.

Mr. Lait: Any abstentions?

Chair Lew: Great.

MOTION PASSED UNANIMOUSLY WITH A VOTE OF 5-0 TO MAKE WYNNE FURTH CHAIR.

Chair Lew: I am willing to entertain motions for Vice Chair.

Vice Chair Kim: I will nominate Board Member Baltay as Vice Chair.

Board Member Gooyer: I'll second that.

Chair Lew: Ok, are there any other motions? Seeing none, we will vote on the motion for Peter Baltay as Vice Chair. All in favor? Opposed? None so that's 5-0.

MOTION PASSED UNANIMOUSLY WITH A VOTE OF 5-0 TO MAKE PETER BALTAY VICE CHAIR.

Mr. Lait: I think...

Chair Lew: So that's...

Mr. Lait: As you are beginning to wrap up, you've got your minutes and then maybe you want to do your Board Member if you want to form a committee before you...

Chair Lew: Right, before the subcommittee.

Mr. Lait: Yeah.

Approval of Minutes:

6. Draft Architectural Review Board Meeting Minutes for November 2, 2017.

Chair Lew: We received electronically minutes for November 2, 2017. Are there any comments?

Vice Chair Kim: I noticed that in the attendance report that I think Board Member Gooyer was marked as absent but then I did see that he presented comments later and so I didn't know exactly what was going on there.

Board Member Gooyer: Which date was that?

Vice Chair Kim: November 2nd. Did you come late to the meeting?

Board Member Gooyer: I think I was out that week.

Vice Chair Kim: You do make comments later on.

Board Member Gooyer: You know, I try and pitch in.

Mr. Lait: He was in attendance so we'll correct that.

Chair Lew: Ok. I had a comment, there is in yellow – I don't have the page right in front of me, an unidentified...

Board Member Gooyer: No, I've got myself as I was here.

Chair Lew: Ok, we can check, I mean it's all on video so we can check that. On the unidentified speaker was a representative from Jay Paul, the developer but it wasn't Jay Paul.

Board Member Furth: It's on Page 9. Excuse me, it's on Page 9, it just says male.

Chair Lew: Yeah and that was for the Park Avenue project. Ok so...

Board Member Furth: I have some typos which I'll just give to Staff. One of the problems is they clearly don't know the name Hohbach and...

Chair Lew: There's an extra H.

Board Member Furth: ... and buried because berried which I thought was kind of nice and hostile became hostel.

Chair Lew: Are there any motions to approve the minutes as amended?

MOTION

Board Member Gooyer: So, moved.

Chair Lew: A second?

Board Member Furth: Second.

Chair Lew: Seconded by Furth, all in favor? Opposed? None so that passes 5-0.

MOTION PASSES UNANIMOUSLY 5-0.

[The Board moved to Board Member questions, comments, and announcements]

Subcommittee Item

- 7. 300 Homer Avenue [15PLN-00290]:** Subcommittee Review of a Previously Approved Project That was Conditioned to Return With Project Changes Related to Courtyard Pavement Details, Risers to the Courtyard, Railing Details at the Front Entrance, Trellis Details, Comprehensive Landscape Plan, and Lighting Plan With Photometric Data. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15301 (Existing Facilities). Zoning District: PF (Public Facilities). For More Information Contact the Project Planner Adam Petersen at apetersen@m-group.us

Board Member Questions, Comments, Announcements

Chair Lew: Board Member questions, comments, and announcements, we do need to do the subcommittee item and I just wanted to mention briefly to the Board that the Council has weighed in on several things. So, we do have on November 6th they reviewed retail – what do you call it? Retail ground floor requirements for 425 Portage. The owner is looking for an exemption from the retail requirement and that passed 6-3. Also, November 6th there was a housing – a Colleagues Memo about housing and that passed 9-0. On November 13th the Council reappointed Wynne Furth and also Guzma Thompson to the Board. On November 13th they also approved the Comp. Plan update, that was a 7-2 vote and I think the EIR portion of that only passed on a 5-4 vote. On November 27th the Adobe Creek bicycle bridge passed on a 9-0 vote and that was not the actual construction contract but that was the Mitigated Negative Declaration, the Parks Ordinance and the Record of Land Use Action. Also on November 27th, is it 285 Hamilton? The house building across the street from City Hall came in for a study about adding roof decks to a grandfather, non-conforming building and that passed on a 5-4 vote.

Mr. Lait: Actually, just to be clear, there was no action on that one but there were comments.

Chair Lew: It was a study – right, a study session. On December 4th the Junior Museum went to the Council and that passed on an 8-0 vote and they were very happy with the design of that. I am going to – how do I do this? Am I going to – do I just will it into happening? I'm going to add a subcommittee to the...

Mr. Lait: Yeah, you would identify the members and give us a title for the subcommittee.

Chair Lew: I'm going to add a subcommittee to – how do I want to say this? To consider zoning issues.

Board Member Gooyer: I thought we were going to do that with the next Board because we don't have the fifth Member of the Board sitting here?

Chair Lew: I think Jonathan was saying to do it now, right?

Mr. Lait: Well, it's the Boards discretion if you want to do – form your committee now or later.

Chair Lew: It would make sense to do it...

Board Member Furth: So, this is an AD HOC Committee to identify the zoning issues that the ARB might address?

Chair Lew: Wants to highlight to the PTC and Council.

Board Member Furth: Right.

Board Member Gooyer: Right.

Chair Lew: That's – well, why don't we – let's try to do it now and if we don't – if there aren't two people willing to do it now, we'll try to do it at the next meeting – next time. Are there – I think Peter is interested. Is there anybody else interested?

Board Member Gooyer: Sure.

Chair Lew: We love that enthusiasm.

Board Member Furth: I think I have a new job, why don't you do it?

Board Member Gooyer: No, that's fine. You and I can do it, she's Chair.

Chair Lew: Yeah.

Board Member Baltay: (Inaudible - no mic)

Chair Lew: Mind you, Peter, that there's – as Vice Chair you also have Metro Meeting on Wednesdays. Ok, I think we have two volunteers, Peter Baltay and Robert Gooyer for the subcommittee.

Board Member Baltay: Alex, (inaudible- no mic)?

Board Member Gooyer: (Inaudible – no mic)

Chair Lew: If Robert doesn't want to do it, I'll do it.

Board Member Baltay: No, I was going to say you and Robert.

Board Member Gooyer: Now wait a minute, you're the one that started this and now...

Vice Chair Kim: (Inaudible)(crosstalk)

Board Member Furth: How about Peter and Alex, the two obsessives.

Board Member Baltay: I'm happy to serve, I'm happy to do whatever but I don't want to take away from somebody else who's also passionate to do this.

Board Member Gooyer: (Inaudible - no mic)

Board Member Baltay: What do you think is best Alex? What's the best make up for your Committee? Your Committee?

Chair Lew: I will be happy to do it. Ok so than between the two of you. Peter?

Board Member Baltay: You and I will do it, Alex.

Chair Lew: Ok so it's Peter Baltay and Alex Lew for the subcommittee.

Board Member Baltay: You're ok (inaudible)?

Board Member Gooyer: (Inaudible -no mic).

Chair Lew: Do we need to vote on the subcommittee? No.

Mr. Lait: (Inaudible – no mic)

Chair Lew: Peter Baltay and Alex Lew on the subcommittee. I think that's it. We have a subcommittee item. Kyu?

Vice Chair Kim: Yeah, I just wanted to make a quick closing comment as the last meeting as Vice Chair and last meeting as a Board Member. I just wanted to thank my fellow Board Members, including those that may no longer be serving on the Board. You know everybody that's encouraged me, including those that have reached out to me to take some more interest in a position like this and I hope the public and Council of course knows but realizes that this is a volunteer position. The number of hours just spent at these meetings is only the fraction of the number of hours that we spend reviewing the documents. So, I just wanted to thank everybody here, as well as Staff for supporting us; Jonathan, Jodie, Amy, and all the way down. Yeah, it's been a pleasure and honor and just to somebody who's grown up here in Palo Alto to be able to serve my City again, that has been great. Thank you.

Chair Lew: Thank you, Kyu.

Board Member Furth: Thank you for your saved advice and good company.

Chair Lew: Ok, we're adjourned.

Adjournment