



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: June 1, 2017
City Hall/City Council Chambers
250 Hamilton Avenue
8:30 AM

Call to Order/Roll Call

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

Absent: Vice Chair Kyu Kim

Chair Lew: Welcome to the Architectural Review Board Meeting for June 1st, 2017. Can we have a roll call, please? Kyu Kim is absent today and he would also be – if he were here today, he would be recused on item number two or three. Also, just for – let's finish the roll call.

Oral Communications

Chair Lew: Now is the time for oral communications. The public may speak to on any item that's not on the agenda. I don't have any speaker cards so I will close that, the oral communications.

Agenda Changes, Additions and Deletions

Chair Lew: Under agenda changes, additions and deletions, I did want to point out to the Board that the – in the packets that the numbering sequence is a little off but I think that's fine for the public. I think the agenda is correct on all the packet materials or where available.

City Official Reports

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

Study Session

- 2. 250 and 350 Sherman Avenue [17PLN-00136 and 17PLN-00135]:** Preliminary Architectural Review of a New Approximately 40,351 Square Foot Public Safety Building at 250 Sherman Avenue and a New Parking Structure at 350 Sherman Avenue to Contain 636 Parking Spaces on six Levels (two Below Grade) With a Footprint of 37,075 Square Foot and Floor Area of 149,500 Square Foot. The Public Safety Building Site Would be Developed With Three Individual Buildings and Provide 167 Parking Spaces for Use by the Palo Alto Police Department, 911 Emergency Dispatch Center, Emergency Operations Center, Office of Emergency Services, and Fire Department. Environmental Assessment: An Environmental Impact Report is Being Prepared; Formal Project Application not yet Submitted. Zone District: PF; Public Facilities. For More Information, Please Contact Chief Planning Official Amy French at amy.french@cityofpaloalto.org.

Chair Lew: We can move onto the first item which is number two. A study session for 250 and 350 Sherman Avenue. Preliminary Architectural Review of a new approximately 40,351-square foot Public

Safety Building at 250 Sherman Avenue and a new parking structure at 350 Sherman Avenue to contain 636 parking spaces on six Levels, two below grade and four above grade, with a footprint of 37,075-square foot and floor area of the 149,500-square foot. The Public Safety Building would be developed with three individual buildings and provide 167 parking spaces for use by the City Palo Alto Police Department, 911 Emergency Dispatch Center, Emergency Operations Center, Office of Emergency Services, and the Fire Department. Environmental Assessment is an environmental impact is being prepared. A formal application has not yet been submitted and the zone district is PF. Amy French, Welcome.

Ms. Amy French, Chief Planning Official: Good morning. Amy French, Chief Planning Official. I am here with Matt Raschke, who is with the Public Works Department and the lead on this project. The – as noted in the report, the scoping session had occurred at the Planning and Transportation Commission on April 12th. This is in compliance with the notice of preparation of an initial study that identified the areas – the topic areas to be studied in a draft Environmental Impact Report. That period of review closed in early May and – May 10th I believe and there were not a lot of comments received about what additional topics should be studied. The two sites are across the street from the County Court House there – the City Court House and a mixed-use housing project that the ARB – some members of the ARB may remember at 385 Sherman. It backs up to an alley, Jacaranda Lane, that backs up to the Cal. Ave businesses there on California Avenue. The Council has weighed in and stated that they wanted maximized parking on the PF zone site. That zone site is also having a land use designation of a regional community commercial. At one point in time, there was a consideration for retail. The Council heard from the business district folks and decided to move forward with an all parking option there on that site. The Public Safety Building at 250 Sherman, Matt and the applicant's architect who is here will describe that – both projects as far as architecture. So, today it's a preliminary review. We're seeking comment on the three options that are shown in the plans and this will be coming back to you as a formal architectural review application.

Mr. Matt Raschke, Public Works Project Planner: Thank you, Amy. Matt Raschke, Public Works and I am the project manager for this – the Public Safety Building and garage project. The Public Safety Building is on the highest infrastructure plan priority for the City and as part of that, we had selected this site parking lot, C6, to place this new essential services facility there. Then, to mitigate the parking there was also, in the infrastructure plan, a new garage plan for the Cal. Ave business district and the projects were combined such that the parking lost on lot C6 can be recouped on a new parking structure on lot C7. Then on April 3rd of this year, City Council gave Staff direction to basically maximize the garage capacity to about approximately 636 spaces; four stories above ground and two stories below. They decided not to pursue a retail element on the parking structure. Just to give you a little background on that and then I would like to welcome Mallory Cusenbery from RossDrulisCusenbery Architectures to give the presentation on the project. Thank you.

Chair Lew: Welcome and you have 10-minutes.

Mr. Mallory Cusenbery: Good morning. Thank you. Alright, thank you for having us. I am looking forward to having the chance to get input from you on this. The statues of the project are that we're in early schematic design. We've been doing schematic design in program verification concurrently. We now have an approved program and scope size and we're doing out initial schematic design approach which is to go out and to talk to a lot of different groups, including yourselves, and get a lot of feedback and a lot of input on the early phases of the design. With the goal of getting a sense to where people are at. I want to make clear that what we are presenting today to you are not proposals. They are not design approaches as much as they are conversation starters. Our goal really is to generate some dialog and get a sense – get the temperature of the community. Find out what some of the ambitions and the hopes are for this very important project. Just to orient you, this is an early massing model to just put the thing in context. This right here on the lower photograph – I am using my curser and tell me if you can't see it. This is California Avenue right here, this the Public Safety Building site, this is the parking garage site, this is the Court House, the new Visa building, and various mixed use and retail functions are around it. This is looking from the side of the Court House in the foreground here. The parking structure there and the Public Safety Building there. Officially, this is lot C6 and C7, which you can see here and here. The

streets – the (inaudible) are Park Boulevard right here, Birch, Ash to the south. We're using project north being up on this illustration so to the south is Sherman and then Jacaranda Lane here. There are two existing parking lots on which the parking will be displaced and then relocated into the new parking structure. It's a very diverse context. These are some photographs of various heights, various building types, mixed use residential, Court House and the new office building. The parking lots themselves are surrounded by trees but have no trees within the parking lot itself. Then here are the sites themselves. I will give you a little bit of data about them. The lower illustration you can see the height of the Public Safety Building is here, on the far left and then on the far right is the height of the parking structure. This one – this diagram assumes photovoltaic panels on top of three-stories of parking and you can see the heights relative to other buildings in the neighborhood. The Public Safety Building on the right has a public plaza here. It has – this is the footprint – the main footprint for the three-story Public Safety Building, which goes up to 50-feet high. There are a few one-story site buildings over here. This area right here is a fenced in operational outdoor area for the Police Department and then the alley is continuous in the same direction as it is to the north here. Then the parking structure is almost property line to property line on all sides except the Birch Street side right here where there's about a 12-foot setback currently. The parking structure is around 36 ½-feet to the top of the guard rail and then if the photovoltaic panels are put on top, it's around 47 – these are rough numbers but roughly around 46-47—feet to that height. You'll notice the setbacks and I'll give you a little bit of background on the drivers for some of why this is looking as it is. The Public Safety Building has setbacks on all sides, that is in part driven by operational requirement for the Police Department. We want to have a security setback from all public rights-of-way, where we have subtle barriers for vehicular movements so they can't approach the building more than 25-feet on any side. The minimum-security setback around the building is 25-feet and then we've increased that setback for the plaza area over on this side. There is garage – there are two garages – two, two-way ramps to the subterranean parking for the Public Safety Building. One off of Sherman, one off of Birch and the primary vehicular entry for the parking structure is off of Sherman with the primary pedestrian access off of Birch near Jacaranda. The driver for the size of the parking structure was to optimize the quantity of parking spaces and as you said, it's 637, that is our target and so that's pushed it out to the property lines. I want to offer one correction or addition to the packet that you have there. The Public Safety Building square footage is actually not 40,000-square feet. That's an older number. The approved number is 45,500-square feet so that's a correction. Those – I mentioned a couple of programmatic drivers for the scale and the massing of the Public Safety Building. There are also a lot of community design opportunities that we took advantage of and looked at the massing. What you see here are some early photomontages that are based on the current massing. As you see, there are no design in here, just the massing but this is looking down Birch Street. You can see the Public Safety Building here and the Court house in the foreground and then in the lower illustrations is this is Park Boulevard. You see the three-story Public Safety Building here with the one-story elements here as they approach Park. We looked at a lot of different options for how to mask this building. We looked at a two-story option, initially thinking that it might be less imposing as a two-story building. It spreads out and in addition to operational drivers which said that a compact building works much better for the Police Department. There were a lot of other benefits that we saw. In fact, our discovery was that the three-story massing was less imposing and actually tucked itself away in surprising ways as you move through. In this case, in the upper image, you can see the Court House as you approach California Avenue. It's still the dominate building and then as you go towards the mixed use residential on Park Boulevard on the lower image, you can see that the building steps down. Similarly, in views from California Avenue, you'll have to look closely on the lower image, the larger one, the Public Safety Building is here completely behind that existing tree. It's not apparent on that view at all and then from the corner of Park and Cal. Ave, you can see it tucked back. This is the street three-story volume here, tucked back and not taller than other commercial actually, in relative proportion that you see here. Then when you are actually standing mid-block, a little bit of it peeks up above the roof tops there. I will point out a little detail, you will notice that there is a tower. There is an intention to have a telecommunication tower that is building mounted mono-pole; not a truss tower. That will be 136-feet from ground to the top of the tower but it will be building mounted. That is not 135-feet there. You will see subsequent massing models where we've represented it at 135-feet. This is based on an earlier height, which we've subsequently done more research to height that it has to be. These are some building sections. This is a section through the main public plaza. You can see in the upper left, you can see the parking structure here with the photovoltaics

and the plaza here. The three-story Public Safety Building and you can see the two-stories subterranean for (inaudible) parking structure and the Public Safety Building. A lot of the focus that we had now was once we had established the programmatic drivers and scale and context drivers, was – is to put a lot of emphasis on pedestrian orientation. Observation we had for these particular two side is that the pedestrian use of the environment varies depending on which frontage. On the, what we are calling the north/south direction on Park Boulevard, Birch and Ash, there is a lot of pedestrian movement in particularly around lunch time. When you have a lot of people who are working in the – to the south, who are coming to Cal. Avenue. So, they come two, three, four, five at a time and so having some width for people – for a group of people – individuals coming together to go get lunch and be able to walk side by side. Currently, there isn't even space. You see when they get to this lot they have to single file as they pass by the parking lots. The idea is to provide a more generous space for that movement in that direction. We observed less movement in the east/west direction along Sherman. With the new office building and the Court House there, any pedestrian activity there tends to be a little more static. People come out and smoke a cigarette. They'll talk on a cell phone. They are not moving so much on Sherman and we're trying to take that into consideration. The idea here is to have – I'm starting on the right side of the image along Park – excuse me – we would have a widen pedestrian area there along the one-story buildings to provide the width necessary for pedestrian movement. In the plaza here, you see the building is significantly stepped back and the idea would be to program the plaza for lunch time uses or another passive or active pedestrian uses. There is the shading and landscaping along the parking structure here. Then on the west side of the parking structure, the intent is to provide an arcade so even though the parking structure goes to the property line on that side on the first level to a ceiling height that we're hoping to be around 11-feet. We have a pedestrian arcade with the stairs to the parking – a secondary stair to the parking structure visible there but it gives some width for movement in that location. Zooming in there, you can see the plaza – again, these site plans that you are seeing now are conceptual. These are just early passes at it to again, generate conversation but you can see that the idea is that we are providing some zone along the front of the Public Safety Building, which provides security for the police and so you don't want people getting too close to the building but though we do want to have a zone set back here. Where we have seating opportunities, shade opportunities, maybe outdoor tables so again, you can accommodate individuals from Cal. Avenue to come and have lunch or other hours. The way that the parking structure hits the street right now on the left, that is the current approach. We're exploring some option for that as well. Again, pedestrian orientation is a big driver for us so if you look at the illustration on the right, one current study that we are doing and we're looking for feedback on this as well, would be to actually have an exterior mounted staircase here. That allows you to walk up the side of the parking structure, exit onto the different levels but creates a more ceremonial civic stair that then it's outlet is in the direction of Cal. Avenue on that side, creating a little bit more of a dramatic presentation for the pedestrians. Then have a secondary arcade here with bicycle parking that leads you towards the alley that has Starbucks on it, which is a just a little bit over to the left in that illustration. Then those are some of the big sight concepts. What I am going to do then is orient you towards three of the concepts that we have started to gather some of our thinking around. Again, these are conversation starters but our goal is to kind of create three types of attitudes for lack of a better word; three approaches to how the building may be designed to capture different – a different feeling. We've tried – we've aimed to have a consolidation of design ideas within each of these concepts that differentiate each other but create a clear identity. The first one, concept one, we are calling screening and greening. The idea there is based on some feedback we've heard from people that are saying well, maybe you should down play the building's presence. Maybe the building should be a little bit more of a background building and not necessarily as assertive. To achieve that, this approach takes kind of an organic approach where we use organic materials. Wood like materials for window screening, deeply textured hard walls. You can see samples of materials here. Maybe some building plantings on the parking structure where you have vines on the parking structure or dense plantings on the Public Safety Side, a double row of trees and basically creating an environment where we are creating more of a visual organic feel to the buildings and down playing their presences as objects. So, you can see some of the materials sample there. These are initial, initial, elevation sketches and this is a massing model. We do not have windows shown so these are just the volumes but you can get a sense for the textures, the organic qualities and maybe even some of the vines on the parking structure. Things like that and the denser plantings there. For this first concept, the idea would be that landscape would follow along so the

site development would have again, more organic shapes. As evidence by the photographs on the right where it's a little more meandering and it down plays – it doesn't have a civic formal presence. It's a little more informal in its design articulation. So, that's concept one over one, screening and greening. The second concept takes a very different approach. It says alright, we actually want the building to have – to assert itself as a design presences and we're calling this one dynamin massing. Where it actually creates some visual interest, and has a contrast in the materials and a play in materials that are a little more assertive. I don't want to necessarily say playful but a little more dynamic in how they present themselves. The color pallet doesn't really show on this screen here. Hopefully, the color resolution on your screen is a little better. The color pallet would be based on historic colors – colors of historic buildings within Palo Alto so the idea of Terracotta color or a light-colored tan plaster. Those types of materials that you see on a lot of the historic buildings but updated and presented in a contemporary language in this scheme. You can see up closer here, again we're not – these are just conceptual window locations but again, it's taking portions like the ECO above here or the stair tower over here or some of the other program elements and popping them out as individual volumes to create some of that dynamic. You can see the play here. One of the things that is a theme throughout all of these and we're interested in feedback on this as well, is getting the Public Safety Building and the parking structure to work in tandem. Having them work together so that whatever design approach we take on the Public Safety Building, we take on the parking structure as well and creating somewhat of a gateway entrance towards Cal. Ave. So, you can see that play here, where the volumes and the play continue over onto the parking structure. There is a long – in this scheme there is a long wall opportunity where what we are seeing is a possible public art opportunity on the wall that faces the Visa building. Again, comparable for this second scheme. The site development would also be dynamic as well with the way that we have site furnishings and volumes being playful. Now one of the things that I want to add and I didn't mention this earlier but we are creating the vehicular barriers along the perimeter of the site, which is necessary for the public safety function. However, we do not want this to feel like a fortress so whatever we are doing, as you can see in those photographs there, in terms of seat walls, in terms of planters, those will be the barriers. This will not look fortified. This will look like it's a variable three-dimensional landscape, which also then provides the subtle but transparent security barriers that we need. The other thing that I will mention is the subterranean parking is property line to property line so all planters will be raise anyway just by virtue of the fact that there is no dirt below the parcel. Then the third concept takes yet a different approach and we're calling this one simple civic and the idea is that for those that feel like a more appropriate language for this project would be understated, formal and less dynamic. This approach is still a contemporary take on it but the idea is to use vertical proportions. The bottom windows along the perimeters along the building would invoke colonnade. It is a little more understated in its development and the use of materials. For instance, the white would be like a Sierra white granite which is a common civic material for public buildings throughout the Bay Area. Traditional brick and things like that but again, in a more understated, serious civic kind of approach. You can see that massing here again to create a dialog between the parking structure and the Public Safety Building. We would have some of those elements present in both of them and the site as well would follow along. This time having a kind of radial approach where the approach to the building is playing up at that linear perch as you see on the exterior of the building. In closing, then these are really – again, as you can see, we have kind of clustered them and the hope is to have internals consistent approaches that – again, for lack of a better term, attitudes and we're curious how the community responds and what everyone thinks is an appropriate language for this type of a building in this type of a context. With that, I will open it up for questions.

Chair Lew: Ok, so thank you for that. Before we get into the question, I did want to open up the – this to the public for any comments. I don't have any speaker cards for this particular item but I will keep that open in case there are any. So, are there any questions from the Board? No. Ok, then we will just move onto comments. Anybody want to start? No. Robert?

Board Member Gooyer: I like the basic concept. The thing that is a little bit – I don't know, I think it needs some additional thought on the building itself. It seems like you've gone through all the effort to camouflage or not camouflages but to make it a very attractive building. Then you have that sort of utilitarian parking lot next to it. I mean it – I just have a problem with that. Especially with a lot of the

building in the area are here that look down on that and invariably, I've seen police yards before and they end up just being a mess. A lot of the buildings like I said, around it looks right down on that and if you've got a couple of floors – if this had no subterranean parking, I'd say you don't need it but in this particular case, you do. I'd rather see some of the functions that are maybe straight forward parking or some other function go up and then the sort of utilitarian stuff moved down. As to the options, I – to me to a certain extent, they all look like bunkers. I mean I know the function that goes on there and you need a certain amount of that but – so I figured that if that's the case then you might as well express it in more of a dynamic concept so I like scheme two better or I should say as a start. It's a little bit more interesting if you are going to go a little bit out there, why not? I'm not a big fan of, in general, putting wood cladding on like a parking structure to make it – to hide that it's a parking structure. I mean come on, anybody knows what it is. As far as a parking structure, I'd rather have it look like a parking structure rather than something that you're attempting to hide because you're never going to hide that it's a parking structure. I think all in all I'd prefer option two and with some of the modifications. I'll see if there's anything else that comes up while my other colleagues have some comments.

Chair Lew: Peter.

Board Member Baltay: Ok, good morning and thank you. I have to say that I applauded the approach of bringing it to us and trying to crystallize a couple of ideas and just being open to feedback. It really is great to be involved in it at this stage. I have a bunch of thoughts that I will throw out at you and hopefully coherently. First of all, it struck me that I don't think the building should be designed to be seen together as a pair and as a gateway down Birch Street. It strikes me that one has a very distinct civic function as a Public Safety Building and the other, the parking structure, really is rather unfortunate that we need it at all. I think from following the political discourse over the past few years, everybody agrees that we need it and everybody laments the fact that we need it. Why didn't we plan for this better? I think that's where we are right now. How did we get here on where we need to spend this much money and make this big of building? We all need it but I think it's not the same as the Public Service – Public Safety Building. That's a civic building and it's one of the few that we're building in our generation. Let's make it something special. That said, if I could then address the public safety lot first, lot C6. If I could get you to change two things, I would say remove the ramp that enters onto Birch Street. That's the most important pedestrian area; going up and down Birch Street. It's right past Café Pro Bono over to the California Avenue. To have a 20-foot ramp for police cars there just strikes me as grossly inappropriate and I really don't think there should be any vehicular access into either of these buildings from Birch Street. Secondly, as Robert mentioned, the large parking area behind the Public Safety Building so to speak, the secure parking – the outdoor police facility. I really wonder if you couldn't put that underground or somehow just not where it is. I completely agree that those tend to look unsightly and very off putting after a few years of police use on that. It's not an attractive thing and yet this is a very important property. It's pretty close to the downtown area, which is developing even more that way. If there is anyway to – what I would like to see is just shift the Public Safety Building further away from Birch and make a larger public plaza in front of it. Sort of on the scale of what we have over on Lytton and University here now, which is about twice that size. It would be a much more appropriate use of that open space and put the police outdoor activities some other place. Underground or I don't know how you – I'm sure there's a lot of complicated functional stuff but just looking at the site plan, it just seems to be inappropriate that the parking lot for the police is twice the size of the public plaza, when you are half a block off of California Avenue; it just seems inappropriate. I agree with you that the massing of the Public Safety Building should be taller and more compact. A 50-foot building is fine in that location as your presentation showed it. It's not overpowering and it's not out of scale with the area and I think it's better if you can get a larger plaza to go with that. I think it would be good if you can get vehicular access on both of these buildings off of Sherman as much as possible. You are correct, I think in your observation that a lot of pedestrian traffic is north/south along Park and Birch and Ash Street so to the extent that you can bring in vehicular traffic off of Sherman, which is also somehow a calmer street. I don't know how to put it but I know coming in on Birch Street always seems to be a bit of a nerve-wracking. You just pulled off of Page Mill and you're sort of slowing down or there's people walking or you park your car and you're walking on University Avenue late at night. It's not the place to have a police car coming out. I'm left then thinking about the Public Safety Building and your design options. I really like the idea of it

being civic. I really dislike the images that you've shown us. They don't look in the least bit civic to me and so you're left at having sort of a philosophical discussion of what is civic? So, what I would like to do is point out some things that I would think would make that building civic. By civic, it's timeless. It's something that 50-years from now is still going to be looking good. It's going to be there that long. I look at other buildings around town – not to say that we should copy that architectural style but Birge Clark's Post Office has a civic presence to it somehow. All of us love that building so why is that? Lucie Stern Theater is another one but if I could ask you – your design team to just sort of ask yourself, what makes it a civic, timeless building? To me, it's a memorable form that are advocative of a public function and you do have to do some soul searching because the public function here is rather security conscious. I think back to the armory up in San Francisco in the Mission District and it's a serious security focused building and yet there's something about it that feels Civic; that feels public. I walk by that and I feel kind of proud. That's what my community built. To me, that's what this building should have. It's built with durable and timeless materials. Plaster and stone, that really will withstand the test of time. That won't be off-put by poor maintenance from a failing City Council and things like that. It also has a public interface. The arcade on the Post Office, there's something about that ability of people to sort of step into it a little bit. Again, granted that this is a Public Safety Building with police security but that's what it wants. Somehow the part where the public goes in where it's on the edge of the plaza, should feel like hey, this my police station. I live in this town. Somehow what we are seeing in these images – I understand that they are schematic massing models but they're not massing the right things. The last comment on that building then was just response to your comment about 135-foot tall communication tower of some kind. That just seems really extreme and it's necessary, I would ask you to try to somehow put it in a design that makes sense. We had a very thick flag pole on a small fire station which never quite worked but 135-feet is a tall tower and that will be visible from everywhere. Is it really necessary and if so, do something to make it really work? Then on to the parking garage. I really do, again, want to reinforce that I think it's necessary at the size that it is but it's just unfortunate. It's too bad that we have to spend public money doing this kind of thing for lack of planning in the past. That said, I think that you can't really camouflages the building but as much as you can to soften the edges. Give them some ins and outs. Put a tree, a place for public -- a bench to sit on, a small plaza. Just anything that you can do to soften the edge and to take away the focus. This is not a civic building, this is just a necessary thing that we have to have. It's a parking area so make the edge of it more user friendly. Easier to get in and out of. Perhaps consider having two entrances just to make it function better but each one again, gives you an opportunity to have some ins and outs of the building. Put some more landscaping there. It's imperative to use materials that are incredibly durable and simple. This is the last building that City Council is going to vote to paint or do anything to so wood siding or anything remotely like that just won't work. It will just look terrible over time. I know it's a political question and that's not in our purview but having retail on the ground floor would make sense. We're striving to get more life, more pedestrian activity and retail is the best way to do that. Much better than benches and things so I would just put that on the record. That's what I think we ought to be doing with that. So, that sums up my comments about these. Again, my biggest concern is this ramp into the Public Safety Building off of Birch.

Mr. Cusenbery: If I could with permission, one clarification that I failed to mention during the presentation. The two ramps that Board Member Baltay is referring to, they provide different functions. The Sherman Avenue ramp is the primary ramp to the operations level. It's the ramp that the police vehicles will be coming and going from. The Birch ramp is the second means of egress for operational vehicles in a state of an emergency but they won't be using that primarily. They will primarily be arrival and departure of personal vehicles because that ramp goes down one level and then continues down into the second subterranean level, which is where the personal vehicles are parked. The day to day operations will be police vehicles off of Sherman and personal vehicles off of Birch so to the extent that that's helpful.

Board Member Baltay: Well, it's an explanation of why it's there. It doesn't change the fundamental notion to me that that's the wrong place to have the ramp. Let me throughout one last response to an idea that you mentioned or at least I thought I heard you say something about a staircase on Birch Street into the public parking garage. It occurs to me that I think that that's a great idea. If that stair where

broader and more open to say the second level, it's a great place for people to interact with the parking garage on an easy informal level. A landing – a place to put a chair and it just struck me as a neat idea. Ok, thank you.

Chair Lew: Wynne.

Board Member Furth: Thank you. This is an impressive and even an intimidating project and I'm glad that it's come to us early. We often talk about City projects and we're not – if they get to us at the time when the choice is a flat roof or a pitched roof or a curved roof, it really is too late to be of much use. So, despite your request – respectful request that we stick to these three alternatives, as you can see, we're going to engage you in a more extensive way. Also, thank you very much for giving us the transcript of the PTC's environmental review scoping hearing. I'm very interested in knowing what the design team thinks are the defining characteristics of this area? You know, this our second – historically our second downtown; this is Mayfield. It's been less commercial, less big corporate though we now have Visa across the street. It's been greener, it's been flatter, it's had more views of the sky, it has more views of the hills but what's interesting to me in connection with this project specifically, is that it's been radically rebuilt south – and thank you for using north and south, south of this project and millions and millions of dollars of private money has gone in here recently and the results are building that are and look expensive. They have elegant materials, they have totally underground parking, and they respect the earlier residential. This is one of our best neighborhoods for attractive multiple family housing. It – you know we have that little Sarah Wallace pocket park, which is quite lovely. It does not seem to be child friendly but it is quite lovely and I want to know how this project is going to rise to meet those standards? I don't want it to look cheap. I'm sure it won't be cheap under any circumstance but I want it to look like we spent our money intelligently and well. I think about 2650 Birch, Birch Plaza, which is not particularly new but I think it exemplifies a lot of the things that work in that neighborhood. I think about the Visa building, which is across the street and I would – it has everything in terms of pedestrian friendliness in that essentially block long development except for a place to have coffee so I would love coffee in the garage. I think – you talk about maximize parking spaces and that's important but when we had something even more important, which is affordable housing at the Opportunity Center, we lost three units to keep oak trees and a dawn redwood. You know, they are still alive and it still makes that a much more effective place to house people as they move through that setting into another. I would argue that we will be better off in terms of use of this neighborhood, a reduction in conflict over parking spaces in general but a well-being attitude of people coming to this area if you carve out space that may lose us a few parking spaces here and there but make this a place we want to be and where we don't feel treated like cattle. Very well feed cattle but still. You know, 410 Sherman is another interesting building. It's another thing that abuts this thing. It's on the diagonal and one of the things that interesting about the Court House is that it's on the diagonal so even though it's tall, it's very seldom close to the curb at that height. On the other hand, it's a tragedy because of that parking lot. It's like the old PAMF building. It's a mid-rise in a sea of asphalt. Well, the County is underfunded. They can't maintain that building properly. I don't think they had the right materials when they built it in the first place because I have gone there as a lawyer, I remember it as much taller because I am always terrified when I walk into that building but actually, it's not very big and it doesn't look very big because of that angling approach. I don't know if there is a way you can acknowledge that fact that it angles but I would be interested in knowing but mostly I want to know that you're designing this building for this place. We get a lot of commercial buildings where their agenda is driven by national and international branding. This isn't and so I want this building to look like it is the wonderful expression of that area we can imagine. Not a high standard, right? This area, it's higher density than Research Park so we don't have sort of conspicuous consumption of land that goes on there. It's lower density than downtown so it's got lighter and air and greenery and I would like this project to continue to drive in that direction and to address better than it does now, people with strollers, people with intermittent mobility problems, people with anxiety about getting mugged. I am really interested – going to be interested to see how you design a block long parking structure that I am comfortable walking into at 10 o'clock at night. I'm delighted with your suggestions for external stairways. I'm assuming that elevators will be glass and on the outside. I hope we'll have Portland's airport style indicator lights that tell me where the available spaces are. Most of all for that building, I want Portland style downtown parking garages which are designed and built to be converted to housing

so they have flat floor plates. I had a really interesting conversation the Community Development Director there and that's what they are building now. I know they are doing that – a private developer is doing that in Los Angeles as well. I think this is an alternative that the EIR should certainly address. I appreciate what you are doing along Birch. I appreciate the agenda to produce a Public Safety Building that does not seem to be a place where an occupying force stands down until needed. A place that invites people in. I think it's essential that a place that invites people in has a lobby with clear marked and assessable public bathrooms. I didn't see that on the drawings so far but I think this building will fail if it doesn't have that. Though, of course, I am very pleased with the idea that we would have better working spaces for the people who do work in public safety and sturdier emergency operation systems. This is – I'm very happy that we're moving forward. I agree that to have driveways for private police vehicles – police officers – public safety worker vehicles going in and out of this plaza on Birch is a tremendous undesirable. I would like to see another way of doing that. I'm also – a civic building to me should exemplify what we want to happen in this City in public and private development and we basically, would not be to suggesting to anybody else that they have surface parking in an area like this. So, I don't like seeing us having surface parking in an area like this. I'm also curious as to whether the one-story builds could work as two-story buildings and again, give us more pull back. If you stand in the Molly Stone parking lot and loo towards this site, you're going to see it. Right now, you see trees and a little bit of the Court House and I'm curious as to what we will see with this approach. I imagine it could be quite planted out but the idea of single-story buildings and surface parking on land this expensive doesn't not strike me as the optimal solution. Also, in terms of – you know, these are big. This an acre office space, right? We've amended our code recently to ask that when we do landscaping that we use native plants and we create habitats. I mean, I was looking at my little six by eight habitats in my alley behind my house and counting the humming birds this morning. This could – I would like to know that when this is built, this is going to be a bird rich environment. That it's going to have plants that bloom from season to season. I don't want industrial – I don't want to see cape natal plum. In my family, we say Rhapsiolepis. I don't know how it's actually supposed to be pronounced but most – in answer to your question about which personality – sounded a little bit like do you want your kid to be upstanding or recessive. I wanted civic but I made something – I do not mean the unfolded Jack Tar building that we saw in these elevations. Avenidas is a great civic building. Redwood City, City Hall, is a great civic building and a completely different time period. I would say this building is not our trunk aided Edward Durrell Stone that was built to be armored and we've gradually taken down some of the curtain walls or the walls to repel people but it's not a great success. I'd like to be less of a heat sink than it is now. I want to know that it's at least as heavily wooded as it is now. As you point out, it's mostly in the peripheral so that may be quite possible but to me civic means beautiful. It means that you are thinking at least 50-years ahead. It means that you know we're not going to have adequate maintenance budgets in the future. I'm really interested in the public space and its landscaping. To me, one of the markers of a successful civic building is moderately expensive landscaping. It used to be rose gardens in front of court houses and I don't know what we do now but something that requires actual gardening or that perhaps over time becomes fairly low maintenance but these are plants that do a multiplicity of things. I agree that wooden lattices are never going to survive. I think that glass – I'm sorry, metal screening could be very effective. I'm very concerned about having a few – a huge blank wall along – is it Sherman? Yeah. For the garage and we have not been noticeably successful in creating public art in this district that is widely viewed as attractive. The thought of how expensive a piece of that size would be. I mean we've had people – we've had our Art Commission telling us how expensive something 20 x 30 would be and so the thought of having effective public art here; I'm highly skeptical. It seems to me to be unlikely but I can imagine a terrific design. Thank you.

Mr. Cusenbery: Thank you.

Chair Lew: So, thank you for your presentation and I think I agree with Peter. I think that the way that you've broken up the three concepts for us is – was the right way to start your project. I was wondering if you could go to your – if you have a slide of your opportunity constraints diagram which was page – well, maybe either page two or three in your packet.

Mr. Cusenbery: Not currently in the slide show; my apologies.

Chair Lew: Yeah, that's fine.

Mr. Cusenbery: I'll put this one up and I can speak...

Chair Lew: Yeah, that's fine. I just wanted to make some comments on this. One – let's see, I've got – I guess I have seven comments on this particular one. So, one is that I think – I consider Birch as a gateway for people who are driving from Page Mill Road and Birch used to like a little skinny 40-foot wide street and it was widened with a median in there but I think that's important just to note that it's a gateway. You've mentioned it but it doesn't really show in your diagram. Then on Ash Street, one block over, it's been partially widened so near California Avenue it's sixty and then it goes down to fifty and then it goes down to forty and that issue has come up on the Visa building across the street from your garage. That's something out there that's in mind of the neighbors. Two is the – the third is on Park Boulevard, that's our bicycle boulevard.

Mr. Cusenbery: Correct.

Chair Lew: We're proposing – we've been proposing I think that there are improvements to that – the length of that and that doesn't really show up on your diagram. On some of the new projects, we've been doing bulb-outs and whatnot on Park to make it more pedestrian friendly as well. Then four is that there's the Palo Alto Central Condominiums. Its mixed-use condominium's on the other side of Park and I just want to highlight that because I think when you had the previous...

Mr. Cusenbery: We've got these rights here, I believe.

Chair Lew: Yeah and then when you had the – your previous Public Safety Building on the Page Mills site, the issue of light and noise from a building that is being used 24-hours a day comes up so I would imagine that that's going to come up later. I would like to just note that we do have that use across the street. The fifth one is the Paseos and I think you've noted that on one of your drawings. So right, there are two. One near the Starbucks and one near the FedEx, yeah.

Mr. Cusenbery: This one right here, right?

Chair Lew: Yeah – no, I think we're...

Mr. Cusenbery: Over here?

Chair Lew: Yeah, it's that one. Yeah. The other things are like a little courtyard in back of the Palo Alto pizza. In downtown Mountain View they have two public garages in a similar location to this, with an alley and paseos and at the end of the paseos, they were able to put in stairs and elevators so at the end of the axis. I realize that that's not necessarily – it's not easy to do in this particular situation but in the -- this particular configuration that you have but it seems to me to work in Mountain View. People do use them. It does make those spaces less – what do you call it? Less – it makes them more desirable it seems to me and if there's any way to do that, I would try to do it. Stanford Shopping Center has a garage that has those amenities and I don't think they are on – my recollection is that they are not perfectly on axis. I think that you can still do something with sidewalks or whatnot or planters to make it more desirable. Six is the existing trees, so I think I understand from the packet that you have here, that no trees are being proposed to be retained. Then I did look at the arborist report, which was not in our packet but it's on the City's website and there are a lot of trees and some of them recommended for or some of them are – I forgot the terminology – protected? Protected trees. Normally I would like – I think that's a decision that happens later but I would like – ideally, I would like to see it now just so that it's on everybody's – so everybody understands that's on the table and that's a constraint; just so that we all know. I think most of the Board Members do go to the site and so they've seen the trees. Then the seventh – the last item is the alley, Jacaranda Lane, and on other projects in Palo Alto, the width of the

alley comes up. Trash that is being used by the existing business. Having a safe and attractive place to walk or for employees to take breaks in the back alleys of the restaurants or the back doors of the restaurants. I did see that there are mailboxes but it seems to me that there are a whole bunch of things happening there and I think that the design needs to take those into account. I mentioned the public garages in Mountain View and they've done it both ways. On one of the garages, they just built right up to the property line because they were squishing everything in and it's pretty mean. On one of them, they set it back and have planters and street trees and a plaza or a – like pavers, decorative pavers. It looks kind of nice. It doesn't look great but I don't see people using it so I think it's right for a discussion to see – it doesn't make sense. It seems like you have an extra width over the – on the parking garage lot. I mean it seems like you guys have a little bit of extra room based on the parking isle modular; like it seems like you have a little bit of room.

Mr. Cusenbery: On the Jacaranda side, is that what you are referring to?

Chair Lew: Well, just on the width of the lot is...

Mr. Cusenbery: On the width, yeah. Right.

Chair Lew: ...(inaudible) is 130 and the parking isle is 60-feet and you have structure and you have two aisles, right? So, you have some – you have a little bit of room to do something. OK, so that's all that I have on that particular sheet. For – I have some comments for all of the schemes and I think I'm in agreement with some of the other Board Members here about the civicness. I think I'm – I was actually to look for something that's more civic than what you are showing. I don't like the ramp going to Birch Street at all. The – at that intersection – you know because California is a dead-end street, there's lots of zig-zagging cars and there's a lot of turning at that intersection and to put a ramp there is – seems to me to be highly undesirable. I do like the one-story portion facing Park. I think that seems to match the Palo Alto Pizza Company building and it brings the scale down. I'm not crazy about the blocky – the height and the length of the garage on Sherman. It seems to me that if you have like a 300-foot long façade, I would normally like to see some sort of break where you make three different façade components into one façade; break it up. I have mixed feelings on the plaza. I think generally I think that adding a plaza is desirable. Now in the context of California Avenue and Mayfield, I've actually gone back – not just particularly for this project but I've actually gone back and looked at the original plans and the old maps and the Sanborn maps, to try to figure out what happened because it's not the best layout and I always wondered why isn't there a Court House square like you would see in Sonoma or San Luis Obispo? All those great California towns that have a great Court House Plaza and then look at what happened there and it seems like we totally missed the boat on that. I think trying to add some sort of civic space is highly desirable there.

Mr. Cusenbery: If I could ask just for a follow-up clarification? So, you said mixed feelings on the plaza. If you could expand that. Which way (inaudible) (crosstalk)...

Chair Lew: Yeah, I will (inaudible) I have some comments on each of the concepts and yeah. Then I have another comment just for all the schemes and that is lighting on the top level of the garage. It may be better if you have photovoltaics because then the lights are underneath the photovoltaics. Having – if you don't have the light – if you don't have the PVs and then you've got lights all around the garage, it seems to me that would be a major negative for the neighborhood. On the three concepts that you have, on concept one, I have a reservation about using that approach on the garage just based on the size of the garage. I like the idea but then if I'm looking at doing that on a – that size of a building, I guess I wonder if that's enough. We've used it on the Webster Street garage here in downtown and the wood rotted eventually and had to be replaced. I'm not sure that we ever replaced the planters, I don't think – I think the planters ended up disappearing. Wood is high maintenance but I would say that we have – we do have Terracotta lattice work on some new buildings here in the downtown area and that actually looks pretty nice. So, I would say that might be a possibility. I've looked at some of the other City garages in Palo Alto and we don't – the City isn't so good about maintaining the planters. I see a lot of dirt and half planted planters and I'm a little bit worried about that – about the maintenance about that. Then I would

say that there's a garage as Stanford Shopping Center, which is four times the size of your proposed garage here. They've been able to maintain the planters and green screen really well and it does look nice and it makes it better. I think that should be an – I think that some sort of planters should be an option and it really may make the – this much – it may – some planters may make it very desirable on the Sherman and the Jacaranda Lane side. I think I do like the arcades that you are proposing on Ash and the staircase on Birch. On concept two, I share Wynne's concern about the mural location. It seems awfully big and it seems like not a great vantage point for viewing. Then there would be street trees presumably that might obscure the artwork so I don't know – I'm not sure if that works. On the massing, you know we do have architects who are doing these sorts of Schindler-like forms on larger buildings and I'm not sure if it works or not. I think that you're very skilled at manipulating form but I just wonder does it really work on a bigger scale? That's just an open question. It seems to me that doing has – it gives you opportunity – doing that approach gives you the opportunity to break a big box up into smaller forms that would better fit in with the neighboring existing buildings on California Avenue so I think that's worth considering. On the plaza on your concept two, you know I'm not an expert on plazas but I was – I've been doing some research into the New York City code on plaza design and also some other urban designers. They have recommendations for the plaza and it seems to me that this one doesn't – they generally recommend having – like if you have a path from the edge of the sidewalk to the building, then that path goes in straight at least eighty percent of the way. It seems to me that this is chopping it up too much in this particular scheme. On concept three, when I saw your – saw the images that you're proposing, it reminded me of – what's his name? I think I wrote his name down. [Rafael Nadal], he has a civic building in Spain – a Town Hall building in Spain, which I've always liked. It's a building facing a plaza and I think what really makes that – what separates that building from what you are proposing just diagrammatically is that it has porch space. It has the indoor/outdoor space and I think that that's really the key because you get the light and shadow and it gives it the sense of having a Greek colonnade but it's not Corinthian columns. I think it's also important to have the indoor/outdoor space because otherwise, if you just have vertical – narrow, vertical slot windows, it can look like a jail. There's the famous or infamous jail in Chicago, which has the little – instead of having bars on the windows, it's just skinny slot windows so nobody – they are so skinny that nobody could ever break the glass and escape. Oakland has one too, off of I-80 freeway and I think that would just be the worst direction for this building to have something look like that. I don't think that – you're not doing that exactly but I wouldn't want it to go that way. We did – somebody did do this on the – this approach on our Blooming days building at Stanford Shopping Center and the only caution that I have there is that they had a design architect. Then they had an architect director and things fell through the cracks between the two and then they were coming to the ARB to try to solve all of them; all of the odds and ends. The interior and the exterior never matched and it was just a battle. It was a very difficult situation so I would want the – if you do that approach, I would want to make sure that it's all resolved and allow for change. I would image that the insides of this could change over time. If you (inaudible) over 100-years, the insides will change so I wouldn't get to specific about the programming inside of the police station. On the plaza design, I just wanted to mention the things that I am interested in. So, one is south facing, which I think you have. Visibility for openness in the sense of safety and that's been an issue on some of our parks here in downtown; Lytton Plaza, [Codel] Plaza. The sense of safety and the openness where an issue. The City has removed some of the barriers there to make them more open so I do want to mention that because I know you still have to do your security issues but we still want it to be – have a sense of openness. They are saying that on the New York City code, that along the sidewalk within the first 15-feet of the sidewalk, that it's at least half open. So, we will see how that works with your safety requirements. Try to get – try to keep the plaza level less than 2-feet above the sidewalk level. It seems like you have a couple steps, which is what? A foot or two?

Mr. Cusenbery: It goes up two-feet – the building is two feet above the sidewalk.

Chair Lew: Ok, so I think that's – by the New York City code, that's the maximum. Keep the stairs low, right? Low, shallow height steps; more like 4-inches instead of 7-inches. Paths be 8-feet wide at least and extending eighty percent into the depth of the plaza and to minimize obstructions. It seems like there are air vents for the garages, you have your driveway ramp for operational vehicles, all that kind of stuff so try to minimize those or design them well. I think Wynne would be interested in this, New York City

outlines six different types of seating and then it says – it gives you how many different types of seating that you have. The different types are moveable, individual, fixed, seat walls, plant walls, steps so anyway, we don't have the New York City code but I think the point is, is that we're interested in a – to make the plaza usable. You want to attract a diversity of people and uses at all times of day and night. I think some of your schemes do that; some more than others. I don't know but I think that's what we are interested in going forward and to see how that works. Ok, any other – that's all that I have. Any other comments from the Board Members? No? Did you have any follow ups that you want to...

Mr. Cusenbery: My main follow up is to thank you very much. This is very articulate and helpful suggestions and it's exactly what we're hoping at this point. In a way, this is a weather balloon and your feedback has been very helpful so thank you.

Chair Lew: Great, we look forward to seeing this come forward.

Board Member Furth: I have one question on the communications tower, which is why don't we enter into a lease with the County and stick it on their building. I mean that's a very – that's more recessed location and closer to higher raised buildings. It's our sister public agency.

Mr. Cusenbery: For the record, this – these views have the 135-feet so you see the tip there. It's a little hard to see but you see the tip there and you see the height here so this does represent the 135-feet. Where are the previous ones that I showed you did not?

Mr. Raschke: If I may, Los Altos and Mountain View both have very similar towers to what we're looking at so if you look on San Antonio Road at Edith's, you can see it from there. It is setback – you know Los Altos has the orchard around their civic area and Mountain Views is right on Evelyn Avenue right by their police station. They create sort of a microwave ring that encompasses Santa Clara County and it's very important that we have this tower but it will be difficult to hide it.

Chair Lew: I pass by both of those towers frequently. They are on my regular routine and every once in a while, I look at them and am like oh, that's ugly. Then ninety-nine percent of the time I pass by and I'm thinking about what I am eating for dinner or whatever and I don't notice them. We'll see it when it comes.

Board Member Furth: I don't think any of us think you can camouflages except with very high – you know with stealth technology on a 135-foot tower. That's not the question, the question is, of the available places that you can put it, what is the best?

Mr. Cusenbery: My takeaway from the conversation was integrating it into the design such that it's there but it appears intentional as opposed to just screened.

Chair Lew: Ok, thank you.

Action Items

- 3. PUBLIC HEARING / QUASI-JUDICIAL. 744-748 San Antonio Avenue [15PLN-00314]:** Recommendation on Applicant's Request for Approval of a Major Architectural Review to Allow the Demolition of Two Existing Commercial/Office Buildings at 744 and 748 San Antonio Avenue and Construction of Two, Five-Story Hotels (Courtyard by Marriott with 151 rooms and AC by Marriott with 143 rooms). The Site Will Include Surface and Two Levels of Basement Parking. Environmental Assessment: A Draft Environmental Impact Report (DEIR) was circulated for public comment from March 27, 2017 to May 10, 2017. Zoning District: CS. For more information, contact the project planner Sheldon Ah Sing at sahsing@m-group.us

Chair Lew: Ok, are we ready for the next item or do we need to take a break to set up the next applicant? Ok, we're going to take a very short minute coffee break; 5-minutes. Item number three which is a public hearing for a quasi-judicial matter; 744 and 748 San Antonio Avenue. Recommendation on applicant's request for approval of a Major Architectural Review to allow the demolition of two existing commercial/office buildings at 744 and 748 San Antonio Avenue and construction of two, five-story hotels (Courtyard by Marriott with 151 rooms and AC by Marriott with 143 rooms). The site will include surface and two levels of basement parking. Environmental Assessment is a draft EIR was circulated for public comment from March 27, 2017, to May 10, 2017. The zone district is CS. We have Sheldon Ah Sing here as our planner. Welcome.

Mr. Sheldon Ah Sing, Project Planner: Yes, thank you. I've provided a PowerPoint presentation and the applicant is also here with their PowerPoint presentation. You've done a good job with explaining my first slide but just to kind of build upon that, that in the draft Environmental Impact Report, we do have one unavoidable impact and that's to the eligible historic resource that's on this site. That's why we have the EIR in the first place but I also wanted to mention that the property in the City of Mountain View, that's the rear so to just put that in context. Then you did mention about the basement parking. There's a full one level basement and then the second level is a partial on the site and it represents about seventeen percent of the site. They are here because of the architectural review and as well as they have a parking adjustment that's up to twenty percent for valet parking. In the basement parking area, they do have valet spaces that take up the drive isle so there would be a valet operation for this site and that was included in your packet on how that's going to work out. There were a number of meetings on the project. There were former ones here but also there where meetings that where outside of this venue. I met with some key people from the neighbors across the street when the project initially came in. As well as the applicant did host a neighborhood meeting on site during the course of this project. There was a preliminary ARB, there was two formal ARB meetings to date, as well as there was an environmental scoping meeting for the Environmental Impact Report. All long, there were comments made by the public and also by the Board and Staff as well on how to revise the project to make it more consistent with the City's findings. At the most recent Board Meeting, the Board did raise some comments and made a motion on that. Those are to revise the three-story glass element on both buildings, as well as provided warmer colors for the AC building; drawing upon some of the local context. Provided elevations with some mature trees and acknowledging what that would look like. A better-defined side setbacks. Adding more plantings to the terraces. They were also to provide some depth and interest by extending the cornices into window details along the side elevations as well. Then there was a comment to add some benches so the applicant, in their presentation, will describe how they've revised the project to address those concerns but I did want to mention that we are supportive of the changes that they made. We would like to have the project come back to the subcommittee to address the landscaping however and that's a condition of approval. I did want to mention in the Staff report that just addressing the landscaping as well. They are – the applicant has added cypress trees to the side. I know in the Staff report we mentioned a certain height. We did want to recognize some of the constraints that the building is on a podium so given the roots and the trees, you're probably looking at more of just over two-stories for the height of those trees. Instead of – I think we had a much larger number so just to have that more realistic. Some of the key issues that we've had throughout the project was we've had esthetics and dealing with some of the mass and what the building would look like. Having to deal with traffic, particularly long San Antonio. Then hydrology, we had some comments about the fact that there's a basement so dewatering of the site. So, esthetics kind of goes into both realms of the project, as well as the Environmental Impact Report. Traffic is mostly with the Environmental Impact Report, as well as hydrology. Just to mention about these issues, they are all really good issues by the public. Very synced issues. None of them where really kind of out there so I just want to acknowledge that they were all really good comments. To go into esthetics a little bit, just given the context of the area, it really includes a lot of low scale development and a much more older development. However, the site is in transition and the code does allow for up to .4 FAR for most buildings. Except hotels, there's an incentive so to speak for more FAR; up to 2.0 and that's what's the project that we have here today. This project does maximize on that and would include the two, five-stories with the underground parking. San Antonio Road you have 24-foot special setbacks on both sides. It's a divided road with four lanes and a median so there is some separation and streetscape is quite wide. What this exhibit is supposed to demonstrate is

what the existing FAR is there along San Antonio for that block. You can see that .4 is what the maximum standard is typically for commercial. Of course, the (inaudible) the hotel difference so most of these sites are below that. There are some a little above that. There's a Court Campus that's kind of off this picture here. That's a bigger project so you can see where there's a lot of potential in this area still if people wanted to redevelop. It's an area that we would consider that's in transition. One of the challenges is for this site has been that you have two hotels and two different brands. Normally, you see on the site you can work with one building and maybe you can kind of put it in the middle and we've had some discussion about that and the applicants have responded to that. What we are trying to do is how do we address the edges? The front has been the major issue there and of course the applicant has addressed that by having these terraces to the front and step that back. This exhibit shows the cross section, of course, between – with San Antonio and there's also some additional landscaping on the opposite side where the residential buildings are. It's shows what that distance is and the relationship between the proposed building and the existing residential buildings. Here's some of the front elevations of the buildings and also the size, just showing how the articulation looks from a plan view. Again, here are some of the sides of both the buildings and the applicant will go into a little more detail on that. We believe that the applicant has addressed the edges and concerns regarding aesthetics in this case. CEQA is the other part of the component that we have to get into the required under State law and an Environmental Impact Report was completed for the project. We initially started with the scoping meeting and notice of preparation. Then we had the draft EIR circulated starting in March through the beginning of May. The report identified some areas where there were significant impacts but they could be mitigated except for the cultural resource. So, you had air quality, biology, cultural and hazards and only cultural resources was an unavoidable impact. There's a mid-century modern building that is on the site and that building was deemed to be eligible for listing on the California Registry due to its age and sort of the character of the architecture. So, of course, there is an impact of that. There is not mitigation when the proposal is to demolish that structure. So, where we are in the EIR process. We have the final EIR that was published yesterday online. We have a mitigation monitoring reporting program that speaks to all the mitigation measures and a timing of those. We have statements of overwrite considerations for the unavoidable significant impact. This will all go to the City Council for their certification of adoption of the project so if the Board makes a recommendation today, then we would be looking at the subcommittee meeting for the Council to consider these issues. Now going back to one of the other key issues of traffic. So, this is all standard types of methodology that's used in – when we look at what is a significant impact? So, the first thing that you would do is to have the trip generation and those are by use and the standard is by the ITE. That was used – the standard was used for the City, as well as the State and United States. There is a sample that they use to come up with what that ratio is and so that was applied. There was a study area of twelve intersections that were done and the level of service is the metric that is used to determine if there's a significant impact or not. That's usually an amount of delay that's at an intersection. There's agrarian that goes between letter A and F so think of it like it you're at a grade school or something. A is free flowing and F is a gridlock situation. An acceptable level for the City is D and E is for accounting management program intersection and none of the intersections were below that standard. There definingly is traffic out there. We can acknowledge that at peak hours but none of it was below the standard as acceptable by the City. In addition to that, there was a comment about queuing lines for left turns and again, that was deemed to be acceptable ninety-five percent of the time, which is – there are no CEQA threshold for queuing so that was an (inaudible) standard that is acceptable. Then having to do with hydrology, the fine EIR did clarify the depth of the excavation to 18-feet for a portion of (inaudible). I mentioned that seventeen percent is that second level and the location area is not near any structures so there wouldn't be a concern regarding subsidence. The majority of this would be dewatered to a depth of less than 10-feet and would be – the dewatering would also be consistent with the City's new ordinance regarding dewatering. In conclusion, the project complies with the objective development standards with the exception of parking and they are going for that exception. The ARB did identify a number of issues at previous meetings but many of those concerns have been addressed and we're asking that the project come back to the subcommittee regarding the landscaping. Then we request that the project receive a recommendation from the Board today for the certification of the Final EIR, as well as the approval of the project to the City Council. That concludes my presentation and I would be happy to answer any question that you have.

Mr. Jonathan Lait, Assistant Director of Planning: Chair, if I may? I want to thank Sheldon for that summary recap and sort of setting the stage for where we are. I just wanted to also bring the Board's attention to packet page 133. As Sheldon noted, the Board has had a lot of dialog on this item. You last met on it about 2 months ago and as we've been trying to do more recently, is get pretty specific direction in our motions and this meeting is that you've considered a lot of issues and the direction that you gave us about 2 months ago was to focus on – it looks like one, two, three, four, five discreet issues that are on packet page 133. It is our hope that you would focus on those items that the applicant went back and reevaluated. Thank you.

Chair Lew: Ok, I think now is the time for the applicant presentation and also, I do want to mention that we do have a lot of speakers on this item and so we're going to limit the time. We normally allow 5-minutes per speaker but I am going to limit it to three because otherwise, we would be here for well over an hour just on the public comments. Also, are there any disclosures by the Board Members? This is – I have one. I talked to architect Randy Popp on, let's see, May 8th for just like a minute or two. He was just asking for clarification on whether or not the Board wanted to see the building – if the Board wanted the buildings to be different—more different than what we had seen at our last hearing. Ok, welcome and you have 10-minutes.

Mr. Greg LeBon: My name is Greg LeBon. I am Vice President of design with T2 Development. Good morning. Thank you for having us here today. We're very excited about the progress that this project has transformed over the last 2-years. This project, as Randy Popp will show you, has really been enriched by this process so we want to thank you for that. I know we're on limited time so I'm going to pass this off to Randy and he'll tell you.

Mr. Randy Popp: Thanks, Greg. Alright, so Randy Popp, architect. I'll just in here really quickly and mention that although Sheldon had sort of summarized this. I actually went back and watched the video of our last discussion in April and was very precise about listening to what your comments were and so this is a good list. It's summarized properly by Sheldon but a couple more refinements there. I'll echo Greg's statement. It was a very productive meeting in April and appreciate how precise you all were. In the next few minutes we will touch on all these items but first I want to just give us a quick reminder and perhaps a great example of how this project can be successful. Look where we began and what this was like, then compare this to today. Just for reference, it's virtually the same number of rooms and the same FAR. Let's just dig right in on the San Antonio frontage. You asked us about the full height glass and full height glass is not just common but it's really desirable and what we've done is extended the floor plates across to avoid the impression of a multi-story interior space. It's a little bit concealed by the trees here but we wanted to really be honest about what this building is doing on the inside as well. Through a combination of some plan adjustments and extending the cornice cantilever to really the practical limit of the material, we've added interest and contrast, breaking down the massing further and creating some strong shadow lines. The Courtyard with its angled planes and rhythmic spacing of fenestration is in contrast to the more sleek and regular forms on the AC, that you will see in a moment. The variation in detail extends to the materials as well. I have a rendering for you of this, that's a little higher quality because I wanted you to really be able to see the materials and to visually observe that. It's a little bit hard to do electronically here. The Trespa panels are designed to reference wood paneling and they are interspersed with hand trowel plaster. From a distance, it will appear smooth but up close it's going to feel very refined and much like stone. Metal trim now painted to pick up on the dark green and the Trespa has replaced the stark white stripes that were on the building previously. So, color variation, balcony railings, sunshades, and window divisions all contribute to a design that is intended to break down the massing into some very discreet elements. These two buildings are a bit like siblings. Some similar features but otherwise, pretty unique. Our goal is a cohesive campus that's sharing amenities. The AC is more geometric and simple. It's meant to appear more sleek and streamlined. Fenestrations organized into groupings, while architectural elements box out and frame portions of the building as a different approach to breaking the massing into easily comprehended components. Colors have all been adjusted and refined. While our electronic images struggle a little bit to exhibit this, the sample that you have is a color reference from a mature leaf of coast live oak. As with the Courtyard, we're using the hand troweled plaster but reflective of the brand, we have clean metal panels to compliment the clear

anodized aluminum window frames. Similar overhangs extensions at the terraces create those same generous shadows and the contrast that we are looking for. Just getting a little bit closer, we want – with some enlarged views placed side by side, this helps to illustrate the points I've just relied on. Overhangs, elements, window forms, and materials are all in support of our architectural goals. One last look at the more urban focus pallet of the AC and I put that oak tree there as a reference. We really have attempted to manage those colors in a different way. Where they were very, very saturated before, they are a little bit more muted now and the greens and other colors are lifted from natural elements. The much more natural and maybe sort of earthy courtyard pallet. What I would like to do now is a shift to the pedestrian experience at the front and I'll invite [Gary Laymon], who is our landscape architect to come give you some information about that.

Mr. Gary Laymon: Good morning. We're excited to be back here. We received some great comments last time and we've been able to build upon that to create a really wonderful landscape pallet for the project. One of the things that we wanted to do as create more buffering between -- long the -- excuse me -- long the San Antonio frontage by taking the existing street trees, which are a south live oak species and to amplify that to make a denser, larger scale trees canopy across that whole façade there. So, we've increased a number of trees and the size of those trees to really help reinforce that feeling overall. Then the ground plane, there's a lot of native plant materials that have been used, as well as other flowering perineal sort of color opportunities to be able to make those -- that area very inviting. We've included seating along the street frontage, along the public sidewalk to be able to provide a more inviting opportunity there for people to be able to sit down, go to the café that's in the hotel complex. To be able to stop and take a break along the street frontage and it's kind of within the canopy of the oak trees so it's -- that's a really nice amenity. We've had a lot of detail in looking at the site utilities and making sure that they are well hidden behind other (inaudible) walls but just really creating a very rich environment there. You can see that we've also added in the plan view here, the Courtyard -- the patio terraces that are on the upper levels. We've been able to add plant materials to those areas as well to make them very warm and inviting. Providing filtered views on both, provide privacy as well as green scaling elements for those areas. We think that those will be really successful spaces.

Mr. Popp: I'll just step back to the terraces just for a second and mention that this is really a direct result of trying to reduce the height perception but still taking advantage of the benefits that this height can provide. We're expecting these to be highly desirable spaces for the views. We anticipate being able to see Hoover Tower and beyond to the foothills here. The question about the size of the building being articulated enough; I sure think so. Even stripped of the landscaping as they are in these renderings so that you can really see the buildings, the massing is detailed and buried and interesting. Where the Hilton Home and Suites is a boxy and simple building and you know, I can say that and be critical because I was the concept design for that. I hope you can read the added layer of character that we've incorporated here. Forms that draw across floors, knitting elements together, color placement and varied window systems are all contributing and so it's even easier to see as we get closer. Plane that pushes in and out and architectural elements places to create shadow and interest. Interesting geometric forms to create relief and enhance the differentiation between the brands. So, let's bring the landscape back to the discussion.

Mr. Laymon: One of the areas that we really focused on was looking at the side elevations of the building and taking a look at how the building materials were changing, how the recesses worked with the building and materials. We wanted to make sure that we had a large landscape presents along this side elevations but in further to response to your comments, looking at how we could articulate the landscape more so that the landscape and the building were engaged and there was a dialog happening there. Now the main thing that we did was we introduced Italian cypress trees as a second layer to the Italian buckthorn planting that is along the property line, in addition to the property line fence. That creates this nice layering of materials. It's all evergreen but it will be different in texture and color and we've chosen plant materials that are very fast growing so that these impacts will be manifested soon than later. We think that's really been a successful addition to the project. One of the things that we tried to do where every possible was to incorporate more native plant materials as a part of the landscape design. We're at an urban context within the podium area, which makes it somewhat challenged to be able to use actual

native plant materials in those areas but we're using drought tolerate materials throughout. So, we know that we are going to be well below the thresholds of water use and such. We think that we are creating actually a significant amount of habitat, both in these native species, trees, shrubs and ground covers. As well as related species that are also supportive of wildlife habitat conditions so we think it's going to be a good neighbor in that regard.

Mr. Popp: Sheldon didn't mention this in his presentation but I'll just bring it up. This was a comment that came up at the last time and it's something that the public has asked as to why do we need more hotel rooms? I'll just share with you that while the area has seen some pretty significant commercial growth, the demand for hotels has matched that but in the 12-years since Hyatt Ricky's was taken down, we're still 77 rooms short of that number. We spoke with the treasury division at the City to get some data and it's pretty clear that although development has continued, it just hasn't kept pace and so that's part of why this is so important to do. Just for reference, a fairly conservative analysis has the TOT for this 294-room development at an 85% occupancy at roughly 3.6 million dollars in a 3-year period. If I can have just another moment. I'll just end by saying we thank you and I'm happy to respond or address any comments that you might have. We're looking forward the discussion today. Thank you.

Chair Lew: Thank you. Are there any Board Member questions? Otherwise, we'll go to the public comment. Peter?

Board Member Baltay: Yes, I wonder if we could get some clarification. The Staff is requesting that we have landscaping work be put on as a subcommittee item. What more exactly is that that means, Sheldon?

Board Member Gooyer: I thought that was more geared toward last time when we said that we could do that. I don't know if that's...

Mr. Ah Sing: Ok, so we have condition – in Attachment B and its condition number seven. Packet page number 147, condition seven. The applicant returns to the Board subcommittee with a revised landscape plan that reflects the regional indigenous, drought-resistant plant material required by the findings.

Board Member Baltay: That's the entire landscape package for the whole project or is it just the frontage of San Antonio Road?

Mr. Ah Sing: It would be the whole project.

Board Member Baltay: Thank you.

Chair Lew: Ok, so we have lots of public speakers. You are limited to 3-minutes each and I'll give you the order of maybe the first three speakers. I have Thomas [Rosline]. I have a Storkmen, W., I don't have a last name for that or first name for that and [Maradee Taylor.] If you would come up to the microphone, please. Great, welcome.

Mr. Thomas Rosline: Thank you for the opportunity to address the Review Board and I am sure that you are going to hear a lot of comments so first off, thank you for considering all those and for the work that you have been putting into this. I'll just start with a very simple comment on the Architectural Review Board Staff report. If you look at finding number two, part E, it concludes that this project enhances living conditions on the site if it includes residential uses so that does not and in the adjacent residential areas. As someone in the adjacent residential area, I'd have to dispute that enhancement because just by the nature of it, this project will increase the traffic, there will be noise and population. The level of service DNE doesn't seem acceptable to me and I don't know why we would be considering acceptable here. Those are my comments. Thank you.

Chair Lew: Great, thank you. We have W. Storkmen.

Mr. W. Storkmen: Thank you.

Chair Lew: Thank you.

Mr. Storkmen: I wasn't aware of Palo Alto until the 19 – mid-1930s. At that time, I was a younger man and my uncle was here and that moved us to Palo Alto. I knew then that I was going to move to Palo Alto and I have been a resident of Palo Alto since 1954, down at the southern end. Oregon Avenue created the haves and the have-nots in Palo Alto. If you live in the north, you are the have. If you are in the south, you have not, which was a distressing thing for us in the southern part. My concern is not too many. I notice that Google uses Charleston, Leghorn, and Middlefield as exits out of getting in and out of – from their work on the eastern side of Bay Shore. It's heavily trafficked and each of those three left-hand turns is stacked up with cars from 3 o'clock until about 6 o'clock of those people going home. Coming down from the north you can get off and the worst part about the whole thing is in order to get to this hotel, you have to drive past it, you have to get into that left lane that the Google people get in and make that left hand turn to get to the hotel. Unless you come from the further south and approach it from one of the – Middlefield, from that way. So, this is a very disturbing thing and it's ugly and it seems like our City Council has no respect for the people who live in the area. There were masses amount of people that -- I gave out 400 flyers and I never heard any objection to what I was trying to encourage that we should let this project be built here. There is a disadvantage right now because they all have to make a left-hand turn unless they go past San Antonio and come back on Middlefield to get to the hotel. This is a disaster. I don't understand why we are even thinking about a project like this. Oh, goodbye.

Chair Lew: You still have a minute, if you want. (Crosstalk) You have one minute.

Mr. Storkmen: (Inaudible)

Chair Lew: Ok, thank you. The next speaker is Janet...

[Ms. Mara D. Taylor]: [Mara Taylor]

Chair Lew: ...oh wait, I am sorry. [Mara D Taylor] and then the...

Ms. Taylor: Yes, thank you. I live at the Green House and I've lived there since '74. I've been a resident in Palo Alto since '55 so I've been here a long time and I wanted to say that I appreciate your consideration of the project near Cal. Ave because it looks like you're really going into some detail. This one, I think it's like it's completely black and white. You're not considering any of this. The very points that they are trying to make that are so positive are clearly not positive at all. They present a lot of stats which are great about this and it's good that we have stats to make – to keep everybody in line but none of these are realistic. The building looks like a prison by their plans or like it came there with much effort and plopped down because it couldn't go on. It's really, really, is an eyesore. The traffic is probably the main thing and I have something that I took last night when I was coming home and I want to give it to you because the picture is worth a thousand words. Whether it's in the morning when they are coming work, at noon time when they are going off and doing other things while they have some time if they actually take noon any more. Also, in the evening and this is – there's one picture of it where it's congested and it does show one of the Palo Alto Plumbing. They have to go around and switch around so that's one example of the businesses that are already there that are having trouble in negotiating the Leghorn/San Antonio intersection. I marked it Leghorn here, Green House here and you can see that it's completely packed. There's not a place where there's not a car and then the site is that people have pulled into the intersection because they want to try to get through the light, which is against the law but there's no place to go. They are stuck there. At Leghorn, I've thought that I'll go around Leghorn to the back entrance. I've sat through three different lights just trying to get through because of all the traffic backed up. This hotel has no back exit ok? Whether that is good or bad but how are they going to bring all the stuff that they need to maintain the hotel? They are going to have to bring it in the front. They can't exit so the congestion is going to be three times as worse. Plus, the fact that all of the stats that they gave on the traffic, whether the flow was this way or that way. In reality, it's not flowing now and

the hotel is not even there. Can you imagine what it's going to be afterward? Plus, the fact that my little picture has the theater part of the Jewish Center, which you cannot – you can't help but see. They presented the fact that you can have the esthetics – oh, you can see Hoover Tower. The mere thought of that, from my home, since '74 is that the esthetics are going to (inaudible) for the people on the top floor, which already defines that it's too high if they can see Hoover Tower from San Antonio Road. I mean, it's really a horrible concept all the way around. Every positive that they have had is, in reality, a negative. If I – I am going to stop talking and I would like to present this to you to just have a looky. I put one and two. Thank you very much.

Chair Lew: Thank you. The next speaker is Janet – there we go. Janet Kale and followed by Nancy Martin and Lu Lu. It's sticky sometimes.

Ms. Janet Kale: Again, thank you very much for allowing us the opportunity to present our consideration and our thoughts to you before this project is actually completely done and buried or built and erected. We – you've heard a number of issues. You've heard from residents before and I'm thinking that you are going to be hearing from a number of more residents this afternoon or this morning about their considerations and their concerns of a five-story building on San Antonio Road that does not fit in with the Community. It is not residential in the sense that we live there as residents who are actually living, working and paying our taxes to you and to the City and contributing as individuals in this area. You're going to hear all about how the traffic impacts, you're going to hear the environmental impact, you're going to hear all kinds of things. I think you're taking far more consideration with the police station that's in Palo Alto and considering what the impact of that is going to be on the surrounding community than you are of us. You've heard that we are the "stepsisters" community of Palo Alto. That has been in my mind for a number of years. I've lived here since 1974. I've lived at the Green House all of that time basically and I have been on the Board of the Homeowners Association for 40 of those years. I have been the Board President of the last number of 'x' years and it must be at least 20 or 25 at this point. One keeps getting reelected if you don't do something drastic. I'd like of all of you to just take a hard look at where we live. Take a look at the community, take a look at the environment. I many not have all the politically correct buzz words to use to give you the appropriate information but one of the things that bothers me is a five-story building directly across from the rising sun, the rising moon, the stars at night. I use to be able to see of those before the trees got pretty high and now the trees get high and I wait until they – the moon comes up above the trees and the sun rises. I don't always see that in the morning but when – you could. It's going to impact our environment and our living conditions. A building of this sort is much more appropriate to be built on El Camino. If you drive from Sunny Vale up through Redwood City, you're going to see all of these wonderful buildings that are square, angular, stuck right on the street and I'll grant you that they are setting back this building and putting some plantings in front of it but when I hear them say I'm planting something and it's going to be big and grow, I'm afraid that poor plant is not going to survive 10-years. It's going to be so compacted in an area that it doesn't give it the proper environment to mature and grow and be a healthy plant for that particular area. Again, I would like to ask you and Mr. Lew, I believe that I am correct, you have family members who have lived in this area. Walk in their moccasins, eat at their dining room table, look out their windows, what are you going to see? If you only want to see a five-story building directly across from you, which is going to be taller than those on San Antonio Road, Carmel Village, the ones that are going in right across the street from that. Just put yourself in our place for a minute or two and see how you would feel if you had to look at a five-story building that was basically square, rectangular and it didn't fit the community. Think about how we live. We do pay taxes. We're down at the end of Palo Alto. We're not very in the middle, we're at the very end but we're still part of your community. We still pay taxes and we still vote for City Council Members so thank you very much for allowing us this time.

Chair Lew: Great, thank you. Nancy Martin, followed by Lu Lu and then Joan Beitzuri.

Ms. Nancy Martin: Hi, I'm Nancy. I've lived at the Green House since '76. Every bit of the word progress since then has led to more traffic. Progress, I do not define as more buildings. To me, this has been negative progress. We have lost so much. More businesses in the area do not add to a positive resident experience. Residents, that I have spoken with in the area, do not have confidence in the reports from

the organizations that have been used in the EIR. I specifically site reports from Hexagon. It is just not believable that a hotel with 294 rooms and a commensurate number of employees and services needed will only add 88 and 87 additional traffic trips a day; naive to believe that. Charts use for the projections do not tell the real story. Traffic is bad now and it will become intolerable. I quote from the EIR, the project would increase the average delay (the weight time experienced by drivers using the intersections) by 0.5 seconds or less; naive. Unbelievable. Not true. Anyone who drives San Antonio at any time but especially at commute times would know this is not realistic. The City expects LOS (Level of Service) operating conditions of level D or better. The hotel traffic will lower levels to LOS F. Jammed conditions with excessive delays. This already happens at certain times of the day. The U-turns required at San Antonio and Middlefield, San Antonio and Leghorn will become traffic nightmares. I could go on and on about traffic but to move on to project objectives. Provide much-needed hotel rooms in the area of Palo Alto not currently served by hotels. Excuse me, these hotels are going to be used by Google who is in Mountain View, not – there's not a lot of businesses in our area that need these hotels. Augment City of Palo Alto hotel tax reviews – revenues. Well, you've got the new hotels and you've got [paramonty] that you are going to be talking about. Redevelop an underutilized area. Excuse me, by who's definition? This – Ok, I have more but I also am Lu Lu. Lu Lu has to work so I've been asked to read...

Chair Lew: Can we do this? I think – So we do...

Ms. Martin: I'm sorry.

Chair Lew: Yeah, I can't allow you to speak on behalf (inaudible) (crosstalk)...

Ms. Martin: I was last time.

Chair Lew: I know but...

Ms. Martin: He wrote...

Chair Lew: I know but we've actually gone – the Staff has gone through this with me and...

Ms. Martin: Well, nobody told us.

Chair Lew: Well, ok, I will say that we have it written on the agenda.

Ms. Martin: No, he's written a new email.

Chair Lew: No, no, let me...

Ms. Martin: Lu Lu has written a new email and he asked if I would read it, please.

Chair Lew: I can't let you do that. So, our rule is...

Ms. Martine: What's the harm in it, please?

Chair Lew: I'm going to give you the rule, which is on the agenda, right? Spokesperson that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesmen's – spokesperson's presentation will be allowed up to 15-minutes. So, that's our rule. We haven't always enforced it in the past.

Ms. Martin: Of course, all the advantages goes to the developer.

Chair Lew: All comments can be set to...

Ms. Martin: Well, Mr. Lu Lu happens to be a transportation employee. I'm sorry. (crosstalk)

Chair Lew: All comments can still be...

Ms. Martin: Think about the City residents.

Chair Lew: All comments can be submitted to the Staff. They get forwarded to the Board, they are included in the packet and they will go to the Council for review. So, it's not too late to get your comments in. Ok.

Ms. Martin: (Inaudible)

Chair Lew: I'm sorry, you're... Excuse me, you are out of order and if I have to I will...

Ms. Martin: (Inaudible)

Chair Lew: You are out of order and I've never had to use that before. Ok, Joan Beitzuri and Joan Larrabee and Pat [Sturett].

Ms. Joan Beitzuri: My talk will be short because no matter what facts we bring up, traffic, dewatering, visual degradation and no matter how much we prove that this hotel project goes against everything the City of Palo Alto stands for. No matter how much we prove that these hotels are not a fit in our neighborhood, money, and influences override doing what's right. Let's remember that in the early stages of this project, the ARB recommended that since this would be the first hotel in this area, that Marriott should concentrate on making them more pleasant, less dense, and a benefit for their neighbors and requested a major redesign of this project. Well, of course, this didn't happen. They – what they did was they lowered the number of rooms from 300 to 294. Marriott doesn't care about its neighbors. It only cares about making money. This hotel provides absolutely no benefits to the neighbors. These facts became a reality when at the April 5th ARB meeting, at the last minute before discussion of our agenda, Alex Lew, Peter Baltay, Wynne Furth and Robert Gooyer disclosed that they had privately and separately with architect Randy Popp. We attempted to voice a rebuttal but we were immediately told that we were not allowed to speak. This is a violation of City regulation. I'm sorry, I am upset. So, after these private meetings, the Boards position did change. It turned from the earlier position that I mentioned. Instead, your focus now is on shrubs, changing some colors, and adding a bench. Tax revenue and money is your decision maker, not doing what is right so check off and own approving the project that will have a major horrific and negative impact on our neighborhood and on the City of Palo Alto.

Chair Lew: Thank you and I ask not to – to withhold any applause. It's – or negative reactions. We do that because if there are people who want to support the project and they are a minority in the room. Then they would feel you know – what do you call it? Intimidated by a large crowd so we try to have no applause or boos at all during the hearing. Ok, so Joan Larrabee.

Ms. Joan Larrabee: Good morning y'all. I'm back. We got the copy of the final EIR at 5 o'clock last night so that's a little disappointing. The project ignores the requirement of the City that new development be compatible with existing surroundings. Palo Alto from 101 to the City limit line at Alma Street, which some of you don't know that the City ends at Alma Street, is primarily residential and small businesses. Summer Wind Nursery, a couple small churches, small businesses like Tai Chi and this and that catering to the residents. Of course, the five-story hotel doesn't do anything for the residents and some of the other people have suggested to you that a nice small hotel like the new one in Los Altos would have quite acceptable to us but this is not. Most of the people – most of the project and most of the Street, San Antonio Road, is housing. It starts at the JCC, which Mr. Popp designed. It's mostly senior housing. There's housing in Greenhouse One, Greenhouse two, hundreds of condominiums nicely landscaped, 670 San Antonio Road and 444 San Antonio are townhouse developments. There are apartment buildings and just small businesses catering to residents but the EIR – and we only have four lanes. Not like over in Mountain View on the other side of the train tracks that is six lanes wide where the tall buildings are. We have only four lanes and when construction starts, one of those can get closed down. The EIR says that our area is not suitable for housing but we've all lived there for 30 and 40-years and you're telling us that

it's not suitable. We've got two schools, daycare, everything and it says that it's not suitable because there's no train station but further in the EIR as mitigation for the hotel, it says there's a train station with 20-minutes headways for the trains. Which is it? There's a train station at San Antonio or there isn't. The traffic, I can why the traffic counts were not redone because of 5-years ago, Level of Service – and I am going to talk more because you shut us off last – in April. It was already significant – it would be a significant problem and a significant impact and would stop this project if they had current traffic counts instead of 5-year old ones. The more aggregates, of course, is the dewatering problem. They started out with one basement of underground parking and that's all that they did when they did their core drilling and voila! It's now two stories of underground parking with a further requirement to have that checked and I'll tell you something, you are worried about the money coming in. What's going to happen is when [Mr. Bach] who's had a business there for many, many, many years and the little grocery store on the other side when those two buildings start having cracks and start falling in because you are not requiring them to check the water. They are going to sue the City of Palo Alto and that's going to be a negative on your revenue. I just can't believe it...

Chair Lew: Ok, (inaudible)...

Ms. Larrabee: ...but anyway, they are not doing – you're not requiring them to go down another 10 or 15-feet for that second basement and you know what it says in the EIR, it says oh, there's only 67 parking places there. That's doesn't make a difference and the other part of the EIR says oh, it's back in a corner there. It doesn't make a difference. Come on people.

Chair Lew: Ok, yeah, you're...

Ms. Larrabee: And I am done.

Chair Lew: Thank you. Next speaker is Pat [Sturett], followed by Chris Brosnan and Thomas Irpan.

[Ms. Pat Sturett:] it's Sturett. Full disclosure is that I am from Chicago. I did not sit through a jail window to get here and I did not come across in a covered wagon. I've been in Palo Alto for 55-years. I've lived on both sides of Oregon. I know what's been going on and it pretty much – well, I really wanted to start with thank you for your service on this Board. I'm sure it's not easy to determine the outcome of the many projects that come before you. However, I've been lying awake for nights –the bags – wondering what I could that you would help you to take a new look at what you are evaluating. Now, I work the Mid-Peninsula Regional Open Space District starting in '78 and land accusation so I know EIRs. I was not aware that an EIR did not require a CEQA report. I'm sure you've all driven down San Antonio and surely, you've considered oh, it's an emergency vehicle. How will an emergency vehicle get through? I haven't heard one word from any of you thinking about that. It would be interesting to know your ideas on that. It all started with that sign on Alma, where it says all trucks must go down San Antonio Road and in parenthesis, any project that we don't know what to do with. San Antonio is a potluck and the people who live there are left over citizens as far as I am concerned. Again, I've watched for 55-years what's been going on so I know the good, the bad and the indifferent and I know the difference. So, I am going to ask you – all the research that all the residents have done, they are ignored. In fact, one speaker had finished, you thought we were through and somebody said oh, now let's talk about the color on the hotel. Whoa, there's enlightenment for you. I'm going to ask you to put on your neighborhood hats. You're all neighbors and you all have a neighbor. I'm one of your neighbors, I'm one of you citizens and so are all the people who that are here. We shop, live, work, play, everything that a resident does and it seems to me that your first consideration should be the residents of Palo Alto. Not the person that is a hit and run. A person that stops at a hotel. Now, I have noticed that Mr. Popp is proposing a hotel next to McDonald's. Perfect. Absolutely no neighbors, no problem. He talked about grab and go food, ok. He can grab one of his architectural plans for a hotel and put it in; 100%. Perfect place, no neighbors, no objections. Reason has to come in here somewhere. Fairness has to be a part of your decision. Thank you.

Chair Lew: Thank you. Chris Brosnan, Thomas Irpan and Annette Hilton. Great.

Mr. Chris Brosnan: Good morning. Good morning. I'll try to focus on some things that weren't said yet. I looked through the architectural or the Environmental Impact Review and I was disappointed to see no discussion of possible crime. We pride ourselves on having almost no crime in Palo Alto but we do actually have a problem on the street of San Antonio with a crime. Only on the street too, not within our complex so I was kind of disappointed not to see any discussion of that. Another thing that I was disappointed not to see is that these issues are very pertinent but also, we've seen that there's a lot of construction up the street and we've been discussing that. Many of the other adjacent or nearby properties are being purchased as well and it's kind of strange that there's no discussion of what this possible project could have on more projects being done in the area and what that would look like. It just kind of seems like oh, well, let's just do this and worry about that later. I'm kind of concerned that there's no talk about that whatsoever. I didn't think that my 3-minutes were actually up. That was kind of like a –yeah, anyway. For me, I've grown up in Palo Alto and it was a nice place and I still think it is a nice place but it's becoming a little unlivable in terms of there's much pollution on the streets right now. I've done a lot of research about this stuff. I've had the privilege to make car exhaust in a lab and test what it does to myself and it's much more prevalent than people really think. There's a lot of research that have shown that even low levels of pollution can harm people and I really – I'm concerned to see kids walking up and down the street going to school and there's just a gridlock of cars that are just spewing harmful things towards them. It really bothers me and I would really like to see more things about that. That's all I really wanted to say. So, far I would like to echo the concerns that my neighbors have brought up. I feel that they are very valid and I would like to see this go forward into a place that people can be happier about it. I think there's a problem when you bring in these experts that are not living here, that are saying oh, there won't be an impact on traffic. Where anybody who lives here knows there is going to be a big impact and you don't need to pay somebody to come and tell us that. I would like to see more input from the residents but thank you for considering our objections.

Chair Lew: Great. Thank you. Thomas Irpan.

Mr. Thomas Irpan: Yeah, good morning and thank you for the opportunity to give you a comment and suggestion. I just want to call the attention that this morning, Save Palo Alto's Ground Water gave a response and photo of clarification on the issue of dewatering. According to Dr. [Kit (inaudible)] who cannot be here today, that the project has not seriously considered this issue. They are (inaudible) and problematic to deal with these issue, instead of taking a risk of a lawsuit of whatsoever. This was already sent out in writing and hopefully, the City planner and the Board had the opportunity to review it in more detail. Thank you.

Chair Lew: Great, thank you. We have Annette Hilton, followed by Suzie Mitchell.

Ms. Annette Hilton: Hi, good morning. My neighbors have already addressed a lot of the concerns that we have. I'd like to just again, emphasize that there are 288 homeowners on this one block; 288. We have traffic lights at both ends of the block, as well as one at Charleston and San Antonio. Charleston, Leghorn, and Middlefield, the traffic is already impacted. The report – the EIR report cited one school. There are actually six. There are two private schools and there are four in PAUSD. JLS Middle School, Fair Meadow, Hoover, and Greendell so it's a biking and walking place for kids, as well as those of us who live there. We have Google buses that are new since the last report that uses our street and the intersection streets as well, all the time. As well as people who go to Costco and come off 101. Coming off 101 are all the trucks coming into Palo Alto use San Antonio because they can't use Embarcadero. So, we have trucks, we have Google buses, and we have the 288 homeowners already who are living, working, going to school and doing their business on a daily basis. That's a lot of traffic on one block and I think the hotel is inappropriate just based on the traffic. There are other concerns about parking, compatibility, the denseness of the building, and something that hasn't been brought up is the lighting. On their diagram, Marriott Court Yard AC etc. is going to be at the third floor. That's going to shine into the bedrooms of people across the street who – that's their home. Thank you.

Chair Lew: Great, thank you. We have Suzie Mitchell and Julia [Conahan].

Ms. Julie Mitchell: Hi, thanks for meeting with us. My name is Suzie Mitchell and I was born and raised in Palo Alto and I currently own a condominium at 777 San Antonio. I've always been concerned about and strongly opposed to the proposed construction of the two Marriott hotels. Initially, my opposition had a lot of emotion mixed in, as well as trying to work with the facts of the project. Given the time during the proposal process, I've been able to sort the emotion away from the facts and be a little more objective and observe what my main concern is and that's the traffic. San Antonio and the intersection of Charleston, Leghorn, and Middlefield are overwhelmed with traffic and the congestion is really impossible given at different times of the day. It's unrealistic to take videos at certain times of the year, which is Christmas Vacations or certain summertime weeks. There are just a lot of holidays that make it look like it's a very smooth flowing street and it's not. Despite what the EIR report states, I and many have questions and question the hotels and how they really will significantly and negatively impact the traffic congestion levels. I believe that we may not be able to change -- no matter how hard we cling to the past or whatever, we may not be able to change or alter the current traffic situation but I do believe that we have a responsibility as good citizens and people who make decisions to not make them worse. I ask that you please give that -- that that into consideration as you make your decision. It's an important one and it really does impact those of us that live in that neighborhood. Thanks very much.

Chair Lew: Great, thank you. So, we have Julia [Conahan] and followed by Patricia Markee and [John Patrala].

[Ms. Julia Conahan:] We've lived at the Greenhouse since 1981. My husband has lived there since 1977 when it opened and I would just like to say that I am against this project. I don't think is very attractive for our neighborhood. I think it's too big, it's too tall and I think that the number of rooms is going to create a real traffic problem. We have a traffic problem now because Google opened and last night, we drove from the Greenhouse up to San Antonio or I mean up to El Camino for dinner and it took us 18-minutes and that's only a mile. It was gridlock and when I'm up there -- when I come over from -- I come down from downtown Palo Alto to shop at one of the stores at El Camino, I don't come home on San Antonio Road, although I live on that. I have to go all the way back to Charleston and come the back way because you just can't move. You can't get in. It's just a terrible situation and I think adding 294 or whatever number rooms is going to be terrible. I also think that somebodies said that you have a Café. I don't know where the parking is going to be for a Café if people want to go use it because the road in front of our house on San Antonio Road is always -- there's always people parking there because they don't -- there's not parking in that neighborhood. Thank you.

Chair Lew: Great, thank you. Patricia Markee.

Ms. Patricia Markee: Good morning. Thank you for being willing to listen to us. Oh, that was fast. I am a long-term resident of Greenhouse One and I am deeply concern about this proposal. These five-story hotels do not fit in our community neighborhood. Most of the people on San Antonio are residents. From Charleston to Alma there are 326 homes; that's three blocks and 44 small businesses. (Inaudible) These buildings are much too tall. The rest of our neighborhood consists of one and two-story buildings. Across the street from the proposed site, the Greenhouses have garages. Our first ground stories, which were dug out of the earth and cannot be seen from the street or from the grounds between our buildings. Thus, making our so called three-story condos, visually into two stories so they cannot be used to justify a tall building. Everything is one or two-stories in the neighborhood. Marriott's report on traffic states no impact. I guess their 300 guests and 50 employees are going to walk. The traffic on San Antonio is fast becoming a nightmare. Especially during rush hours when it's gridlocked. These two hotels both have the same exit; one exit. So, ten cars trying to merge into this gridlock traffic would take a long time and 50 cars driving to dinner would certainly have an impact on traffic. I have seen a photo of San Antonio that Marriott provided. I didn't recognize any buildings or trees in that photo and I have been walking San Antonio for more than 40-years so please be very skeptical. Truth can get lost in companies with a lot of money on the line. A better choice for this site would be residences that meet Palo Alto's housing needs. This would create a more appropriate growth of our community neighborhood. About 550 people reside

in the Greenhouses. Most are connected by the internet so please do remember that we vote. Thank you for your attention.

Chair Lew: Great, and next speaker is [John Patrala] and we have two more speakers after that or one more speaker after that which is Ester Nigenda. Aw, more speakers.

[Mr. John Patrala:] Good morning and thank you for the opportunity to speak. I have just a couple items to discuss. There are more concerns than this and there should be no surprise that I speak against the proposed project. One of my concerns is that the traffic – there's no mention in the EIR whether or not there's going to be a lane reduction on San Antonio during the construction time. Does that mean that you're promising that there won't be or you're just ignoring the fact that you're going to spring it on us later that we're going to go from two lanes of traffic to one lane of traffic? I would like to see something clear and unambiguous about whether or not there's going to be any lane – traffic lane reduction during the construction phase and/or after the construction phase. It's not addressed at all. Last night at around 10, I walked out on the block between the Leghorn intersection and the driveway to Greenhouse two. There were about 13 vehicles parked along that strip there and there was room for maybe two or three more along that strip. If there's going to be lane reduction or if that parking lane is going to disappear during construction, those cars are going to flow back into the neighborhoods. You've probably heard of that problem in downtown Palo Alto where neighborhoods get upset when cars start parking in their neighborhoods so that's a concern to me and it should be a concern to you. Because San Antonio has a median strip, there's only places to make a left or U-turn at the Leghorn intersection or on Middlefield Road and – so you would have to assume – I think it's a reasonable assumption that half of the cars going into the hotel will be making a – depending upon which direction they are going, they are going to be making a left or a U-turn. There is plenty of capacity for making a left or U-turn on the Middlefield Road but there's a very small capacity on the Leghorn intersection. That's just going to – so it's going to back up and impact traffic. Traffic, you may have heard by now, during commute times can get to gridlock so that brings up the question of emergency vehicles. I made that point – I tried to make that point in my comments but the response to my comments were basically that oh, well people will just pull aside and make room for the emergency vehicles because that's the law. Well, in a gridlock, there's no place to pull aside so I think whoever wrote that particular response should reconsider that response. I guess I have one final question, I noticed in the revised EIR that the requirement for a lead certification on the building was removed and I'd like to hear some explanation for the lead certification is no longer a requirement. Thank you.

Chair Lew: Great, thank you and Ester Nigenda.

Ms. Ester Nigenda: Good morning. Ester Nigenda speaking for Save Palo Alto's Ground Water. While we recognize the importance of hotels to the economic vitality of our City, we do not agree with the conclusion of the final Environmental Impact Report of minimal impacts from dewatering for this project. First, if the underground built area will go to 18-feet, it is extremely unlikely that dewatering would happen only up to 18-feet. Recognizing this, the City guidelines call for dewatering no more than 3-feet below construction. Thus, dewatering for the proposed project will likely need to lower the ground water to 21-feet. The Geo Technical Report for this project explicitly says that there are some significantly thick, relatively clean sand layers bellows a depth of about 20-feet that will generate a significant volume of water and not penetrating into those layers with a dewatering well is desirable. Second, the stated area for dewatering to 18-feet is said to be 14,100-square feet. This area is four times less (inaudible) residential basement of 3,500-square feet as a similar ground water level that pump over 30 million gallons of water. I guess you could say that I am a water advocate but four times 30 million gallons is a lot of water and water is more precious than gold. The report claims that pumping will be reduced as soon as possible reducing the potential for offsite settlement. I think the Geo-Technical Report that 16-months of dewatering would be required because dewatering has to continue until two top stories are built to count act buoyance. They also recommended backup power so that dewatering would not be interrupted. Not only would that be 16-months of localized drought for surrounding properties but Palo Alto currently allows dewatering only from April to October, which is 7-months. Our research shows and sent you a graph this morning, that dewatering impacts ground water levels at distances in excess of

200-feet. We also sent you a copy of an article in the San Francisco Chronicle that construction of underground parking near Rite Aide in San Mateo near the Bay has been reported as the likely cause of significant settling and there's a big lawsuit. Gordon Hinkley, the 15th President of the Latter-Day Saints once said that you can't build a great building on a weak foundation. You must have a solid foundation if you are going to have a strong superstructure. We ask that this project be reviewed, especially for the dewatering part. Thank you.

Chair Lew: Great, thank you. Last speaker that I have I Barbra Crime.

Ms. Barbra Crime: Thank you for hearing me. I'd like to say that I've been in Palo Alto at my residences for 55-years and I just go crazy just with the traffic going down San Antonio Road. That used to be easy but now, just to get up to where I can make a left turn on Middlefield coming down San Antonio going East, it takes me three lights to get up to the light at certain times of the day or evenings. Just to get in that left turn lane because you can't get over to get in the lane. I've seen results – I get really angry every time I walk down Loma Verde and [Espeior] when I see all these cars that are parked on the side of the streets in front of other people's residences because the condium's where approved with inadequate parking for the housing. A lot of young families moved in and there was no parking on three sides. There's a little tiny park in back (inaudible) and then on the other side is – I don't know, a business and then, of course, you can't drive down West Bay Shore and so all of those people, as a result, they have – they don't park in their garages because a lot of them store their furniture and stuff in it. Those people park in front of other people's houses and I just think these impact studies don't recognize the fact that there are just going to be these kinds of problems as a result. I've talked with a lot of people over in my neighborhood and they get really angry because people are all parked in front their houses. I know one older lady, she said their friends couldn't come to visit because they have to park so far away but the people who do the studies, I don't know where they live or – I don't mean – I mean where they mentally are to come up with the results that they come up with. I can see with this project, I'll have to wait through maybe eight lights to be able to work my way up to turn left on Middlefield. Thank you very much.

Chair Lew: Great, thank you, everybody for coming out and also, we did receive – the Board did receive lots of emails over the past couple of weeks. I'm going to close the public hearing portion of the – of this item and we'll bring it back to the Board for comments. Peter?

Board Member Baltay: I was going to ask Alex, before that. There was the email that one of the members of the public referred to. Would it be possible to have Staff just read that into the record for us?

Chair Lew: Yes.

Board Member Baltay: If it exists. Would you mind?

Ms. Ah Sing: Ok. Thanks for the update. I have read the responses to my comments E-1 and E-2 and that's referring the final EIR document, which only emphasizes on what standard manual it uses and how the methodology it uses I consistent with Palo Alto standard methodology while ignoring common sense. I have serious concerns about the validity of the conclusions in the study. I have two questions for the City. E-1, 1,522 daily trips removing 11 PM to 5 AM, that's 85 trips per hour. The study is fundamentally based on the peak hour trip estimation of 108 trips per hour. In a City like Palo Alto where most of the hotel guests are business travelers and follow regular commuting patterns, it says that there will be only 25% more trips during peak hours than during non-peak hours. Does it make sense? E-2, the conclusion of the no significant traffic impact is based on the methodology LOS standard. That also said the current traffic condition in these intersections is acceptable. Note that this is one of the most congested intersections in Palo Alto. Does this make sense? If the answers are yes, I don't have any more comment. We don't need to do anything to improve Palo Alto traffic condition as it's already acceptable. If the answers are no, my suggestions are one, no matter how official a manual is. If it's too generalized and outdated to get a reasonable number for this specific project. It does not make any sense to use it to get

conclusions. Field studies should be conducted to get localized data to be used in estimations. If the consulting firm does not want to make – does not want to take the effort to get more accurate numbers, find a better one. Two, if a methodology that is consistent with Palo Alto standard but results in an anti-common-sense conclusion, that means that Palo Alto standard is wrong. By the way, the LOS standard is indeed well known for its usefulness. We should fix a standard instead of blindly excepting a wrong conclusion based on a standard. Thanks, Lu Lu.

Board Member Baltay: Thank you, Alex and thank you, Sheldon. I guess I'd like to address the community here. There's been a lot of discussion and a lot of strong feelings about this project. I think all of us have given it a lot of thought and I'll be honest with you, I think the problem is the traffic. The problem is that the traffic is already unacceptable. The problem is that many of you have lived in this neighborhood for a long time and the traffic has grown worse, much worse over your time here so it's very noticeable to you. I don't think the problem is the hotel. The problem is the traffic. In my opinion, in my reading all the reports, listening to the traffic studies and whatnot, I don't think the hotel is going to dramatically change the traffic situation. It's already bad. I don't believe that it's going to get much worse because of the hotel. I'm looking at this issue that I have that out there and that's what I think about the guts of the problem. That's why I think many of you are here and I wish there was something we could do as architects – as an Architectural Review Board to make the traffic problem better but I don't know what that is. I don't think that's the purview of an Architectural Review Board. With that, let me come to the building itself. I think it's a big building. I think the architects have made a lot of effort to mitigate the apparent mass of the building. I think they've done that successfully. The building when it was originally presented was a five-story façade on San Antonio, which was much less in character in context than what's currently presented. They've worked hard, the Staff has worked hard and we've pushed hard to get that modified. I'd like to bring it to the community's attention. This particular type of use on this lot is legal. The City Council has authorized a FAR rating of 2.0. That means a 200% times the lot area can be built as a building. Typically for a commercial building in that area, it's .4. This is a factor of five times more. It's a lot of additional mass of the building. We're not charged as an Architectural Review Board to set zoning standards. This is zoning standard your City Council has put in place. We're charged with making that the best way that we can to fit and be compatible. I find that we have done that. This building is compatible and it is the best building that we can hope for given the 2.0 FAR and I put it to the community that if you are unhappy with large buildings like this, change the zoning code. Don't ask the Architecture Board to reject a project that meets the standards. I have a further question about the landscaping but why don't I let everybody else go first. Thank you.

Chair Lew: Robert.

Board Member Gooyer: Thank you. Basically, I couldn't agree with that more. That's exactly what it is. The applicant is not asking for any particular variances or modifications to the requirements. They're building within the perimeters that have been legally approved by the City of Palo Alto and I've heard a half of dozen people say we vote. Well, you know, if that's the case, then this is not the purview to tell us about voting because you're not voting for us. It – we work at the discretion of the City Council. If you are unhappy with something that they've done, then you voice your opinion there or at the ballot box. We're set – we're here voluntarily to try and do the best thing we can is based on the perimeters that we are given and I'm sure the applicant will attest to the fact that we've been a royal pain in the you know what because we've requested or we've demanded a lot of changes but we still have to work within the perimeters of what we're told or what is legal for us. If this particular property – the code said that you could only build a three-story building, then that would be it but it doesn't say that. It gives a height limit and how many square feet can be built as was mentioned. I understand completely where you are coming from in that respect but this is not the purview to respond to that. I can – like I said, we can see everyone is upset but the – we're trying to do the best available or the best job for the community to get what's done. I mean, I see a lot of shaking heads but there is no other solution to that. I've been told that maybe they ought to put it on, El Camino. If you put this on El Camino, the people to get to 101 are still going to come down San Antonio so the traffic really isn't going to change any. The exact fact – maybe the fact that the location is fairly close to 101 makes it easier for people who are living further in the City. Now that doesn't help you can but again, we're looking at it from the overall community as a

whole. We represent the entire community of Palo Alto so with that, I have to agree with my fellow Board Member that I think it's acceptable as it is.

Chair Lew: And Wynne.

Board Member Furth: Thank you and thank you for coming to speak to us. It always feels a bit hollow to say that when it's clear that so many people feel unheard but you are not unheard. As my colleague' said, some of the decisions which are most -- to which you are most opposed are decisions that we don't make. One of the things that I keep hearing as I listen to you is that we live in a region and you particularly, as border dwellers -- near border dwellers live where regional impacts are so very obvious and I live in the downtown North. I live in the mixed-use section of northern Palo Alto and we certainly have felt abused and exploited by the practice of using residential streets for parking, commercial buildings and uses and its use to assume me when people say oh, you want parking in front of your house. Well, no, I would like it within two blocks but it is true. One you talked about what Palo Alto stands for and what Palo Alto stands for, in its context, is increasing density and with it certainly, -- you know maybe we are heading for peak car and it's going to reduce itself soon but certainly that means less mobility. When I hear you talking about the ways in which this hits you particularly; running errands and going to dinner, I think that highlights a problem with the way that we study traffic. We focus on peak hour and what a lot of us experience is that it's the difficulty in going anywhere at any time that really has changed our sense of our neighborhoods and how we live in them and how hospitable they are to us. You raised a lot of distressing issues and some of them I would like to ask Staff for clarification on. What are we saying about construction traffic impact? I know we have hundreds of pages of documents but in brief, what -- how are we addressing that on this very busy road? Do we anticipate lane closures?

Ms. Ah Sing: As part of the condition of approval, there would be a logistic plan that would be submitted to the City for approval that would review things such as construction hours and traffic control, pedestrian control, dust control, noise control.

Board Member Furth: Is there any opportunity for public participation in that process or could there be in this very difficult situation?

Mr. Lait: No. This is a question that we get frequently on projects. I will say that the logistic plan is a public document but we don't have a system in place for receiving public input on that. This is a document that is reviewed by our Transportation Department, which is interested in traffic flow and making sure that there are no impacts during peak times or where there might be a conflict. They also look at safe routes to schools and making sure that there are no impacts to the free movement of students going to and from places. It's also reviewed by our Public Works Department and Utilities to make sure that there are no other conflicts with other areas of interested that they may have. As well as fire safety and our public services. It's a pretty thoroughly reviewed document and people are certain to welcome to request a logistics plan but we don't have a public review process for that.

Board Member Furth: Or to write you about what they would like to see in that logistic plan. What they consider acceptable levels of disruption.

Mr. Lait: We certainly would accept any documents that would come in. Sure.

Board Member Furth: Ok. Is it too soon to tell whether this would result in shutdowns of traffic lanes during daytime hours?

Mr. Lait: I don't know if Staff has some of that information. I see the applicant is up and may have some perspective on that but I will say that anything that's submitted is reviewed by the various City departments.

Mr. Popp: If I may, thank you. Of course, we have not submitted a logistics plan yet but we've actually thought quite a bit about this. This site has a unique condition. There is roughly a 300-foot frontage on

San Antonio for this site and within that frontage, there's a 24-foot special setback that we are not allowed to build on. This will become staging, truck movement, and storage. As we're digging a big hole behind that, we've got this very generous zone. Wider – as wider as a two-lane road that is an area that we will have as a working space that is not on San Antonio Road. While there may be a short period where we need to manage traffic and do something as trucks are moving and out of the site, it's our instinct in this case that we will be able to limit that to a very large degree. I'll point out that the EIR did address the traffic during construction and because of the future use and because of the current use, the ins and outs of construction actually are less traffic impact, typically than what you would see on a normal day if the site was in use.

Board Member Furth: Thank you, that's helpful and I do realize that a lot of this information is in the documents but I also think it's impossible for all of us to master all of it. Particularly in a setting like this. Thank you. I have a bunch of stickies here. Briefly, there's a lot of concern about the accuracy of the Hexagon traffic reports. I think that my colleague's hit the principle problem which is that they assume the existing traffic is acceptable and that is not life as it's experienced by those who live and pass through this area. I'm much concerned about a regional impact which is the increased impact of Google operations. How did that study deal with Google coming online so intensively here? I mean I know they talk about anticipated future development, not just what is happening when they did the original study.

Mr. Ah Sing: Yeah, so when we – when you start the environmental process, you'll notice a preparation and that kind of establishes the baseline and we did acknowledge a number of projects that were approved...

Board Member Furth: Regionally.

Mr. Ah Sing: ...or part of the (inaudible) and that's in your draft EIR and that's part of the whole analysis for the cumulative analysis.

Board Member Furth: And you feel that we adequately dealt with reality as it changed during this project – during this extensive planning period?

Mr. Ah Sing: Yeah, I mean – so we – there can't be a moving target. We have to establish (inaudible) (crosstalk)...

Board Member Furth: I understand. We have a baseline and then – but we also – when we – we look at cumulative impact so we're looking at other anticipated development during the period.

Mr. Lait: Yeah so, we study cumulative impacts that were known at the time the notice of preparation was filed for the Environmental Impact Report.

Board Member Furth: And do we have a sense that we had some big surprises since then or is this pretty much what we expected?

Mr. Lait: Well, I don't know if we have a comparable list of cumulative impacts at -- what was it? A year and a half ago and today so I'd have to get back to you on a question like that.

Board Member Furth: I think it – I'm certainly not asking you to do it today but I think it does have to do with whether these are things that people can come to really rely on. So, much discussion of the Geo-Technical Study and the ground water adequacy and perhaps inconsistencies between the proposed pumping programs and our local regulations. Could you explain that to me? I understand the increased local anxiety when it's become evident that perhaps our standards for groundwater pumping have not been as lovely as we would have liked or as effective as we would have liked in other jurisdictions and we are all very much aware that we have experienced what near record rainfalls so how will we be – will we be asking for an update on the Geo-Technical information before we permit people to start digging and draining?

Mr. Ah Sing: The project needs to be consistent with the ordinance – the local ordinances regarding dewatering. We do have a condition of approval regarding dewatering and we do have an updated condition than the one that's in your packet...

Board Member Furth: Condition number which?

Mr. Ah Sing: ...that's consistent – it's condition number 29.

Board Member Furth: Which is on the page?

Mr. Ah Sing: That condition actually, -- we were working on this packet, we're actually working on what's going to City Council as well so I know the dewatering condition of approval will be updated to be consistent with the new ordinance and the project will need to be consistent with that. If they are consistent with that, then they have addressed the dewatering concern.

Board Member Furth: Ok, so what I'm suggesting is that if we don't have an updated Geo Technical Report, it might be in the City's interest to ask for one.

Mr. Ah Sing: Yeah, so we have Geo Technical Report that's for the project and that will need to be augmented...

Ms. Amy Ashton: Hello, my name is Amy Ashton. I'm with David J. Powers and associates and we prepared the Environmental Impact Report. So, the City of Palo Alto as of May and that was after we prepared our draft EIR, so included information regarding the new dewatering requirements which we adopted in May and the City has some robust requirements in the ordinance, as well as guidelines. It requires monitoring of adjacent properties. It requires reuse of the water – offers reuse of the water that is dewatered. There is Geo Technical Report that has to be prepared to specifically address dewatering and how that's going to work and impacts on adjacent properties. There are impacts to landscaping that will have to be dealt with so this City has a robust set of requirements and the applicant will have to follow every single one of them during construction.

Board Member Furth: So, we're not going to see trees dying at the Greenhouse because of this project's dewatering?

Ms. Ashton: That's the idea and their Geo Technical analysis will have to include all of this as part of permitting.

Board Member Furth: I mean, one of the things that it seems to me is important on a project of this size that's causing such grave concern is that people continue to beware of what Staff's doing as they get away from these public hearings and comment to them. The reason we have a set of robust groundwater standards in this City is because we had a bunch of robust groundwater activists in this City. Let's see, emergency vehicles, I think probably the traffic study did it. The question about has it – is it true that the requirement for lead certification has been removed and if so why?

Mr. Ah Sing: No, they still have to follow the requirements, it's just that the actual certificate is not necessary so they still have to go through and meet the standards.

Board Member Furth: And which standards are those? Which lead certification where they before (inaudible)? Untangle it for me.

Mr. Ah Sing: We're using Cal. Green as the standard.

Mr. Lait: I believe the State standards are now more robust than the lead certification and so...

Board Member Furth: So, that's a good answer. That's a more demanding standard, Thank you. These are questions from me? What the side setbacks for this parcel? What I am going to is the statement that because we're – there's a podium involved here and subterranean parking, it imposes constraints on what you can plant. I want to know what the side yard setbacks are both above ground and below ground, because when I hear at this point in a project that we can't – we're building a five-story building, I want four-story landscaping. When I hear that we can't do it because we can't get to the dirt, I think this I something that we should have addressed early in the project. It's not something that I want to hear again. I know that there are some setbacks and I'm asking – I'm basically saying are really kept from doing adequate landscaping by inadequate setbacks and how do they apply below ground, which is what matters most for landscaping?

Mr. Laymon: If I might address that? What I was referring to specifically was with regards to the limitation of the podium relative to more native type plantings. It doesn't constrain the fact that we can do taller plantings, it's just not native. It's just that the native species tend to have more robust root systems to be drawing water in the more drought tolerant situations so we are using species which have a proven performance of performing well on a podium condition that accommodates a shallower root system.

Board Member Furth: So, we're going to look like Italian graveyards, is what you are telling me? So, what is the subterranean setback and what's the surface setback?

Ms. Jodie Gerhardt: The basement is...

Chair Lew: No, that's not correct.

Ms. Gerhardt: ...setback 10-feet from the property line.

Chair Lew: If you look at section – on Sheet A-5.2, it's the sections and they all show that the extent of the garage – basement garage extends.

Mr. Ah Sing: Yeah, right it's (inaudible). So, the 10-foot setback reflects the surface condition and below ground, it's probably half that.

Board Member Furth: This comes up repeatedly on sizes of sites when we look at plants so maybe you can put this – add this to our list of things to think about but I think that assuming one can go all the way out and still adequately landscape isn't always a safe assumption.

Mr. Popp: I'll just promote that roots don't stop at the property line, right? So...

Board Member Furth: I understand.

Mr. Popp: ...if you plant within that 5-foot zone, the roots will grow under the property line and across and use adjacent areas as well.

Board Member Furth: Which means perhaps we need more.

Mr. Popp: We've selected planting materials that will get to that four-story height, is that right? Yeah. We're anticipating that while we've shown plantings materials, as you requested, with a level of maturity of about 15-years.

Board Member Furth: Right.

Mr. Popp: That over time these species will get to 40-feet tall without difficulty in this zone with this type of dimensional constraint. We don't anticipate this particular species – these particular species to have difficulty achieving those heights.

Board Member Furth: Thank you. Let me see if I can get rid of all these stickies. So, what – this is – I'm reasonably reassured about the landscaping. I think this whole issue of adequate setbacks that still allow for landscaping is important. I would note that they are asking for a parking adjustment and I don't think it's wrong. I am – what – have there been any changes in the entry court and drive since we first saw this project? Is there anymore holding space there for cars coming off and maybe the EIR consultant can help this too but I'm still concerned – well first, have there been any changes and secondly, I'm still concerned that last time we talked about the fact that a condition of approval is that this hotel operation not back cars up into the travel lanes. I can pull up and pull in at any time. I'm going to slow down to find the driveway but I'm not going to be backed up because there are two cars in front of me. Last time, we talked about the fact that – I believe there's a conditional use permit condition that says thou shalt not back up property – or am I think of another project? That to not back up traffic into the street, is that true or is there no CUP? Is there no such condition?

Mr. Ah Sing: There's no condition on this. There's no conditional use permit as well.

Board Member Furth: Well, but we are requiring a TDM right?

Mr. Ah Sing: There is a TDM.

Board Member Furth: Traffic Demand Management and it seems to me that needs to have a requirement that there be no back up into the travel lanes. I think that this – I can't do anything – we can't do anything about massive increases in regional traffic but perhaps and show address this. I personally – I'm sorry, am I missing something here?

Mr. Lait: So, Commissioner Furth or Board Member Furth, your concern is that there would be or the potential for the concern about vehicles queuing in such a way that there's backup on San Antonio?

Board Member Furth: I am.

Mr. Lait: I think we've addressed this on another project recently where we established a performance standard where we required that...

Board Member Furth: Don't do it.

Mr. Lait: Right and that there could be modifications as required to site operations, value operations, TDM plans and so we can incorporate a similar condition to address that issue. Then it's a performance standard that we just remedy.

Board Member Furth: Because I think we've been talking about this since the first hearing and I think the architects and designers are comfortable with what they have. It's interesting, I don't have the expertise to critic a – by law actually, I don't have the expertise to critic a traffic study but I do parking. The courts have held that parking is something that people of ordinary understanding can comment on and be legally meaningful oddly enough. At our last session, I believe the applicant told us that they would load and unload not in the circular courtyard but further back but when I look at the plans, it says drop off and the entries appear to be right there. When I look at the documents, admittedly and earlier document, it says they will be greeted at the drive entrances to the hotels and guest may call for their car from their room prior from departure so the valet team can have it delivered to the lobby entrance. Well, as soon as I'm going to the Courtyard and somebody has got their car delivered to the – what's the other hotel? AC? AC Hotel and somebody else is wondering around with their whatever, I'm blocking access and nobody can get through so I'm still concerned. I understand that I am a minority here but I'm concerned.

Mr. Popp: Do you want me – so, I apologize, I don't have a really enlarged version of that driveway on my slide here but just to very briefly identify what our expectations are and I'm sorry if there is a misunderstanding. The drop off is at the circular drive. There is a lobby on either side of it. A circular

drive is comprised of multiple lanes of the driveway. There's a width there so that there are two lanes so if a car is stopped, you can still get around it. One of the advantages that we have and as hotel operators, T2 has an (inaudible) experience with this but the implementation of a valet system where we will have people who are able to move cars quickly and shuttle cars to the back for staging before they are moved down into the garage. That will allow us to, with confidence, keep an open path of vehicular movement in that circular drive. We do not anticipate having stacking extend out onto San Antonio at any point.

Chair Lew: Sure.

Mr. Lait: Board Member, if we get to a point where you are interested in a condition like that or if the Board is interested in a condition, we can have some language for you.

Board Member Furth: If you are – if we are interested in the condition and if you are working with us to propose one, the big question is going to be how is it enforced? How is it enforceable because the City is full of conditions and has a limited ability to make things happen so you sort of need a mechanism that lets the vigilant eyes of the neighborhood report and get good responses quickly. Thank you. Oh, and I am grateful for the design changes that have taken place during this process. These are very big buildings and our efforts to have them more concentrated on this site have been unsuccessful. I think the efforts to have them step back to have more landscaping and I would note to Staff that it's not just the ground level landscaping that needs to be an important and maintained condition of approval. I think they will help. I think this is going to radically transform the view from local residences. I regret the loss of sunrises and the hiding of the moon but that's the direction the City Council has given us. That this is zoned for that density and I think this building is better than a lower, unterraced, unmodulated building would be. I think that – there was a comment that this looks like a jail or a prison and I don't think it does. You heard us talking about the future buildings off Cal. Ave. Where in fact, the City is in a much better position to listen to us because the City is the client. Whether they do or not is another matter. I don't think these are going to be ugly per say. I – when I moved here it was the sun and a sea of asphalt was the dominating thing when you got off the freeway and I think that the landscaping and the JCC are an improvement on that. I think this road itself is better looking than is used to being. It is unquestionably more congested but I don't think these are going to be ugly buildings. I think they are going to be very big buildings and this use to be one of the most post-war neighborhoods in Palo Alto. For me, post-war means after World War II. I live in a pre-war neighborhood which is practically pre-Civil War but not actually but close; 1880s and it won't be anymore and it isn't. I've spent a lot of time in this neighborhood. I go to church in this neighborhood. I go to the gym in this neighborhood. I go to the nursery in this neighborhood because particularly every other nursery for miles has disappeared and these transitions are losses but I agree with the environmental consultants that these are not CEQA level losses. They aren't that kind of damage to the environment that gives rise to CEQA findings. I am willing to except the loss of a historic building. I trust that we will document it well and see if there are any bits and pieces that should be salvaged. I admit that I have never seen it until I started reading these studies but I except the HRB's conclusion on this. So, the only thing that's holding me up is my anxiety about backup traffic so I am interested to hear what my colleagues have to say.

Chair Lew: Thank you, Wynne. I have some questions for Staff, I guess. I don't think we've talked about this one before so there's an existing holly oak tree near the back property line; its tree number 81, that's being proposed to be retained. So, my question is what tree protection measures are being proposed for that because the basement is going to – as I read the plans, it would extend into the root zone of that holly oak?

Mr. Ah Sing: Right, so that type of tree species is not a protected tree. However, the project will go through and have a tree protection plan as part of the process so I'm sure they will try their very best to maintain that.

Chair Lew: Ok, I think Randy has a follow up too.

Mr. Popp: Yeah, I mean I'll just mention very briefly that our City has a very thoughtful and capable tree technical manual that identifies all of the management techniques that are necessary during that period, including weekly evaluation and arborist reports that are filed frequently to ensure that it's healthy and it's being protected properly and we'll follow all those guidelines.

Chair Lew: Ok. On the – Another question on parking. On Sheet A-2.0, there's a – there are two paragraphs and one is about parking and the other is about the room count variation. There's the whole narrative about changing the ratio of parking and valet parking and I was wondering what – if there was a Staff comment about that and if putting this paragraph in the drawings gives them – what do we call that? You know, any sort of right to make that change?

Mr. Ah Sing: Yeah, I think we would like to have the applicant explain that narrative. That's kind of relatively new.

Chair Lew: Yeah, because it makes me kind of – if makes me fairly uncomfortable to approve a project if something influx. Randy, thank you.

Mr. Popp: Sure. Again, an organization that builds hotels regularly and has a lot of data about what the appropriate amount of parking is for a hotel, I think that there's a movement that's not just local but regional in (inaudible) that says that you shouldn't build too much parking. It actually increases traffic and makes the opportunity just too simple. We have a traffic report that identifies based on studies at three other adjacent properties that a .7 parking count is all we need. The City regulations only allow a twenty percent reduction and so we're waffling around about this a little bit but we're in a conversation with City Staff, Josh Mello and ultimately, I think this will probably be something that the Council vets and I'm not – I'll leave it to you to talk about it however you like but I think it's something that the Council will need to weigh in. Our hope is that we're able to offer a reduction in parking so that we are providing .7 physical stalls and then valet beyond that. The language that we have in there is a little bit different than that and we've adjusted since then but the – it's just a request but it's not a formal ask at this point. I will point out that one of the reasons that we think this is important to do is it removes that lower level of parking and so it removes all the dewatering associated with that and the complexity of that extra level of excavation. We wouldn't do that unless we were confident that we had enough parking and we're confident enough about this that I would tell you, that much like what we did at the Hilton Homewood Suites when we were approving that project. We are open to the concept of restricting parking along San Antonio Road, such that for our frontage area, there is no parking. That all the parking will be within the project. Those are the kinds of things that we're open to talking about. I think that and my expectation is that this is sort of a Council discussion because it's a parking question but I just wanted to make sure that you're fully clear about what we're suggesting in that language. The reason that it's on the drawing is to initial the discussion but not to finalize it.

Chair Lew: Ok, thank you for that Randy. Then, just for Staff, just a clarification. Is the – in our zoning ordinance, is the – the Planning Director has the authority to reduce the parking requirements. Is it normally just in transit areas or is it – and mixed-use projects, that's my recollection? I mean...

Mr. Ah Sing: There's a menu of different types of reduction and the maximum amounts are specified that the Director could allow. The whole – if you are looking at the table on that same sheet, that is what's being proposed. That's consistent with the code and the current ask. This paragraph and narrative that Randy went through is not a part of the plans, though it is on the sheet of plans but it's not actually physically been implemented on the plans. I think maybe this would have been more appropriate as a memo or something instead of on the plans. We'll have that as a revision going forward but as proposed, physically shown on the drawings, it meets the development standards code and the reduction request.

Chair Lew: My next question is also on this sheet, which is A-2.0, which is room count variation. The narrative is that the interior of the building is only fifty percent complete at this time and that it would be finished before plan check and that there may be some changes to the room mix. I was wondering if the Staff had any comments about that. It seems to me that – like a change between a king and double

queen is slight; that's a couple feet as I'm looking at your plans. I've seen other hotels –recent hotels where the mix between a studio and a suite is huge and it actually changes the mass significantly and often for the better. I was wondering the Staff's thought about that? I mean, it seems to me – I don't know what Randy was thinking about but potentially, to me, that should come back to the Board. I mean, whose knows what the future holds but to me, it's a potentially huge impact on the look of the building.

Mr. Ah Sing: Right, so let – we can hear from the applicant but I think there's definitely some substantial conformance that we would have to look at when the plans – if this ultimately get approved, then it comes back in for a plan check and if there are changes, then we could bump them up to different levels of review. I'd like to hear at least – we'd like to hear at least from the applicant regarding what that – what they are meaning there in that paragraph.

Chair Lew: Randy?

Mr. Popp: Sure, so we're not talking about magnitudes of change here. We're talking about various subtle refinements and what we meant to say by this, because we are exactly in the position that you are describing, right? We might be switching a king or a double queen or converting a suite into perhaps two studios and we want to make sure that we are maintaining the traffic – excuse me, the parking ratio that is acceptable. What this says is that although we're still massaging the interior organization of the building slightly and I do mean slightly. Whatever changes we make, we will maintain consistency with the ratios for parking that we're obligated to. We're just trying to clarify that.

Male: (Inaudible)

Mr. Popp: And stay – yeah. What – we are not talking about adding any square footage in any way, right? This would be within the envelope, within the design of the building and that will not change. We're just talking about internal walls moving around.

Board Member Furth: Just to confirm, you're not talking about changing the elevation that we've seen?

Mr. Popp: Correct.

Board Member Furth: Thank you.

Mr. Popp: There will be no movement of windows or balconies or – this is purely interior organization.

Board Member Furth: We set our parking requirements on a room basis?

Chair Lew: The parking is based on the room count and the public on hotel projects always ask, well then there do employees park and we've gone over this on other projects but it's all within -- the room count and the employees are all built into that room count number.

Mr. Popp: Right, so I – it took a little while for me to educate myself about this but the ratio that is developed considers visitors, it considers Staff, it considers all of these things because some people who come in a lift, some who come bring a car, some of the Staff come by bus, some of them come in a car and so there's this mix. This is – I would say that this is a – this is where some of this becomes an art form and a little bit less precious. The standards that the City sets and the reduction that the Director of Planning and in our particular case, because this project is being forwarded to Council, ultimately Council will adopt. It has to do with all of those factors being considered together.

Chair Lew: Ok, another question is being any of the signs included or are those going to be submitted separately?

Mr. Ah Sing: Right so the sign package will come later.

Chair Lew: Ok and I have a question for Randy. I have a question for you. Sorry, to interrupt.

Mr. Popp: I was just getting some advice.

Chair Lew: Is there -- yeah, no, no, no. The signs -- so, like on the Marriott Courtyard Building, you originally had both signs on the sides of the building and I think in the last two packages that we've seen, one of them has moved to the front façade of the building and it's just the Courtyard and that's the one that I was thinking about.

Mr. Popp: Wait, I'm getting there.

Chair Lew: Is there -- great, thank you. Is there any way for that to go back to the side and the reason why I am asking is because it's -- that particular sign is opposite the Greenhouse two entrance so every time they in and every time they go out, they are going to see this big illuminated line. It seems to me that it would be less impact on them if it were on the side of the façade but what are your constraints?

Mr. Popp: First I'll just go back to 2015 and the very early concepts that we showed for the building did have the signage both on San Antonio and at the interior entry court so both locations. We've been consistent with that all the way through. I think that we have some flexibility about the size or the -- how illuminated that signage is but I think from a branding perspective, particularly from Marriott's perspective, it's important to them to have signage on the front of the building.

Chair Lew: Are they agreeable to halo lite or are you thinking this is an illuminated...

Mr. Popp: No, I would expect that it's halo lite.

Chair Lew: Ok, well that's better. That's definitely better.

Mr. Popp: Yeah, you know I'll admit myself that I was pretty surprised when I saw the signage at the Hilton Homewood Suites, which was approved after I had left the project and it's an internally illuminated sign and I'm not thrilled with how that looks. I think that a sign on the front of the building like this is shown to be a halo (inaudible).

Chair Lew: Ok, thank you. I have a question for Staff. One of the speakers asked about the impact of crime and is that a CEQA topic? Is that a CEQA environmental...

Mr. Ah Sing: There is a section on public services that deals with police stations, fire services, libraries, schools and whether there's adequate amount of service there and there was no impact to that level of service.

Chair Lew: Ok, but I mean a part of the crime is like -- it seems to me to be a socioeconomic issue and not necessarily environmental.

Mr. Ah Sing: Right. I guess I would say that is that if there's crime, that maybe there's not enough police services or policies stations around so yeah, that's where that was addressed.

Chair Lew: Right. Does Staff have any comments about emergency vehicles? Did -- do the plans get routed to police and fire?

Mr. Ah Sing: That is -- yes, they did a review and they recommended approval of it.

Chair Lew: Great, thank you. Then, I think we've -- I don't think we've had it today but I think it's been mentioned before, a couple time, about the pavement on San Antonio Road. That has been redone and that this would impact that and so I just wanted to point out that there's a condition of approval number

forty-four on page 157 that says the pavement will have to resurface after the project is completed. It also does mention a moratorium and I was wondering what that – I'm not sure what that is about.

Board Member Furth: (Inaudible)

Chair Lew: Ok, thank you for that. Also, another speaker had mentioned about work in the right-of-way and we have a condition of approval number forty-five. It basically says that they have to get a permit to work in the right-of-way and that's not connected to this permit. In no way do they necessarily get the authority to work in the street by this – by the design review permit – design review approval. Again, that's number forty-five. Ok, so I am – I was just going to say that – yeah, Randy?

Mr. Popp: If you don't mind, I have just one more thing that I would like to ask our landscape designer to add to the discussion. There was a comment about the native species and a concern from Staff regarding the need to return to the subcommittee about that. I haven't heard anyone speak about that but I thought I might ask our landscape architect to weigh in because he's delved into that topic just a little bit. Can you indulge us with that or did you have something...?

Chair Lew: Well, I was going to ask about that too so we can do that now and I think Peter had questions about the landscape as well. Yes, Gary, welcome.

Mr. Laymon: Thank you. Since we've met last, we've taken that approach to increase the amount of native plant material and to – for both its drought-tolerant qualities and as well as compatibility with the surrounding environment and the habitat value that it helps to create. We've already moved in that direction to help increase the quantities and actually, those materials primarily occur off the structure where there is plenty of soil, where the plants can really thrive and where there's the most interface with the adjacent properties and such. On a percentage basis, a much higher percentage of the site is now having true natives, as opposed to just drought-tolerant materials. We're definitely interested in moving in that direction. We would like to try and work with Staff in terms of having that be a condition of approval, such that those objectives are fulfilled as a part of the permitting process. As opposed to coming back to the Board, if that would be acceptable.

Chair Lew: As it has – so, this is a condition of approval number seven and as the Staff has worded it right, it's a subcommittee so it's not the – at the moment it's not the full – yeah, not the full Board. Can I – I have some things that I wanted to say though about the landscape. That there are – so like the southern live oaks are non-native...

Mr. Laymon: That's correct.

Chair Lew: ... but it's considered desirable for habitat because they have – it's a food source so there are – so I think that the finding that we have really doesn't sort of taking that into account but I think that we can – I think that there's enough knowledge here that we can sort of say that is – those are desirable trees.

Mr. Laymon: Yeah, we took a very narrow definition of native to be strict in that regard. There's a number of other species that are a similar genus like the coffee berry would be a California native and the Italian buckthorn is the same genus but is a different species so we're getting that in as close as we can. We're trying to meet really, the broader objectives of the – like the southern live oak are the fastest growing of the oak trees and it is what's there on the site so it sorts of makes sense to continue to utilize that. I think we're trying to find the path that takes us to achieve as many of the objectives as possible.

Chair Lew: On your landscape sheet, you did a very nice drawing which is on sheet L-2.3, which is the front façade of the building with all of the southern live oaks which they are existing street trees and you're proposing a new row.

Mr. Laymon: That's right. The existing street trees are the southern live oak, right.

Chair Lew: Ok, so you're showing them at three-stories, which is maybe like 30-feet high, in the drawing and so my understanding is that tree can grow up to 65-feet but I don't – I haven't seen it in this – that's a fairly new species to be planted here.

Mr. Laymon: Yeah, there are some on Page Mill and you can see them kind of near the playfields there. Those are the oldest ones that I am familiar of directly and there are getting to be pretty substantial size. What has been depicted in the renderings is probably a 15-20-years' time frame but those trees will not stop at that point. They will continue to grow so they will get to be more robust, more dense and have a taller appearance over the long run.

Chair Lew: I have a question for you, does it make sense to show – I – well – why I make a statement. I think it may be beneficial to show to the Council the drawing with mature trees beyond the 15-year – 10-15-year horizon.

Mr. Laymon: That can be done.

Chair Lew: Because I have a reaction to the drawings set that the buildings look big but when I look at the dimensions, the height, and width, they don't look that big to me so there's – I have a disconnect in here. It seems to me that part of that is the – your showing the trees, as you should, at the 10-15-year growth rate but ultimately, this is like a big – I think the big idea of having a double row of southern live oaks – the southern live oak is the tree that way – all the famous plantations used the double rows of oak trees; like Oak Alley and stuff. To me, it's very compelling and helps mitigate the bulk of the building but I am not sure that the landscaping shows that. I'm not sure that it's clear to everybody and to the public that there's a bigger landscaping idea for San Antonio Road. Ok, then I think my last comment on landscaping, for you Gary, is that the – I'm still a little squeamish about the 6-foot planting areas on the side yards for the buckthorn and the cypress. I'm not sure where I'm – what my vote is here today but I'm still – yeah, concerned about that. I think all the revisions that you made Randy, are all good. You hit all the things that I wanted you to do. I bring it back to the Board and now it's our – for a motion. Anybody want to give it a stab?

Board Member Baltay: I'm not ready to make a motion yet but I would like to, I guess to be clear on the landscaping. To me, having the entire landscaping package come back to subcommittee is just –oh, I was going to say too much. It's a big design element and I don't see how in subcommittee you could do justice to it. If we really aren't happy with it now, then it's not there I don't think. That said, I wonder if we can be more specific on what really are the problems with the landscaping that we can't just approve it right now? I think these oak trees seem pretty good and why not just let Staff work out the issues with drought tolerant native plants exactly but let them go on their way? So, that's my comment about the landscaping, Alex, and that it's just too easy to put it off to the subcommittee and if there really are issues, then I don't think subcommittee is the place for it.

Chair Lew: Ok, so the drought – yeah. This is tough one for me because the language of the finding is to the fullest extent...

Board Member Furth: (Inaudible)

Chair Lew: Practical?

Board Member Furth: (Inaudible) to the extent that the landscaping utilizes to the (inaudible) practical regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

Chair Lew: Ok, I think it's close. I'm looking at the plant list right now. It's close. You have to balance the – I mean the landscape architects always have to figure out what can the – what is the owner of the property going to be able to maintain properly and so that's in the back of my mind as well and that is the practicality of it.

Board Member Baltay: I have to say that I find what's in front of us seems pretty good to me. Maybe I am missing something but it looks good.

Chair Lew: Ok, I can be persuaded. It seems to me that there seem to be some fairly standard plants that we see on every project that might be able to be switched but I think the big decision about putting the southern live oaks on the front is the big – to me, that's the big decision. I don't really care about all the podium – the podium landscaping is difficult because they are in planters.

Board Member Baltay: Will we be open to modifying condition seven than to just read that they work with the Staff, rather than it comes back to subcommittee? Wynne, maybe that's something that you seem strong about.

Board Member Furth: Oh, I think that's probably possible. I wonder if – I am worried about – I'm concerned about the terrace level planting because until – I'm dead. These trees are not going to be that high and so I had really hoped for it to be significant and not a little plant huddled in a pot so if you could conceive me that it isn't a little plant huddled in a pot. It's going to be big and irrigated and visible from across the street, that would help me.

Chair Lew: You're saying like the olive tree and all those in the courtyard?

Board Member Furth: Upon the terraces. Just sort of take me through it.

Chair Lew: The podium?

Board Member Furth: Up high in the building on the second and third stories.

Board Member Gooyer: Well, those just – if that's a problem then pick a size.

Board Member Furth: Advise me.

Board Member Gooyer: Ok, for something like that I would say – I mean 15-gallon or 24-inch pots.

Board Member Furth: I like 24-pots with irrigation.

Board Member Gooyer: But that gets to be an awfully big tree after a while.

Board Member Furth: If that's too big – well, not all trees, right? I think significant, which means – to me, significant means visible as significant greenery across the way.

Chair Lew: So...

Board Member Gooyer: But this...

Ms. Gerhardt: Can I...

Chair Lew: I think that in the drawings, some of the -- I read something about 36-inche box trees, at least on the front. Maybe it was just the southern live oaks.

Board Member Furth: They are not tiny balconies.

Mr. Laymon: With regards to the southern live oak, we've increased those to the 36-inch box so they will be more substantial from the get go. We also require that the plant material be contract ground for the project so the contractor won't be going out there the day before they need to plant and find out whatever is available at the nursery and put it in. They have to tie off the plant material early on in the

process so the plant material is really optimized for this size at the time of planting. We're expecting those to be robust.

Board Member Furth: That should be an instant garden, right? Upon the upper terraces?

Mr. Laymon: On the terraces, we have a variety of plant materials. I would characterize them as being sort of larger shrub type materials but they can have fairly open canopies. Typically, the optimum size to getting a plant like that into a container is probably 5-gallon going in. There may be some 15-gallon materials that are appropriate on a case by case basis.

Board Member Furth: In what size container?

Mr. Laymon: I'm sorry?

Board Member Furth: What size container?

Chair Lew: 5-gallon, small.

Board Member Furth: Is that what you are showing in A-1.8? It looks bigger than a chair. That doesn't look like 5-gallons to me.

Mr. Laymon: The pots themselves are...

Board Member Furth: In those drawings.

Mr. Laymon: They are about 36-inches in diameter.

Chair Lew: I think he is saying that it's a 5-gallon plant in a larger planter.

Board Member Furth: No, I asked about the container size. I understand small plants, better...

Board Member Gooyer: (Inaudible) 5-gallon plant, doesn't mean that it's going to go into a 5-gallon pot.

Board Member Furth: I understand this. I have a really successful terrace garden in my view but I'm looking at A-1.8 and I'm asking you what size containers you are showing there?

Mr. Laymon: Those are about 36-inches in diameter and about...

Board Member Furth: If you converted that to gallons, what would it be? It's more than 5 – way more than 5, right?

Mr. Laymon: You could, yeah. What we've done or what we've proposed to do is to have one larger plant, that would get to have a more substantial canopy and then smaller plants within it which would cascade over the edges of the pots.

Board Member Furth: That's all nice and what were you thinking of the larger plants? The main plant in the container, what were you thinking?

Board Member Baltay: Wynne, how about if...

Mr. Laymon: We don't really have trees on the terrace. We have shrubs that get to be – we have a variety of species. I don't think we have anything specific about that.

Board Member Furth: I'm sorry, just tell me what sheet am I supposed to be looking at to identify the plantings up there because – I mean the reason that I am asking is because we specifically asked for this. It's not a private as it would be if it was just for internal consumption.

Mr. Laymon: We were looking at a variety of plant materials in there that would be evergreen. It would probably be things like palms or other more foliage based plant material but we would be designing that – that's part of what we would be coming back with as a part of the condition, is we would specifically be establishing every one of those plant species.

Board Member Furth: Ok, so we a preliminary plan.

Board Member Baltay: Would you like to make that as a condition of – what do you call it? Subcommittee review is the plantings on the balconies because I don't think that's defined in the drawings here, Wynne. That the...

Board Member Furth: I would.

Board Member Gooyer: That's a little bit easier to manage on a subcommittee level.

Board Member Furth: Yeah, I would because I think that these have a more important role in the overall appearance of the building for the next 15-years than the typical terrace and (inaudible) (crosstalk)

Board Member Baltay: I think what we are saying is that we're expecting them to have this size of –at least that of a person. When I am looking at these renderings, these plants are as big or bigger than a person and so that's sort of the expectation and that's what – we're not seeing that described anywhere here but if you could that as...

Board Member Gooyer: Size of a person.

Board Member Baltay: Well, I don't know how to put it, Robert. I mean, it's not a shrub...

Ms. Gerhardt: If I may, we do have a sheet, L-3.1.

Board Member Furth: Yeah and they are big. They are taller than a person, significantly taller.

Board Member Baltay: Exactly, that's a great schematic idea. We're asking now on the subcommittee to see something more precise.

Board Member Furth: To flush it out. Foliage it out.

Board Member Baltay: To give that to us and maybe that would then take the place of condition seven.

Board Member Furth: I would appreciate that.

Board Member Baltay: I'd like to also shift a little bit but to caution Staff that these outdoor terraces look lovely right now but they will be windy and if the applicant over the course of the design process and permitting process comes back with substantial screening to get wind buffering, in my opinion, that would change the whole thing about how the building looks. It's not something that I would think is an over the counter kind of back and forth the design Staff.

Mr. Lait: And there...

Board Member Baltay: If there were 5 or 6-foot walls to give some wind buffering, it might be necessary but it's not proposed now and I don't think it would be acceptable without coming back to us.

Mr. Lait: If you are heading toward an approval, that would be an appropriate condition to include in any kind of motion. That any windscreens come back to the Board for review if that was a concern – any – to address that issue.

Board Member Baltay: I'm not trying Jonathan, to make a specific motion but rather just to caution Staff that that's not an acceptable level of give and take.

Mr. Lait: I understand and I'm not suggesting that it's a motion but what I am saying is if you are getting to a motion about the project and if that motion is for approval and you're concerned about what might happen in the future, put in a condition that says the windscreen or some kind of a wind barrier may be subject to Board review or shall come to Board review if that's what you are concerned about.

Mr. Popp: May I interrupt for a moment? First of all, any significant change to the building's architecture would trigger coming back for review and we're aware of that. I'll also commit to you in having talked to the owner, there will be no wind screens on those balconies. This is what we want them to look like. I am happy to have that as a condition because it won't be (inaudible) for us.

Board Member Furth: I have one possible way to deal with the existing modified condition seven to make it about terraces and that the landscaping should come back to the subcommittee for review and any proposed change in the addition of windscreen – of screening will also be subject to ARB and then it will be easy to track. I think it's the experience of the ARB that sometimes things are seen as insignificant, which can startle us considerable when we see them on the ground.

Board Member Baltay: I'll tell you what Wynne, can you suggest a phrasing for that number seven?

Board Member Furth: (Inaudible) So, condition number seven would be revised to read terraces; the applicant shall return to the Architectural Review Board Subcommittee for approval of terrace landscaping and – period. Any additional screen structures on the terraces shall require an Architectural Review Board approval. Then you know what the process is if it comes up.

MOTION

Board Member Baltay: I agree. That just seems like they want us too. So, with that, I'm prepared to make a motion that the Board makes the findings in the Staff report, including to change the number seven that we just outlined and to...

Board Member Gooyer: I'll second that.

Chair Lew: Yes, Wynne.

MOTION AMENDMENT

Board Member Furth: I'd like to request a friendly amendment to add a condition that the – Staff needs to help me with where this goes. That the TDM – somewhere after 61, right? On page 160? That the – is it going to be the TDM or the Valley Parking Plan that I want to talk about? What I want to take about is imposing a new condition of no back up into San Antonio.

Mr. Lait: Yeah, I would...

Board Member Furth: New condition?

Mr. Lait: I would make that a separate condition and I can read some language into the record if you would like?

Board Member Furth: Sure. This would be a new condition 63?

Mr. Lait: Yeah or...

Board Member Furth: Or 62A at the moment.

Mr. Lait: It will be a new condition and we'll renumber as necessary. Vehicle queuing on San Antonio Road is prohibited at all times. The applicant shall ensure on-site vehicle circulation and pick up or drop off operations do not block or impede the free movement of pedestrians, bicyclists or vehicular travel on the sidewalk or roadway on San Antonio Road. For any violation of this condition, the Director of Planning and Community Environment may impose an additional condition related to drop off or pick up restriction, Valet operations, the Transportation Demand Management Plan, site improvements or other operational changes to ensure compliance with this condition.

Board Member Furth: I'm fine with that.

Board Member Baltay: That's ok with me.

Board Member Gooyer: Me too.

Chair Lew: Ok, so I think we should vote on the amendment first, is that the right order?

Board Member Furth: It was a friendly amendment and they both accepted it.

Chair Lew: Don't we still...

Mr. Lait: If it's friendly it's not needed to be voted upon. Then, if you are considering – there was a – it's probably not necessary but there's the comment about the signs. It might be helpful to just put a condition that says any future signs shall return to the ARB for approval. Well, I think the signs are coming back so you're going to review the sign program, right? Ok. I would just put another condition on there.

Chair Lew: Sometimes when the Staff says the signs come back for ARB approval doesn't necessarily mean that it comes back to the Board.

Mr. Lait: I would specify that it comes back to the Architectural Review Board.

Chair Lew: Does anybody want to weigh in on that? I don't know if the Board cares.

Board Member Furth: No, I care.

Board Member Gooyer: That's pretty much a given, isn't it?

Chair Lew: Ok.

Board Member Furth: Are we approving them right now?

Chair Lew: No.

Board Member Furth: Ok, let's be clear.

Chair Lew: Anybody – I think you have to weigh – Yeah, (inaudible).

Board Member Baltay: I'd like to add that condition of approval to the motion.

Board Member Gooyer: I mean, to me that just seems like a waste. I mean adding in a condition that says that you can't change anything unless you bring it back. Well, that's sort of a – I mean, that's pretty much forgoing conclusions.

Board Member Furth: I think what's ambiguous is when you have a set of drawings with the signs drawn on them. It's not always clear that you haven't approved the signs.

Board Member Baltay: But also, it's coming back to the Board and not the Staff.

Board Member Gooyer: Ok. Fine, that's fine. (crosstalk)

Board Member Baltay: (Inaudible)

MOTION AMENDMENT

Board Member Furth: Then I have one more Alex. The text that you identified on page – sheet A-2.0. I would suggest that – maybe we can just instruct Staff that we're not approving or commenting or otherwise acting on that. I'd prefer that paragraph would come out and it shouldn't be here, which is the discussion of possible improvements in parking which might lead to less subterranean whatever. It shouldn't be here because we know nothing. If you could delete that from the approved set, I would propose that.

Chair Lew: Ok, that sounds good. Is that acceptable to the maker of the motion?

Board Member Baltay: I'd like to look at it more carefully first. Thank you. Wynne, your concern is that they are going to, in the end, have less parking and not build the lower level.

Board Member Furth: No, I'm not concerned. I don't know what the answer should be but I know that we don't know and I don't want it to appear that we're approving or disapproving this. I just want it out and it shouldn't be here. I don't want to create ambiguities.

Board Member Baltay: Fair enough, I can support that.

Board Member Gooyer: Sure.

Board Member Furth: I appreciate that they brought it to our attention.

Chair Lew: Ok, are we ready? All in favor? Opposed? Me so that's a 3-1 and Board Member Kim is recused.

MOTION PASSED 3-1 WITH VICE CHAIR KIM RECUSED

Chair Lew: That would be me.

Mr. Lait: Typically, when we have a dissenting vote, we give the Board Member a chance to express their statements of opposing. Of course, this will be something that the Council will be interested in wanting to know.

Chair Lew: Sure, and so I think I do support a hotel use on this site. I do generally support almost all of the project that you have proposed. I think the concerns that I have always had where the side yard plantings. I think I have said that from the very beginning and then also, to a lesser degree, the circular drops off in the front. I think that the Board has always been sort of uncomfortable with that since the very beginning. The – I don't agree with the neighbor's argument for a residential project on this site. The zoning doesn't allow 100% housing project on their current zoning. It would only be a mixed-use project. I think the zoning does allow a large hotel of 2.0-floor area. I would say that our other recent

hotels in South Palo Alto where 1.75-floor area and that's like the Hilton Garden Inn and the Hilton Homewood Suites. We did – do have a 2.0-floor area at the Clement Hotel and it seems to me though that you're just trying to fit in a little bit too much. If you are taking out a little bit of square footage, it seems to me that would help with reducing the number of parking spaces that you need. You would get a little bit larger planting areas on the side property line. I do think the project is generally compatible with the neighborhood. I think you have made design linkages in architecture and landscaping and I think you are very close, in my mind, -- I'm on the fence about this one but it seems like since there was dissenting – since there were a lot of neighborhood opposition, that I did want to just acknowledge that. There could be ways of making it slightly better and more compatible with the neighborhood. So, congratulations. We will see you – I think you are going to the Council soon. Is that on the agenda – on the Council's agenda? June...

Mr. Lait: Yeah, June 12th.

Chair Lew: June 12th so that's right around the corner. I will be there and we'll see you there. So, great. Thank you, Randy. Are we ready to move onto the next item or do we need – does anybody need to take a quick break? A very short break and then we will hear item number four.

- 4. PUBLIC HEARING / QUASI-JUDICIAL. 260 California Avenue [16PLN-00352]:** Request for a Hearing on the Director's Tentative Approval of a Minor Architectural Review for an Outdoor Seating Area. Environmental Assessment: Exempt from the provisions of CEQA per Guideline Section 15301 (Existing Facilities). Zoning District: CC(2)(R)(P). For more information, contact the project planner Graham Owen at graham.owen@cityofpaloalto.org

Chair Lew: We are ready for item number four which is a public hearing for a quasi-judicial matter; 260 California Avenue. Request for a hearing on the Director's tentative approval of a minor architectural review for an outdoor seating area. Environmental assessment is it's exempt from the provisions of CEQA per Guideline Section 15301 for existing facilities. The zone district is CC(2)(R)(P). We have Graham Owen, our project planner. Welcome.

Mr. Graham Owen: Thank you, Chair Lew. My name is Graham Owen and I have been working with the applicant and the hearing request for on this application. Yes, as you said, this a conditional use permit and a minor architectural review application that has been tied into one. The project is for a new restaurant at 260 Cal. Ave to occupy tenant space in the ground floor of the new building that was built about 2-years ago. As a component of that restaurant moving in, they've requested two entitlements. One is for minor architectural review for an outdoor seating area and then the other if for a conditional use permit to allow alcohol sale in conjunction with the restaurant. Staff – they were both Staff level approvals but we – and we approved both on April 6th. We did receive a request for a hearing on April 19th for both of the entitlements. We had – the Planning Commission is the hearing body for the conditional use permit. We had that hearing last night and then we are having the hearing for the architectural review now. Just so you know a little bit of recent background, we had the hearing last night as I mentioned. The PTC is the hearing Committee for the PUC. We had a discussion about the hearing request and the reasons for the hearing request, which don't relate so much to the alcohol use or the restaurant use per say but more to the gross floor area of the building and the associated parking because there were some questions about that. We've gone through – we went through with the Planning Commission on those issues and presented an At Places memo which is similar to what we have presented to you here today, which includes a FAR diagram which describes the gross floor area of the site and how it would be used between the restaurant use and the office use and the exempt areas and the garage. So, with that, the Planning Commission deliberated on the FAR diagram, as well as Staff modified condition of approval and ended up recommending approval of the project, 4-0-1 with one abstention. Just so you have a little bit of background, here is the site plan for the project with the first floor overlaid onto the site plan so at the bottom is Cal. Ave. and then the areas that are shown in the gray, would be the areas that are served by alcohol. This is a site plan that is more for the conditional use permit and showing those areas that – where you would have alcohol stills. The other areas that are

shown with greater detail are the back of house functions, so the kitchen is mostly and then the ancillary functions like the bathrooms for example. This is a zoomed in site plan for the outdoor seating area, which shows the area in question which has clay planters that would define the space where people would be able to sit for going to the restaurant. It also shows an arrow which has the ingress and egress out of the front door of the restaurant, which would pass through the clay planters that are proposed. As I mentioned, the reasons for the hearing request and I believe we will hear from the hearing requester momentarily but it had to do more with gross floor area and also with parking – the associated parking that has to go with this gross floor area. When we received the hearing request, we – as a result of the hearing request, we determined that an error had been made by including the outdoor seating area that's proposed in front of the restaurant towards the gross floor area of the site. Per the code, it's a covered service area and so it is required to be parked, as well as the inclusion of the gross floor area. With that, we also – excuse me – we also determined that some areas that are down in the garage – the below grade garage contains some storage areas. This was with the original entitlement of the building and those are currently chain linked off from the rest of the garage and since they have a function unrelated to parking, they are not considered exempt from gross floor area and therefore, put the building over the 2 to 1 FAR that's permitted on the site. With that, we worked with the applicant and discussed a couple of solution with the hearing requester as well. One of them would be to remove the chain link fencing and thereby eliminating any of the distinction between exempted areas and non-exempted areas. Essentially, if you remove the chain link fencing and don't allow storage down in those areas, it's just interstitial garage space so it would be considered exempt. The other options would be to retain the existing chain link fence but have those area dedicated exclusively for bicycle parking. The Planning Commission or the Transportation Commission considered both of those options and ultimately recommended that the chain link fencing be removed since it's just a cleaner approach. One thing about the parking is the parking that was provided with the original entitlement of the building included onsite parking spaces as well as 56 spaces into the assessment district. With the intensification of use from retail that was originally shown in the ARB plans for this area to restaurants, you have a higher parking intensity with a restaurant use and so an additional two spaces would be required above what is currently provided on this site. The applicant has proposed to provide those two spaces with a puzzle lift system, which would be in conformance with the code that we just adopted along such lifts. With that, we can go into the gross floor area calculation if you would like. I know the applicant has a presentation and plans to discuss those – that drawing. With that, I'll leave it at that and let the hearing requester, I believe go next and then we will hear from the applicant as well. Staff at this point has determined that the project meets the development standards for the district and for the use. Therefore, we recommend that the ARB recommend approval of the ARB – excuse me, of the minor architectural review application with the modified conditions that you have you in you At Places memo.

Chair Lew: Ok, and so Mr. Levinsky you have 10-minutes.

Mr. Jeff Levinsky: Before I start, Graham, do you have the mouse or...

Mr. Owen: Yeah, I was going to pull it up.

Mr. Levinsky: Good afternoon. Board Members and Staff and everyone. I was actually quite pleased yesterday to see the revised floor plan and numbers. However, I since have had an opportunity to study it because I only received it last evening and there are some serious problems with it. These are from the plans that we received from the City in April and I've tried to highlight there the square footage that is assigned to the ground floor. When you add it up, the three parts, the restaurant, the office and the recycling/trash room which was exempted but we're not saying is included. That comes to 5,227-square feet. You might want to write that number down. Graham had kindly sent me a spreadsheet of his own that he used to try to calculate the parking and it also says that the ground floor of the building, the same area, is 5, 227- square feet. If you look at the plans that you were given and try to add up the amount of square footage on the ground floor. First, the part for the office comes to 1,281-square feet. The part for the restaurant comes to 3,680-square feet and that's not including the part out in the front of the building, which is not in any of these calculations. If you add those two numbers up, it comes to 4,961-square feet. That is that these plans say that the interior square footage of the ground floor is 4,

961-square feet, which 266-square feet missing from what the plans that the City had previously approved for this building before that I requested a hearing on. Somewhere last night, 266-square feet disappeared. The gross floor area changed as well. In the plans that Graham had provided, the building was 5-square feet under its FAR limit, which was 27,018-square feet. Now, what did they do? They decided – they agreed to add back in the trash room so that added 172-square feet. They removed 72-square feet of storage and that's a 100-square foot nicely so if it was 5-square feet under, not it ought to be over by 95-square feet. If you look at the plans, the plans show that it is – it's right here on the plans that they are total building GFA – it says 26,847. Somehow this building shrank, even though they put more square footage. That's really not possible. If you make a correction, that is that you put back in the 266-square feet, the building is over the legal FAR. Adding back in just a few square feet would trigger it being over its legal FAR. There are some other problems that if you look at it -- for example, they agreed to share the stairs and there's a thing under the office and it says shared stair one exit. There is 12-foot and shared stair two exit is 88-square feet but there's no other place that those are shared with so there's like missing parts of that. These plans are also not marked as coming from the architect. All the previous plans that we saw had an architect's name and the seal and so forth but these have the name of the construction company on them. None of this was discussed last night. No one spoke about this. There was no disclosure that the buildings had plans to change in this manner. The Planning Commission had no idea, when they discussed this matter last night, of this – that there are these 266 discrepancies in the plans from what we have been previously given, I believe. With that, there's a serious problem obviously with these plans. I do want to – they agreed to include the trash rooms so that part of my letter that you received, you don't have to discuss. There are still issues about the common areas and how those get split. I've tried to simplify that down here. This table here shows what was approved by the ARB in 2012 and the way the building plans were presented to you, there was 233-square feet of common area signed to the restaurant. When the plans were submitted to the City for this go around, zero square feet were assigned to the restaurant. The latest plans show 87-square feet so we've climbed back a little bit not really all the way. There are some real puzzles here. For example, what I thought I heard last night was that they don't want to assign the stairs and the elevator any portion to the restaurant but there's a basement storage for the restaurant and the bike storage is in – day long bike storage is in the basement as well. The restaurant workers are going to need to go down there for storage and need to go down there for – to put their bikes. It's still not clear quite how they get up. I have a question about ADA and that is, if you can't use the elevator – if they are not saying that the restaurant shares its part of – gets a share of the part of the elevator, does that mean that people – restaurant workers are not allowed to use the elevator? They are obliged to use the stairs and is that ADA compliant. Also, we were not given the calculations for how they came up with their numbers at all. The outdoor area has been one ongoing source of confusion. You probably all understand the plans for this so I'll just skip through that. As you've heard, the law does require that roofed – permanently roof but partially enclosed or unenclosed building featured used for sales, service, displayed storage or similar uses does count as floor area and do have to be parked. In the plans, as we've seen them, the City is counting part of it but not another part of it. Last night we were shown a diagram where we were told 150-square feet only will be outside but the plans still did not reflect that. We have not seen plans that show 150-square foot area as being on what will be granted for them. We do point out that the servers are going to need to go through the entrance door to bring food and menus and drinks and such to the customers and so forth. So, we consider that part of the service area and not exempted and as I said in my letter – Well, I'll skip through this to save time. As I said in my letter, the – in order to be – put seating area out on the sidewalk, if has to be eating area according to the code. You can't just put any old thing on the sidewalk in order – it has to be eating area. For the purposes of the sidewalk encroachment, the City is considering the whole are out there eating area but the City hasn't been doing is considering an eating area for the purpose of gross floor area and to us that doesn't make sense. That is should be that if its eating area under the law, it should be eating area consistently under the law. It's sort of an Alice In Wonderland thing where the restaurants can enclose more and more space and not count it as FAR. I have a recommendation and that is that – you know, please ask the applicant about the inconsistency in the plans and you might want to consider continuing the item so that we can have an accurate set of plans to discuss. Thank you very much.

Chair Lew: Ok and so now we have Mark Conroe and you will also have 10-minutes.

Mr. Mark Conroe: Ready? Honorable Members of the ARB, City Staff and ladies, and gentlemen. My name is Mark Conroe and I am the original developer of the building, one of the owners and representing the applicant today. Last night, after several hours of discussion in front to the PT—Planning and Transportation Commission where three Palo Alto residences spoke in favor of the project and another 10 submitted letters of support for the project. The PTC voted 5-0 with one abstention. Actually, Graham, I think it was 5-0 and not 4-0 but there were six members I think there. The one abstention really was in our favor because they wanted us to have a solution that allowed for more outdoor dining, whereas the FAR calculations limited it. In summary, the PTC agreed with the Planning Director and the Planning Staffs conclusion recommendation that we are code compliant in all respects, including with the FAR and parking. Based on the plans that you see before you and the revised area calculations. I'll try to quickly address Mr. Levinsky's arguments. Some of the problems is that every time we address his comments, there's a whole new slew of comments so all the calculations he just threw out, which I don't think make any sense and I'll try to address them. I am reacting to – in the moment. Let's step back for a second and look at the big picture because we are sort of in the weeds and I want to give some perspective. We spent the past four years trying to find the right tenant for this space, this long-dormant space that's been boarded up. The building construction was completed two and a half years ago and we moved in all the space except for the restaurant tenant – the office tenant that is. It's mainly an office building with the ground floor restaurant. The restaurant is about a little more than ten percent of this space. Two years ago, after looking at about 100 different restaurant candidates, we found protégé and we felt lucky about it. They offer something unique to Palo Alto and I think they will be building a world class restaurant. That's good for Palo Alto and it will bring some renown – they talked about bringing a culinary training to up and coming chefs. These are two world class restaurant tours. City zoning and smart urban planning encourage active pedestrian in order for ground floor uses and protégé is such a use. We started the approval process about 18-months ago. We submitted a full application about 9 or 10-months ago. Since then, we have been dogged by Mr. Levinsky through – and have been repeatable been delayed. We have been sincere and responsive at every turn to what City Staff has asked us to do. We've responded and done everything that they wanted us to do. We – I've reached out personally, to Mr. Levinsky 2-months ago and got no return. City Staff and I have repeated emails asking City Staff to allow me – to set up a meeting with Mr. Levinsky and finally, City Staff said that we've met with them and they are indifferent meeting with you because their issues are code and policy. I think that really summarizes where we are. This is really a process of delay to kill the project and keep it boarded up another 4-years. This has caused huge hardship to us personally and to the two restaurants who I convinced 2-years ago to come to Palo Alto because it would be a great place to do business. It's an entrepreneur town and they are entrepreneurs. At Mr. Levinsky's urging, we agreed to rip out the 700-square feet that was approved by the ARB and the basement storage. It proved in 2013 in order to comply with parking and FAR. Basically, it put us over our FAR limit so we complied with that. Let me – basically what we're talking about is a few square feet. He's talking 200 but I think if you actually look at real numbers it's maybe 13-square feet on a 45,000-sqaure foot building. That's what we're (inaudible) over and we're looking – and because of all these delays, we are very, very close to losing this tenant. They are very frustrated and I'm very frustrated with this continual process of delay. Frankly, if I wondered if it's about outdoor design or if it's about parking ratios or FAR or about liquor licenses. It seems more just a strategy to frustrate and stop progress but let me address quickly his comments as much as I can. Very simply put but if you look at the exhibit in front of you and these numbers do, in spite of what he says...

Female: (Inaudible)

Mr. Conroe: Yes, and I'll quickly – you can – the upper floors are the blue – light blue on the left and you can ignore that. You can ignore the garage in the basement except for the little purple space which is just the storage which remains in the dark gray or the existing garage storage and the purple. The only thing that we're really quibbling over is – assuming the numbers tie out, which they do, is whether this abstract and spacious speculated argument that there might be somebody whose goes to the restaurant at lunch, who walks through the lobby because they park behind the building. If we wanted to go down that rabbit hole, what you would find is that its 13-square feet. Simply take the ratio and I've talked to office tenant about how many people they have going through the lobby and how many employees they

have and vendors they have, which is about 200. Then you look at the number of customers at lunch that comes by. They have eighty-six seats and you assume seventy-five percent occupancy and you assume twenty-five percent of those people parked behind the building and seventy-five percent – so I have run the numbers and it's allocated 13-square feet for the stairs that go down to the garage. The only reason the restaurant needs to go to the garage is to access 160-square feet of storage space. There is no ADA issue there. They can go down the stairs and I assume the person who is carrying up these heavy boxes to the restaurant – but even if we did run down that rabbit hole, you'd find that it's a few more square feet than that. (Inaudible) the plugin this whole thing is garage storage. We started with 400, it's dropped now to 160. If we have to allocate a few square feet of the lobby or the elevator, it will drop to 150 or 140 or 130 and that's the net result of all this. It has nothing to do with – it doesn't – all we are is shifting the responsibility of space from the office tenant to the restaurant tenant. Then that result is that we just take it out of the storage. The – really quickly on the square footage and I have -- I can submit this or hand this to you but if your simple look – to tie out the numbers, the allegation that the numbers don't make sense but they actually do make sense. Staff has looked at them but this is the original – I can submit this but the original ARB approval. If you look at this, there are 5,424-square feet. If you take the numbers shown in this diagram for the common area on the ground floor, including the restaurants is 5,475. It's actually grown by 51-square feet and it actually hasn't shrunk by 200 – whatever number he used, 266. So, nothing has disappeared and actually, what we've done is we've measured the building and actually noted what the actual spaces --- really is was started with Mr. Levinsky, a couple of months ago, he was questioning – he does not question now but he was questioning the size of the restaurant space so we field measured it. On his smoke screen about the architect. The architect for protégé is the person on the plans. The architect record for the building is Defcon Design. They have an architectural division there. The architect recorded and they stamped all the plans and that's who is responsible for the building. We're not talking about the restaurant here. We're talking about allocation of FAR and square footages in the building at large. We're essentially being audited. The building essentially having a private audit against it. From (inaudible) on all the square footage unrelated to the restaurant and we're compliant with that. We've done that and it all ties out. The reason – he sorts of sounds like he's complaining that we actually have lower gross floor area than we did a couple weeks ago and that all has to do – we're toggling back and forth between meeting parking and meeting Far. The punch line is that now our gross floor area has gone down. Part of the – two things happened yesterday. One is that we greeted Mr. Levinsky urging to add back the exemplary recycling room, which we have since done that and that's reflected in the plans before you, which the Planning Commission, again approved last night. Also, there' s the exit for the – this is getting a little bit of an abstraction but the – for the garage parking in the basement, you have to get out of the garage and there is required exiting. Staff says the exiting that is dedicated for the garage in the basement is exempted so we made that adjustment. Originally, it wasn't exempted in the original plan because no one thought we would get to this level of audit. The numbers tie out and the Staff agrees, the Planning Commission agrees, and still, I don't think Mr. Levinsky will ever agree because I'm sure it will be – by all means, I strongly, strongly urge you, don't continue this item. It will kill this deal, we'll be sitting with another restaurant, we're – this was approved a couple months ago by the Planning Director and what's been done is that at the last possible date, they submit an appeal. Then they keep dragging it out in hopes that we don't move forward. Thank you.

Chair Lew: Thank you. Ok, so we will bring it back to the Board and then we will have a rebuttal period.

Mr. Lait: The – is there nobody else to speak on the item?

Chair Lew: Well, we do have the...

Mr. Lait: No other public testimony?

Chair Lew: We do have Anthony...

Mr. Lait: Ok, the applicant team.

Chair Lew: Right but I don't have any – my understanding is that this was supposed to be within the 10-minutes.

Mr. Lait: Yeah.

Chair Lew: So – but he could speak as a public speaker, right?

Mr. Lait: Yes. No. We're – that's part of the applicant team so if you don't have any other speakers then I would suggest at this point that the applicant's time sort of ran out there at the end. You can afford the applicant an additional 10-minutes to offer a rebuttal although there's not much more, I don't think to say but that will be the applicants call. If he declines to come to the podium, then I would give Mr. Levinsky an opportunity to speak in rebuttal for up to 10-minutes and then I would have the Board do its deliberation. I would do it now if it's being declined.

Chair Lew: I – so, when I don't have any public speaker cards...

Male: (Inaudible)

Mr. Lait: Well, I can take a look at that but I – let me just make sure I got the...

Male: (Inaudible)

Mr. Lait: So, no, it's the appellant's rebuttal, in this case, followed by the applicant's rebuttal. It is as I stated but you have a card from Anthony and Anthony could probably speak for up to 10-minutes, if you wanted to, as a rebuttal.

Mr. Anthony ??: (Inaudible)

Mr. Lait: No, so let me just stipulate for procedurally what's going on here. We've heard the – from the appellant and I use that with a small a, it's not been formally appealed; the hearing requester first as set forth by rules in your procedures. You then heard from the applicant. You have no other cards to speak on this matter. The next course of action is then for the applicant to offer any rebuttal. You – I know that Anthony, I think has an interest in speaking. Afterward, Mr. Levinsky has an opportunity to do his rebuttal up to 10-minutes. Thereafter, the public hearing may be closed and you may deliberate on the matter. So, at this point, if the applicant wants to have a rebuttal, this is the time.

Male: (Inaudible)

Board Member Furth: Excuse me, I'm sorry Jonathan. Which rules are you quoting from? I'm not finding any of this in the set of rules that I have.

Mr. Lait: You have architectural rules – procedural rules.

Board Member Furth: Yeah. I'm sure they are there but I just can't find them. Which page?

Ms. Gerhardt: Under quasi-judicial hearings.

Board Member Furth: On page 14, maybe?

Mr. Lait: It's page four.

Board Member Furth: Four? So, I'm looking at the wrong thing when I am looking at the Architectural Review Board Procedural Rules as downloaded from the website? I'm just trying to follow you.

Mr. Lait: Can I see your cover sheet? Oh, you know, I don't think it is page four.

Chair Lew: Ok, so you do have 10-minutes and then we will hear from Mr. Levinsky and bring it back to the Board and you don't have to use the 10-minutes.

Board Member Furth: But you are free too.

Mr. Lait: So, just as Mark is approaching the podium, let me just explain. Typically, we have a presentation, which we heard from Mr. Levinsky. We then hear a presentation from the applicant. Your presentation included a presentation but also a rebuttal in that same moment in time. In another scenario, you may have 10-20 people speaking about the project for which you would come back and have a rebuttal to any of the comments heard. There are no comments heard so you have the option to choose to rebut further if you choose procedurally or not but you're next if you want to take advantage of that opportunity and then the hearing requester follows.

Mr. Conroe: I'm just – ok. I'm just reading what it says here. It says that each person has 10-minutes but plus 10-minutes rebuttal so it doesn't seem to make a lot of sense that I speak and then rebut – have another 10-minutes. I would prefer to speak after so I can hear his response so I can actually advance the conversation because if he says something, I have no chance to respond to it then I think we're sort of stuck.

Mr. Lait: So, he has already spoken. I mean he has made his presentation and I think the timer – we should start the timer for the 10-minutes.

Chair Lew: Wynne.

Board Member Furth: Well, thank you, Jonathan, for pointing me to the right place for the rules and it does indeed say that the appellant starts and then the applicant – then the project applicant speaks and then the project applicant rebuts himself and then the appellant rebuts it but that makes no sense. I was going to suggest that we move to waive the rules.

Mr. Lait: Right, it does make sense. I mean it anticipates a public dialog about the matter but I guess – yeah, you don't have it. You've heard the two points and so now we have an opportunity that I would like somebody to take advantage of or not so we can that we can advance the meeting.

Mr. Conroe: Again, my suggestion is to offer some time to Mr. Levinsky and try to advance the ball. Hear what he has to say about what I said and then give me 3-minutes at the end just to comment on what he has to say because I really – taking another 10- minutes doesn't make any sense to me.

Mr. Lait: Again, I want to be really clear about this. This is your chance to do a rebuttal. You have up to 10-minutes.

Mr. Conroe: Ok, this our last time to speak?

Mr. Lait: This is your last chance to speak.

Mr. Conroe: Good, we will have Anthony to take 2 or 3-minutes and then I'll reinforce maybe a couple points that I made. Thank you.

Mr. Anthony Secviar: I'll try to be short. Board Members good morning. My name is Anthony Secviar. I am the owner of the proposed restaurant, protégé, to be located at 260 Cal. Avenue. I can't speak to the technical aspect that is being discussed today but I would like to take the opportunity to read a summary of my experience with this project. I don't know how much relevant this will have this your decision but I think it does make a point and stress the sense of urgency we have in coming to a conclusion. My partner Denison Kelly and I decided to make Palo Alto our home for Protégé and I've spent the better part of the last 2 ½- years scouting for a location, planning our design and planning for permits. It is

our dream to have a world class restaurant here in the heart of the Silicon Valley. To train employees the culinary arts, to employ people and to serve our community. After nearly 10-months of delays related to permits, to say we are frustrated is but the tip of an iceberg. I have three children, all under 6-years old and together with my wife, left the successful and lucrative job in Southern California soon after filing for permits last August. We had saved enough money to support our family for the expected 3-month permit approval process and I wake up today nearly 10-months from filing and I am talking to you. We have had zero financial support, we have not taken any investors money for personal profit, we are not part of a corporation, we are not part of a restaurant group. We are two citizens and local residents with a vision and a desire to open a small business in Palo Alto. We decided to open in Palo Alto for a number of reasons, the most obvious being the effluence of the demographic, the cultural diversity, and the density of population but really appeals to me and would appeal to me to come to Palo Alto was this feeling of entrepreneurship that historical this area has embraced. The community has embraced our vision and have all been generally supportive and excited to see our restaurant start but in contrast, the permitting process has been anything but smooth and welcoming. Frankly, it's been frustrating and fairly confusing. I am sensitive to due process and respect the need to be in compliance. We have had several – multiple planners assigned to our project and while we have spent an incredible amount of time and money to make changes requested by the City and those in opposition. These changes have led to further issue and additional delays. We have done everything this City as asked us to do and may made multiple compromises to our plan to appease our opposition and Mr. Levinsky. To finally receive approval and support from the Planning Department only to have it appealed was devastating; both mentally and financially. I have met with Mr. Levinsky and those in opposition and it is, in my opinion, his visions and his interpretation of the City Code are not in line with the Planning Department and the majority. I understand that Mr. Levinsky feels that it's his responsibility to audit the City's decisions and I commend him for his diligence but I feel it's unfair to halt our project so he can set a president for code and policy change. I am not an expert but I can only hope and imagine that there are a better approach and a better – more appropriate avenue to address these issues with the City's code interpretation and make a positive change. The only entity that I have legally that can tell me whether I am in compliance or not has issued an approval. So, to be stuck in neutral is very frustrating. We feel hostage to create a debate in how the City enforces laws we are following. We feel strongly about the addition of our restaurant where two local owners are on site, hands on in every aspect of this business and making a connection with the community as a positive addition to the culinary scene here. We simply want to move forward and I humbly ask you to have a sense of urgency in coming to a clear and concise recommendation to move our project forward. Thank you.

Mr. Conroe: Very briefly just retouching on the arguments made. Again, I think there's – it's frustrating to have this level of kind of rehashing an officiation but the diagram does speak for itself. Running through every quickly. The areas that we are talking about are on the purple, not the blue, and not the pink. The pink are the common areas that he wanted us to allocate and he agrees with the allocation. The only thing that we are talking is the – I think the yellow – well, I'm not sure what we're talking about but the numbers tie out and they are slightly – instead of 5,424, it's 5,475. If you simply add the numbers below that – the first two numbers. If you add the 265, 148, 126, 53, 112, 88, 489, 3593, 43, 24 and 20, that equals I think, 5,475 and the ARB approval – number he actually cited are 5,475. That's – we're 51-square feet more and not 266 less. On the outdoor dining, it says – it's a separate point but simply put, we have – we're only using a portion of the outdoor dining to meet our FAR and to meet the parking. We are using 150-square feet period, end of story. Planning Staff understands that Planning Commission understands that and there's no reason to make it more complicated than that. So, we are in compliance. Again, we can chase our tail about these numbers forever but the –everybody except Mr. Levinsky understands and agrees with the numbers; the Planning Commission, planning Staff, Planning Director and ourselves. If we had more time I would lead you through a much more detail analysis but thank you for your time. I strongly urge you to take action today. Thank you.

Chair Lew: Thank you and Mr. Levinsky, you have 10-minutes.

Mr. Levinsky: It's sunny here. Thank you. I'd like to address several issues that have come up. First of all, the overall context for this is that I think you all know it's parking and that we have a parking critic on

Cal. Ave and the –we fight over, and over it again. The City is trying to spend millions of dollars and also creating an RPP program to try to offset the parking shortage that's on Cal. Ave so we don't want more buildings that create parking problems by exceeding their parking allowance. Emails have been sent to the City that say "this project has been unfairly delayed for about a year by individuals who have a political agenda." That statement just can't be true because of we only – I only got the plans a couple of months ago. That's the only time – the first time that we actually knew what was being discussed in this space. We've had no – there's no ability by which we could have delayed the project before that if that was really our goal. The goal is not to delay the project. The goal is to make sure that the laws are followed and as you've heard, the City agree that the outdoor area should count at FAR, which they had not told the applicant. The applicant had not submitted plans that counted that as a FAR so to blame us for having discovered a problem that wasn't caught by the architect and unfortunately by the City, it seems unfair. It seems that if they want plans to go through quickly, they should submit plans that don't have these problems. I still believe from what I have heard that the numbers that I gave earlier are correct. That the building did shrink. Now we were told once before that when the building – the number didn't jive with the 2012 numbers. That they've gone out and measured the building and discovered that it was smaller and that was the reason why the numbers on the architect submitted plans, the plans that we were given by the City were what they were and we excepted that. The plans submitted last night are 266-square feet smaller on the ground floor than what we have been given before by the City and had been approved by the City as correct. Here we are, we're causing the problem because the numbers changed that we're given. I don't think that's correct so I urge you to pull out your calculators and add it up and I think that you will find that I am right. If you want, I can put the slide back up on that I showed. Would that be helpful? I'm hearing – I don't know if you can respond.

Chair Lew: I think we might – when I bring it back to the Board, I think we might have questions about the numbers.

Mr. Levinsky: Very good. Ok. I'm going to save everybody time and wrap it up and thank you.

Chair Lew: Great, thank you, Mr. Levinsky. So, I am going to close the public portion of the meeting and bring it back to the Board. Peter?

Board Member Baltay: Yes. I wish I could say thank you but I can't. This is frustrating for everybody here. Ok, they are proposing to put in a restaurant without making physical changes to the building. It seems to me, talking to the Board, we ought to go back to the approved ARB plans for this building and that's the FAR ratio calculations or whatever you call it, we should be sticking to. I think that this business of – as somebody said, we auditing the building is just plain wrong. They are not modifying the building and we shouldn't be recounting it. We should be trusting the way we initially did these calculations for storage, for trash, percentages for stairs that are one way or another. When I pulled up the original drawings from 2012 Hayes Group Plans, they show the building as having 27,000-square feet of floor area counting toward the FAR in total. They give a breakout here for commercial and retail space, which are fairly similar to these numbers. They are all within a few hundred feet back and forth but it seems to me that it's just really inappropriate for us to go back and recount that. We don't have the set of plans, we haven't been given the detailed look at it, Staff hasn't been given the detail and we're much wiser to accept what the previous Board as approved, what the City has approved and what has been built. That said, the building was built 27,000-square feet of FAR. It seems to me that unless they want to go ahead and remodel the building, that's the number we are working with. That's our baseline. I think that the applicant has now given us drawings claiming they have remeasured it and when I add up these numbers, it comes in some 400-square feet less give or take and honestly, that raises a big question mark in my mind. Was the building that different from the ARB originally but I think it's inappropriate for us to even be questioning that. That's point number one is that I think we need to just take the building at face value as it is and not reopen the question of partitioning of space, trash rooms, basements, storage areas. It's all existing and it was approved at the time. I hate to bring this up now but when I take – the second thing, the applicant wants to put a restaurant and they want to put some outdoor seating so I dug up the code about outdoor seating and respectfully, I agree with Staff initial interpretation. I believe that outdoor seating – as long as it's accessible to the general public, that's part

of the definition which has not been included in all these things, should not be counted towards FAR. It seems to me that's not the intent of the code. We're not trying to make every sidewalk café count the table area outside as part of the FAR. If you go around town and a lot of outdoor Cafes in front of restaurants have spaces that wouldn't logically be part of the volume or the mass of the building. The intent is here being not for that kind of space. The building was built with a heavy-duty glass canopy that shelters potential sitting or pedestrians walking by. It seems to me that it might be reasonable to say that the applicant ought to make these planters and enclosures things that are temporary – they are on wheels and they can be pushed around. Maybe at the end of the business, they push them back against the side of the building, which is probably what they are going to do anyway because it would be on the public right-of-way but honestly, that's not FAR. That's not part of the size of the building and that's not what we want to be encouraging in our town. We don't want builders to start counting these sidewalk areas because all of a sudden, they are going to, well, muzzle and enclose it then. We are going to lose these wonderful spaces, which is what we are trying to make. I think, with all respect, we've just not been interpreting this gross floor area count here and we should just let them put whatever outdoor seating is appropriate for the safety of the sidewalk and for their business. That said, when I went out and I did this twice now and measured it out, I think they want to have much more than 150-square feet of seating out there. The building seems to have three distinct spots where you would put tables and I can easily imagine that being a lovely place and we would like to have that. I guess it's more like 400-square feet. I'm fine with that and that's going to make the town better, the street more lively and I don't think that's FAR. I think as a Board, we should be clear about that. I'll pass you guys the definition I've pulled out from the code. To me, it's a second non-issue that we shouldn't be trying to count that and I think it's important, not because in this case we should just move this project along but we don't want to establish that concept that outdoor Cafes are FAR on a building. It's Pandora's box to try to count that. Is the seating across the property line or not – that means FAR – that's outside of your property still counts towards the sides of the building? That's not the intent of FAR. Then I will come back to the third thing, which I think is a more legitimate issue. To the owner of the building, you built this building claiming this space was going to be used for retail purposes. You are now changing it to restaurant purposes. That has a different requirement for parking spaces so to expect that it's an easy and quick application, without proposing how you are going to deal with that difference is not reasonable. You are asking for a change in use, which would trigger more parking requirements and in your initial applications, you didn't really address that. Of course, the community is not happy. You've been here all morning and we were talking about having to spend millions to build a parking garage because we haven't been vigilant on our parking regulations in this neighborhood, for this building. This building was built, honestly under parked and now to say that you've been delayed because neighbors are upset. Well, they are upset because of the parking. It comes down to the parking again, likes it done all morning long. To my way of thinking, when you are adding outdoor seating, that legitimately affects the parking load of the restaurant and should affect the calculation. What I would like to see us do is take the additional – the area of the restaurant, plus the additional area of the outdoor seating, calculate what additional parking load that imparts to the building. I think it's about four or six spaces. Then the question comes down to how are you going to mitigate or provide that parking and that's something that the Architecture Board isn't going to give you answers to but I think it's something that you could come up way to do it. To me – again, I have three parts to this. First of all, let's not recount the building. Let's stick to the numbers that the Architectural Board and the City agreed to 5-years ago. Secondly, let's not establish a precedent of counting outdoor sitting areas in restaurants as FAR of the building. That's not the intention and lastly, let's get serious about making sure the building – the changes to the building comply with the parking requirements and that they provide legitimate amount of parking. So, after we've spoken, I have some idea about how to do the parking perhaps that makes sense because I'm not sure throwing puzzler lifts in there does it but that's my two senses.

Board Member Gooyer: I agree completely. The one thing is that looking at this, putting in a puzzler parking system downstairs, I think is just going to – is a way to cut off your nose to spite your face. Nobody is going to us those things; not for coming in for lunch for an hour. Sit there and try to play around with one of those things. They are just going to park somewhere else. If there is an assessment district based on this, why can't we just add the parking space to the assessment district?

Ms. Gerhardt: The assessment district is now mature and so there's no more space to buy into.

Board Member Gooyer: Then what? Basically, they have to come up with something on their own then?

Ms. Gerhardt: Any additional parking would need to be provided.

Board Member Gooyer: My biggest concern with this is that if we're trying to cram – I don't know exactly but let's say four parking spaces into six, I think the reality of it is you put those machines, you're going to lose all four of those parking spaces and people aren't even going to bother. I think we are going to lose in the long run by putting those machines in. I'm not a big fan of those things, to begin with, but I think especially – it's one thing that if you go to work in the morning and you park it there for 8 hours; that's one thing. If you're going to swing in for an hours' worth of –what? No.

Ms. Gerhardt: Sorry, if may. The lifts are meant to be for the office employees and not for restaurant patrons.

Board Member Gooyer: Ok, well, fine.

Ms. Gerhardt: There has been some...

Board Member Gooyer: To me... Huh?

Board Member Baltay: Can I chime in for a second?

Board Member Gooyer: Sure, go ahead.

Board Member Baltay: I think Robert's right on that those puzzler lifts aren't going to work but what struck me is that I am just looking for a solution because we want to get these guys going and we want this restaurant. The facility right now has, I think 13 very good surface parking spaces that are open to the alley in the back. The restaurant is open mostly at night. Why not ask the applicant to assign that – those parking spaces are used for the restaurant in the evenings. That will make a real difference on the parking load and that's really what the problem is. Then if we need to get the count right to meet the detailed code, let's put the puzzler lifts down in the basement so we met the law but let's ask the applicant to give the restaurant dedicated parking in that surface parking lot, which I think will actually be used. Every time I am going to Cal. Avenue for dinner there, it's always a hassle to look for parking. If the restaurant had a parking spot right behind it, that would be a win and I don't think it's going to affect the building in a negative way because that's used mostly during the day for office purposes. It seems to me that might be a way to approach it. Thank you.

Mr. Lait: You know, I don't mean to interrupt the Board deliberation but there are a couple things that I just wanted to lay out. There is a number problem that we need to solve and the mechanical lifts solve that problem. There's a recent testament which I was talking to the Chair about – gosh, was it only yesterday? About a – presenting that ordinance to the ARB so that you know what the City Council has recently adopted with respect to mechanical lifts. We have a new code provision that explicitly lays out the authority to place mechanical lifts in buildings for certain types of land uses and offices are one of them. Restaurants, however, are not listed as one of the uses. This is a mixed-use development with office and now restaurant proposed and so this mechanical lift solution solves the number problem that we've – that we're trying to address. I think and Graham mentioned this, I mean the Planning Commission spent a couple of hours on this very issue and you're going to spend your time and you're going to deliberate on this as well. The – it – ultimately, I think it comes down to a question of what floor area calculations do you find to be acceptable. That's one part of the equation because the outdoor dining is triggering a demand for increased parking and part of your review is helping to make sure that it complies with code. Graham had presented what – in this At Places attachment, the conditions that were – had been modified over time to reflect – now this reflects the Planning and Transportation Commission conditions and reflects their sort of take on the floor area analysis, which I think is in line with Board

Member Baltay's conversation. If you're satisfied with that floor area analysis, I think that is a big part of the question that is out there. Additionally, there are tables and chairs, you know and railings and planters and things like this that are going to be on the sidewalk, which is also subject to your review if you have any comments or questions about that. That, I think, is the essences of what we are looking at. Those two areas. If the interest is moving the project forward in a manner that complies with code and all the rules, I think we have that path here, laid out in this At Places memo and unless you have a different perspective about the floor area calculations or some of the conclusions that were made, that's a discussion point that I think we would benefit from having.

Board Member Gooyer: I agree with Peter completely.

Chair Lew: O, Wynne.

Board Member Furth: I think I have some points of agreement with Peter but not many. When I – I sympathize with the appellant, I sympathize with the applicant, and I sympathize – I absolutely agree with Peter that people arrive here already unglued because of our traffic and parking problems. So, you don't walk into a peaceable setting, you walk into hijita and sometimes this leads to elections, changing zoning again. I also keep thinking that surely AI is advanced enough so that we can teach some machine to interpret out code at least in the first round but I need to think about this a little bit historically and I need to ask you about consequences. Do we now believe that we let this building be built bigger than we should have?

Ms. Gerhardt: We do in years past had not been counting storage areas in parking areas. That was an interpretation at the time. We now have a better understanding and now we do count those areas.

Board Member Furth: I would take that as a yes and how many square feet is it?

Mr. Owen: It's in the Staff report (inaudible)... (crosstalk)

Board Member Furth: I understand but I have heard a lot of numbers this morning.

Mr. Owen: It's about 300-square feet.

Board Member Furth: That's what I thought. Ok.

Mr. Lait: Just on that point, that's the chain linked cornered off areas in the subterranean garage and one...

Board Member Furth: I understand. Those of us who remember the Masonic Temple hearings will remember those wonderful examples about how excluded square footage turns into storage because...

Mr. Lait: I'm sorry, I just want to be clear. It was approved as storage and it was intended to be storage. It was authorized as storage and...

Board Member Furth: I understand but we misinterpreted our code and generally as Staff, we aren't allowed to expand the scope of what the code otherwise approves. I mean it was an official misinterpretation but we have now changed it, is that right?

Mr. Lait: I would say that...

Board Member Furth: Am I being harsh here?

Mr. Lait: Well, I think that – today, we hear from the Council – the last direction we got from the Council on this was that we really should be looking at the plain reading of the code and so when you apply the plain reading of the code, today how we read the code may not be the same of how we read it 3-years

ago. The solution to the problem is to remove the chain link fence, which is the condition that was also imposed.

Board Member Furth: Got it so I also disagree with the appellant that gross floor area is gross floor area; it isn't. It's a proxy for a couple different things and one of them is parking requirements, one of them is a proxy for intensity of use and that's why we use it for parking requirements and the other one is a proxy for mass and that seems to be irrelevant here. They have the building and I absolutely agree that they don't need to – they have a – I am assuming they operated in good faith when they built the building. They have a vested right to keep that building because they have properly issued building permits and they spent money so they've got a vested right to the building as it is. They don't have a vested right to expand its use in terms of intensity of use, meaning the restaurant use or moving on to the – what we are generally calling the sidewalk. I have a second question which is, is this outdoor seating area on private property or in the public right-of-way or both?

Mr. Owen: It's both.

Board Member Furth: Ok.

Mr. Lait: The seating is on private property. The railing extends into the public right-of-way so the seating proper is on private property.

Board Member Furth: When we calculate gross floor area, we will include anything under the canopy that is not one, open to the public and two, not used for sale services or related uses. It has to be both things, right?

Ms. Gerhardt: Covered area for sales and service are counted towards FAR.

Board Member Furth: So, if I'm the hardware store and I put out all those barbecues under an overhang, that is FAR, right?

Ms. Gerhardt: Correct.

Board Member Furth: Even though I can walk in from the sidewalk. Got it and that's what it says in the code. It's not what it says in the code? I was just reading it.

Board Member Baltay: The code says that if it's not generally accessible to the public as well.

Board Member Furth: It says it's counted unless – it is counted if it is – I'm sorry, it's excluded, right?

Board Member Baltay: Right.

Board Member Furth: If it is accessible to the general public and not devoted to sales or service so either one of those conditions makes it not excluded, i.e. included, is that right?

Mr. Lait: There are two provisions of the code so thank you for highlighting the provision of the code, that frustrates us to no end. There are two parts to this definition, one part, 65A, talks about what does count as gross floor area and that says open or roofed porches, arcades, plazas, balconies, etc. etc. – I'm sorry. I read the wrong one. Permanently roofed but either partial enclosed or unenclosed building features used for sale, service, display, storage or similar uses. So, that's the one that we're looking at and we're saying that yes, this does count for this strip of the area and it does count. Area that is excluded from floor area is in B Roman numeral two and that's the one that Board Member Baltay was talking about, where you have these different areas and it's not accessible to the public and – or when it is accessible to the public but not devoted toward sale, service and display, storage or similar uses.

Board Member Furth: Those are not in contradiction, they are complimentary. (crosstalk)

Mr. Lait: (Inaudible) no, we do think that is an area that counts towards floor area.

Board Member Furth: Right and I don't think there's any controversy in the way – I don't think the code is ambiguous. You can never write a code that's going to cover all situations. They always require interpretation but I don't think we get to interpret them when they are not creating ambiguities.

Board Member Baltay: But if these planters and table and chairs are temporary in nature. They are moved around, they are put there every day, then it's no longer dedicated to this function.

Board Member Furth: It's used for, it doesn't say dedicated to.

Board Member Baltay: I know but by that logic, right now this space should be counted. Right now, it has the same physical covered balcony.

Board Member Furth: It's not devoted – they are not using it for sales or service, Peter. They are not displaying their wares out there. They are not servicing people food. I am missing something here and I am not sure this is a helpful discussion.

Mr. Lait: No, no, listen. I just don't want us to get involved in your deliberation is all but it's the two points. It's either excluded or included and I think we have the – this is a debate that we have also on Staff every once in a while. I don't think either one of you is wrong, I just think you are highlighting different sections of the code. Let me restate that, I do think – I wouldn't interpret it necessarily the way that Board Member Baltay has with respect to this specific issue. I do see this as floor area but I will tell you that on the Commission, the Planning Commission had a similar conversation about whether or not this could be considered floor area and contributed to parking for some of the reason that Board Member Baltay talked about with respect to having restaurants. This is a type of use that we want to see on California Avenue.

Board Member Furth: I'm not arguing that this is a good idea. I am not saying that we should or shouldn't do this, I am saying we are instructed by the code to do it so I believe it's covered floor area. You have devised various methods for reducing the calculated FAR floor area so that 150-square feet of this space can be added to the buildings FAR and come within the permitted FAR, is that right?

Board Member Gooyer: (Crosstalk) Well, is somebody going to answer it?

Board Member Furth: When they convert the space under the overhang into a sales and service area, they add FAR to their building and you have figured out that by removing the enclosed storage areas, that you are still within the permitted FAR for the site so we don't need to worry about that. We can be frustrated because we think it should be bigger. I mean I look at that space and think why wouldn't you go all the way up and down but the answer is that this is as far as we've figured out how to go, right? So...

Mr. Lait: The answer is no. They can – there's still a – we believe – Staff believes that there is a delta of floor area that stills exists that is not at the maximum floor area for the site.

Board Member Furth: So, they could have more than 150-square feet of outdoor space used for serving as a restaurant?

Mr. Lait: If they wanted to. However, that has a parking implication.

Board Member Baltay: But Jonathan, with all due respect...

Board Member Furth: I am trying to separate these two out because of parking ultimately – sorry.

Mr. Lait: They are two different things...

Board Member Furth: Yes.

Mr. Lait: ...but they are related. If you are going to have outdoor on private property and it's going to meet this definition and it's going to be used for sale and service, it counts as the floor is by our definition of gross floor area. Parking is based on floor area so they are related. If you are going to increase your floor are, you're going to have to also count for the parking.

Board Member Furth: I understand that but I am trying to figure out is what the applicant's options are and so you are telling me that – at this point, I have completely lost what they were asking for.

Mr. Lait: I think it's...

Board Member Furth: How many square feet were they asking for?

Mr. Lait: I think it's – they are acting for 150-square feet of outdoor dining. What's presented here is the applicant is looking for. The applicant is not disputing any of the Staff – I mean...

Board Member Furth: I think I can get to where I am trying to go fairly quickly, which was to say the constraint at this point becomes how do they handle the parking requirements? It's not that they are bumping up against their FAR limit as a sight and so...

Mr. Lait: I would say whatever their interest is. I mean, parking may be one of those (inaudible) (crosstalk).

Board Member Furth: I understand but I'm talking about what we can say yes too. I'd like to say yes to more square footage than this. I mean, if it was up to me, I would be saying that they are entitled to whatever the max was under their FAR provided that they provided parking to code but that's not what they asked for. The parking alternatives that – we can't buy our way out of a parking problem on this site. We have a code section now that says we can authorize puzzle parking for office uses. You believe as Staff, that it would be effective on this site? Ok, thank you.

Mr. Lait: Not only effective but also permitted by code.

Board Member Furth: Even better. No, I knew it was permitted by code but I wanted to know if it was effective too. Would it be possible – this is a question that you don't need to answer unless it's easy to answer. Is this the limit of parking expansion on site; basically, one of these numbers of spaces?

Mr. Lait: Is this the most they can do? No.

Board Member Furth: Thank you.

Chair Lew: Ok, thank you, Wynne.

Board Member Furth: Using the term loosely.

Chair Lew: Yes, so, ok. I don't have a lot to add to this. I would say that I think the At Places memo that the Staff provided, I just skimmed it very quickly and I don't have any issue with it. Peter, you mentioned that you disagree with code definition of roofed outdoor floor area and I just wanted to highlight that there are – there have been projects like on University Avenue, there's a – what is it, Lemonade? So, before Lemonade, there was – it was the Lobby (inaudible) bakery so they a proposal to cover the – most of the plaza with a trellis for outdoor seating. I think the Staff said that would count towards floor area and so that went away and then they did umbrellas instead and the temporary umbrellas didn't count as floor area but they are big – I would that I just want to caution you that there is the significant

implication for that kind of change. I mean there is one thing that if you just see a row of tables in front of a building but there are other instances where I think the City would want to be more careful about it. I mean large courtyard – we've had large – we do have large outdoor restaurants so it's an important issue that I don't think we should take – I don't – I would say that we shouldn't rush to judgment. I think we should look at the – if we think there's a policy issue then maybe you should ask Staff do a larger analysis of it. I don't want to be – it may make sense to make a judgment on this one case but I think there's a – I think we should look at it more broadly if that's – if you guys want to go that way. Ok, then I think my last question is for Staff. So, I understand that you have the memo and then the Staff report mentioned two options.

Mr. Lait: Right and the Planning Commission offered a solution to that, which has been incorporated into that memo which is to remove the chain link fence.

Chair Lew: Which is the is the first item, right? Remove the...

Mr. Owen: Correct.

Chair Lew: Ok, so we're not doing two. Got it. Is that correcting? I am not really sure I understand this. That was that – we're doing two, right? Is removing the storage but not the bike parking?

Mr. Owen: I'm sorry, two.

Chair Lew: It's two and not one, ok. Ok, so that's where I am but I am not – well, lets the Board deliberate because I think we're at two-two, maybe?

Board Member Baltay: Let me respond to what you said Alex, about the covered area. I think it's quite right that when a restaurant builds a trellis or makes an enclosed outdoor dining area along the lines of what we at the Indian restaurant off of University. That definitely counts towards FAR and that's what they are talking about. What I am envisioning what these guys are asking for is putting some tables on the sidewalk and to me, that's where I think we're just getting our head in the sand. I mean, when a restaurant (inaudible) puts a table on the sidewalk, that's not adding FAR to the building. I don't think that's what the code is saying so I don't want to debate it anymore and I don't think it's beneficial for the Staff (inaudible).

Chair Lew: Right. I would say that in general, as I've been taught to design buildings, we want facades to be deep and have depth and shadow and character so this was a Ken Hayes building and so he did that and I do support that. I think the policies that the City has should encourage that instead of having a thing curtain wall right at the edge of the property line. I think that's a bad – that's the wrong way to go so I do want to – I think we are in agreement about that. I guess the issue is here is that there's a cantilever or there's an existing overhang so then that's considered roof. That's like...

Board Member Baltay: Let me address then that Jonathan mentioned earlier, that I think Wynne asked you, the building need – something about the way the FAR is counted now, the building is suddenly less than the maximum amount required. When we approved the ARB thing back 5-years ago, it was at 27,00-square feet, the FAR of the building. That was clearly documented. There's nobody debating that. How can right now the building be then at 26,000 something? I mean, how can you guys be supporting that? That's my fundamental questions are what are we using to base – if the basement storage was never included in the FAR, how is it all of sudden required to remove it in order to bring it into compliance? If it was already at the maximum, how can you be – it doesn't make sense.

Mr. Owen: The biggest change in FAR between the ARB set from 2013 and what we have right here are the areas on the first floor—the ground floor that is the required axis from the garage to exit the building. With the ARB set from 2013, those areas were included erroneously, as we see it, in the gross floor area of the building. As they have no function unrelated to exiting the parking garage, we consider them accessory to the parking and there for exempted.

Board Member Baltay: Aw, so you guys are changing the FAR was calculated on the original building. Reducing that with things like stairs – exiting stairs.

Chair Lew: Could you point on the plan where it is? I presumably believe it's near the alley.

Ms. Gerhardt: There are the stairs exiting the basement garage and so from the basement level to the street level, there is required access for the basement garage and so you'll see the gray coloring on those stairways. Ok. I got it.

Mr. Lait: So, we've done both. We've counted areas we shouldn't count and we didn't count areas that we should have counted and so that's how get (inaudible)

Board Member Baltay: Thank you for being clear. Ok, so then we are recounting the building and you guys generally believe that it's actually a little bit smaller than that what was originally approved. Ok, so look, it's not for us...

Mr. Owen: With this and also with removing those storage areas in the basement or removing the chain link fencing, yes.

Board Member Furth: So, what did that do the parking calculations? Did you reduce what –otherwise, reduced the number of additional parking spaces that you would have required?

Mr. Owen: It washed out. It stayed at two additional space required that they are providing with puzzlers.

Board Member Baltay: I just find it unfair that we're asking them to remove these – these storage areas that we are talking about where carefully designed and substantially built. They are detailed out on the original construction drawings and it's not trivial to remove them and I think it makes – there are not benefit to the public interest taking them out and we're asking them to do that just to make the number match because you want to recount the whole building. I'm much more comfortable just leaving it as it is.

Mr. Lait: I don't want to put words into the Board but it seems like the Board is heading towards yes on the project. That there isn't a – the issue – there may be some question about the floor area and some commentary about that but it seems like the project is moving toward an approval. I would say that the Planning Commission last night had a discussion about that very issue and the question was what's the – what is the benefit to the community? How do we – what's the ad of removing these spaces or not and they decided, late in their meeting, that this is just the cleanest way to make it clear that you're not allowed to have that storage area? I would say that when we issue a building permit and as architects, you know this, it doesn't mean that you necessarily get that. We can find an error that we've made and require that it be brought into conformance with the code and that's kind of the situation that we are finding ourselves here. There's – well I won't be under the commentary about that.

Board Member Gooyer: I guess the part that I have a problem with is that as we were talking about if it represented a bulk or mass or anything like that, labeling it something seems stupid to me. I mean to make a big issue out and to have them take the chain link fence down because the reality is that you can't put a car back there. So, you can't use it for anything else other than a big empty hole so what are they going to do, they are going to pile crap there again and make it a storage area without a chain link fence in front of it.

Mr. Lait: Ok, so and...

Board Member Gooyer: What? We're going to go down and check once a month that they are not doing that?

Mr. Lait: No, we're not going to go check once a month but we will – we do have to an inspection and that's one of the conditions that we have and ...

Board Member Gooyer: Ok, I'm being a bit facetious. I'm just saying that to me it doesn't make any sense to tear something down when we are not benefiting really anything, other than making the numbers of the calculations count.

Mr. Lait: Yes, I hear you and you have an applicant and a property own who want a resolution to this matter and they have agreed to this condition. The Planning Commission...

Board Member Gooyer: Just because they've agreed to it, I still think it's a stupid condition. I mean...

Mr. Lait: That's fine.

Board Member Gooyer: ... the reality of it is, I think what it all boils down to and after hearing this for an hour is that they want to use something – they started out with retail, which it went through originally. Now they want to put a restaurant in which means more parking. If they have come up with a solution by using this – the mechanical parking system, covers that additional parking then I think it's a done deal.

Mr. Lait: Again, I just want to be clear about this. The plan that is before you are what the applicant is requesting. They understand that as a part of that approval, they have to remove the chain link fence. That is an acceptable condition to the applicant. It's – if you're not getting into the discussion of the hearings requesters comments – if you're not buying the argument about the hearing requesters statements about the floor area and all these kinds of – if you are past that, you are right. It is a done deal and I think it's done if you are ready to move forward with a motion.

Board Member Baltay: Let's focus on the parking. Where are the puzzler lifts proposed to be located? On the upper floor or in the basement?

Mr. Owen: They are currently proposed at the upper floor. It provides vertical clearance that's needed for the system.

Board Member Baltay: Is it possibly to put the puzzler lifts in the basement level?

Male: (Inaudible)

Board Member Baltay: Ok, well look, I think we should just push this along. It's clearly – we need to approve it. If we have to be in sync with everybody else then, as much as I don't think I like the way we've don't it, we should just put this forward. What is the format we need to do?

Chair Lew: The Staff at Places memo is the Staff recommendation. I just misplaced it. Is this the number four?

Board Member Baltay: Jonathan, what would you –what do you think – what would you recommend that we move to approve, please?

Mr. Lait: Right so I think it's the Staff recommendation as modified by the At Places memo.

MOTION

Board Member Furth: So, moved.

Board Member Gooyer: I'll second.

Board Member Furth: Can we have discussion briefly?

Chair Lew: Sure, well yes. So, we have a motion and a second and...

Board Member Furth: If I could speak to my motion?

Chair Lew: Yes.

Board Member Furth: That is incorporating, of course, these modified conditions. I don't disrespect what Mr. Levinsky did. When I came here, the City building Staff that the vigorous encouragement of architects and applicants was rounding down on doing calculating FARs from building plans. You could add 5 ½ -inches in every dimension of your building and – cause why not? The neighbors came unglued and I thought the neighbors were obsessive but I also thought that you shouldn't be rounding up from plans and all laws become – all laws of this kind become ridiculous at some point. They all require interpretation. I mean really what I hear my colleagues saying is the FAR ought to be a little bigger and the rules are silly. We have these exclusions because people wanted bigger buildings. Bigger buildings that are more than 1 to 1 FAR. That are more than two and they are more than whatever they say because a lot of those spaces is excluded and those exclusions have been fought for one by one by one by applicants. The public says, wait a minute. You told me we were going to have 2.0 and it's more like 2.9, what is this and we say oh, it's excluded space. These are not unreasonable things to look at but I do not share Mr. Levinsky's analysis of how these things are calculated. I also disagree with the notion that FAR – sorry. Floor area is floor area. It's not more than income is income for tax code purposes. It all depends on what you are looking at. I think that what is seriously happening here is that this is an intensification of use. I look forward to it happening. That is a sad and dark space at present and as Mr. Levinsky says, we're not opposed to this being a restaurant or it having outdoor spaces. I admit it defies reason when you think ok, why can I put thirty spaces on the public sidewalk and not a problem but somebody parks right – anyway, I'm not trying to defend it but I think this is what our code permits. I don't think it's within our rights to modify it as it goes so I am moving the Staff recommendation as modified because I think it's a good one.

Chair Lew: Are we ready to vote? All in favor? Opposed? None so that is 5-0 with – 4-0, yes, with Board Member Kim absent. Just a clarification from Staff, this is a – we treated this like an appeal but this is a Director's decision.

MOTION PASSED 4-0 WITH VICE CHAIR KIM ABSENT.

Mr. Lait: Right so what we are doing is this item is going to go to the City Council on June 12th on the consent calendar. The CUP necessary needs to go to the City Council on consent and the Director has the authority to differ a decision of the ARB for three different criteria and this meets on of the criteria and so the whole packet is just going to go to the City Council on June 12th on consent. The Council may choose to – if they elect, three members of the Council can pull it up and schedule it for a hearing. Otherwise, if they don't, it gets approved on consent.

Chair Lew: Great, thank you for that clarification. Ok, we will see everybody on the 12th.

5. **PUBLIC HEARING / QUASI-JUDICIAL. 3265 El Camino Real [15PLN-00312]:** Request for Architectural Review for a New Three Story Mixed Use Project With 275 Square Feet of Commercial Space and Three Residential Units (4,435 Square Feet). The Applicant also seeks a Variance to the Minimum Mixed-Use Ground Floor Commercial Floor Area Ratio and Design Enhancement Exception to Reduce the Required Driveway Width From 20-feet to 16 Feet and six-Inches. Environmental Assessment: Pending Further Review. Zoning District: CS. For More Information, Contact the Project Planner Adam Petersen at APetersen@m-group.us

Chair Lew: Item number five a public hearing for a quasi-judicial matter for 3265 El Camino Real. Request for architectural review for a new three-story mixed use project with 275-square feet of commercial space and three residential units of 4,435- square feet. The applicant also seeks a variance to the minimum mixed-use ground floor commercial floor area ratio and a Design Enhancement Exception to reduce the required driveway width from 20-feet to 16 Feet and six-inches. Environmental assessment is pending further review and the zone district is CS. We have Adam Petersen our project planner. Welcome, Adam.

Mr. Adam Petersen, Project Planner: Alright, good afternoon Chair Lew, members of the Architectural Review Board. I am Adam Petersen from the Planning and Community Environment Department. I am here to present the project at 3265 El Camino Real. This was a project that was heard by the ARB as more of a sort of informational item in December of 2016. The ARB provided comments and the applicant went back to the drawing board and made some changes to the plans. Mainly they removed the ground floor and sort of second-floor office space that was fronting El Camino Real. They replaced that with a ground floor commercial space at 275-square feet and then some mass to the front of the building and still have three residential units but sort of moved the massing around a little bit. We are here today for the ARB to review the proposed project, provide comments and continue the item to a date uncertain. As indicated, the project is located on El Camino Real; it's right here. There is a two-story hotel, three-story mixed-use building and then a one-story restaurant that sort of flanks the site. Really quickly I am going to dive through the or just sort of skim through the ARB's comments or key comments from that December 2016 hearing. Number one the ARB was concerned about the narrow driveway when the applicant was proposing a 16-foot 6-inch driveway. The transportation division reviewed this and they are supportive of that reduced driveway width with the Design Enhancement Exception. The trash location was moved to the back of the building and the applicant proposed to roll out service for that. The applicant has reduced the mass of the building by approximately 2,600-square feet and really one of the main – one of the ARB's main comments was that the tree and the parking were really driving the design of the building. Staff worked with the City arborist to evaluate the tree and also the City code. The City code says that you can pull out the tree if it's dead, dangerous and a nuisance or if twenty-five percent of the buildable area of the site is being taken up by the tree. Unfortunately, in this case, the tree is neither dead, dangerous or a nuisance and doesn't take up twenty-five percent of the site so the site is stuck with this tree. The applicant needed to come up with a design that respected the tree and also met the City's requirements. What the applicant did has they basically changed the office space to the ground floor to a commercial space, which thereby reduced the parking. The applicant does have two stacked parking stalls for the project that's consistent with the parking requirements. Moving on, there were comments regarding the architecture and the design. The applicant has updated the architecture to include hardy lap siding, strong aluminum reveals, metal railings and stucco stone veneer and this is applied consistently throughout the project. The ARB was also concerned about unfriendly pedestrian – an unfriendly pedestrian entrance. There are two pedestrian entrances to the project and located immediately behind the commercial use is sort of a lobby for the project. Really quickly a walk through the floor plan. Again, we have the pedestrian entrance at the front on El Camino Real. This is the commercial space. We have a pedestrian entrance on either side which leads to a lobby here. Above this -- above each level are residential units. The renderings will sort of illustrates what those look like. We have one acceptable space, which technically meets the parking requirements for the City and that is for the commercial use. There are two stacked parking here for four parking and then finally two pad parking places in the back. The design – the trees is preserved in the back of the site with a staircase that wraps down from an upper-level sort of balcony area down to an open space in the back. Really quick, I just want to walk you through the renderings for the site. Again, this is the entrance with the garage, commercial space, and then two pedestrian entrances that flank either side of the commercial space. You can see that the applicant has reduced the mass along this sort of reading portion of the building. There is more sort of these independent residential units towards the back and it moves the mass up front too. Moving along, this is the front along El Camino Real and the rear of the building. This is again, another rendering of the rear of the building that shows that the design does respect the tree. Again, just to reiterate, this project requires architectural review. There is a Design Enhancement Exception, which the Transportation Staff has been supportive of. The variances used to respect the tree and provide adequate parking on this site by reducing the ground floor commercial and office requirement. Again, the motion

before the ARB is to review the proposed project, provide comments and continue the application to a date uncertain. Thank you and I am available for any comments that the ARB may have.

Chair Lew: Great, thank you, Adam, and so now is the time for the applicant presentation and you have 10-minutes.

Mr. Bob Iwersen: Thank you for a member of the Architectural Review Board. I am impressed with your stamina today. I am tired just watching. Much of what I would like to reiterate is included in the Staff report so I would like to try and make this brief. Let me see if I can go forward here.

Chair Lew: Could you – I am sorry to interrupt. Just state your name for the (inaudible) (crosstalk)

Mr. Iwersen: Oh, I'm Bob Iwersen with Hunt Hale Jones Architects. When we last met, our proposal was clumsily attempting to fit too much program into a highly constrained site. Planning and the design team then met and with the goal to create a building that would comfortably fit the site, respect context, provide livability, meet zoning and maintain the heritage oak. Your previous comments guided this and they were that the project is too tall and massive. Especially along the tall wall along the west property line, which is going to be highly visible for the foreseeable future. Too dense and urban, lacking residential and livability feel, and no relationship to the open space and most challenging is that we need to simultaneously meet the desires of the zoning density and strong street façade, future context and the present context. We have tried to address these items and make all of the aspects of the project knit together to create a comfortable holistic project. The workspace needed proper street frontage. The residences need clear and pleasant interiors with strong connections to the private and common open spaces. Parking needed reasonable proximity to all these uses and circulation needed to tie all this together in a clear understandable form. At the same, we tried to create fenestration and materials and detailing to reflect the variety of uses while maintaining a coherent project. For instance, we needed to simultaneously create a strong, durable street façade of at least 25-feet in height while providing a softer residential life in the rear or simple stealing of elements from presidents but rather all decisions are meant to support the entire concept. For example, the recesses of the El Camino façade are further protected by balconies and awning and railings and appropriately located louver system. In contrast, while using the same railings and window system, the rear generously opens towards our more substantial open space than we had before. The community open spaces are increased significantly. Circulation through the project or through the site is intended to strengthen the massing and create a comfortable way through the project. An identifiable residential entrance provides a short path to the stair elevator system. From here, a flowing path meanders to unit entrances and various open spaces and culminates in a circular stair to the common open space in respecting the oak tree and its form. The massing result is intended to provide a highly residential feel at the rear with a strong front and additionally allows for great access to light and air for the residents. The fenestration and materials and detailing are going to be contemporary in nature but hopefully intricate enough to create depth and richness to the building. As previously mentioned, we are not simply borrowing president but we are applying and adjusting these examples to support the circumstances of the site. Layer of the front façade intends to create depth to this elevation while providing privacy where needed. The railing will incorporate a design that provides – that promotes privacy but allows for glimmers of light and depth. The stone will be sleek and tight but a varied coursing and dimension. The siding will be a varied exposure and panelized, disguising the building from typical single-family topologies while recognizing residential living. Finally, we intended to create passive sustainable features within the design and provide some more active features what would appeal to the tech. savvy residents. Opportunity for cross and stacked ventilation at the units created by the massing. Proper protection at the south and west windows but open to the east and north will hopefully enhance livability. Operable mechanical shutter is provided and space for solar systems will be available for future use. Once again, thank you very much and I am willing to answer any questions. I think the Staff report did an excellent job so I'm more than willing to react to any commentary.

Chair Lew: Great, thank you. I don't have any speaker cards for this particular item so I will bring it back to the Board for the question.

Board Member Baltay: Question, do we have any material samples?

Mr. Iwersen: Not at this point, no.

Board Member Baltay: I mean any more detailed specification on what these finishes will be?

Mr. Iwersen: Just the images that I have included in the drawings.

Board Member Baltay: Thank you.

Mr. Iwersen: I can go into more enhanced images I think, which I have here.

Chair Lew: Any other questions? No.

Board Member Furth: I have one question which is how the breezeway works? Are those – each of them an access way to a separate unit or (inaudible)(crosstalk)

Mr. Iwersen: One – the breezeway is an access to only one unit. Each unit has its own, basically private entrance and so the breezeway itself accesses only one unit. The other two are accessed on the ground floor of the podium deck.

Board Member Furth: Thank you.

Chair Lew: Yes, Wynne, why don't you start then on Board Member comments.

Board Member Furth: Oh, I think it's much improved. No further comment from me.

Chair Lew: Robert.

Board Member Gooyer: Well, it's definitely a big improvement over what we saw the first go around. I'm still a little -- I mean this I being called a mixed-use but we're talking about the equivalent of a one car garage for a commercial area and the rest of it is all residential. I am having a hard time classifying this as mixed use. I don't have that big of a problem with the 16-feet but the only thing is, when you are coming down El Camino at the rate of flow that traffic is going, you have to usually stop fairly quickly and make a tight turn so the wider the better. I would be a whole lot happier with 20-feet. I mean it's definitely, like I said, a big improvement over what it was. It's just that to me, it's still asking for a whole lot of variations and it just seems like it's inappropriate to put three full-blown housing units right in the middle of a commercial district where it is. That's all I have at the moment.

Mr. Iwersen: Can I respond or not? Can I respond at this point or not? No? Ok.

Chair Lew: Well, I think we'll get there. I think we're going to get there in a minute. I might have a question for you regarding that. Peter?

Board Member Baltay: I share my previous Board Member's comments. I think it's a much-improved design. It fits the site much better. Just a couple of things on the floor plan that I am trying to puzzle out because the more I look at it, the more I see things that I just want more information I guess. As I pull in the parking space, the last two spots there, how do I back the vehicle up and get back out again without...

Mr. Iwersen: That is that little deck that is provided out in the back is also intended as backup space.

Board Member Baltay: So, that's underneath the drip line of the tree. So, you're sort of pulling outside the building through that big opening at the back underneath the tree and then coming forward. That doesn't seem to work very well. If you're supposed to stay away from the tree, then you can't have cars

driving underneath it. I am sure there is a way to lay it all out correctly but it just seems odd to have such a large garage opening onto this public outdoor space. If it really is going to be this beautiful outdoor garden that you so nicely described, then I am not sure I want to see a 20-foot opening into a parking garage from that and I would want to have car occasionally backing up where my child is playing, for example. You'd really want more of a barrier. What I am left thinking is I wish you could just sink that parking area down even just half a story or something to get more separation. I know you are close to the tree but you're already doing it for the mechanical lifts anyway. If you could just get it more separated, I think it would work better as a whole. Then I was just glancing through the floor plans for the building and I noticed you have a fairly interesting window on the El Camino elevation on the right. It's a very tall building window and I was sort of wondering what is going on? It turns out you have a stair wrapping...

Mr. Iwersen: It's with the stair system, yeah.

Board Member Baltay: So, the stairs wrap sort of between the kitchen counter and the window going up like that and it's certainly innovative and genius but I wonder if it's really all that practical.

Mr. Iwersen: Well, I think it's to allow light into that unit and eventually, what I think I would like to do is poke a little hole and put an operable window in there to allow for some more ventilation up through the stair. I think it's just a way of allowing light into the unit without overheating the unit.

Board Member Baltay: As I – let me finish if I could. As I finish -- as I dive into the floor plan more, I realize that it's a dramatic stair and what it's really going up to is just sort of a small room up on the third floor with no – it's just a room up there without any sort of any larger space. There's no bathroom and it's not connected to anything. I hope I am miss reading it but if I am not, it doesn't make sense.

Chair Lew: There's something –no, it's the whole – there are three bedrooms.

Mr. Iwersen: It's a three bedroom, yeah. It goes up to three bedrooms.

Board Member Baltay: Is there a doorway through there, is that what I am missing?

Board Member Furth: Yes.

Board Member Baltay: Oh, I am sorry.

Chair Lew: They are kind of drawn slightly...

Board Member Baltay: Oh, so you go up to that third level and then I can carry into – oh, I' sorry. I didn't – my mistake.

Mr. Iwersen: That's just a play area at the top of the stairs.

Board Member Baltay: Now that makes perfect sense then. So, it's not really for us to question the details of your layout and stuff but I don't think that it gives you the opportunity to have a nice vertical element on El Camino, which I applaud so more power to you. Then the last one just gets to that I was looking at one of the renderings of the back of the building and it just caught my eye as being very tall and narrow.

Mr. Iwersen: The rendering is actually inaccurate on that. If you look at the actual elevation, it's a split window system that – it's a taller room in that case. It's a living room that we punched up and...

Board Member Baltay: So again, if you could let me finish, please. On Sheet A-4.2, the rear elevation, when I look at that it kind of scares me. It's just really ill proportion and I look at the elevation and I think that's got some promise to it.

Board Member Gooyer: You're saying the A-2.1 is actually the way that it will be?

Mr. Iwersen: Let me check on that. I'm not sure if I've... I'm trying to find that sheet. Let me – darn it. I'll have to take a look and see. I don't know if I have that particular sheet.

Board Member Baltay: Well, what I am left – I guess what I am trying to comment on so that my fellow Board Members can hear is that the more that I look at it, the more I see small questions that aren't starting to add up to – my first reaction to this whole thing was why aren't we approving this right now? Then the more I look at it, the more I see little things that just don't jive so I look at that rendering and it scares me. I look at the elevation and maybe it's good. I ask you for some idea about what the materials are and I get nothing so we're not trying to get it approved right away so that's fine. I guess I am saying that I'm still...

Mr. Iwersen: I think our intent was to come here and try and get a – rather than go down the road we did last, with the full-blown presentation and get sent back to the drawing board. We wanted to see if we were on the right track and that's kind of where we are going.

Board Member Baltay: Fair enough.

Chair Lew: This is the third scheme that they've presented so there was a scheme before this.

Board Member Baltay: So, then I – let me just say that I think you are on the right track. I think the building has great potential and is certainly approvable.

Mr. Iwersen: By the way, 2.1 is the correct – the rendering just didn't pick up on it. I'm trying to – we don't have the in-house rendering and trying to get them to match it up has a bit of a – more of a struggle than we anticipated.

Board Member Baltay: I think I will be able to support this at some point but right now there are still a few questions. The biggest one has to do with the parking and its relationship to the backyard and it's not possible to get a little more separation psychologically. Ok, thank you.

Mr. Iwersen: Yes?

Board Member Furth: Hi, so looking at A-4.2, which is the renderings. So, what is happening to the left of the descending staircase?

Mr. Iwersen: We have a preliminary landscape plan for that and that is more just a planting wall, I believe. If you go to sheet L-1.1, that would be a more accurate description. There is a planting area adjacent to a – there is a little bit of height change down at that point. It descends in the rear so that's a little bit of a ramp that goes down from that deck on down.

Board Member Furth: I'm sorry. I'm having, even more, trouble reading it than that. I am exposing all kinds of ignorance. So, I see that there's a deck and there's a staircase coming down from it.

Mr. Iwersen: The staircase is above.

Board Member Furth: The staircase is coming down, right?

Mr. Iwersen: Oh, yeah, yeah, yeah.

Board Member Furth: To the left of that, what am I seeing behind the deck?

Mr. Iwersen: Well, that's why I was trying to push you towards L-1.1.

Board Member Furth: Right.

Mr. Iwersen: That is a ramp down from the deck. It's a wooden boardwalk in a way.

Board Member Furth: Right and behind the boardwalk?

Mr. Iwersen: Probably about a foot and a half.

Board Member Furth: What looks like a car gleaming...

Chair Lew: It's a doorway.

Board Member Furth: There's a big –what looks like a garage door with a car in it.

Chair Lew: It's a garage doorway so that the car can back out over the wood deck.

Board Member Furth: Is that what we are talking about? This is the backup space? (Crosstalk) Got it. Didn't realize that deck was at ground level. Thank you.

Chair Lew: Let's go back to the – I think you had – Robert, you had a comment about the mixed-use, right? The lack of – the small level of office space. I just wanted to go back to that so our zoning requires a certain amount on the ground floor and ...

Board Member Gooyer: What is that number, by the way?

Chair Lew: Ten – fifteen percent.

Mr. Petersen: Yeah, fifteen percent is the required amount.

Board Member Gooyer: Of the entire project?

Mr. Petersen: Of the site area.

Board Member Gooyer: Oh, the site area, ok.

Chair Lew: That's a lot of floor area.

Mr. Iwersen: It comes out to 1,124-square feet and what – as a result of – by putting that much on the ground floor, it pushes everything back into the tree. That's where the problem comes in and so that is how we worked with planning to try and establish some sort of compromise between the hardship for the tree and the requirement – the fairly large requirement for ground floor space of the commercial.

Chair Lew: Right and we would not normally allow an all residential project in zoning.

Mr. Iwersen: Yes.

Chair Lew: That's how our code reads and yes?

Mr. Iwersen: Can I just present this? This is a little exhibit about small shops and such but (inaudible)

Chair Lew: Can you use the microphone, please?

Mr. Iwersen: They are all in one location, however, if you were too...

Board Member Gooyer: (Inaudible)

Mr. Iwersen: Well, if you could extrapolate that... (inaudible)

Board Member Gooyer: (Inaudible) in the middle of nowhere.

Mr. Iwersen: ... over to a – you know, there are other examples of one small shops (inaudible).

Board Member Gooyer: So, how far are you off?

Chair Lew: Way off.

Mr. Iwersen: Way off, yeah.

Chair Lew: 1,000-square feet?

Mr. Iwersen: 1,000-square feet.

Board Member Gooyer: Oh, ok.

Board Member Baltay: Do we have the option of just not requiring commercial? Is that within our purview? We can just reduce the amount but we can't eliminate the requirement?

Ms. Gerhardt: The project is asking for a variance from that development standard.

Board Member Baltay: Can we make the variance a complete elimination of that standard?

Board Member Gooyer: No, because I don't think then you can classify it as a – you could probably vary how much it is but this way, it would still be a commercial or a mixed use.

Board Member Baltay: So, we are right back where we were an hour ago. This is a non-useful building with no parking. I mean non-useful commercial space and there is not parking. The only parking space is the handicap spot.

Mr. Iwersen: I would argue that that space is useful. (crosstalk)

Board Member Baltay: We do have the option to approve a variance for it?

Board Member Gooyer: You mean by eliminating (inaudible).

Board Member Baltay: Just illuminate it. Call it what it is.

Ms. Gerhardt: There is the – as Alex stated, there is a prohibition on full residential project so we would have to explore that further and we can bring that back to you.

Chair Lew: That was a Council level discussion so it wasn't – I don't think – my recollection was that discussion was more for – was more based on – after Arbor Real and not necessarily for a very, very small site.

Board Member Baltay: They just start this (inaudible).

Mr. Iwersen: I would still argue that while it's small, I think it's still a useful spot. I think that can – there will be a potential for a tenant to come in there.

Board Member Gooyer: But the other thing is also, that there is no parking for it.

Mr. Iwersen: No, there is. Yeah. They've got a spot.

Board Member Gooyer: Yeah, one handicap or one accessible space that theoretically you can't park unless you have a plaque.

Board Member Baltay: Unless you are selling wheelchairs in this spot.

Board Member Gooyer: I mean really, you don't have a parking space for it. I mean yes, there is a physical space but you can't use it.

Chair Lew: Ok.

Board Member Gooyer: I mean, I'm just trying to be realistic.

Mr. Iwersen: Yeah, yeah. I'm not sure...

Board Member Gooyer: If we are talking about a variance, that needs to be part of it that also – that – it goes more to the tune of just saying can you get rid of it altogether because that also eliminates the issues of the...

Board Member Baltay: The tree gives you intense room for requesting a variance. It's significantly difficult in developing this project.

Chair Lew: Ok, so let's just list stuff to deliberate on. We're not making a decision on this today and let them see if there is a way on (inaudible).

Board Member Gooyer: No, but I am not a big fan of variances. Never have been.

Chair Lew: Well, it's not our – it's not the Board decision, right?

Board Member Gooyer: Ok, but it is my decision to vote yes or no.

Chair Lew: You can have an opinion. Yes, and you can have an opinion.

Board Member Gooyer: Ok, fine.

Chair Lew: Whether or not it meets the variance findings is the Director's decision. Ok, Wynne, did you have something?

Board Member Furth: Oh, if we are going down a list, my principle concern at this point is the safety – is modifying the backup on those two garage spaces for returning so that there's a barrier between the backing up and the use of that outdoor space. Whether it's a circular bench on the edge of the deck or whatever but so that...

Mr. Iwersen: We could easily put that in there.

Board Member Furth: ... it's safer. I would be curious as to – there's not garage door there now, is that right?

Mr. Iwersen: There is no garage there.

Board Member Furth: I tend to think that it would be better with one. One of the things that might do is give me a sound signal when it goes up for example.

Chair Lew: So...

Board Member Furth: Yes?

Ms. Gerhardt: Where are you suggesting the garage door?

Mr. Iwersen: On the rear.

Board Member Furth: At the back on the rear two spaces and one of the things about having a garage door is that you can signalize it so that it beeps when it opens. (Inaudible)

Board Member Gooyer: Well the neighbors are a restaurant and (inaudible) (crosstalk)

Board Member Furth: (Inaudible) this site,

Mr. Iwersen: Can I also address the – we're keeping the existing curb cut on El Camino, which is wider than the 16-feet. It's the garage door itself that is 16-feet 6-inches and we have a little bit more space than that as you pull up to the garage door by the return, just on the right side actually but not by much. I think we're about 17-feet as you pull in underneath the building.

Chair Lew: Ok, thank you for that. So, I have a couple of other comments. One went to the garage door in the back. I have seen that done in San Francisco where there is a garage door on the front and the back and at least in San Francisco it's very (inaudible). Just for security because people will go up and over and all around to break into buildings in San Francisco. Having the back door is useful there but I don't know it really makes much sense here but it's been done. It's – on the project that I have seen, it was – it does affect the backup space but it's still done. I can support the DEE for the driveway width because you have a very small lot. The window that Peter was asking about, I just want to caution you that in our El Camino Design guidelines, it discourages louvers and screens on the windows...

Mr. Iwersen: Oh, it does?

Chair Lew: ... and I think it was intended for much – like a large office – we have some large office building from the 60's that have all – the entire window is covered with a screen. I think that was the intent and I am not sure that this one architectural feature that you have has to be – what do I want to say? That it couldn't have a screen. I just wanted to caution you. (crosstalk) (Inaudible)

Mr. Iwersen: Well, I was – yeah. We could go to a Cal. Wall system or something like that with a punched opening in it maybe or something along those lines. It's more or less – it's more to filter light through and protect from heat gain rather than...

Chair Lew: I think what my main thing is though, is that because you are building up against the property line against a one-story restaurant. I want some sort of architectural feature or definition there and it's tricky because it's a fire condition. To me, making something attractive there at that corner is more important than the guidelines restriction on screening – solar screening. Generally, I can support the project and I think that's all that I have or let me – I think I have one more comment. Oh, yes, I have one more comment. The residential entrance is off to the left and you have you have a wood slated gate. If there was a way of making that more prominent, I would be interesting in see if there were options because right now, you have very small commercial space with the bigger entrance and you have three units which, in Palo Alto, would be – should be very high end just given the square footage and the way the prices are now but are making them through what looks like a little smalls side gate. Anyway, if you have ideas, I would be interested in seeing them.

Mr. Iwersen: Well, no, that's a – that's mostly what we are looking for is input on that level to see how we enhance certain aspects.

Chair Lew: I think it doesn't necessarily have to be big but I mean, in terms of quality and materials and whatnot, it could be very attractive. Anyway, I think that you are on the right track. I look forward to seeing this one come through.

Mr. Iwersen: Anything specific as far as the material and the skin that you – or the fenestration, besides the louvers aspect, that you would think would help this project when we go forward?

Chair Lew: I would say that in the past if we – I was just looking at your front façade, the Board has often wanted to see a change in plan anytime there was a different material because otherwise, it's just like a Zee flashing between them.

Mr. Iwersen: Right now, if you saw the section, I have a larger stone element that gives a little water table effect at that point. Would you rather see something stronger, I guess is the case?

Chair Lew: This is right above the garage entrance?

Mr. Iwersen: Yeah, it's above the garage. If you go to the wall sections.

Chair Lew: Can I – yeah.

Mr. Iwersen: It ties in with that awning over the residential.

Chair Lew: Yep.

Mr. Iwersen: It's meant to tie in with those.

Chair Lew: I guess it would be on really how – it's the actual profile because the faux stones are -- I don't know. They are pretty thin so I guess it depends on how it's detailed and on the – I had I think a similar question as Peter about the siding. If it was hardy; like quarter inch thick Hardy panels versus – I don't know, metal siding with a deep rib or ...

Mr. Iwersen: Hardy is coming out with this more premier version...

Chair Lew: Yeah, I've seen that.

Mr. Iwersen: ... that is thicker. We could do that or we could switch over a metal siding with a great relief to it.

Chair Lew: I don't know – it seems to me that the hardy siding is the environmentally preferable material. I think when – we have buildings with metal sidings and then it really comes down to the details like all the corner details, where its lapped and the screws – you know, if the corners are mitered or whatnot so we have some projects that have really beautiful metal siding details that I think are nice but I think your standard airport or bus terminal level of metal siding detail probably won't cut it.

Mr. Iwersen: Our intent is definitely not to go that route but to be off higher quality on all levels.

Chair Lew: I would say, just based on the neighborhood, you would either way. A lot of the area around Fry's site, where all railroad warehouses so they were corrugated metal, utilitarian buildings so you could tie into that or you could make something else on El Camino so yeah, I don't – I think you could either way on that. I think I'm really more concerned about just the quality and the details and we have some projects that have – there's the mixed-use building on Birch Street, where we had a – it was a debate with the developer whether or not to use granite cladding on the first floor or porcelain tile and there were two architects on the team. They were sort of arguing amongst themselves on which one to use and I think they went with the porcelain tile, which didn't look so great because it looks thin. I think the issue is just trying to make – if you are trying to do a stone, just to make it look robust.

Mr. Iwersen: Yeah, definitely you're not trying to make it look thin. You know, that's a...

Chair Lew: Ok, that's all that I have. I think you are on the right track. Any last comments?

Board Member Baltay: Let me throw out – you were asking and I am looking at you El Camino elevation a little more critically now and I'll throw a couple things at you. It seems every window has a different proportion and there's not enough consistency. The commercial entrance as square transoms above it, whereas the residential stuff is very tall, narrow windows. The one to the right is more deeply recessed and you have this curved piece as well and it's a little bit too much. You want to simplify and find a consistency there. Yeah? I think that the horizontal siding is a very attractive thing. You see that a lot of high-end contemporary homes where they are using Ipe or Teak even or cedar and things like that. They are incredibly high maintenance and very difficult to put in well.

Mr. Iwersen: That's why we were going hardy.

Board Member Baltay: So, we've also used, in my firm, hardy board stuff. The premium one, which I think 5/8s or 7/8 is really quite attractive. The devils in the details and you really want to miter those corners. Hardy Board is not a very easy material to work with when it comes to mitering corners. What they give you is a metal piece that you nail on top of it, which looks pretty tacky. You want to think hard about what your approach is going to be but that deep shadow line on the horizontal lines can look really attractive but then I wouldn't want to see – it looks like you have some sort of a reliever or a regulate divided up.

Mr. Iwersen: Yeah and that's what I am wondering if maybe those for the corners instead and makes this more of panelized item than...

Board Member Baltay: I would think less is more and you want a constant vocabulary. If you are going for a horizontal series of shadow lines, then I wouldn't try to put a vertical element to it. I am just challenging you that a lot of architect's want to use that heavy hardy board stuff and the devil is in the corner. We've done it where we've has the guys us bondo and it's a labor of love to get that looking good and lasting because it cracks. The same thing on your roof soffit up in the very top. Again, it's just how you detail that out more. A little bit more detail when you come back to us is really very helpful to us. What I found is not a series of hard technical details but rather just zoomed in images and stuff that are showing what you are really intending is very useful.

Mr. Iwersen: We will definitely do that.

Board Member Baltay: If I could, I wanted to come back once more because I want to be sure that you are hearing at least me on this, that what I am seeing on the parking on this, the more I look at it, the more I think it doesn't really function. You have two trees in the parking area and a landscaping in the parking sort of mirroring the opening above it and at least last time that I have had a project go through the Transportation Department, they gave us a lot of grief about backup space and turning radius and I can't see them approving this.

Mr. Iwersen: Well, actually, I think it's – the landscape area does not mimic the opening above. It's much tighter. Once again, we have to get the landscape architect more involved on this point.

Board Member Baltay: In my firm, we are working a similar scale project and we've tremendous challenges getting the parking to really work and it's wishful thinking sometimes what you've drawn here. In the reality is that you are going to be forced to make it really function smoothly and well.

Mr. Iwersen: We have more than enough backup space there for us to get a planting are along that edge underneath that opening.

Board Member Baltay: I'm just cautioning you to take it seriously and put some effort into really figuring it out. Make sure the City's Transportation Department is on board when it comes back to use, we're

going to have to say yes or no. It's the third time back so I would really appreciate – I want you to hear strongly what I am saying about this parking and several Board Members have said now that the big garage opening to the backyard is a question of whether you can back up or not. I am cautioning you that you are proposing to drive under neither a heritage oak tree. Last, I checked, you just can't do that in Palo Alto. Don't go down that road and found out that your whole design is contingent upon the need of that backup space.

Mr. Iwersen: Thank you. I agree.

Board Member Gooyer: Please, take a look at that carefully. Thank you.

Chair Lew: Ok...

Board Member Gooyer: One quick question, what's a utility consultant?

Mr. Iwersen: That would be the Joint Trench, typically.

Board Member Gooyer: The what?

Mr. Iwersen: Joint Trench.

Board Member Gooyer: Ok.

Mr. Iwersen: In this case [Terar] but they worked on the previous project and we didn't – we were coming through with a full-blown proposal, they'd have already vetted it as well and that's why we didn't want to go down that road of a full blown consultant.

Board Member Gooyer: That's fine. I just had never heard of it before.

Ms. Gerhardt: Board Members, if I may? I think we only heard from two people about the driveway opening. The 16-feet that needs a DEE so if we could get some clarification on that.

Board Member Baltay: I am perfectly fine with granting a DEE for that.

Board Member Furth: I am too.

Chair Lew: I said I was ok before. Ok, we need a motion. I think the Staff wants to us to continue to a date uncertain.

MOTION

Board Member Baltay: Ok, I move that we continue this project to a date uncertain.

Board Member Gooyer: I'll second.

Chair Lew: Ok, motion by Baltay and seconded by Gooyer, all in favor? Opposed? None. So, that's a 4-0 Kim absent.

MOTION PASSED 4-0 WITH VICE CHAIR KIM ABSENT

Chair Lew: Great, thank you.

Mr. Iwersen: Thank you very much.

6. **4115 El Camino Real [17PLN-00085]: Request for Preliminary Architectural** Review of a Proposed Three-Story, 16,747 Square Foot Mixed-Use Development Comprised of Ground Floor Retail, Second Floor Office and Residential, Third Floor Residential (Seven Residential Units in Total) and Below-Grade Parking Level. Environmental Assessment: Not a Project. Formal Application will be subject to CEQA review. Zoning District: CN. For More Information, Contact the Project Planner Phillip Brennan at Phillip.Brennan@cityofpaloalto.org. This item has been continued to the next meeting of June 15, 2017.

This item was not recorded as it was continued to the next meeting of June 15, 2017.

Approval of Minutes

Subcommittee Item

Board Member Questions, Comments, Announcements

Adjournment