



ARCHITECTURAL REVIEW BOARD
MINUTES: March 1, 2018
City Hall/City Council Chambers
250 Hamilton Avenue
8:30 AM

Call to Order/Roll Call

Present: Chair Wynne Furth, Vice Chair Baltay, Board Member Alexander Lew, Robert Gooyer, Osma Thompson

Absent:

Chair Furth: Good morning. Welcome to the first meeting of the ARB of March 2018. Could we have the roll call, please? Thank you. Just looking for my carefully prepared notes which I think I left at home which may speed the meeting up.

Oral Communications

Chair Furth: Alright, our first – now, let me find my agenda packet. Oh here's – good, we've got a full complement. So, if the record could show that we now have Board Member Thompson present.

Board Member Thompson: Present.

Chair Furth: Great. Are there any oral communications about matters not on today's agenda? Seeing none.

Agenda Changes, Additions and Deletions

Chair Furth: Go onto the next item which is agenda changes, additions or deletion. Does Staff have anything to say on this respect – in this respect? I have received a request to consider reversing the order of Pasteur Drive and Sherman Avenue but I think Pasteur will be a quick item so I propose that we go ahead with that.

City Official Reports

1. **Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2), Administrative Staff-Level Architectural Review Approvals, and 3) Tentative Future Agenda items.**

Action Items

2. **CONSENT/QUASI-JUDICIAL: 500 Pasteur Drive (17PLN-00226):** Stanford Hospital Entry Plaza Modifications. Request for a Minor Architectural Review to Allow for Modifications to the Entry Plaza at the New Stanford Hospital. Modifications Include Re-conceptualization of the Previously Approved Kiosk and Installation of a 28-Foot Tall Sculpture and Plinth Instead of the Previously Approved Central Fountain. Environmental Assessment: Certified Environmental

Impact Report for the Stanford University Medical Center Facilities Renewal and Replacement Project (City Council Resolution No 9168). Zone District: HD (Hospital District). For More Information Contact Project Planner Rebecca Atkinson at Rebecca.Atkinson@cityofpaloalto.org

Chair Furth: Alright, item number one or item number two on our agenda is 500 Pasteur Drive. It's a review of a change in the entry plaza at the new Stanford Hospital. It's listed as a consent item and we don't actually have a Consent Calendar but the previous approval of this project called for it to come back on consent. The item involves changes to the entry plaza, including replacement of a central fountain with a 28-foot tall sculpture, a full set of plans and a written report has been submitted to us and made available to the public. If no one in the audience or on the Board wishes to discuss this item, we'll just wave hearing and proceed. Is there any member of the public who wishes to address this item? Is there any member of the Board who wishes to discuss it? In that case, a motion to waive a further hearing and recommend approval of this item subject to the findings and conditions in the Staff report would be in order.

MOTION

Board Member Lew: I will make a motion that we recommend approval of this project.

Vice Chair Baltay: I'll second that motion.

Chair Furth: All those in favor? Ok, it's approved.

MOTION PASSED WITH A VOTE OF 5-0

- 3. PUBLIC HEARING: 350 Sherman Avenue [17PLN-00257]:** Review and Recommendation to Council of an Architectural Review Application for Construction of a New Four-Story Parking Structure, Photo-Voltaic Rooftop Panel Structure and Two Below Grade Parking Levels to Provide 636 Public Parking Spaces on an Existing Public Parking Lot Within the California Avenue Business District. The Project Includes a Request for Amendments to Palo Alto Municipal Code Chapter 18.28 to Modify Public Facilities Zone Development and Parking Standards for Parking and Essential Services Facilities in the Downtown and California Avenue Business District, Recommended for Council Approval by the Planning And Transportation Commission on January 31, 2018. Environmental Assessment: A Draft Environmental Impact Report (EIR) was published January 8, 2018 for Public Comments Through February 22, 2018 and a Final EIR Will be Prepared. Zone District: PF; Public Facilities. For More Information Contact Chief Planning Official Amy French at amy.french@cityofpaloalto.org.

Chair Furth: Our next item, on which I do have speaker cards, is 350 Sherman Avenue. The construction of a new four-story parking structure with rooftop photovoltaic panels structures and two below-grade parking levels on top of an existing lot in the California Avenue Business District to provide 636 parking spaces. Final approval of this project by the City requires a Zoning Code Amendment as it's larger than the law currently allows. The Planning and Transportation Commission has recommended this change and our review is proceeding on the assumption that the City Council will agree. The CEQA public comment period has closed and a final EIR is being prepared showing all adverse environmental effects can be mitigated to acceptable levels. The CEQA public comment period has closed and a final EIR is being prepared. Did I just say that? When the Board reviewed this project in January, we asked that it return to use with a possible second entrance in the future and more work on the wall behind the staircase opposite the future public safety building. Staff report?

Ms. Jodie Gerhardt, Manager of Current Planning: Good morning. We have Matt Raschke here with our Public Works Department to give a presentation.

Mr. Matt Raschke, Public Works: Yes, thank you. Matt Raschke in Public Works, I'm the Senior Engineer and the overall project manager for the City for this project. Amy French, our Chief Planning Official, had

written the Staff and I think it was pretty straightforward so we'll go right into the architect's presentation. So, I'd like to introduce Mallory Cusenbery, RossDrulisCusenbery Architecture, to present his design changes.

Chair Furth: Thank you and you have 10-minutes.

Mr. Mallory Cusenbery: Good morning. Thank you. As you mentioned Chair Furth we have presented to you previously and there was a great discussion and we really appreciate the discussion. We've taken a look at the comments and a lot of the discussion that we had and moved and took it as a design challenge. We feel like we have incorporated a lot of those comments and we feel it's a better building as a result. Briefly again, this is a what you saw last time, this is a picture of the structure looking up Birch Street and as you know it has four-stories above grade and four below – two below and the presences of the photovoltaics. It's a large building, it takes some particular moves to make it weave into the neighborhood and those include the scrim of – Terracotta scrim that's around there that we discussed last time with you and this large public stair that cascades down on the Birch Street side and influx towards Cal. Avenue. Now, my specific presentation will focus on the continuance items so it will be a narrow focus on those pieces and we understand them to be as listed there. First of all, the Birch Street wall, the design development of that focusing on durability, maintenance, and visual interest. To address the lighting on Jacaranda, to revise the plans to show potential future ingress/egress to Jacaranda – well, future ingress/egress, we then lead that to Jacaranda and I'll explain that shortly. Prepare a landscape plan and prepare a tree mitigation matrix and plan. There's one new item, an item that has been modified since the last time we presented to you and that is the Ash/Sherman corner based on new information that we have about the Transformers. We're going to present that so you are aware of what's going on for that. Let's start with the Birch Street wall. The discussions we understood on the Birch Street wall was that we had talked about it as an opportunity to host the shadow play from the scrim at the side. The ARB – the Board had mentioned that well, ok, that's good for the few times that the shadows are there. What about the rest of the day? There was also some expression of concern about the plaster wall; is it durable enough and maintenance and things like that so we addressed those. We took – the first couple of steps that we took were to, first of all, get more information. I think Board Member Thompson, you had asked about is there a way to kind of show exactly how much is happening. So, what we did is a series of animations to determine data on how much sun actually hits those walls. You're looking at summer, which is the greatest amount of time that the light hits the wall. It goes – it actually hits the wall until 11:00 a.m., in spring it hits it until around 9:15 a.m. and then in the winter, it doesn't hit the wall at all. So, the second step that we took was to say alright, good point. If we're only – if it's all about the shadow play and it's only happening during these times, it's more limited. So, our second step was to expand the consideration of this space and think of it as a 24-hour optical experience that had three key elements. One of those elements was the shadow play that happens in the morning. The second element was the glow – the changing glow of the canopy overhead and the third element is a kind of opportunity for specularity and reflection and the visual interest that might create during off hours when the sun is not hitting it. So, right now you're looking at the winter time when the sun doesn't hit the wall at all and you can see at the roof of the canopy that there's a change in glow as it reflects or refracts the light down into the space, changes throughout the day but there is actually no shadow play. So, this idea of actually expanding it to an optical experience that has three layers was crucial and so we're going to look at spring now and so it leaves the wall around 9:15 a.m. Our proposal right now then is to take that wall – that plaster wall that we discussed and install a large format mosaic of porcelain tiles. Now those are not the colors that you see, that's a diagram. The colors of the tiles are represented – the three tiles down here below you on the floor here and we also have a sample that we can pass around if you'd like to see it. It's right there. They are a buffed color, light color, same color tile but the tiles different in their surface texture. There is a gloss tile, there is a honed tile and there is a textured tile. The percentages are shown in the diagram up there so you can see we use those colors just to highlight the pattern. The idea is that on a vertical – on the horizontal lines it's very rational but the vertical differentiation is more random. So, it creates more of an unpredictable mosaic pattern that you can see right there. If you look closely – this is actually an animation so you have to look closely at this. The idea is that the different tiles behave different depending on how the sun hits them. I'll show that again. – Whoops, sorry, going the wrong direction. I'll show that again. So, if you look, the tile on the left

is a reflective tile, the one in the middle is the honed, the one on the right is the textured. So, what happens is when the sun hits the honed tile – the polished tile, it doesn't reflect but when the sun doesn't hit it, it reflects what's behind you what's lite. The textured tile in turn only has depth when the sun hits it and when it doesn't it flattens out. The idea is that these are all the same color but there'll be a very subtle interplay of the three elements and I'm going to go to the next slide. On the left, that's what the wall looks like from the top of the stairs when the sun is hitting it. On the right, that's what happens when that wall is in shade. It's kind of a fireworks of (inaudible) that are picking up reflections and as a bird flies by or a cloud goes by or whatever, you'll see portions of it fragmented and reflected onto the wall. If you look closely on the slide – the left-hand side of the slide on the right, you can see that the scrim is reflected as well. So, as you move, it's a level of intimate detail that we hope suggests that as – it invites you to be close because from a distance it's going to look like one color but as you come closer to it, it's richness starts to show itself. The idea is that in a way it almost looks like – from this animation you can see when it goes back around to the morning time, it almost feels like the wall is an after image; as those it was photographic paper and those printed in a moment by the scrim and it has some visual interest afterwards. Then this is what it looks like at night so it really is a 24-hours visual experience. Oh, and not to mention that porcelain tile is denser than ceramic tile, highly dense, strong, graffiti proof, zero maintenance. It will – fingers – I mean it's – you know it actually – porcelain is so dense that it actually is not pores enough to except spray or ink. Alright, second topic, lighting on Jacaranda, this is the lighting scheme that you saw before. In brief, again the idea was to have a grazing light on the scrim all the way around to soften the glow that comes customarily from inside a parking structure. Create a more softer edge around the garage. The question was about how we're lighting Jacaranda so this is a diagram of the lighting scheme as it moves to the Jacaranda side; we're looking from Birch and Jacaranda. The idea on the scrim is to light it the same way all the way around. For the reentrance corner to actually light down to the base of the stairs so it's an inviting space to be and then the red dots represent the lighting that's proposed for Jacaranda. That is a wall mounted luminaire -- there's the luminaire right there – that would be in a regular pattern along Jacaranda that then – this is a rendering of the actual lighting conditions in the end. So, you can see it creates a low level, one-story lite environment right along Jacaranda so you don't have building mounted lighting that spills over at great distances. It allows the scrim to be grazed above with light and creates something that looks something like an arcade as you look down the length. We've included the lighting drawings in your set as well which is represented here. The third topic is the second means of egress, the discussion as well as in the future, what if you wanted more than one way out of this garage? It was agreed that we would not build it now but we wanted to make sure that we didn't preclude the opportunity that if it determined in usage that it was needed to have a second means, ingress/egress, one would be provided. This is the current plan and after talking to traffic engineers and our parking consultants, everyone agreed that the best approach was to have it on Jacaranda. That was the most feasible so if you look at the upper left-hand corner, this is the existing plan modified where a column is removed in the upper left-hand corner next to the elevators. So, that in the future -- watch closely -- there it is. You have the ability to actually modify it with this kind of ingress/egress onto Jacaranda. Again, it's not being built so the idea is right now we're maximizing the amount of parking but the opportunity is there so it's not precluded for the future. We have included the landscape plan as requested and there's a great deal of detail on there. I'm not going to go into it now but the short version is it's consistent with what we've been saying that each side, each street gets an independent landscape identity depending on how much light or shade it is or whether it has the role of a stormwater treatment. You can see the trees and the plants are located by their position within the project and then below you see the site furnishings which is based – it's an extension of the site furnishings that were recently installed on Cal. Ave. So, the receptacles and we have added things onto the seats so you can see the armrests, the seats are now more refined, more detailed to dissuade people from sleeping on them and they assist people from getting up and down. Then finally, in summary, the tree mitigation plan. The data is all there so 50% -- you see on the left is the existing trees and on the right are the proposed trees so 50% of the replacement of the canopy will be onsite, 50% will be offsite. The numbers are there but the idea is that the offsite mitigation is to be determined. We don't have the sites yet but it will be within a half a mile walking radius of the site. Oh, sorry, briefly, the transformer. Since we spoke to you last, the corner of Ash and Sherman, you see on the left the idea is we wanted to have that be a little sitting area. However, further study, we determined that it was necessary to build a transformer for all of the future potential electric vehicles. So, all of sudden transformer requirements

went up, they can't be differed so to build it now, that transformer can no longer be underground. So, the only reasonable location that we had a place for it was this corner so the thought was to then put it in that corner and change the nature of that corner. So, you can see signage on the left which shows an opportunity for screening the transformer location but at the loss of the seating that we'd shown previously. Thank you.

Chair Furth: Thank you. I have two cards from the public, Jack Morton to be followed by Hamilton Hitchings.

Mr. Jack Morton: Good morning, members of the ARB. Jack Morton representing the Cal. Ave business. We're very excited that the provision for the second exit has been added. Actually, we'd like to see it operational from the beginning but we'd like some way of proving that it can become a useful addition to the – so, then we think we're going to need that almost immediately. One of the things we asked maybe you might consider making as a construction requirement is that there be attractive webbing around the site. Since it's going to be a construction site for a couple of years, that webbing can be used over – to cover the standard construction wire fencing and it can be used again for the police building. It's important to use that Jacaranda Lane, both at the parking structure and at the police building, be a community thoroughfare. There was some suggestion from the police department that they might want to close off one end of Jacaranda; at the park end. We would like that to be a thoroughfare. The lighting and everything, we're sort of moving in that direction that it's a nice walkway for people to get to Cal. Avenue and the restaurants there. It's moving along, maybe it's taken more time but the result is something that the business community and the neighbors seem – are very excited about. We will have major problems – the other thing to be a construction requirement is how we handle the loss of 300 parking things. The Staff has looked at or wants to look at possibilities of valet parking or whatever but that really needs to be built into the final steps. On Jacaranda Lane, if you've walked – had a chance to walk down there, right now there are probably – I think I counted ten garbage and recycle bins. We wanted to enclose --somewhere along that side an enclosure so that the lane is a land, not just a home for recycle bins. I'm going to close by saying we're very appreciative of Staff and your time that you've taken to listen to us. As the business, California Avenue is a vibrant area and we want to keep it that way and we're looking forward to starting the project in October as Staff intends. Thank you again for everyone for their patience and in particular, taking community input. Thank you.

Chair Furth: Thank you, Mr. Morton. Sure, this is Hamilton Hitchings. Mr. Hitchings has asked for an extra minute or so, which if there's no objection I would grant. Go for it.

Mr. Hamilton Hitchings: Thank you very much, Chair. My name is Hamilton Hitchings, I was on the Citizens Advisory Committee for the Comp. Plan. I worked the Land Use and Safety Elements and I'm going to be talking to you about my input that I gave on the DEIR for the Public Safety and garage. Just talking about seismic probabilities, I'm very involved with the City of Palo Alto's emergency services and Building Codes are of course the best way to help us minimize damage. The USGS has come out with a new prediction of earthquakes. You all have a copy of this in your panel and you notice at the top it says there's 72% chance of a 6.7 or greater. This report was published in August or last updated in August 2016 so the DEIR on Page 160 needs to be updated to reflect that. In addition, the DEIR does not mention what's on the top of your Page 2 which is the table that shows the probability of stronger earthquakes in the Bay Area over the next 30-years. According to the USGS, this is a USGS report, there's a 51% chance of a 7.0 or bigger, that's bigger than the Loma Prieta but there's a 20% chance of a 7.5 which is a very strong earthquake in the Bay Area in the next 30-years. In addition, another measure besides magnitude that they use to measure earthquakes is the amount of shaking at the site and it's called Modified Mercalli Intensity or just intensity. The DEIR on Page 160 says it's a 7 according to ABAG but that's not what the ABAG website says. The ABAG website, this is a screenshot of the ABAG website, says it's an 8 and specifically on this page they say that by an 8 they mean at least a 10% probability in the next 50-years and that's a standard to which the buildings should be built. It's important to get the requirements right in the DEIR to when they do the structural design, it meets the right requirements. Now, one of the things they talk about is the fact that the City or one thing the City did was do a Geotechnical investigation of this site and the numbers which are from the USGS which differ from the

numbers on the front page of this USGS report. The ones in the Geotechnical Report but the Romig engineering are significantly lower than the ones on this USGS report that was published after the Romig report. So, for example, they say the probability of an earthquake on the Hayward Fault that's 6.7 or greater in the next 30-years, according to Romig is 14%, according to USGS, it's 33%. For San Andreas, the Romig engineers say 7%, USGS says it's 22%. In addition, the Romig report does not cite these stronger earthquakes like a 7.0, 51% probability or a 7.5 which is a 20% probability. In summary, I'd like to update the DEIR to use the latest USGS and ABAG numbers to make sure we have a good mitigation section in it and to explicitly state the garage will be designed to avoid serious injuries if it experiences an intensity 8 earthquake. I know that the Public Safety Building is coming up next time but I explicitly say that the Public Safety Building will be designed to remain operational after an intensity eight earthquake unless cost prohibited. Thank you very much for listening and for your time. I volunteer for public safety and that's my passion so thank you.

Chair Furth: Thank you. Is there anybody else who'd wish to speak on this item? So, questions of Staff or applicant?

Vice Chair Baltay: Yes, I have a question.

Chair Furth: Would the applicant like to comment on those issues? A little confusing who the applicant is here.

Mr. Raschke: The actual structural design of both buildings would be actually based on the Romig report so we'll be taking that information back to Romig and requesting that they reevaluate if there is any update needed to the geotechnical report. Additionally, we will be – due to the groundwater dewatering that's become a hot issue lately, we're going to be doing some additional geotechnical investigation just related to that aspect to find out how we might best minimize any groundwater pumping needed for both buildings.

Chair Furth: So, you're telling me that – you're telling us that you're going to ask Romig to consider the material presented and see if there are any changes needed in the report?

Mr. Raschke: Correct. We've previously had some...

Chair Furth: I know you've had previous correspondence. Thank you. Any questions...

Board Member Lew: I have one follow-up.

Chair Furth: Yes.

Board Member Lew: Then, also, just the Public Safety Building has to be a – what is the standard? Life safety -- what do they call it? New Building Code.

Mr. Raschke: Essential services structure.

Board Member Lew: Essential services but my understanding is that the garage does not so there are two different standards within the Building Code for these – for this project.

Mr. Raschke: Correct but as Hamilton mentioned, I think the aspect of the shaking and any potential just detachments of all of the Terracotta baguettes and everything like that needs to take into account the correct seismic hazard that does exist.

Chair Furth: The garage will be designed to avoid injury and the Public Safety Building to keep working?

Mr. Raschke: Correct.

Chair Furth: Thank you. Now, do we have other questions?

Vice Chair Baltay: Yes, I do.

Chair Furth: Commissioner Baltay – Board Member Baltay.

Vice Chair Baltay: Thank you. For the architect please, this is a detailed question but it saves me pressing on it later. The tile treatment on the staircase wall where it meets the corner – I'm looking at drawing ARB 1.04 in the upper right-hand corner. Where there's the recessed in along Jacaranda and Birch, how is the tile treated at the edge there? The tile has a thickness and do you see that thickness or is it somehow recessed or trimmed out?

Mr. Cusenbery: I'll answer provisionally because that would be a design development detail but our idea would – traditionally when we do tiles of this sort is to edge it. Potentially stainless steel or some kind of a treatment at the edge so that you engage the thickness into the material behind it. So, I don't have an answer right away because we haven't actually detailed that.

Vice Chair Baltay: Thank you. Second question, could you address please why the transformer can't be underground in the basement.

Mr. Cusenbery: Matt, would you like to take that on?

Mr. Raschke: Yes, the size of the transformer needed for the future electric vehicle requirement in the new – the adopted Green Building, Tier Two Code requires that we have electrical infrastructure for potentially 25% of the stalls being EV and that the electrical utility requires that size transformer up front. So – and because it's approximately 1,500 KVA transformer, they would not allow that to be underground; which we had originally planned to put it in an underground vault along Jacaranda so we had to find a new location.

Vice Chair Baltay: I guess I mean why couldn't it be in the basement say in the corner of the parking garage where you have a 25-foot square spot?

Mr. Raschke: No, the electrical utilities wouldn't allow that. They have to be – in fact, only in the downtown areas would they even allow a transformer to vault if it's small enough. Their requirements are above ground and in such that they can replace it quickly; lift it off the truck and replace the transformer if needed.

Vice Chair Baltay: Did you explore the options of having two transformers separately in vaults?

Mr. Raschke: Yeah, we've had many meetings with the electric utility and it was actually quite frustrating but – to try to come up with a...

Vice Chair Baltay: What was the rationale that two could not be allowed?

Mr. Raschke: That's also part of their policy which -- and they assert that those are all Council adopted policies.

Vice Chair Baltay: Thank you.

Board Member Gooyer: I'm guessing it's to make their life easier to replace it if they have too.

Board Member Thompson: I have a follow-up question.

Chair Furth: Yes, Osma?

Board Member Thompson: Will the transformer be very visible from Ash Street? I see there's a screen on....

Mr. Cusenbery: Yes, it will be – the – there is no currently proposed screen on Ash. In part, there's a limited space because of the accesses requirements all the way around the transformer. We do have a president – I'm sorry, I'm looking for the slide to point at it as we speak. The Visa building on the next block has a transformer on Ash as well, right in front, right at the base of the building exposed. So, it's not unprecedented, it's not optimal but it's not unprecedented on Ash to have the transformers in those locations. I don't have a picture of the Visa but you can see it and here's the image that I was looking for. So, yes, it is visible from the Ash Street but our take on this was to treat it as a piece of infrastructure that looks like it's incorporated. The wall height that has a sign would be the same height as the transformer. It seems like it belongs there, as opposed to taking fencing measures and trying to screen it with stuff that just looks worse than if you hadn't screened it. That was the approach that we took.

Chair Furth: I have a follow-up question so with the illumination of those benches there, where is the nearest seating?

Mr. Cusenbery: The nearest seating is about 75-feet to the east or maybe a little – it's mid-block on Sherman.

Chair Furth: Thank you. Anybody else?

Board Member Lew: I have a question for Staff. We have a – in one of the emails from a resident across the street in the condominium project, she had requested one parking space to be removed on their side of the street. It was in between their project and the Visa building and I was wondering if Staff had responded to that question? Do you know – I can point...

Ms. Amy French, Chief Planning Official: Could you tell me what day that email came in?

Board Member Lew: It was in the Packet so let me pull it up here. It was Anne Steinle's email...

Ms. French: So, Packet Page...

Board Member Lew: ...and it's...

Ms. French: Packet Page 109 is my response to Anne Steinle but that was from January 12th. I'm looking for – what – did you say the Packet Page number?

Board Member Lew: No, I think that's right. It's the 1 – I guess it's 110.

Ms. French: 109?

Board Member Lew: 109-110.

Ms. French: Yeah, 109 is the one I'm seeing. I did respond.

Board Member Lew: I think that you were saying you would forward it to Staff – to Matt.

Ms. French: Did I not forward it to you?

Mr. Raschke: Well, we'll have to talk to transportation about that. It being across the street...

Board Member Lew: I mean it's not an ARB purview item. I think it was site – basically, it was sight lines but it seems to me that's more on their side of the street than the parking garage side of the street.

Chair Furth: Her argument is that it would make turning safer right? On Page 110.

Board Member Lew: Yeah, I think Matt replied elsewhere in another email that basically they are trying to locate all of the – it makes sense to locate all of the garage entrances together so that they can all see each other – see who's coming in and out all at the same time.

Chair Furth: She also asked for a second entry/exit which this plan does accommodate. Anybody else? Any further questions? Discussion? Robert.

Board Member Lew: I have one last...

Chair Furth: Oh, sorry.

Board Member Lew: I have one last question. So, I think Mr. Morton had asked for a centralized trash enclosure and then I also was that in the Staff comments for Public Works, there was also a mention of some sort of centralized trash enclosure. So, I was wondering what those – what the Staff's thinking is with regard to that?

Mr. Raschke: We have looked at – you know some of the problems on Jacaranda is simply the non-use of some existing enclosures that are out there so we're – we've notified the Zero Waste group to take a look at some potential increased enforcement on that to try to get people to use their existing enclosures. Then we're also going to be with the Hotel California to come up with a better solution for their trash enclosure or they – lack of a trash enclosure for that particular site. There may be some opportunity to create a temporary enclosure near where we have the future exit worked out because we've eliminated that column so we may be able to squeeze a small enclosure to shield their bins from view from there. It's something that we'll be looking into.

Board Member Lew: Then also, as those – if and when those projects – if and when those parcels redevelop, the trash would be inside their own buildings. Thank you.

Chair Furth: I guess I have a follow-up question too so what is the thought about the screening of the site – about the parameter of the site during the construction period?

Mr. Raschke: Typically, we would have a construction fence and the – it usually includes a woven green fabric for – to keep it a little less obtrusive to the neighborhood.

Chair Furth: But you're not considering art or something more aesthetically – having a memory of the long-lived temporary enclosure of the utility site on Alma, much missed, and that was a piece of public art that was a screening fence for a smaller site.

Mr. Raschke: Well, for this project we'd anticipate construction to be within 16-months so I don't know if...

Chair Furth: So, the answer is no, we're not considering it at this point. Thank you.

Mr. Raschke: It wasn't a direct consideration but now that we've heard the idea we could also consider it.

Chair Furth: Yeah, the yarn bombers may get you otherwise, yes. Alright, I guess we're ready to discuss. Robert.

Board Member Gooyer: Actually, my biggest problem with the project as I had indicated last time was just the fact that I think the way it's designed, it makes the structure look bigger than it needs to be. So, I'm not really a fan of that but going to the – just the points that we talked about here. I like the idea of the tile on the wall but I think it's just way too subtle. I mean maybe as architects or whatever, we can

appreciate that but I think the average person driving by is going to see a white wall. It's just that I don't see – it seems like you're spending a whole lot of money and a whole lot of labor putting up a very large wall that has just such slight variations to it. Depending on when the light hits it and all this sort of thing, that I don't think anybody is going to stand there for 20-minutes and watch the sun hit the various (inaudible). I don't really see that it's going to do anything. I like the second entrance and the ability for that. Other than that, like I said I'm still on the wall as to whether to vote up or down for this based on just by the initial concept of – I think this screening as I said last time just enhances the size of the building and that it doesn't need to be.

Chair Furth: Thank you. Alex.

Board Member Lew: Great so I can support the project today. Thank you for the revisions. I think they – I think they're well considered. On the – to follow up on Robert's point about the tile, I've been amazed at like on buildings – on projects that I've worked on, when we paint the same color on cement board versus stucco, they look like completely different colors. Just the shading difference and I mean it's really huge. It's really – I think it's actually striking and I think it would probably be – maybe it's going to be more subtle if it's a light color like an off-white or white color. I think there's something to it. I do worry about the grout and I hope you can provide a good grout spec for that because I think that's the weak – that's always the weak point, especially for porcelain tile because it's so thin. I do like – I think I like the changes that you made to the lighting in the alley, I think that's good. I generally like all of the landscaping and the plant selection I think is done well. What else do I have? I think that's all that I have on this one. To go back for a minute on the second entry/exit point. I did want to sort of clarify the concern that I had with one entrance was that the way that it's designed here, there's no stacking if there were a gate control. If there were – if you had to stop and actually take a ticket. From the very entrance, you have to make a decision to turn left or go straight and go down and generally we try not to do that in a parking garage design. Also, that you have cars exiting and entering at the same point and that's also sort of like a no-no on high – what do you call it? Garages that have high turnover and this one doesn't seem too. If I look at the numbers in the Packet but I actually have a hunch that there's a lot of turn over right at lunchtime for people coming in and out and going to the restaurants. I think that's why I wanted to have the second entrance point. So, that's all that I have and I can support the project.

Chair Furth: Peter.

Vice Chair Baltay: Thank you. I also can support the project and agree with what Alex has just said. Just to clarify, I think the idea of the tiles is going to work out quite well for the pedestrians. I think Robert's correct that driving by it will look like a white wall but this is a staircase with people walking by. I think the tile will be interesting, it will be fun, it will be different and it will be something that you might actually stop and look at. The tile will give you a chance to maintain it better too from handprints and things like that. I do encourage you to think hard about the grout, as well as the detail at the edge. While I don't think that's an issue for us to press further, I'd encourage you to consider recessing it somehow into the concrete so you don't rely on a metal stripe. That's obviously a trick construction detail. I would like to come to the transformer question. I think that that's unfortunate, extremely unfortunate to take up a busy pedestrian corner in an area that we're trying to enhance pedestrian activity. Look at the way we're treating the police building and to put a large transformer there based on what I understand to be policies from the Utility Department. It's not even some actual thing as 15-foot tall or we need to get a crane in front of it, it's just the policy and I can't accept that. On a corner like this, to put a big transformer there based on those reasons is not enough so I can only support the project if we condition it on finding someplace else for the transformer. There are just too many opportunities to have a bench or landscaping there which is just too important and becoming even more important. That's what I have to say, thank you.

Chair Furth: Osma.

Board Member Thompson: Hi. Since we're talking about the transformer, I feel similarly in that it is just too bad and I hate it when a project comes to that, when it's just too bad. It would be great to find some

different solution, whether it's – I don't know, a different solution. I don't want to be too prescriptive because as it stands, that render that's on – oh gosh, oh yeah, ARB 1.02 where you can see this screened box and its sort of very strange. Unless the green box is done very beautifully. I'm not sure -- there's just a lot to think about there so that's kind of a sticking point. The wall solution that you've come up with, the tile wall solution is really exciting. I think it's going to look really wonderful. I think it will enhance pedestrian experience tremendously so I commend you on taking that extra step because I think the project will benefit greatly with it. I think all things said, otherwise I'm pretty happy with how things have come along so that's all I have.

Chair Furth: Thank you. I must say I'm happy with how things have come along too. I think it's a much better project and I'm grateful to the neighborhood and the commercial community, the business community and the designers for thinking this through. On the issue of the transformer, I've had a lot of encounters with utilities and their standards. The most notorious being the modification of the Stanford sculpture at the corner of El Camino and Page Mill. A carefully designed sculpture with three large vertical poles in front of it obliterating it. I understand from Staff that the argument is that these are City adopted standards and can only be modified by the City Council? Not, the argument but the standard.

Mr. Raschke: That was the argument they gave us.

Chair Furth: So, this is probably a comment that we need to address to the City Council.

Vice Chair Baltay: You're looking at me, Wynne. I think...

Chair Furth: I'm looking at you all. I just can't do both sides at once. Those who haven't spoken on the – I'm just trying to get you to get to a motion that's going to pass one way or the other. Those of you who haven't spoken on the transformer, do you have any comments?

Board Member Gooyer: I agree. I mean I've had arguments with the utilities and in most cases, I think we just have to press harder. Most people – most of the time the Municipalities or the architect or whatever just say well, ok, if that's what's required. I think there could be other ways, if that means either that instead of being at street level, it be dropped down because the reality of it is, I figure they have to prove why they have the objection. I still think it's just because of its convenience of maintaining it because airflow wouldn't be an issue. You could put it downstairs under – as Peter was saying, on the basement level and have plenty of air going in so it's a matter of the ability. The thing is that transformer is so big, if they ever had to replace it, it would be a crane situation anyway so if they drop the thing down so it's at the basement level but have the top of it open so you can't see it from the street level. Then you could bring a crane, drop it down, pick it up and they can service it from the basement. So, there are numerous ways it could be handled and I think we just have to be more forceful in indicating this is what we want.

Chair Furth: Alex.

Board Member Lew: I would say this – I think this is – has come up before on other projects and it is because of the – our parking requirements with the electrical vehicles. I think in this case it's magnified because the garage is so big but it's come up on other projects at a smaller level. So, maybe the Board should make some sort of deliberation about it and forward it to the Council. I'm not prepared to do it on this particular project. Not – I don't know enough to make a recommendation on it but generally we do require transformers to be screened.

Chair Furth: Where the switching equipment and what not for the rooftop solar facility?

Mr. Raschke: The idea of the rooftop solar is actually we're going to look into feeding that over to the Public Safety Building. So, that will go down to an underground conduit and go across to the Public Safety Building. We're looking at actually having this as part of the lead in order to achieve potentially a near net-zero energy building on the Public Safety Building. We're going to utilize this solar to feed that...

Mr. Cusenbery: (inaudible) – sorry.

Chair Furth: I always forget the names of the various pieces of equipment that are required to convert this direct current into, alternating current and feed it into whatever. Where's that? Is that going to be off-site?

Mr. Raschke: That would be on the Public Safety Building site.

Chair Furth: I see. Thank you.

Board Member Gooyer: (crosstalk) I just have a question...

Mr. Cusenbery: I was just going...

Board Member Gooyer: If that's the case because it is a Public Safety Building, is that all of a sudden going to become an issue seeing as though it needs to be up after an occurrence. Is that going to change the structural requirements of the parking garage because it's holding the solar panels?

Mr. Raschke: No because this is more of a secondary...

Board Member Gooyer: Ok so it's the idea being that all the power is there, this is just over an above.

Mr. Raschke: Correct.

Chair Furth: Alright, would somebody – is there any further discussion before somebody makes a motion? Would somebody like to make a motion?

MOTION #1

Vice Chair Baltay: Yes, I'd like to move that we approve the building as submitted with the condition that the transformer be relocated so it is not visible on the corner.

Chair Furth: Is there a second? Hearing none.

MOTION #1 FAILED DUE TO THE LACK OF A SECOND.

Chair Furth: Would somebody else like to make a motion?

MOTION #2

Board Member Thompson: I move that we approve the project and provide some provision that the transformer either be moved or screened from public view.

Board Member Lew: I will second.

Chair Furth: Ok so restating that slightly. You would move approval of the project with the provision – with the modification to conditions that the transformer on the corner either be underground – relocated or screened so that it's not visible from the corner. Is that right?

Board Member Thompson: Yeah.

Chair Furth: Any discussion?

Vice Chair Baltay: Yes, a question. When you say screened, does that mean they could put a metal enclosure around it? It wouldn't be visible in that case. Is that what your intent is?

Board Member Thompson: No. I think we want something aesthetically complementary.

Vice Chair Baltay: So, then it would need to come back to the Board or for subcommittee. Are you sure you want to do that on this project, where we're trying to get this moved through the City?

Chair Furth: Does Staff want to give us some guidance?

Mr. Jonathan Lait, Assistant Director of Planning: Yes, thank you. This project is going to go to the City Council and I think we've heard and can communicate the Board's comments to the Council. In the meantime, Staff can also get together with the Utilities Department and understand what the options are. So, perhaps a condition that says that the City Council shall consider an alternative location or locations for the utility transformer could be incorporated into the motion. We can see if we can work that out as we get to the Council.

Chair Furth: Thank you.

FRIENDLY AMENDMENT

Vice Chair Baltay: I'd like to propose a friendly amendment along the effects of what Jonathan Lait just said. That we recommend to City Council to consider an alternate location for the transformer and remove the word screened from your original motion.

Chair Furth: Does the seconder accept that?

Board Member Thompson: I can accept that.

Chair Furth: Alright.

Mr. Lait: We need to know if Board Member Lew...

Chair Furth: Alex made the motion, is that right? Who made the motion? I've lost track.

Vice Chair Baltay: Osma made it, Alex seconded.

Chair Furth: Alex seconded. Does the seconder accept that?

Board Member Lew: I'm not sure I understand what just happened. You're saying for the City Council to consider relocating the transformer and you're taking out...

Mr. Lait: So, I can restate what I said, that the City Council shall consider an alternate location or locations of the utility transformer. So, this gets at your issue of the one transformer versus two transformer issues.

Vice Chair Baltay: I also asked to remove the word screening the transformer. I think that's just so vague as to – be a huge loophole.

Chair Furth: Well, if I can comment here. I think we have – we are in support of the project with the exception of the transformer location. With respect to the transformer location, there's some disagreement about whether if it can't be relocated, it should be screened and how it should be screened. I can't hear the consensus on that point at the moment.

Board Member Gooyer: I think if we leave that opening, PG&E is going to go for the screening because it's a whole lot easier.

Chair Furth: Well, it's CPAU but yep. I think what we're asking – I think Staff's suggestion is that we ask Council to – let's ask them to relocate it. Why not – get rid of consider. Ask Council to relocate...

Mr. Lait: Because the Council is going to do what...

Board Member Lew: Yes, they...

Chair Furth: They are going to do whatever they are going to do but this is our recommendation to them.

Mr. Lait: Right, you're asking that they consider...

Chair Furth: All we ever do is recommend so we ask the Council to relocate it. It's their project.

Board Member Lew: Ok, I can accept the amendment.

Chair Furth: It's now a motion to approve – recommend approval of the project with the additional – with the modification that includes our recommendation that Council relocates the transformer if possible to preserve the open area at the corner for seating and other amenities as in the original plan. Is that acceptable?

Board Member Thompson: That's correct.

Chair Furth: Alex, is that ok? Of course, Council will do what it does and it may discover that this whole thing is infeasible and of course, we want to have efficient and conveniently maintenance of our utilities but sometimes if you're going to bring in a crane, you have time to unscrew a few benches. All those in favor? All those opposed? None.

Board Member Gooyer: (inaudible)

Chair Furth: Sorry, beg your pardon? It was opposed by Robert.

Board Member Gooyer: That's ok.

MOTION PASSED WITH A VOTE OF 4-1 WITH BOARD MEMBER GOOYER OPPOSING.

Chair Furth: It's the far left.

Mr. Lait: So, Chair, we typically give the dissenter an opportunity to speak to his or her dissent.

Chair Furth: Alright, that's a good idea. Any additional comment? I think this dissenter's preference typically is to say he's already explained his reasons. Thank you.

Board Member Gooyer: No, exactly, I've already explained why I wasn't in favor it.

Chair Furth: Compliments to Staff and those involved.

Mr. Cusenbery: Thank you.

Chair Furth: I'm sure that the business community looks forward to a speedy completion of the project.

- 4. PUBLIC HEARING/QUASI-JUDICIAL: 1451 Middlefield Road [18PLN-00042]:**
Modification to a Previously Approved Architectural Review Application to Change the Roof Material for the Recently Approved Junior Museum and Zoo Building. Environmental Assessment: Council Adopted a Mitigated Negative Declaration for the Junior Museum and Zoo in December

2017. The Proposed Project Does not Result in any new or More Significant Impacts Beyond What was Previously Assessed in the Initial Study. Zone District: Public Facilities. For More Information Contact Amy French, Chief Planning Official, at amy.french@cityofpaloalto.org.

Chair Furth: Our next item is 1451 Middlefield Road, this is item number four, this is another City project and I'll give everybody a few minutes to reorganize themselves; two-minute break. [The Board took a short break] Alright, I'll call the Board back to order. This is item number four which is – the address is 1451 Middlefield Road and the request is for a modification of a previous ARB approval of a new Junior – recommendation for approval of a new Junior Museum and Zoo building. The project was approved by the Council with a standing seam metal roof that this Board also approved in December. The Staff proposal is now that it be replaced with composition shingles. The Historic Resources Board considered the proposal last month and recommended approval 5-1. There are no minutes available, is that right? Of that meeting.

Ms. French: That's correct. It was very recent.

Chair Furth: There is – but there is a tape available. I was – nice rain – I was not present for the last hearing though I was for the early ones but I did review the minutes and plan to participate. Does Staff have a presentation?

Ms. French: Yes, thank you. The HRB reviewed this last – oh, was it last week? The 22nd, I guess that was last week. I get confused with February, it's a short month. They wholeheartedly, I guess with one exception, recommended the change. Part of the HRB's purview is to look at a building on a historic site. The entirety of the site is called out or that piece of it; Lucie Stern and the Girl Scout House also has comp. shingle roofing. They felt that it was a much-preferred roofing material to the standing seam that had been previously recommended by the ARB. That's their recommendation and the applicant is here with a presentation to describe clearly why they're making this change. Thank you.

Chair Furth: Thank you. If we could hear from the applicant, you have 10-minutes.

Ms. Sarah Vaccaro: Hello Board Members, thank you for having us again this morning. I'll keep this relatively brief. Just a quick recap, the...

Chair Furth: Could you introduce yourself for the record?

Ms. Vaccaro: Oh, I'm so sorry. My name is Sarah Vaccaro from CAW Architects and we're the architects for the project. This is the existing site plan. Just to refresh everyone's memory we're adjacent to the historic Lucie Stern Community Center, as well as the Lou Henry Hoover Girl Scout Building which is eligible for historic review. The Rinconada Park, Walter Hays Elementary school and the residential neighborhood across the street. In our proposed site plan, we're seeking to drastically clarify site circulation for vehicles, pedestrians, and bicycles. We're organizing the new JMZ building to have a more civic presence on the site, strongly reflecting the forms and organization of the Lucie Stern Community Center. This was one of our original renderings that we brought to the HRB last summer. There was concerns about the color selection of the metal roof and walls in this rendering. So, we went through a study of a number of different color options for the roof material last summer with the ARB's input as well. This was one of the intermediate steps and ultimately landed a taupe standing metal seam roof color with white cement plaster walls and wood accents along the facades. This was approved by the ARB or recommended for approval back in September and then ultimately approved by the Council in December of last year. We're here today to propose a roof material change and while I understand it is not in the ARB's review purview to consider cost implications, this roof material change going from standing metal seam to composite shingle will save about half a million dollars for the upfront construction costs of the project. This will allow us to save important visitor experiences for the project. Again, we're proposing to remove the taupe colored standing metal seam and replace it with composite shingle roofing in a sage green color. While this is – the lifespan can be up to 20 to 50 years, we are seeking at least a 20-year warranty for the material and workmanship with a prorated 21 to 50-year

warranty for the comp. shingle material. These are just reference images showing the aesthetic of a standing metal seam versus what we're proposing today, the comp. shingle on the right. These are updated rendering elevations along Middlefield showing the composite roofing along with the same white cement plaster and wood accents along the façade. From the parking lot entry approach, you can see that the roofing is actually not very visible from this side of the complex. Just to review the context – the historical context, the Lucie Stern Community Center has clay tile roofing along with cement plaster walls. The Lou Henry Hoover Girl Scout Building has composite shingle roofing in a brown color with vertical wood siding. The existing JMZ building which will be demolished when our new building is built but just for context has wood shingle roofing and most of the residential neighbors across the street along Middlefield have composite shingle roofing. There are I think one or two that have clay tile roofing. For consideration in this discussion, while it's not part of the current project we're seeking approval on. There is a goal in the next zero to 5-years to add photovoltaic panels on almost half of the roofing surfaces. You can see that in this diagram and so in that – in the next five to ten or sorry, zero to 5-years, we're hoping to add photovoltaic panels on top of the composite shingle roofing in those areas. Then the longer-term future consideration approach, you know in 10, 20, 30-years when the composite shingle roofing starts to age. The Friends and the City are hopeful to look into further advanced roof photovoltaic roofing technology solutions of the complex. So, in that case, the entire roof would be replaced with photovoltaic cells, similar to the Tesla roofing shown here. That's all we have today. Thank you for your consideration.

Chair Furth: Thank you. Are there any members of the public who wish to speak to this item? I have not speaker cards. Questions?

Vice Chair Baltay: Yes, I have a question for Staff, Amy French. We don't have the minutes from the Historic Resources Board meeting but I thought I heard you say that they did not only approve but they actually suggested that it was preferable to have the comp. shingles. Is that correct?

Ms. French: Yes, that was my understanding as they – they weren't all that pleased with standing seam in the first place. I think they were clear about the surrounding context being – featuring shingles, both in the residential and at the Girl Scout House which is eligible; that's the closest building to this building.

Vice Chair Baltay: Thank you.

Chair Furth: Anybody else have any questions? Discussion. Osma.

Board Member Thompson: At this time, I don't see any problem with the change in the roof. I, of course, wasn't apart of previous conversations on this project but as I see it right now, I don't see a problem with changing it so I can approve this.

Chair Furth: Peter.

Vice Chair Baltay: I can accept the change the way it is. Thank you.

Chair Furth: Alex.

Board Member Lew: Yeah, I can accept the change.

Chair Furth: Robert.

Board Member Gooyer: I guess I'm the bad guy again. I like the standing seam metal roof, I think it works well with the design of the building and putting the comp. roof on it just so it looks like a residence across the street isn't really the – this is not just a big residence that you're trying to blend in with the neighborhood. It is something unique and as far as the Girl Scout House, I'm guessing probably at one point that had clay tiles of some sort on the roof probably and in a cost situation somewhere in the past they probably placed comp. shingles on it. You're shaking your head so maybe that's not the case. I just

don't see that building having started life as a comp. roof but anyway, no, I think it ought to stay the way it is. It looks I'm being outvoted anyway.

Chair Furth: Peter.

Vice Chair Baltay: I've been very conflicted about this and I think what Robert just said swings me away from thinking that the comp. shingles are ok. I've always felt that the standing seam roof was the right thing. I really want to be a team player and when the Historic Resources Board thinks this is a better solution on a historic site, that changes what I think. I think this was reviewed as a building with a special kind of roof on it and as a civic building, that was a big part of why we all agreed to do it this way. So, I'm going to support what Robert is saying that it should be – should remain a standing seam roof. Thank you.

Chair Furth: I realize I had a question I didn't ask. Lots of standing seam metal roofs are designed so that you can easily add solar panels. Was that the kind of standing seam roof we were going to have?

Ms. Vaccaro: Yes, the standing metal seam roofs can accept photovoltaic panels.

Chair Furth: Right, thank you. I didn't get to watch the entire HRB discussion and I'm sorry that minutes were not available. I've thought a lot about what they've said and I agree with Robert that a public civic building is not just a large house. It's a different kind of thing, we hope that it's going to last longer, we hope that the materials meet a higher standard and the design does too and it's less about a personal, individual expression of preferences. I think that the metal roof was an important design element. I think it's quite visible from a lot of places within the project. I think this change would have a significant and not good effect. I'm very glad that Lou Henry Hoover House has come out of the shadows so to speak and is now seen as perhaps worthy of National Register Listing whereas before it was an afterthought. I will tell Robert that the Girl Scouts are always broke and so it probably was whatever was the inexpensive roofing material at the time. We're not the Boy Scouts but my understanding of the standards is that building in historic districts – is buildings should look like they're built when they are built. That's certainly true of what happens in that area now and designing a building now, you could design it as you did with that metal roof. With that it looks like it's built now, it's adapted to photovoltaic technology now and not 20-years from now. So, I believe it should stay as it is. I do not believe it meets the standards with the alternative. I understand that the City may because it's constrained, elect to proceed in this way in any event but what they ask us for is our guidance and recommendation based on our findings and I could not vote to approve it. Somebody needs to make a motion and explain why if they're recommending denial which of the findings they can't make. Alternatively, make a motion to approve it.

Board Member Thompson: Oh, sorry, I was just going to offer some more thoughts on this. The – of course I haven't seen -- I don't think I've seen a render of this with the standing seam metal roof but just looking at the renders that are here right now. The architecture in itself does not indicate anything residential and so despite that, there's a suggestion to use a roofing material that the other residences are using, the architecture as it stands right now already defies an old style of construction and design. So, I actually don't – I don't know that changing the roof material will actually compromise the aesthetic of the architecture as it stands right now given what I'm looking at right now. In that sense, I still think that the roof can change to this composite shingle.

MOTION

Vice Chair Baltay: Can I move that we deny this – recommend denial of this application based on the inability to make Finding #3. I do not think the design is of a high aesthetic quality. I think with this change it becomes an average aesthetic quality, not a high aesthetic quality. Therefore, I think we should not approve it.

Chair Furth: Is there a second?

Board Member Gooyer: I'll second that.

Chair Furth: Motion by Commissioner – Board Member Baltay, second by Board Member Gooyer. All those in favor say aye? All those opposed? Thank you.

MOTION PASSED WITH A VOTE OF 3-2 WITH BOARD MEMBER THOMPSON AND LEW OPPOSING.

Chair Furth: So, you have our recommendation and our commentary. Thanks. I look forward to seeing this building in any form.

- 5. PUBLIC HEARING / QUASI-JUDICIAL. 3045 Park Boulevard [17PLN-00073]:**
Recommendation on Applicant's Request for Approval of a Major Architectural Review to Allow Demolition of an Existing Office Building and Construction of a New Two-Story Approximately 29,200 Square Foot Research and Development Building. Environmental Assessment: An Initial Study/Mitigated Negative Declaration was Circulated for Public Comment From February 23, 2018 to March 26, 2018. Zoning District: GM (AD) (General Manufacturing with Automobile Dealership Combining District). For More Information Contact the Project Planner Graham Owen at Graham.Owen@cityofpaloalto.org.

Chair Furth: Next item is 3045 Park Boulevard. We're going to take another 2-minute break for setup.

[Board took a short break]

Chair Furth: Thank you. Alright, let's see, it is almost 10 o'clock. We have two more agenda items and they may proceed fairly rapidly but if they don't, we'll take a break for lunch at some point. Alright, we are on item number five which is a public hearing concerning the land at 3045 Park Boulevard. It's a recommendation from the Staff for approval of a Major Architectural Review to allow demolition of an existing office building and construction of a new two-story, approximately 29,000-square foot research and development building. An initial study and Mitigated Negative Declaration were circulated for public comment and they are still being circulated until March 22 –26th so if anybody has comments on that aspect, you can still do so. The zoning district is general manufacturing with an automobile dealer combining – it says here combing – district. May we have the Staff report?

Mr. Graham Owen, Project Planner: Thank you, Chair Furth. My name is Graham Owen, I'm a Staff planner with the Planning Department and I've been working with the applicant on the project that's here before you today. This is 3045 Park Boulevard as you mentioned and this is a project for a 29,000-square foot RND building located at the intersection of Olive Avenue and Park Boulevard as you mentioned. The current – currently the application was reviewed by the ARB on two previous occasions. Once on July 20th of last year and then again on November 2nd of last year so this is the third hearing for this project. This application is subject to the Interim Manual Office Limit Ordinance which is still in effect and has an approval window for qualifying projects, of which this is one, between April and June. So, a decision, should it be made on the application, would need to take place during that timeframe. As you mentioned, a draft initial study of Mitigated Negative Declaration were circulated last week and that circulation period will run for 30-days. There were four potentially significant environmental impacts that were identified during the initial study for hazardous materials related to the soil that's on the site. As well as nesting birds and archeological and tribal cultural remains that may be present on the site and would be unearthed during construction. With the mitigation measures that are contained in the Staff report and the MMRP, those – all of those impacts would be mitigated to less than a significant level. The application has undergone some significant site design changes since the application was before you in November. I can go through those briefly but I know that the applicant will also have a presentation as well to detail these. Most significantly, the project had involved a standalone above grade parking structure on the left side of the site, close to the 195 Page Mill Road building. That structure has been illuminated and in return, the applicant has returned with an underground parking garage that's beneath the building. Circulation wise, the access to the site – vehicular access to the site has been flipped from the left side of

the site to the right side of the site so that's it to the right of the Olive Avenue intersection. Placement wise the building has shifted to the center of the site so that's aligned with the Olive Avenue tee. Then in addition to that, they've also taken the area that was previously proposed to have the parking structure and are now proposing to do plaza and basically a patio area for the tenants of the building. The – I don't want to spend too much time on these slides because you have updated renderings that were provided today but there have been some changes to the architecture of the building. Mainly to the mullion patterns, as well as the solid sections as well. There's also a wood soffit overhang that's quite a change from what's previously proposed which was a white metal overhang so those are fairly significant design changes. With that, Staff does recommend approval of the application with the findings that are contained in the Staff report and with adherence to the draft Conditions of Approval and MMRP. I believe that the applicant has a presentation as well and would like to present that if the Board wishes.

Chair Furth: Can we hear from the applicant?

Ms. Janette D'Elia: Good morning, my name is Jeannette D'Elia, I'm the COO of Jay Paul Company the applicant. We're very excited to bring you the updated plan for 3045 Park. We've worked very hard with Staff to achieve what we think are all of the goals of the City are with respect to this building and this development. We think it's going to be an exciting project for the City. With that I'd like to introduce Tom Gilman of DES Architects who will walk you through the new design, thank you.

Chair Furth: Thank you. Would you mind spelling your name for our transcriber?

Ms. D'Elia: Sure. Janette D'Elia.

Chair Furth: Thank you.

Ms. D'Elia: Thank you.

Mr. Tom Gilman: Hi, Tom Gilman, T-O-M.

Chair Furth: She's had practice – he or she has had practice with your name.

Mr. Gilman: So, Tom Gilman with DES Architects in Redwood City. So, back -- so we've been here a couple of times and I want to thank the – both the Architectural Review Board, as well as the Staff. We've works a good deal and had a number of meetings over the past 4-months and have come back with what I think is really a very – a much better project. This is one of those situations where going through these processes have really unveiled some great results we feel. We're at the end of the intersection at Olive and Park and the context, adjacent to the mixed-use project, the 195 Page Mill. Just a blow up of some of the – you can see the existing upper left, upper right is the building adjacent to us and then middle left is the mixed use building adjacent to us. As Staff had indicated, we really went back to the drawing board, took a completely new look at the site after the last conversations and again, had a number of meetings with Staff working with both planning, transportation and as well as the Urban Forestry group. As – we've centered the site and we heard loud and clear of let's try to do something that we can provide a real strong accent at the access of Olive and Park and so we have re-centered the building. One of the major issues that transportation had was they really wanted us to reduce to one driveway and so we went through a whole series of schemes about how to do that, how to avoid – you may recall one point I think we had about three or four dead ends in various places on the site. We've worked with them in terms of creating a site plan now that has no dead ends. As well as then moving that parking structure under the building so it has easy direct access from the garage right up into the building itself. It's two bays wide – it's two double loaded bays wide so we have circular movement – auto movement within that so again no dead ends as well. As you can see on the plan, on the upper right we have a turnaround for automobiles and then the ramp that would head down into the garage itself. One of the happy results that came out about this was we gained this major landscape park, this kind of buffer between ourselves and the mixed-use. It was one of those things that as some point the light went on and it's like man, I can't believe it. How could this happen? I think we're over 7,000-square feet

of landscaped garden area that can be a great amenity for the employees in the building but also, it's about a 65-foot wide buffer between ourselves and the mixed-use building. In addition, we have landscaped berms that separate that from the street itself. Right along the street then we'll have also some seating – some public seating that would occur. We've inflected the building, notched it back just a little on the right side as you face the project, to assist with the movement of folks parking onsite toward the lobby element itself. The lobby is centered on the access then from Olive and then we have a secondary lobby that would occur at the back so folks that are parking at the rear of the building at that parking lot could easily access that point as well. Here's a little blow up of that amenities area so a variety of landscape kinds of features all – this is full depth. There's no parking under this so this is full depth planting and so we would expect to get really sizeable over the years as well as permeable paving for the pedestrian – the plaza kind of spaces. This is just a landscape plan kind of showing the variety of trees and in working with Urban Forestry, originally Dave Doctor as you know he's now left but we've been working with Elizabeth as well. The thought was it would be nice to have maybe a little bit of variety along for the street trees on Park and so we're actually using Brisbane Box as opposed to London Plane everywhere. Along the south side against the Groupon property, they have Liquid Amber on their side, we're providing Chinese Pistache so there's some variety. Along the Caltrain side, Valley Oaks and then along the northern side against the mixed use building a combination of some oaks as well as Podocarpus or some fern pine of trees. So, a variety of trees and the one – again, the landscape approach here is drought tolerant, native planting with drip irrigation and we'll be setting this up so that we can convert over to reclaimed water should that – at whatever point that becomes available. We have some small amounts of accent trees that occur along the front of the building as well as in that garden area and those are Muskogee Crate Myrtle which are a little bit more less drought tolerant than the others but urban forestry felt that on balance we were probably ok there. Looking at the building, again we heard a number of comments from both yourselves and then working with Staff as well. We've introduced a more – a stronger horizontal kind of element between floors so that we essentially are able to downscale the building so it has a more pedestrian kind of scale from the street itself. We're still using metal panel – a white metal panel, which I think there's a board there that you've probably seen, with the idea of having a very clean and pristine kind of look to the building. We've had great success in using that type of material, a pre-finished Kynar kind of surfacing and it looks great after many years. In this case, we've also introduced a large-scale panel but we've introduced a running bond kind of patterning. Something that's just a little more relaxed kind of look if you will. Something that's a little bit friendlier, more pedestrian than simply a very ridged, straight, blocked kind of patterning in terms of the jointing. One of the comments that we've heard from you before was the complexity that the glazing seemed to have and so we've tried to simplify that. So, that we've really reduced the number of mullions and the number of divisions. Much larger glass panels, we're talking 10 by 7 ½-foot panels of glass and the high energy low energy efficient glazing. The main lobby area itself – oh, well here's the view with the Crate Myrtle. The main lobby itself, structural glazing, it's a really small amount of glass as we've been working on our energy calculations. The impact of that one small area is very incidental in terms of the overall energy performance of the building. We are looking at – we're meeting all of the Palo Alto requirements for energy efficiency but we're also – at this point it looks like we'll be a lead-silver building. We have on both the southwest and southeast, the two faces you can see in this image, a couple of horizontal sunshades. Then a series of sun shades – may I'll go back one – a series – a little bit hard to see here but a series of sun shades at the main lobby area itself. Those would be fritted glass at the main lobby and in the other areas its perforated metal. Here's a view within that garden, the landscaped garden area and a small extended balcony element from the second floor that would overlook the garden. The view from the rear, again one of the comments was maybe doing something to help break up that elevation and so we've expressed that secondary entry on the Caltrain side. Just at the far edge, you can kind of see the notch in the building and that notch again reflected the southwest corner where the – where we have all the truck loading, where we have the electrical rooms, trash enclosure and those kinds of things. Then the view straight on from – looking toward the building coming down Olive with the lobby on center. Just to the left, that break in the overhang is the elevator shaft and penthouse that rises up and then helps break the building and create a little bit more of an accent in that location. As Staff has mentioned, the underside of this really strong, very broad overhang that extends out from the building, we're looking at – I think you can see on the thing here – something that's called a longboard. It's a wood grained finish on the aluminum panels. Again, to create a little bit of – and introduce a little bit of

warmth and also as you look up, seeing a little bit of an accent in that area. Just straight on elevations and just a – here's a section seeing the relationship between the mixed-use building and then ours. Just plan views and here you can see the relationship of the building and the underground garage and the two-bay wide garage. Just a bit more detail here and so any rate, happy to answer any of your questions. Thank you.

Chair Furth: Let's see if there's anybody from the public who wishes to speak? If not, yes, does anybody have a question for the applicant? Osma.

Board Member Thompson: I had a quick question. In the front elevation, I noticed that the corner sort of on the left side of the image, the glass is extending past – it's kind of extending past the corner and that's not done anywhere else in the building. So, I was wondering about why that is and what's that doing there?

Mr. Gilman: Again, it was an effort to create a little bit more extension or a sense of transparency or a sense of thinness. It does occur again in the – it's hard to see in this image but it occurs again at the first-floor in the metal panel. The right-hand side here, the metal panel extends 2-feet beyond so it's a – it's just a means for us. It's a means of trying to lighten the material, have it – give it a sense of lightness so we don't have this very solid, blocky kinds of corners. It does occur – it occurs I think three times in the metal at the first floor and then on the second floor. The extension there had a little bit to do with the fact that we have that – it's a reference to this balcony that extends out into the – over the garage area as well or I mean the garden area.

Chair Furth: Anything else from anyone?

Board Member Lew: I have a quick question. This is regarding landscape so in the paving you're showing flagstone set in a concrete framework. I guess my question is have you done that before? Can you – can the flagstone meet accessible requirements? I mean like – I'm thinking – I don't really know what the requirements are but I mean normally like a door threshold, you're allowed like a ½-inch change in plane. I was thinking the flagstones that I've done on houses has been maybe about ½-inch, probably not more but...

Mr. Gilman: Yeah, we've actually used this on a number of cases in pedestrian plaza kind of spaces and it's an issue of selecting material that has minimal clefting but yes, that's definitely possible.

Board Member Lew: Thank you.

Chair Furth: Alright, I think that's it, thank you. Discussion, let's start in the middle this time. Alex.

Board Member Lew: Thank you for the changes in the project. It's amazing when you have the right solutions everything falls into place easily and when you have the wrong one, you're just pushing – you know like you're pushing a stone uphill. The – I can support the project today. I have one more question for you. Did you have any thoughts about the fence along the Caltrain tracks? Is that just the existing – whatever – I'm assuming it's a chain link fence and is that going to stay?

Mr. Gilman: I believe that Caltrans or Caltrain will have their required fence but we're happy to provide something along there but I think they will have their required separation fence with the (inaudible)(crosstalk)

Board Member Lew: You're – you have the hedge entries which will screen that...

Mr. Gilman: Right, yeah.

Board Member Lew: ...which is fine. I can support the project today. I have some reservations about the simulated wood grain soffit. We have it on the Walgreen's building here and it doesn't look – it looks ok.

It doesn't look great and I think it helps on this one that you're two-stories up in the air. On the Walgreen's building, it's very low and so the simulated look kind of stands out but...

Mr. Gilman: If I might add? I think you see a similar product on the Epiphany Hotel building. It's different manufacture than this and those are larger panels and there is kind of a simulated look. These are actually made a piece at a time and so with would actually be V-grooved material that – so you would actually have that. We've used this in some other cases and you know it's a way of adding a little bit of warmth. It's – it could be more neutral but it felt to us it might be a way of adding a little bit of warmth.

Board Member Lew: I think it's – it helps that it's in a soffit kind of situation where it's in shade of the building so it's not quite as noticeable. I think it's better than standards options so I can support the project.

Chair Furth: Robert.

Board Member Gooyer: It's so gratifying to sit up here and if you make some suggestions and then it's actually listened too. It's one of these things that – I liked Alex's comment about if a project is wrong, no matter how you try and massage it, it just never comes out right. I'm really thrilled that you went full circle and came with this. I can support it the way it is too. A couple things to just reiterate, I agree that I'm not a big fan of faux wood but in this particular case it makes sense. It's in shade so it's not that it's going to bleach out or anything else and two-stories up, the average person is just going to look at it and automatically assume it's wood of some sort so I don't really have a problem with it. I like it. Basically, it just, as you said, seemed to answer so many problems that I can support it the way it is now.

Chair Furth: Peter.

Vice Chair Baltay: Yes, I share the sentiments of my colleagues. It's a much-improved project, the site planning really works and that makes a lot of the rest of it work pretty well. I can support it the way it is. I'd like to suggest a couple of ideas to the architect. I don't want to see them get held up but you tried to explain that you have this base when you want it to look thin and to me, the base looks like a base. So, when you stick it out 2-feet on the corner, it looks like you're covering a mistake. I'd encourage you to consider that the base of the building is a solid block or block with cut openings in it and treat it that way. My first reaction looking at it was oh, that must be nice limestone tiles or something masonry. I can understand the metal, that's a good idea. Then upon the second-floor with the glass fin sticks out like that, I just—honestly, I think you guys have redesigned the whole building and it hasn't gone through the DES of design process quite enough to really refine that. I think again the glass mitered around the corner might be a better solution. Again, I don't want to hold it up, I think it's a handsome building. I do throw out that you have a large wall of glass facing your landscaped area which then faces the residences. At night if people are working late, that will be very brightly illuminated and it could become problematic for residences. We've faced that question on other buildings and it might be suitable to put some sort of automatic blind system in there to protect the residents from that kind of problem. It just can be incredibly aggravating to somebody trying to go to sleep. Then the same bug-a-boo Tom, with other projects is where does the signage go? If you come back with it plastered on the glass, it just doesn't look right. So, I'm just throwing it out there now, that's not the right place for it and you guys should really resolve what's going on with that. Thank you very much for the changes. It's really a positive improvement.

Chair Furth: Osma.

Board Member Thompson: Hi there. This is my first time looking at the project. I like the faux wood soffit, I think it adds a lot of warmth. I don't know that I would like the project as much without it so I think it's a good choice. The – I agree with Board Member Baltay that the corner conditions are – they are unconvincing as a design choice. Even just looking at the render of the glass sticking out, it looked kind of like an accident and it's true, it's really unnoticeable in the other things. So, I would maybe encourage you to reconsider that part of your design concept. It's a really good point about the blinds.

Typically, in Silicon Valley when you have an office building that has a lot of glass, almost always all the time the blinds are down so that's something to consider. I appreciate your effort in shading the building. I don't -- I think you said that the shading on the lobby area is glass but it will have a frit. I don't know how effective that will be in actually shading but I think it's something -- just something to consider in terms of the blinds and how this will actually be preserved thermally. On that note, because it is a two-story building, I wonder if passive ventilation or operable windows could be considered in this climate. I don't know if it's not a sticking point as such but given that this is sort of a glass box on top, it would be -- it might save on HVAC and other things and provided some more sustainability points. The last thing that I wanted to point out was that the back side façade, the side that faces the Caltrain is a lot less handsome than the side that faces Park. Its -- I understand that it's the backside and such but assuming this will be visible on the Caltrain side, I just encourage some more thought in terms of how that back side is being presented. Maybe it just hasn't gone that extra step further than the front side has but I think out of all the facades, I would say that side needs the most work. I think those are all my comments.

Chair Furth: Thank you. Well, I would like to express my gratitude and appreciation to the applicant and the designers they are working with for bringing us a building that I think will be lovely for its occupants and a terrific addition to the street and neighborhood; which I think is becoming very attractive and this will certainly move it forward. You had that challenge of living -- of working next to residences which I think is unique on the block and you've addressed it. Certainly, since the day I got here my colleagues have been pressing upon me that everything flows from the site plan and certainly nothing was working before and now it seems to me that everything works in quite wonderful ways. I look forward to seeing this. I'm fine with the rear view. I realize I was thinking that you'll only see it at high speeds from Caltrain but maybe you're so close to the station, people will sit there and look at it. In either event, I think it's way above the norm for Caltrain views in my experience. I will note to Staff that male employees are perfectly capable of getting mugged as well as female employees so it's employee safety generally that we were considering. Not that I didn't raise it as a feminist issue. I realize -- oh, I had a question. I know this is in the plan and that will be dealt with. It said nesting birds will be protected if feasible. What's that mean?

Mr. Owen: Sure, absolutely so it depends on when construction happens relative to the nesting season. So, that's a question that depending on when construction actually begins, then that mitigation measure would be required to have birds surveyed. A biologist goes out to the site and actually survey to determine if there are birds that are nesting during that time period. If so, then take appropriate measures.

Chair Furth: Ok so complicated relationship between building season and bird nesting season. Alright, I do think the point about automatic blinds is a good one. It's come up in the Stanford Research Park vis-a-vis the neighborhood to the sort of southwest, but I don't see a need to add additional conditions. I'm just really happy that you were able to move in this direction and propose this project. Would somebody care to make a motion?

Board Member Lew: I have some more comments on findings.

Chair Furth: Perfect.

Board Member Lew: I think for Staff, this is on Page 164 of the Packet, and this is our finding number one. You have a Policy L-2.2, enhance connections between commercial and mixed-use centers and the surrounding residential neighborhoods by promoting walkable and bikeable connections and a diverse range of retail and services that cater to the daily needs to residents. I think what you've written in there in response to that is fine and then I think I would add that there are -- in addition, there are bulb-outs, street trees, benches and also the plaza in front of the building actually makes a wider sidewalk so that also helps with pedestrian amenities. That's all that I have.

Chair Furth: Anybody else?

Board Member Thompson: I have a question for the applicant or the architect. Is passive ventilation something that you guys considered already?

Mr. Gilman: You know with the – in terms of our energy calculations and the systems that we need to use in order to achieve the requirements. The idea of passive ventilation or openable windows is probably not in the cards for us as we've gone through the energy calculations to date with the designers.

Board Member Thompson: Meaning that it wouldn't work?

Mr. Gilman: Right, would not work.

Board Member Thompson: It wouldn't ventilate the area.

Mr. Gilman: Right.

Board Member Thompson: Ok. Thank you.

Board Member Lew: Can I – people have tried to have – I'm thinking – when I lived in New York City, there was a skyscraper and they had tried to add ventilation slots in the curtain wall. It wreaked havoc on the HVAC system because it could – at that time it wasn't smart enough to figure out what was happening all the way – all the way through the building. I would imagine that could change in the future but I think with the old-style technology it doesn't – I don't think it works.

Board Member Thompson: Well, typically office buildings are usually big – I mean HVAC heating and cooling is one of the biggest energy uses and because this is a smallish building – I can understand why that wouldn't work for a high rise or a skyscraper. This is two-stories and I mean it's – given its size and out temperature or weather, I don't see why it wouldn't work.

Chair Furth: Ok, does somebody want to make a motion? Is there more further discussion? Robert.

MOTION

Board Member Gooyer: Sure. I move we accept the project as presented with the added requirement of some sort of a shading situation for the lighting on the residential side.

Board Member Lew: Automatic nightshades.

Board Member Gooyer: Automatic night shades. Well, I mean it doesn't need to be that, just something to – whether it's something on a fixed basis or automatic nightshades would be fine.

Chair Furth: Is there a second?

Vice Chair Baltay: I'll second that.

FRIENDLY AMENDMENT

Chair Furth: So, that's a motion to – would the maker and seconder accept a friendly amendment to add to the findings on Page 164, Item – Policy L-2.2 an additional sentence that Alex will give us?

Board Member Gooyer: Oh, sure, that's fine.

Chair Furth: I think it is that street trees – well you have it, street trees, bulbs outs, and benches in the plaza provide additional pedestrian amenities.

Vice Chair Baltay: That's fine with me too.

Chair Furth: The condition with respect to the nighttime light spillover management is clear? Everybody? Alright.

Board Member Lew: On the automatic nightshades so the issue has been sometimes when a tenant changes, then they change window shades. I think the Staff had worded the – on the – was it Hanover? On the Hanover property that it was in the – I think the developer offered to put it in their lease that the requirement was that they have it in their lease. So, that when tenants change, then they know that they still have to maintain that. What happens usually is somebody will change the shade system.

Chair Furth: Well, we can either require they put it in in the lease or simply say the developer – the property owner shall maintain adequate late hour screening to avoid spill over and glare to the residential properties adjacent. We have a motion, we have a second, is that right?

Vice Chair Baltay: Is it clear what the motion is regarding the light shades? I just heard two different ways of requesting that it be enforced.

Board Member Gooyer: Well, I think it probably just needs to be something there. I'm not too worried about it because I've done it also on mechanical situations outside of the building so a tenant can't change how that works. I mean there are alternatives to nightshades.

Chair Furth: Would Staff like to propose language?

Mr. Lait: I think we get the idea. I think we can fine tune the language. I guess I like the idea of adding it into the lease and so we'll find some way to incorporate that into there.

Chair Furth: I'm not comfortable with that.

Board Member Gooyer: I'm fine with that, yeah.

Chair Furth: I think we should know what we're saying and what we're saying is that the property owner shall provide and maintain shading?

Board Member Gooyer: Some sort of shading...

Chair Furth: Some sort of shading to prevent light glare and spill over into the adjacent neighborhood property; including adding provisions to tenant leases if necessary. Will that – is that acceptable to us all?

Board Member Gooyer: That's fine.

Vice Chair Baltay: That's fine.

Chair Furth: Close enough for government work. All those in favor? All those opposed? One opposition.

MOTION PASSED WITH A VOTE OF 4-1 WITH BOARD MEMBER THOMPSON OPPOSING.

Chair Furth: Would you care to expand upon your opposition?

Board Member Thompson: I think I mentioned most of it in my comments but just that the back façade needs work and there's some other sort of architectural items that need development.

Chair Furth: Thank you. Well, thanks to everybody for their proposals and participation. Did you have another comment or are you all happy? Yes, will do, thanks.

6. **PUBLIC HEARING / QUASI-JUDICIAL. 392 California Avenue [17PLN-00088]:** Recommendation on Applicant's Request for Approval of a Minor Architectural Review to Allow Changes to the Façade of an Existing Commercial Building in the California Avenue Business District. The Façade Changes Include a new Storefront Window System, an Individually Illuminated Channel Letter Sign, and a New Custom Abstract Mural by Artist Victor Reyes. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15301 (Existing Facilities) and 15311 (Accessory Structures). Zoning District: CC(2)(R)(P) (Community Commercial). For More Information Contact the Project Planner Scott McKay at Scott.McKay@CityofPaloAlto.org

Chair Furth: Our next item is 392 California Avenue which is a request for a façade change. Does Staff need a few minutes to set up or are you ready to go? We're going to take 2-minutes. [The Board took a short break] We're on item number six, is that right? Yep. 392 California Avenue recommendation on applicants request for approval of a minor architectural review to allow changes to the façade of an existing commercial building in the California Avenue business district. Involving a new storefront window system, individually illuminated channel letter signs and a new custom abstract mural by artist Victor Reyes. Exempted from CEQA and may we have the Staff report?

Mr. Scott McKay, Associate Planner: Thank you, Chair Furth, Vice Chair Baltay, and Board Members. This is the second hearing for the Summit Bicycles façade changes project.

Chair Furth: Excuse me, could we ask you to introduce yourself for the tape.

Ms. McKay: Yes, Associate Planner Scott McKay and this is the second hearing. It was previously reviewed by the Board on September 21st, 2017. As you said the project includes a new storefront window system, an individually illuminated channel letter sign and a new custom abstract mural graphic. The primary comments that were in the direction given by the Board during the first hearing include that the black and white colors of the mural were too intense and overpowering. More differentiation was needed between the mural and the signage and there was also one Board Member felt the mural was attractive but should not be on the front of the building. To address these comments, several different lighter color schemes were explored and studied. Ultimately a lighter grey and white design was selected and also the returns on the channel letters are black to provide some contrast between the sign and the mural. At the time of the hearing there haven't been any new public comments that have been received and so we have the project architects Rebecca Pollard and Selene Botkins from Terry J. Martin and Associates in attendance in attendance. They will be making a presentation as well and both Staff and applicant are available to answer any questions you may have.

Chair Furth: Remind me who the applicant is?

Mr. McKay: The applicant is Terry J. Martin and Associates on behalf of the business owner Ian Kristy.

Chair Furth: Can we hear from the applicant? You have 10-minutes.

Ms. Rebecca Pollard: Thank you. Good morning, my name is Rebecca Pollard and I represent Terry Martin Associates the architect on this project. The owner and artist were unable to come today but you have all of the information on our project and its already been stated. I would love to answer any questions that you have.

Chair Furth: Are there any members of the public who wish to comment on this project? Hearing none.

Ms. Jodie Gerhardt, Manager of Current Planning: If I may? I just want to make clear we were talking to our Arts Department the other day. They wanted to make clear to the public and City Staff that this mural is a private mural and it's not a public mural being run through the standard City process.

Chair Furth: Thank you. Any questions of the applicant? I have one so a number of years, and I think still, California Law provides protection for murals constructed on private property and it's difficult to remove them. There's an acceptance for commercial art done under contract. Do you anticipate that this graphic element is going to be protected or not?

Ms. Pollard: Protected as in kept on the building?

Chair Furth: As in California Law which certain moral rights to the artist and interferes with removal?

Ms. Pollard: I am not sure I can answer that accurately. That's the first I've heard of protection under law.

Chair Furth: But it's not your intention that this would be a permanently protected graphic...

Ms. Pollard: I don't believe so.

Chair Furth: ... in the event that the business changed?

Ms. Pollard: As far as I know if the building was to change ownership the mural would not be protected.

Chair Furth: Thank you. Does Staff have any additional insight on this issue?

Ms. Gerhardt: We do have Elise DeMarzo here and she may be able to give us some more clarification.

Chair Furth: Great. Could you introduce yourself?

Ms. Elise DeMarzo: Gladly, my name is Elise DeMarzo, I'm the Director of the Public Art Program for the City of Palo Alto. I just wanted to give a brief clarification because we did have some concerns with the way the report represents this as a mural as opposed to a graphic. It does show a number of murals that went through the proper process and went to the Public Art Commission for approval. When I was asked to review this graphic several months ago, I determined that it did not need to go to the Public Art Commission because it is not public art because it's an abstracted bicycle. It's really tied to the tenant there and goes through a different process so that, of course, makes sense to come to the ARB and not to the Public Art Commission. However, the other murals that are there did go through the proper public art process through the Public Art Commission. We, of course, want to be sure that the ARB has the full context of the visual landscape as you're considering this graphic but I ask that it be referred to as a graphics and not a mural which would be a public art concern.

Chair Furth: Thank you and I'm not an expert at all on California Art Law but I certainly have been involved in disputes in early phases of my life about the removal of privately owned property, no public involvement and the landlord not having unfettered right to remove that art. Can you tell me anything about that?

Ms. DeMarzo: Do you have an hour?

Chair Furth: Briefly.

Ms. DeMarzo: There are lots of concerns about public art and an artist's rights when they are creating a custom piece that goes into a building. For the public art and private development which does go for review through the Public Art Commission, we make it very clear that it is up to the commissioning body which is the owner of the building to comply with all national and state laws regarding Visual Artists Rights Act and California protections. As you may know, we're undergoing some of these same legal issues with the (inaudible) or removal of a couple of public artworks currently.

Chair Furth: I guess what I'm hoping to know is if we approve this, have we approved something that will be difficult to remove if there's a change?

Board Member Gooyer: I get the feeling that – like they said, that it's a graphic. That no, if the next person or the tenant comes in, it can be eliminated.

Board Member Thompson: I have a question for the applicant. What material is this being painted on?

Ms. Pollard: It is currently a stucco material.

Board Member Thompson: It's painted on the building?

Ms. Pollard: Yes, it will be painted directly onto the building.

Chair Furth: Thank you. Alright, anybody else have any questions or comments? (Inaudible) before we vote or somebody makes a motion. Robert.

Board Member Gooyer: Well, the last time we saw this, it was basically a very large graphic of a bicycle with the words Summit Bicycle that was put in there that was black and white. I see all this verbiage and all -- basically, it looks like that happens is it's gone from black and white to grey and white. I wasn't a fan then, I'm still not a fan.

Chair Furth: Alex.

Board Member Lew: I can recommend approval of the project.

Chair Furth: Peter.

Vice Chair Baltay: I cannot support this project. The mural, as I see it, is essentially a sign; being an abstraction of a bicycle wheel and gears etc. Therefore, the whole building is a sign and that just violates our Sign Ordinance. If I give you the benefit of the doubt and say no, this is indeed a graphic, some sort of an architecture embellishment, I think we're on an incredibly slippery slope. If all commercial facades in town featured this kind of abstract signage, the whole built environment would be this cacophony of commercialism. Imagine walking down California Avenue and everybody having one of these abstract signs about their businesses. At best, this would become a modest tourist attraction on California Avenue. More likely it's just a visual jarring competition for attention. It's just totally inappropriate. It would become billboards pretending to be art but seen up close and in our faces in a commercial area. It's just totally inappropriate to let this sort of signage be put on our buildings in town. Thank you.

Chair Furth: Osma.

Board Member Thompson: I would say at this point I'm keen to hear more discussion. At the time it's a little difficult to see also the way that this has been presented, the context is not readily available, and it's hard to say how jarring this would be given not know the adjacent murals and such. As it stands, I can't say – it's – I'm going to hear some more discussion before I make my decision on whether I can approve this or not.

Chair Furth: Well, I'm thoroughly confused. A mural – this – first of all, this came to us as a mural, a custom abstract mural with a named artist involved with it. It didn't say, commercial designer, it said mural and our code says a mural is a work of art applied to a building wall for decorative purposes only. Use of murals for advertising is not permitted and a sign is any etc. etc. It seems to me I'm getting lots of people – one of the messages that I'm getting from the City is this is not an artwork as in a mural. I don't have any inherent objection to lots of graphic elements on buildings. I know some very attractive small commercial districts that do that. I appreciate the fact that the murals that we typically see on this street are commissioned as artwork, commissioned as murals and may or may not be closely tied to the

commercial enterprise that's taking place in the building. If we approve this as not a mural, then what are we approving it as? A sign? A not sign? A decorative element?

Mr. Lait: Is that a question?

Chair Furth: Yes, that's a question. That's not rhetorical.

Mr. Lait: I think there's – as is frequently the case in government, different departments have different definitions of what things mean and our Community Services Department has a very clear set of protocols for how public art is treated and what is defined. The Planning Department has a Sign Code that was established in the 70's or – and it's not been updated sufficiently. So, under the Planning Code, it is considered a mural but we understand the distinction that the City is also making it with respect to the public art process. I don't think those two are incompatible.

Chair Furth: I don't have any problem of with understanding that this isn't public art. What I have trouble with is not the Art Code, if we have one, it's the Sign Code which says a mural is a work of art applied to the building for decorative purposes only and their use for advertising is not permitted. Is that right?

Mr. Lait: Sure, so

Chair Furth: Is that the code we're supposed to be applying here?

Mr. Lait: Yeah so to that point...

Chair Furth: That's the context in which we're working?

Mr. Lait: The Director has the authority to enforce the Zoning Code including the Sign Code and this has been looked at and it is abstract. I think you can see – I can see a bike in it, others can see other things it in. I think it's abstract enough so that it qualifies and meets the definition of a mural so that's the premises under which we're operating.

Chair Furth: So, you see it as a decorative element not used for advertising purposes.

Mr. Lait: We see it as a mural.

Chair Furth: Thank you.

Board Member Lew: We have others so on the side of Paris Baguette, there's a painted graphics. At the shopping center, I think the Nike...

Chair Furth: Is that – that perceives Paris Baguette.

Board Member Lew: No.

Chair Furth: No? Is it a new one? I've never noticed it.

Board Member Lew: That was part of Paris Baguette project.

Chair Furth: Now I remember that one. Not an extraterrestrial.

Board Member Lew: Yeah. So, then also I think at the shopping center I think the side of the Nike store has a painted graphics. I don't have – I can't even – I couldn't even tell you what it is but I've seen it.

Chair Furth: (inaudible)

Board Member Lew: Then I think we did try to discourage the shopping center folks from doing more of that the last time the approvals for their current phase went through. So, there are precedents for it and then there's one that was debated here with this Board which was the Design Within Reach store on the side façade.

Chair Furth: As I recall, we did not accept the deconstructed chairs.

Board Member Lew: That's correct.

Ms. Pollard: If I may interject a comment? Regarding the argument that the entire piece is a sign because it is an abstract bicycle. I do understand where you are coming from, however, we did submit – after hearing that complaint in the last meeting – in the last hearing, excuse me. We submitted to planning multiple different designs that were in no way related to a bicycle and were told on each one of them no, we were to keep this original design and just make it less jarring and in your face color wise.

Chair Furth: Thank you.

Board Member Gooyer: I'm actually thinking that maybe jarring and, in your face, maybe something that's on a positive note. Where if it becomes a little bit more colorful, then it takes away from the whole thoughts that it looks like a bicycle. I think also the biggest thing – concern I have is possibly if the word Summit Bicycles was free standing on the canopy or something or whatever. So, it's totally out of the graphic mural or whatever you want to call it, then you don't equate the two. Considering whether you put a black box around it or not, to me that is just one massive sign and if you can separate those two then I'd be more – I don't have a problem with having some sort of a colorful mural graphic, whatever you want to call it. What, the one at the shopping center that has eat or was it Gotts or whatever. So, I mean there are all kinds of things around here so I don't have a problem with that.

Chair Furth: That one's gone now.

Board Member Gooyer: Oh, it – well ok but I mean there was one there, that's what I'm saying.

Chair Furth: We had it removed.

Board Member Gooyer: So, it's just the fact that to me this looks like a 20-foot by 50-foot sign or 40-foot sign or whatever it is. That's the problem I have with it so if those two could be isolated like I said for a free-standing individual letter sign on the soffit or on the little parapet or overhang or whatever you want to call it. Then the mural behind it either more colorful or something, I don't know, whatever, it just – I don't like it like this, to me, it's just a huge sign.

Chair Furth: Osma has that helped you – helped your reasoning process here?

Board Member Thompson: I think there's something – it's true, there's something kind of strange about having it integrated because somebody walking on the street this obviously – the sign isn't for anybody walking on the street so you wouldn't really...

Ms. Pollard: Correct, it's more for vehicles passing by or for pedestrians on the other side of the street.

Board Member Thompson: Right.

Ms. Pollard: With the existing overhang on the building, whether the sign was on the overhang, it's highly unlikely you would see it from the same side of the street on the sidewalk.

Board Member Thompson: Sorry, can you say that again?

Ms. Pollard: If the channel letter sign – if it remains on the wall as proposed or separated and put down on the overhang piece. Either way, it's still not really visible if you're walking along that side of the street.

Board Member Thompson: Right.

Vice Chair Baltay: I plead with my colleagues to think this is really a billboard. Billboards are made to be seen from big distances, it's very large when you're driving by, and you just heard her say you can't even see this as a pedestrian. Robert just explained it's 50-feet wide and that's what you call a billboard. Do we want billboards on California Avenue?

Chair Furth: Is there a way to have the signage, not on that rectangular space? The text.

Ms. Pollard: Technically yes, the text is a separate channel sign and it could be moved. The intent...

Chair Furth: Where?

Ms. Pollard: ...was to have it be less separate from the mural but if it means passing, we would be very willing to consider moving it.

Chair Furth: Does Staff have a comment on that? Can you provide assistance on that issue?

Board Member Lew: Let's just be clear that the letters – the channel letter signs are 5-inches in front of the façade of the building. The rendering makes it all look flat but if you look at the details, it's a 3-dimensional sign.

Ms. Pollard: Correct.

Chair Furth: I'll tell you all where I am and it's not going to be very helpful. I'm fine with decorative – considering decorative elements on a façade such as this. It's not a particularly lovely thing unembellished so I can certainly imagine that some kind of graphic element would be an improvement. I do read this as a large ad. It looks – I don't care – I mean to me the fact that these are channel letters, they are illuminated and they step out a bit doesn't keep this from being – reading to me walking across the street as a sign. So, to me, this would not pass the test of is this a suitable graphic element that isn't used for advertising. That also leads me to the conclusion that it doesn't meet our other findings as an aesthetic treatment of this surface of this building. I do think that the streetscape would benefit from having something happen there other than a big blank wall.

Board Member Gooyer: I agree. If they took the mural or the...

Board Member Lew: The graphic.

Board Member Gooyer: ... the graphic off and just had the signage, yeah that wouldn't approve it. I don't think that's helping the matter (crosstalk)

Chair Furth: I'm sorry.

Board Member Gooyer: Oh, just having the words Summit Bicycle on a blank wall, I don't think that's helping either but this isn't the solution.

Chair Furth: Well, if we were to ask the applicant to return one more time to talk to us, what kind of direction would we be giving so that they would have clarity or perhaps somebody wants to make a motion on this today.

Board Member Gooyer: The graphic and the actual words or sign itself – actually the words itself, the letters have to be separated.

Chair Furth: The text.

Board Member Gooyer: The text has to be separated.

Board Member Thompson: When you say separated, do you mean...

Board Member Gooyer: Well, like I said, either physically or something where the two are obviously different or if it has Summit Bicycles at the top and the mural is let's say lower – it's going as high but the same width so the two are isolated from each other. You can have the words – I'm just saying, Summit Bicycle, let's say for sake of argument, centered a little bit higher than it is then the mural and the actual grey part is only half the size of the parapet so it actually looks like a painting hanging there or whatever the case is. Something like that where the two are distinctly different. This one, the one is inside the other no matter how you look at it.

Board Member Thompson: So, even though it's sticking out because it is sticking out of the wall a little bit so...

Board Member Gooyer: Yeah but 5-inches over a 20 by 50-foot, that's almost indiscernible.

Board Member Lew: Ok Robert, I agree with you. I can support, I think that makes sense.

Board Member Gooyer: You follow what I'm saying?

Ms. Pollard: Mostly, yes. We did attempt to address it with the color contrast but I see where you're coming from.

Chair Furth: I will say that I think my problem is that this thing reads as a single, visual message. Big box, interesting colors, textures, shapes, and text. I mean it reads like an ad which is not what we permit so the sign needs – the text needs to be isolated from the art and I'm going to use the word art because I'm tired of saying graphic. Even though I mean something that you do not anticipate will be protected under state or federal law. I think that – I actually think the law helps explain what the problem is here because I don't think anybody thinks that this is a standalone piece of art that would necessarily be adapted by a different commercial use.

Male: Right.

Chair Furth: It's too closely tied to the notion of bicycles but that alone would not keep me from approving it. It's the fact that you have text in it and having text in front of it, doesn't matter if I'm across the street, I'm going to read the whole rectangle. I am not going to read oh, drawing, oh, text. I'm going to see it all at once. It's going to be the same field of vision so I don't know that our code permits it. Staff always explains it which is helpful. If the text was attached to the protruding element there, that might work but it needs to not read as part of the graphic element.

Board Member Gooyer: I agree. It has – the keyword is they need to be separate. They can't – one can't be on top of the other or blended together as one combination. I said one on top of the other and that's one of the reasons why I'm breaking my own rule of not trying to design it a project from here so they come back and say see, this is what you told me to do. How come you're not approving it now? So, it – all – that's why I don't like doing that so the idea is just the two need to be separate. There is a sign and there is a graphic and right now, that isn't working.

Board Member Thompson: I think also part of the reason I'm struggling with this is also because it's hard to think of which lenses to look at this. Am I looking at this as an aesthetic, decorative architectural thing...

Chair Furth: Yes, you are.

Board Member Thompson: ...or am I trying to justify this as embellishing a really big sign and somehow adding this artistry to the street? I think if you guys come back, it would be worth putting some effort in justifying why this belongs in the context and then also differentiating, kind of what Robert is saying. Differentiating the sign with whatever aesthetic architectural embellishments that you're making so that we can actually look at it as this is an architectural embellishment and a sign versus grappling with this is a billboard and so it's hard to judge it in that sense.

Chair Furth: Peter, do you want to add anything?

Vice Chair Baltay: No, I think I've been quite clear.

Chair Furth: I don't think anybody is going to argue with you. I think that we do have to look at it as a work of art applied for decorative purposes only. I don't think it's approvable in that way. I think it needs to be separated from building signage so that one can appreciate the one without the other. I had a third point which is eluding me.

Board Member Gooyer: So, then is the question do we bring it back or do we just reject it as is?

Chair Furth: I think we ask the applicant if you'd like to come back or would you like us to vote on it today? I know what I wanted to say. I agree with my colleagues who said that when you're looking at it as a decorative element then you need to know about context and that's a little hard to figure here.

Ms. Gerhardt: If we could make a suggestion? Would moving the text to the canopy, would that solve some of the questions and would there need to other changes or would just that one move be sufficient?

Chair Furth: Alex.

Board Member Lew: I think that would help a lot.

Chair Furth: Robert.

Board Member Gooyer: It helps but if you're standing across the street, you still read the one in back of the other so you really haven't changed that much.

Chair Furth: What about below the canopy?

Ms. Pollard: I believe that could be done.

Board Member Gooyer: It's a help but it...

Chair Furth: Osma, did you have any further comments?

Board Member Thompson: I think it's mainly that – I don't know, the context I think is really important to understand how to approve this.

Board Member Gooyer: I guess the main concern I have is if you take the lettering out, then all of a sudden, you've got a mural that is very busy on the left-hand side towards the bottom and a big blank grey spot up on top. Then all of sudden I think it's going to detract from – the mural is going to look strange or again; the graphic is going to look strange. Then when you see the sign or the letters on the bottom of the canopy, then all of sudden the white of the letters with a background that's very busy with grey and white, you're never going to be able to read the sign. So, you're defeating the purpose of reading the sign. So, that would be a quick fix for something that still not going to work. I mean if the letters, Summit Bicycles, were down on the overhang, right in front of where the business part...

Board Member Lew: You would normally...

Board Member Gooyer: ...of the graphic is.

Board Member Lew: You would normally not – for an illuminated sign, I mean there usually would be some sort of backing. When you put a sign on top of an awning... (crosstalk)

Board Member Gooyer: (inaudible)

Board Member Lew: ...it's not...

Board Member Gooyer: I'm talking about during the daytime when you drive by you're going to see the sign right – directly in back of it you're going to see the busiest part of the graphic. It's going to totally destroy the readability of the sign or the letters.

Chair Furth: Excuse me, so it seems to me that one problem that we have is that these were designed to be integrated. This mural assumes that there's going to be text over there. I think Robert is correct.

Board Member Gooyer: Right, exactly, it's designed that way.

Chair Furth: I would propose that we suggest that the applicant come back for another round and tell us what you would like to do having heard our comments today. I personally am going to be interested in how whatever you propose works in the streetscape along that side, how it looks from across the street and that the signage identifying the building preferable is below the canopy so I'm not going to read one against the other but I'm not going to say that's essential.

Board Member Gooyer: I think if they want to use the mural of some sort or a mural, then – or a graphic, whatever you want to call it, the graphic should be smaller so it has a border around it of wall. Then the sign goes on top, on the bottom, whatever, somewhere not directly in front of the graphic.

Chair Furth: Anybody have any further comments before – Staff, do you have a date certain or a date uncertain? Somebody want to make a motion to continue this to a date uncertain?

MOTION

Board Member Gooyer: That's fine. I'll move we move this to a date – a future date uncertain.

Chair Furth: Is there a second?

Board Member Lew: I will second.

Chair Furth: All those in favor? Thank you.

Vice Chair Baltay: I'm opposed.

MOTION APPROVED WITH A VOTE OF 4-1 WITH BOARD MEMBER BALTAY OPPOSING.

Chair Furth: You would – Peter, your comments please.

Vice Chair Baltay: Yes, I think we should say call a spade a spade. I don't see this can come back in a form close to what (inaudible) and still meet the requirements we've set. Yet, we're not willing to just come out and say this is not appropriate, no. That's what we're here for. To keep continuing things just keeps furthering the process, the applicant spends more money, the City spends more time and we haven't really given them clear direction.

Chair Furth: I thought it was reasonably clear but you may very well be correct.

Board Member Gooyer: I think that's probably the idea that we talked about the last thing. If once you have a good design, it's just this is so difficult. It's real tough to make it work and we're sitting up here trying to make it work.

Chair Furth: Well, I've been thinking about the scale of the project we looked together – we looked at today and of course, every project is important to the applicant. Every project is important to its environments but one of Parkinson's Law is that the time spent on an agenda item varies inversely with its scope and scale and I think we just demonstrated that because we all tend to think we know what we're talking about when we look at small items. Physically small, not unimportant. That is it.

Ms. Gerhardt: So, we do have a motion on the table...

Chair Furth: We have a motion...

Ms. Gerhardt: ... and I don't believe we've voted.

Chair Furth: Didn't we have 4-1? It was 4-1. We had a motion and a dissent and I remember to ask the dissenter why. I didn't know we were going to get such quite such a personal attack but hey.

Vice Chair Baltay: It's not personal, Wynne.

Chair Furth: Let's see, any other public comment on study session items?

Approval of Minutes

7. Draft Architectural Review Board Meeting Minutes for February 1, 2018.

Chair Furth: We have a lot of minutes to approve and then – so we have three sets of minutes. Are people prepared to make motions on those? First a motion on the minutes of February 1st. I'm sorry, I'm doing this backwards, January 18th, can I get a motion? (crosstalk) Oh, I missed a letter here?

Vice Chair Baltay: (inaudible)

Chair Furth: We have a comment from one of the people who spoke on behalf of the former owners of the restaurant site on Emerson. I am not in position to comment on this, can Staff?

Mr. Lait: I don't know what you're looking at or where we are in the agenda.

Chair Furth: Well, I'll tell you what, what we're going to – we are on approval of the minutes and we are looking at the minutes of February 1st.

Mr. Daniel Myers: Yes, number seven in the (inaudible)...

Chair Furth: Would you like to comment?

Mr. Myers: I'm sorry to bother you, I know its...

Chair Furth: I'm sorry, you have 3-minutes.

Mr. Myers: My name is Daniel Myers, I spoke...

Chair Furth: Yes.

Mr. Myers: ... to the Architectural Review Board, you folks, on February 1st very briefly. I think the item is item number seven in the agenda book and the actual text is not in the book but...

Chair Furth: That's correct.

Mr. Myers: ... I'm just asking that my segment, which is about twenty-one lines be amended neutrally without any contention. I'm not really a...

Chair Furth: Got it.

Mr. Myers: ... professional public speaker or anything. I don't belong to Toast Master or anything like that and I suppose I spoke very softly. A few days ago, I looked at the video, the audio-video online and there was an automatic translator, oh it was terrible.

Chair Furth: I'm sure.

Mr. Myers: It didn't really reflect what I said and I don't know who else might be malign so to speak but I – this morning I sent you an email just to ask you to amend the content of my presentation because it didn't reflect some of my hand gestures which I think were important. In my email to you, let's see on Page 10 and 11 of the proposed draft minutes that you're being asked to approve of here. Line four of my presentation – in total I had about twenty-one lines on Page 10 and 11. Line four, I would like to add a parenthetical item to have the sentence read, I had difficulty finding information about this agenda item. Where in the report it said, I had difficulty finding information about this item and let me just turn this idiot thing off. Line five I said from Mr. What's his face here, I was a point to – I was gesturing to the employee of the Planning Department, Samuel Gutierrez, and that is not represented in the minutes.

Board Member Gooyer: I don't mean to interrupt but basically these...

Chair Furth: Well, please don't Robert. He has 3-minutes and then we'll deal with this.

Board Member Gooyer: Well, go ahead, the thing flashed red so...

Chair Furth: Ok then, thank you, we have – your time is up and we will – we have your document which we have read so if you could take your seat, we'll decide how to proceed.

Mr. Myers: So, again, sorry to bother you, I know it's been a long meeting.

Chair Furth: You are entitled to speak to us and we will listen and I'm sorry that I missed the fact that we didn't have the acoustic cues. Thank you, Robert. I'm going to suggest that we not act on the February 1st meeting minutes because we haven't had a chance to see if we agree with these minor corrections.

MOTION

Chair Furth: I would move that we continue the matter of the February 1st minutes to our next meeting so that Staff can review and determine if any of these requested corrections are appropriate. Is there a second?

Vice Chair Baltay: Second.

Chair Furth: All those in favor say aye.

MOTION PASSED WITH A VOTE OF 5-0

[The Board moved down to subcommittee items]

8. Draft Architectural Review Board Meeting Minutes for December 21, 2017.

Chair Furth: Does anybody have a motion to make on the December 21st meeting? Does anybody move approval of the minutes?

Board Member Lew: I have a question on the minutes.

Chair Furth: Which ones?

Board Member Lew: For the December minutes. So, a lot of the speaker names are...

Chair Furth: Wrong.

Board Member Lew: ...wrong and I know we're trying to fix that but is there not a way to do that manually with the speaker cards?

Ms. Gerhardt: Yes, we can do that and we will try to do a better job of those. The speaker cards usually go back to the planners and that's sort of...

Board Member Lew: They get lost.

Ms. Gerhardt: ... on a separate track from the minutes and that's where it goes awry.

Board Member Lew: Ok.

Chair Furth: Well, I will try to ask people to spell their names but I often forget. Did you want to – did you have any changes you wanted to request or just wanted to lament our process?

Board Member Lew: No, I'm not going to request any changes. I think we should fix – whatever we're doing, we should fix the process because it doesn't look good and a lot of the speakers are regular speakers. This is the usual same cast of characters and somehow it just looks really bad if we don't – if we're sort of not even recognizing that.

Chair Furth: I agree with you.

Vice Chair Baltay: Then we shouldn't approve it until we get it corrected.

Mr. Lait: You can direct us to correct the names with your approval.

Board Member Lew: Well, then are we going to do a motion for all three or are we going to do it separately?

Board Member Thompson: Wait, I have a question. If I found some typos, what's the best way to (inaudible)? Just email?

Chair Furth: Staff can...

Mr. Lait: Just email those to us.

Board Member Thompson: Alright.

9. Draft Architectural Review Board Meeting Minutes for January 18, 2018.

MOTION

Chair Furth: Well, I would propose that we have a single motion to approve December 21st and January 18th subject to the correction of the spelling of the names of speakers?

Board Member Thompson: And other typos.

Chair Furth: We won't mention the other typos. Those are clerical errors, they don't have to be in our official transcript.

Board Member Lew: So, was that a motion?

Chair Furth: Yeah, I move.

Board Member Lew: I will second.

Chair Furth: Ok, all in favor say aye. All those opposed?

MOTION PASSED WITH A VOTE OF 5-0.

[The Board moved back up to the February 1st meeting minutes]

Subcommittee Item

Chair Furth: We have no subcommittee minutes – matters, is that correct?

Ms. Gerhardt: That is correct. We have no subcommittee items. I did want to clarify on the transcriber, this is a third-party transcriber so there is – this is not Staff putting their own bias into this minutes. They are verbatim minutes but we will ensure that that is what is being done.

Chair Furth: We know that is a difficult assignment and we understand that it's done by strangers.

Board Member Questions, Comments, Announcements

Chair Furth: Anybody have any Board Member questions, comments or announcements? I do. I was walking by the Bank of America down Lytton the other day and came across a construction site for a building we recently looked at which was absolutely flat except for one short standing wall. We looked at this building as the sort of modification of an existing non-conforming, non-complying use. I didn't really understand the extent to which one could essentially tear a building down to its foundations and continue to have previously existing non-complying features. I understand that our laws in Palo Alto are very favorable to retaining those features but it would be helpful to have some guidance from Staff on that.

Ms. Gerhardt: So, thank you. I did receive your question yesterday and we did a little bit of research on that. I believe you're referring to the 480 Lytton project...

Chair Furth: I remember addresses, yes.

Ms. Gerhardt: Yes...

Mr. Lait: (inaudible)

Ms. Gerhardt: Correct so we don't have a full answer at this moment and so we would get back to you at the next hearing with that answer.

Chair Furth: Thank you. Anything else before we adjourn? Staff? Board Members? Thank you all for your participation. Meeting is adjourned.

Adjournment