



ARCHITECTURAL REVIEW BOARD  
DRAFT MINUTES: March 7, 2019  
City Hall/City Council Chambers  
250 Hamilton Avenue  
8:30 AM

**Call to Order/Roll Call**

Present: Chair Wynne Furth, Vice Chair Peter Baltay, Board Members Alexander Lew, Osma Thompson and David Hirsch.

Absent: None

Chair Furth: Good morning, and welcome to the regular meeting of the Architectural Review Board of the City of Palo Alto for March 7, 2019. May we have the roll call, please?

[Roll Call]

**Oral Communications**

Chair Furth: The first item on our agenda is oral communications, the time for any member of the public who wishes to speak to us on a matter not on the agenda. I have no speaker cards, and seeing no volunteers, we will go on our next item.

**Agenda Changes, Additions and Deletions**

Chair Furth: Agenda changes, additions and deletions? I had a question. We received a copy of draft minutes but they're not on the agenda, is that right?

Jodie Gerhardt, Current Planning Manager: Yes, unfortunately that's true. We will delay those to the next hearing.

Chair Furth: Okay. I have a bunch of clerical comments. I really liked hearing about the "perfunctory," "perfunctional" aspects of the building. I think "functional" is what we had in mind. No, they were really good minutes, really good transcription. Thank you.

**City Official Reports**

**1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, and 2) Tentative Future Agenda items.**

Chair Furth: City official reports. Transmittal of the ARB meeting schedule and attendance record, etc., etc. Advance planning...? Is it current planning or...? Current planning. Sorry.

Ms. Gerhardt: Yes, current planning. Just looking at future agendas, all of these items will continue forward, at least as of right now. We have the Master Sign Program for the Medical Center, the Wireless Administrative Standards, and then, a subcommittee item for 3200 El Camino. We may want to...

Chair Furth: Could you remind me what 3200 El Camino is?

Ms. Gerhardt: Parmani Hotel, on the corner of Hansen, I believe.

Chair Furth: Can I have volunteers for that subcommittee? Don't all say yes at once. Peter?

Board Member Thompson: I can do it.

Chair Furth: All right. Peter and Osma. Board Members Baltay and Thompson. Vice Chair Baltay, Board Member Thompson.

Vice Chair Baltay: Thank you, Chair Furth.

Chair Furth: You're so welcome. I did read somewhere that Alex likes subcommittees, but we'll save him for some others. We have a bunch coming up. Summer holiday schedules, we had one absence flagged in advance by Osma. Anybody else have anything to report on that topic?

Vice Chair Baltay: I'll miss the June 20th meeting, it looks like. And do we really have a meeting on July 4th?

Chair Furth: Yeah, that was my question, too.

Vice Chair Baltay: Because I think I'll be out of the country then, as well.

Chair Furth: You really want to get away. Maybe reschedule that July 4th meeting? I will miss the June 20th meeting, as well.

Board Member Thompson: And I think I said it last time, but July 18th, I will not be available.

Chair Furth: Next time, you could give an alternate date for that July meeting, perhaps? Or maybe we'll have a light summer...

Ms. Gerhardt: Yeah, especially if... Well, we may still have a quorum for June 20th, but it would be...yeah.

Chair Furth: Okay.

Ms. Gerhardt: Also, too, on the agenda, we had added an additional item, being recent project decisions, and we had emailed some of those decisions out to the ARB. I just wanted to announce those being 380 Cambridge and 695 Arastradero, were recently approved. They both, one had subcommittee conditions, and the other one just had, I believe, staff conditions that needed to be addressed.

Chair Furth: Thank you.

## **Action Items**

- 2. PUBLIC HEARING / QUASI-JUDICIAL. 233 University [18PLN-00344]: Consideration of a Major Architectural Review to Allow for Seismic Rehabilitation of an Existing Singlestory Structure, the Addition of a Second-story for Office Use, and Rooftop Terrace. Additional Floor Area Would be Added Using a Seismic Floor Area Bonus and Transferred Development Rights (TDRs). The Project Includes Alterations at the Ground Floor to Provide Pedestrian Amenities. Environmental Assessment: Exempt from the provisions of the California Environmental Quality Act (CEQA) in Accordance with CEQA Guidelines Section 15332 (In-fill Development). Zoning District: CD-C(GP) (Commercial Downtown Pedestrian and Ground Flood Combining District Overlay). For More Information Contact the Project Planner Claire Hodgkins at [Claire.Hodgkins@cityofpaloalto.org](mailto:Claire.Hodgkins@cityofpaloalto.org)**

Chair Furth: Our first public hearing item, which is quasi-judicial, is 233 University Avenue. And it's recommended for approval of a major architectural review to allow for seismic rehabilitation of an existing single-story structure, the addition of a second story for office use, and a rooftop terrace. This building would be entitled to additional floor area through a seismic rehabilitation bonus and transfer of development rights that were accrued in connection with the rehabilitation of the Sea Scout building. The owner is the Mills Family, LLC, and the architect is here. Mr. Hayes. Staff report, please.

Claire Hodgkins, Project Planner: Good morning, board members. Claire Hodgkins, Project Planner. The project before you today is 233 University Avenue. The project actually includes two addresses, 233 and 235 University. The site is located within the CD-C(GFP) zoned district, which is Commercial Downtown Community with a ground floor and pedestrian combining district. Existing uses of the site include Mills Florist, the Tap Room, and a hookah lounge. Just a quick summary again of the different project components. It includes rehabilitation of an existing brick masonry building to meet current seismic standards, use of the seismic rehabilitation bonus, transferred development rights, and existing mezzanine floor area, which would be removed from the existing building in order to construct a new second floor office addition, and an open terrace above the second floor. It also includes revisions to the façade on the ground floor to create more windows and to create an access to the office, and the addition of a trash enclosure on site and ADA compliance upgrades. I want to go into a little bit more detail today about a few considerations and note a couple of items before we start the hearing. Some of the key considerations staff asked for you to look at today include the pedestrian environment, including trees, entrances and windows. This came up a lot at the preliminary hearing for this project. The staff report had noted that there was no retail entrance along Ramona, and I just want to correct that statement, that there is a retail entrance proposed along Ramona adjacent to the office entrance. There were a lot of comments, as I noted, about the pedestrian environment in this area during the prelim, so staff is really interested in any additional feedback on ways that the environment could be improved. Building height and massing and the setback of the second level was another item that came up a lot at the preliminary hearing. There was a lot of talk about possibly setting back the second floor from University and Ramona a little bit more. The revised design does include a greater setback from University. It's not back much further from Ramona. The key reason why we were asking for changes to set the building back further from Ramona was related to the addition of potentially three oak trees along Ramona. I want to note that because we have been in discussions, staff has been in discussions with Utilities and Urban Forestry, and notes a few concerns about potentially having those new canopy and large oak trees along Ramona due to the extensive utilities along that area. We've asked for the applicant to retain the mature trees on Ramona. The plans still show replacement of two of the trees with new oak, and we are talking to Urban Forestry about whether there might be a better type of tree that's a little bit more compatible with the utilities for those additional two trees. I wanted to also touch base on the trash and bicycle parking because this came up during the prelim as well. There were some concerns about putting the trash and the bicycle parking, the long-term bicycle parking, below grade. We had discussed that pretty extensively with our Zero Waste Division and explored the different possibilities. Unfortunately, the trash enclosure, were it to be at grade, would take up a lot of the space along the Ramona frontage. This is really the only option if we did that. The benefit of having something at grade is also that it can be, the trash can be pulled out to the curb, but that would also require curb cuts, which would permanently remove the parking, and also potentially take away one of the street trees. The revised design does still show a trash enclosure in the basement, and then, everything would be brought out to the curb. One of the only concerns with that is just, when everything is brought out to the curb, you're temporarily taking away those parking spaces. So, as a condition of approval of this project should it be approved, we would want to see some sort of restriction on the timing that the trash could be out in the street, to get them kind of in and out as efficiently as possible. Staff has actually revised the recommended motion for today. We're actually asking for your consideration of the proposed project, for you to provide comments, and to continue the project to a date certain, instead of recommending approval. The key reason for that is that we are still looking for some information from the applicant in order to finalize the CEQA review. While we feel that the requirement for the exemption can be met, we just want to have the information at hand before we make that determination. With that, I'll turn it back to you.

Chair Furth: Thank you very much. Any questions of...? Oh. Any external conversations to disclose? None. Has everybody visited the site?

Vice Chair Baltay: Yes.

Board Member Thompson: I did.

Board Member Hirsch: Yes.

Chair Furth: Probably many, many, many times. Okay, questions for staff?

Vice Chair Baltay: Claire, if you could, please. You talked about the trees along Ramona affecting the setback on the second floor. Can you explain how those are related, please?

Ms. Hodgkins: During the prelim, there were a few comments from board members about how we'd like to kind of revise the tree canopy and really allow for greater growth. The idea was that maybe we should be setting the second floor back from Ramona further to allow for greater tree growth. I guess my point is just that I think it might be unrealistic to think that they're going to grow that extensively in that area, just due to the restrictions of the utilities and the soil volume for that area.

Vice Chair Baltay: Thank you.

Chair Furth: Any other questions? I had a couple. The little alleyway, alley-like space behind the Mills Building, is that part of the theater property, or what's the situation there? There seems to be access and not access.

Ms. Hodgkins: Unfortunately, it is part of a separate property. There are prescriptive rights I suppose to this, but we don't have an easement for that area.

Chair Furth: And neither does this building.

Ms. Hodgkins: Yeah.

Chair Furth: It's not the dominant tenement. Okay. Any other questions for staff before we hear from the applicant? The applicant?

Ken Hayes, Hayes Group Architects: Good morning, Chair Furth, members of the Board. Ken Hayes with Hayes Group Architects. I'll be making the presentation.

Chair Furth: Good morning. You have 10 minutes. After spelling your name.

Mr. Hayes: All right. My client, the Mills family. I'd like to thank Claire for her help in bringing the application before you this morning. It looks like we have an aspect ratio problem. That's supposed to be a square. I apologize.

Chair Furth: It's square on our screens.

Mr. Hayes: Oh, it is? Okay, good. Hopefully it's focused on your screen, too. The site is a corner parcel, we're familiar with it, on the corner of Ramona and University. It's not a big site, 4,500 square feet. It's in the CD-C zone with a GF and P overlay. Across Ramona is a Category 3 historic building, the old BFA building. And then, 25 feet away to the west on University is the Stanford Theater, right next door to us. An existing unreinforced building that's on the seismic hazard list, as staff said, and we'll be going for the seismic bonus because of the rehabilitation. The building was built in 1905. Some views of what it looks like today, although this is the Tap Room now. Mills Florist operates here, the hookah lounge back in here. You can see that the front of the building here and across the front here, at some point in the past

40 years, that brick overlay was added to the old façade, covering up windows that you see here, once existing. This is a great photograph. The building had already been remodeled in this photograph. This piece here was done by Birge Clark, which I found very interesting and unlike some of his architecture. The program included the seismic bonus upgrade of the existing building to mitigate the seismic hazard. There's not many left now in Palo Alto. Improve the ground floor retail space with higher ceilings, more windows, more connectivity to sidewalk. Lower the basement so it can be used better to support that retail space, perhaps. Provide second floor office, and then, consider a rooftop terrace for a building amenity. That program has been incorporated into what we have. These are two options that we showed at the preliminary hearing, which was in December of 2016. The Board generally supported the project. There were some comments. The Board specifically supported the second floor balcony setback on University Avenue to kind of give some deference to the theater two doors down. There was not really any consensus on arch versus lintel. We actually prefer the lintel concept, partly because that's what existed there. We're going to re-expose that old transom line in the building. It's about 12 feet above the sidewalk. There was some comment about the stair tower being reduced, seemed like it was a little bit too big. More openings on Ramona from what we're showing here, which was more than what are existing. And then, perhaps set the second floor back. We set the second floor back about three inches, so it's two feet back from the face of the brick, but the big move was we eliminated the awnings that were on that side, that stuck out three, three-and-a-half feet. That will give the trees more space, we think. This is the design today that we are presenting. We have increased retail openings all the way along Ramona Street. These are the two retail entrances, so the one on University Avenue next to the corner window, and then, further down Ramona. The one on Ramona is actually a sliding door, so it could slide open and sort of be open. That's next to the office entry. The windows running down, so they're all about the same size as those that predominantly occupy buildings along University Avenue and the Downtown. They're 12 feet high. The ones on University Avenue have canopies while the ones on Ramona do not. We've actually pushed the terrace back a little bit more, just from a, various reasons, one of which is structural. About a 20 percent increase in that terrace there. The building heights are similar to the Stanford pre-functioned building next door. And with the stair tower, has been reduced by more than 50 percent, so now it's really just what we need to be able to get up to the second floor and the roof terrace. And then, we eliminated the awnings that were along that side, so those awnings down that whole side had projected out. I think that there's plenty of room for the tree canopy. Remember the site is only 45 feet wide, so we've already moved the wall in two feet, so we've got 43 feet left over. We've got stairs, etc., on the blind wall, the far side wall, so we don't want that upstairs to get too constricted from a width standpoint. But we think this addressed your comments, hopefully. The ground floor, I wonder why the color's not showing up? I was going to say the retail is blue, but not this morning. This is the stair that is the active stair for the second floor and the retail entrance comes in here, or in here. There's a grade difference, so as Ramona Street heads to the north, it rises. Essentially, this is at grade here; this is probably four inches above grade, so we have to create ramps on the inside of the building. No ramp here, we've just decoupled that slab from this slab here. Stair, elevator, stair to the basement, a ramp that comes up so that now we can get out of what we hope is another door that we can claim prescriptively on the side. The second floor, generally open office. You see the terrace on the front, and then the two-foot setback running down that side. The two required stairs. We'll have other core functions down this wall. Then we have the roof terrace, so you come out of the stair or the elevator here. These are planters that run along the edge of the balcony, and then, this is all roof terrace. This is all roof screen, and our mechanical equipment is located in here. This is an additional sound wall recommended by the acoustical engineer to help mitigate any property line issues with Palo Alto ordinance. It's funny that the colors aren't showing up.

Chair Furth: You're in a black and white [crosstalk].

Mr. Hayes: Every day's a new day. Right. The University Avenue façade, the large openings on the ground floor, keeping the brick façade. The coping of the brick wall is guardrail height, so the second floor is set down inside. We are trying to pick up a little bit of the character of the sort of art deco feel of the theater with how we're treating some of the façade elements of the addition above, and, in fact, even the elements beyond. I'll explain that a little more clearly in a minute. This is the Ramona Street façade with the rhythm of openings. We've got, this is metal detailing between the windows, so this is like a

wide flange beam. It's not a wide flange beam, it's actually part of the window system, but it will have that kind of relief, as will the window volumes themselves. Office entry down here on this side, and then, the second floor again has that sort of accent of the vertical wall elements between the windows, similar to what you might see in the theater. Glass guardrail at the terrace to help reduce the size of the building. These two views aren't too interesting, and there's a PowerPoint issue, it looks like. Hopefully it looks good on your screen. The idea is that we want to do a running bond of metal panel, but instead of running it horizontally, we want to run it vertically to denote that it's different, but also, it also accentuates kind of the verticality of some of the detail on the theater itself. This is the view of what the building will look like, the restored brick facades, the black detailing, the clear glass, the ACM panel wrapping the second floor, and the clear glass railing above on the balcony. We have some potted plants on the balcony. That's where staff has mentioned that there's non-native plants, but there's three-foot by three-foot planters at the roof. And then, this is the view from University Avenue. And that is my presentation. Look forward to your comments. I'm sorry that we couldn't move this forward today.

Chair Furth: Thank you very much. Are there any questions of the applicant's representative? Well, first of all, is there anybody else who wishes to speak? Seeing no one, are there any questions? David? Board Member Hirsch?

Board Member Hirsch: I'm a little late to the party on this project, but I like it a lot, and I really like the fact that you're emphasizing the brick all the way along the ground floor.

Chair Furth: It's questions at this point, not evaluations.

Board Member Hirsch: What do we want? Questions...?

Chair Furth: Of the applicant.

Board Member Hirsch: Applicant, yes. I have them coming up. The only concern I really have is relative to the neighboring building and to the height of the ground floor openings. The clerestory above the doorway just seems a little scrunched in dimension to me, even relative to neighboring building 227.

Chair Furth: The question is...?

Board Member Hirsch: You have a ceiling height of around 12 feet. Maybe it's a little bit more.

Mr. Hayes: Right, so, what we have done, Board Member Hirsch, this is the lintel of the existing openings that are there, that we'll be revealing. They've been in the attic. They're behind that brick façade that was put up with the arches. We just took that as a given, starting point. To go beyond that, then we're into demolishing this brick wall, and then we have issues with our seismic upgrade.

Chair Furth: Thank you.

Board Member Hirsch: You're not demolishing the brick wall as it is?

Mr. Hayes: We are taking the arch, there's a double... There's a width of brick that was put up 40 years ago that concealed all of this. We're removing that, and then, hopefully being able to take any mortar off of the brick that's behind it. But we're hoping that we can reveal this.

Ms. Gerhardt: If I may, just for clarification, the proposed project is asking for a seismic bonus, and in order to receive that bonus, it does need to be a rehabilitation of an existing building. You see on Sheet A-1.0, you'll see what walls are remaining versus what walls are being removed. This is pretty much the minimum that's needed to remain in order to achieve that seismic bonus.

Mr. Hayes: Thank you.

Chair Furth: Any other questions?

Board Member Hirsch: Well, I'm not quite finished there. Are you saying that you really cannot change the dimension of the front window bays there relative to the clerestory?

Mr. Hayes: Well, I mean, aside from the practical structural issues associated with it, we've reached an agreement with staff and the Building Department that this is sort of the limit that we can remove.

Board Member Hirsch: Okay.

Chair Furth: Any other questions? Board Member Thompson.

Board Member Thompson: Thanks. The metal panel that's going on the back, what's the size of those? Looks like the size of a typical tile for that.

Mr. Hayes: In the drawing, on the elevation, I believe we have indicated... Go to 3.2... I'm sorry, I can't read it. Looks like it's 1 foot by 9. One foot by eight. You see it on Drawing 2, on A3.2, mid façade.

Board Member Thompson: Okay, I see it now.

Mr. Hayes: What does it say?

Board Member Thompson: It says one by eight.

Mr. Hayes: Okay, great.

Board Member Thompson: And it looks like it's staggered...

Mr. Hayes: Correct.

Board Member Thompson: ...every three times?

Mr. Hayes: Every three, yeah. For every one-third of the eight feet.

Board Member Thompson: I'm sorry, I have one more question. On the parking exhibit...

Mr. Hayes: With the garage?

Board Member Thompson: Yeah. In the section, it says "retail support," so I think that's the basement. I was just a little confused at where that is.

Mr. Hayes: We were...

Board Member Thompson: Which sheet, Osma?

Mr. Hayes: Yeah, which sheet are you on?

Board Member Thompson: The section is on A3.4, and then the exhibit is 2.6.

Mr. Hayes: Right, so, 3.4 is the proposed building section, and 2.6 is just a diagrammatic representation of why on-site parking does not work for this site. That was something that staff asked us to provide.

Board Member Thompson: I see. Okay. It's not part of the project.

Mr. Hayes: You can buy in-lieu parking provided you can't provide it on site, so, what is it about the site that makes it sort of, you know, difficult to provide on-site parking, aside from the fact that you have a curb cut on Ramona.

Board Member Thompson: Okay. Thank you for the clarification.

Chair Furth: Vice Chair Baltay.

Vice Chair Baltay: Two questions for you, Architect Hayes. You have an emergency egress going out onto the, what I'll call an alley at the back of your building. At least it seems to exit there.

Mr. Hayes: Correct. We are in discussion... It's exactly where the existing door is, and of course, the new wall, so we are working with Packard, the Packard Foundation in terms of what our... We really would like to have that door. The building works without it.

Vice Chair Baltay: I see. I guess I'm driving towards, why can't you also have the trash enclosure right there?

Mr. Hayes: There's no trash there no. Our trash is actually kept down the street next to where Mandarin used to be. There's an alleyway there, so these businesses all have their trash there. There's no trash refuse facility use that we can claim prescriptive rights to in that little area.

Vice Chair Baltay: You're in the process of trying to formalize your access easement across the neighbor's property there?

Mr. Hayes: For just pedestrian.

Vice Chair Baltay: Is it possible to allow them...?

Mr. Hayes: No way.

Vice Chair Baltay: You can't just get the trash to be carried out that way?

Mr. Hayes: No way. They're probably not going to allow us to do what we're doing.

Vice Chair Baltay: Okay. My bigger question, and if I could look at Drawing A1.0, it's the diagram showing the front façade of the building in light blue being retained, but with these very large new openings. And when I look at the photo of the building, it has that overlay of the brick with the two arched openings, which you're removing. That's the new brick.

Mr. Hayes: Right. We've established that that can come off, and it was not part of the original URM walls.

Vice Chair Baltay: Right.

Mr. Hayes: So, we're not taking anything away from the original URM walls that you see on this drawing, A1.0.

Vice Chair Baltay: Then I'm looking at detail A5.1, or detail 1 on Sheet A5.1, and I guess I just want to be clear that I'm understanding you to be saying you're going to save the existing brick that's not part of the new openings, which is what's shown here, and somehow reinforce and structurally support all that without taking it down.

Mr. Hayes: That's the objective. We have shotcrete walls you can see in that section that we're adding behind that to engage the brick, so it essentially becomes a veneer.

Vice Chair Baltay: And then, that brick finish is damaged brick.

Mr. Hayes: We're going to see what it looks like, yeah.

Vice Chair Baltay: And what if it doesn't look good? What if the brick just crumbles when you try to save it? What happens?

Mr. Hayes: Well, we know the mortar is not in great shape, but the bricks are not bad. There have been a number of analyses done and the mortar is shot, so we've got to come in and re-point it all. We don't know exactly how the white, the brick, the single white, the brick that was put on in the 40's was or was not attached, so we're going to have to explore that. Once we pull the bricks off, if it needs to have the mortar chipped off, that's going to be a very, very laborious process.

Vice Chair Baltay: But your intention is to preserve those existing bricks that remain...?

Mr. Hayes: Behind it, right.

Vice Chair Baltay: And that's... Okay, thank you. That's really what you're stating in public, that's what you're going to do.

Mr. Hayes: That's right.

Vice Chair Baltay: Thank you.

Chair Furth: Do you have any questions? Okay. I think you may sit down.

Mr. Hayes: Thank you.

Chair Furth: All right, bringing it back to the Board. And David, I just wanted to say that this particular project is like walking in high heels wearing a corset and going backwards, or something, because... It's a very bad metaphor. This is unreinforced masonry, right? I think this and the House of Foam are two significant buildings downtown which are a hazard to life and limb in an earthquake, so the City tried to encourage property owners to seismically retrofit buildings by adding a flarry [phonetic] bonus. Plus, the Mills family graciously purchased transferrable development rights when the Sea Scout building was rehabilitated. I'm looking out there for nods to see if I got this right. And this building is not historic. It's a historic building in the sense that there's been a retail use on this site since 1903, but the Tidbury [phonetic] Entrepreneurial engaged owners who kept redoing it and transforming its appearance over time. Most recently in the 1970's. Actually, even more recently than that. The ordinance is a little bit, the seismic rehab bonus is a little perverse because how do you rehab a building while adding significant floor area to it and still qualify as a rehab? I usually am fairly unhappy about discovering only one small standing wall after something has been described as a remodel. In this case, I admit (inaudible)that go. We have two other City policies which we're trying to implement here. Okay. Who would like to start? Alex?

Board Member Lew: Thank you, Ken, for your presentation, and thank you for staff on this one. I think the staff report and the historic report were very well done. They were very interesting. And then, I would just say, one comment on the staff report is, it didn't really say why the recommendation was to continue. Just for the public, it was unclear. We're not making recommendation today but I'm in support of the project. I think the building design is very sophisticated. I think that the window details on the first and second floor, I think that adds a lot of character to the project. The concerns that I have are, one is the street tree planting. I think staff mentioned this. I think you mentioned oak trees, and I just want to clarify that. I think the trees that are proposed are Shumard oaks, which are different than a native oak. They have a very vertical trunk. They may not have a large canopy but it's a very vertical main trunk tree. That may help with the second floor setback issue. I did see all the utilities there, and that was one

of my other comments, was that the condition of the sidewalk is in bad shape, and I think we normally have a standard condition of approval to replace the sidewalks.

Ms. Hodgkins: They do plan to.

Board Member Lew: And on the... The street trees, one. A second comment is our native plant finding. I typically, in looking at rooftop planters, I'm willing to overlook the native plant requirement. Rooftop planters have specialized requirements because of the soil and the amount of sun and wind on there. I think what's being proposed is fine. It seems to me to be appropriate for that kind of condition. And then, my last concern is the metal. You've got a lot of metal. And the one that I'm much concerned about is the one facing the Varsity Theater access. There's a lot of it. I think my first thought was why don't we try to put a mural there on stucco, or something. I've been going to San Francisco a lot recently and looking at a lot of the street art, and I think that's something that would be interesting for people. And then, I did read in the staff report that you're not required to the public art project. But I would say that, that's an interesting place to try and do something and to avoid having a blank wall. My last comment is, because you have so many retail, you have a lot of ground-floor retail windows on Ramona Street, I think that will actually help a lot. I think if we look at something like the **tyreebagat [phonetic]**, it made a huge difference just getting in one retail, large retail window on that building, that I think this will be a positive addition. And then, my only concern is, depending on the tenant, we don't necessarily know what's going to happen. Sometimes they've put vinyl graphics over the windows, or sometimes they build a wall behind the glass. I'm thinking of considering, I would ask the Board to consider adding a condition of approval like we did at the Walgreen's building on University Avenue, or maybe Equinox on El Camino. I think we're just trying not to have the glass covered on the outside by retail tenants. There has to be some clear glass, and then something else can happen behind it, but we just don't want it fully opaque. That's all of my comments.

Chair Furth: Thank you. David?

Board Member Hirsch: Well, aside from my comment about the canopies, the clerestory window proportion, I wonder why a building like this, which is very regular now all around the corner, doesn't have canopies on the east wall, as well as on the south wall. Seems to be a sort of typical bay. It, I guess, gets maybe wider around the corner. Are the canopies just simply saying this is the University façade, or are they useful functionally? This would be a question for the architect.

Mr. Hayes: Thank you. Ken Hayes. In the end, that's how we're justifying having them on the front, is that they are indeed announcing the front door of the building. We had them on the side on both levels I think at one point. We've had them on, we've had them off. We felt like, to address the comment about the trees and the building being close that we'll just take them off that side. They're really not needed from an environmental standpoint except maybe for rain. There's not going to be a whole lot of solar gain coming in from that side. But, we've removed them and just focused on the front. We did the same thing on the second floor.

Chair Furth: While you're here, what's the depth of those protections?

Mr. Hayes: I believe they're three feet.

Chair Furth: Thank you.

Board Member Hirsch: Well, I would just say that my preference would have been to have continued them around the side. I can understand why you would run into problems with the planting and the trees, but I think I would have preferred to see them on all those sides. Planning, any comment about it?

Ms. Hodgkins: No, we don't have any comments. I was just going to say, make sure you're speaking into the mic because it's hard to hear a little bit.

Mr. Hayes: We do have a canopy at the office entry.

Board Member Hirsch: At the office entry, yeah. Okay. That will be all.

Chair Furth: Thank you. Peter?

Vice Chair Baltay: Yes, good morning. Thank you, Architect Hayes, it was a nice presentation and I appreciate your summary of the differences and design from the previous application. I find overall it's a handsome building, and I agree with Alex that it has a touch of sophistication in how it's put together, which I appreciate. I also agree with Alex that the blank wall facing the Varsity Theater is visible from University and I think it would be nicer if we could do something to make it more positive to the community. I wasn't sure if you'd be able to see that or not, but walking around, I think it is quite visible.

Mr. Hayes: Can I ask for clarification? I'm sorry?

Vice Chair Baltay: Through the Chair...?

Chair Furth: Would you like to respond?

Mr. Hayes: I just, when Alex was commenting, I was picturing the wall on the alley.

Board Member Lew: Yeah, that's what I was...

Vice Chair Baltay: Oh, I'm sorry. Okay.

Board Member Lew: I actually don't necessarily disagree with Peter's comment about the Stanford Theater elevation, however.

Vice Chair Baltay: Thank you, Ken, for that.

Chair Furth: We're now talking about two out of four. Let's say three out of four. You're doing fine on the front.

Vice Chair Baltay: I looked at the building from both angles and the one coming up University Avenue, I thought at first you wouldn't be able to notice that wall, and all the other buildings had these big, blank walls, but I think it is visible, and it's an opportunity. We have on other buildings asked for something to be done there. I think something decorative is fine. On the wall Alex was talking about, then, I was also concerned about that. My conclusion was that that stair tower is a striking architectural feature, and I kind of liked the boldness of the vertical element. I thought it interacted well with the brick horizontal building, so I was okay. Actually, I would be loathe to decorate that. I'd rather see that celebrated as an architectural element. Maybe further back we could do something there, but just responding to that issue. I'm not sure I could support the building for a different reason, which I'll get to, but looking at it on its merits, one consistent thought I had is that if you continue to enliven the pedestrian experience along Ramona, that's for the better. You're doing that well by adding those windows, and with or without the canopies David was talking about, it's already a big improvement. To me, what would be a significant step better is to get at least one real retail entrance along there someplace that in the event there's two businesses in here, you really have that opportunity. That would go a long way also to mitigating the concern Alex has about the windows being closed off. I do agree, Alex, that it's better on the Walgreen's building that the windows are there, even if they are a foot in, boarded up, but I find it disappointing that there's not actually visibility into the life inside. And this is a smaller building. It would be really great if there was just a way to get that to happen. When I dive into your grading details in detail, it seems to me that you've pushed the floor of the building down quite a bit just to match the very lowest corner on University. If you just raise it up a few inches -- just talking inches here -- you could make this work where you might get entrances from both sides. It seems to me it's worth studying, it's worth a little bit

of effort, just to get a potential real entrance, not just a sliding exit door of some kind. I'd like to see if you could try that.

A second thought I'll throw out to the Board is the building, as handsome as it is, but the second floor has, as best I can tell, about a 15 foot plate-to-plate height, which is pretty tall for a second floor. And I can see where, why not go for that? But if you just pushed it down, say, two feet, I think it would mitigate the height of the second floor on Ramona where you only have a two-foot setback. I think the two-foot setback is a nicely-detailed thing and it does emphasize the brick base, but still, having the upper floor be so tall. And I don't necessarily see a reason for that. Just by lowering the building down a little bit I think would help the massing, and I don't see any harm in it, so to speak. My last comment directly on the building is that the brick portion of the building, to me, just seems plain. It seems unfinished and undetailed. And if it were a real historic brick building, you would expect to see more brick detailing, more corbeling at the parapet top, more treatment around the window details. And I can understand that what you're doing is trying to keep it simple, but when I look at, there's one elevation showing... Sheet A4.2, for example, I think the University Avenue façade is just plain, at least in that image. The same, 4.3 shows it even better. But then, I'd like to segue from that into what my primary concern is with this building. I do not believe that the existing brick wall can be saved. It's an unreinforced masonry wall of which we're tearing off a finish on it, and then we're cutting very large openings in it, and we're re-doing the basement foundation underneath it to make it deeper. All those things just say to me that it's not practically feasible that that wall will be saved, and it will be rebuilt. And what we are building then is a new old brick building, and the design intent, as far as I can tell, is to make this brick building look like the original historic Palo Alto downtown storefront, on top of which we're adding a modern addition. Yet, the truth is it's a brand-new building. I'm looking at some of the detailing, wishing it were perhaps more historic. Or, I ask a question to the Board and to the City - Why aren't we just building a new building here? And I think the answer is that they're looking for the seismic upgrade extra square footage. So, I say to the owners, that's a big grab you're asking for, with the TDR's, plus the seismic upgrade, plus all of this...

Mr. Hayes: [crosstalk] .... the TDR's.

Vice Chair Baltay: plus... I understand. And I'm not saying that you're not entitled to that, but the package as a whole. That's what we're here for, is to look at the package as a whole. This building is a new building, and yet, we're building it to look like an old building. And the reason we're doing that is to get some sort of seismic upgrade benefit. This is one of our most talented architects, and why aren't we building a new building? That's what this is. Why aren't we doing that? Instead, we're building our impression of what an old building from 1905 was like. And yet, even then it's not right because then they put stucco all over it. I'm just really confused as to what we're actually trying to accomplish here. This is, to me, what I call false historicism, and for that reason, I really have an issue with this project. I think the design is attractive and handsome and most of our findings can be met, but the fact that it's a new building masquerading as an old building that's been restored is troublesome to me. Thank you.

Chair Furth: Board Member Thompson.

Board Member Thompson: Well, I wasn't expecting to follow that, but, all right. Well, I will try to be succinct. I'll start backwards, just to piggyback off of what Vice Chair Baltay mentioned. One of the first things I noticed about the design of what we're looking at here is that yes, the detailing of the brick façade is lacking, and there's definitely, you know, walking around the building, there are a lot of details in there that are either defunct, or going, you know, the little holes in there for the canopy that used to be there once, that still add to a lot of visual interest on the street. And I think if we do this the way that it's designed, there's more to be desired in terms of the brick detailing. But I think it's possible, and I think it could make this project that you have a lot richer. Things like more detailing around the openings, a bit more visual relief. Brick is such an exciting material for that reason, and I appreciate it for its granular level of detail. In that sense, I think there's something exciting about what could happen here.

With regard to false historicism, I would say that I come from a place that I see a lot of modern buildings, I've seen a lot of modern buildings growing up that are very blank and simple, very similar to what you're doing to the top story. If this whole building looks like the top story, it might be really, really rough. And I appreciate modern buildings. There's something really exciting about adding this level of detail and warmth in the brick, so, in that sense, even if it's a brand-new building in that sense, I kind of appreciate that there is a chance that you could get to a more exciting level of detail that modern architecture hasn't been able to afford in recent years.

I agree that the entry on the Ramona side for the retail is just not there, really. It's really hard to see, and it could be really just to pump that up and do something to make that more of an entry. It doesn't seem like it would cost anything. It would definitely allow visitors to know where they're going. Another issue that I have with elevation is that the roof is really jagged. Again, I'm not saying you should have a clean line. A clean line is definitely what somebody who loves modern architecture would say, and it's not that that would be a bad idea, I could support that as well. But, if you are going to do all these changes in your roof elevation, make it really intentional and not like an accident. Like, this is just how our stairs and our elevator kind of cobble together, and this is what we're left with. But I think it could be... Because it's very visible, especially in all these images that you're showing us. There's a lot of popping.

Mr. Hayes: It's kind of like the theater.

Board Member Thompson: It could be if you did it intentionally, right?

Mr. Hayes: Of course I did it intentionally.

Board Member Thompson: It doesn't seem that way.

Chair Furth: Let's have commentary, not discussion. Let's stipulate everybody in the room who is an architect is good.

Board Member Thompson: The aluminum material, looking at the material board, is quite glossy, and has a foil to the brick that I'm, I wonder if it might be too much. I almost think that a more matte material would be more appropriate. As to the University blank wall and the alley blank wall, to do something artistic there, I would be in support of that, or something more interesting there. I don't think the material on its own is enough, essentially because it's... Yeah. It's just too similar everywhere. And I'll leave it at that for now.

Mr. Hayes: Thank you.

Chair Furth: Staff, what is the seismic bonus on this building? How many square feet?

Ms. Hodgkins: Two thousand five hundred square feet.

Chair Furth: Which is the maximum.

Ms. Hodgkins: The maximum.

Mr. Hayes: No...

Chair Furth: Excuse me. And how many unreinforced masonry buildings eligible for this bonus do we have left downtown?

Ms. Hodgkins: Say that one more time? Can you ask that one more time?

Chair Furth: This building is eligible for that kind of bonus. What other buildings downtown are?

Ms. Hodgkins: My understanding was that this is actually the last unrefined masonry...

[crosstalk]

Chair Furth: House of Foam got fixed, or...?

Ms. Hodgkins: You mentioned one other, but when I spoke to Building, they indicated that their understanding was that this is the last unrefined masonry....

Chair Furth: The reason I'm asking these questions is that this project is being badly compromised by trying to make it fit into an unrealistic set of expectations. And having watched more than one project turn out to be impossible to do, so, in fact, all the walls come down. How long would it take the City to change its ordinance to basically just give the 2,500 square foot bonus to these remaining buildings without making them fit in the reconstruction jacket? I don't know. But I want to think about it.

Ms. Gerhardt: We can come back to you with an exact number of how many buildings are left downtown that would be eligible for this bonus. Related to the bonus itself, a couple years ago we were given direction by the City Council that new buildings were not to receive this sort of bonus. We could certainly, potentially go back and ask the Council to reconsider, but our current direction is that it must be a renovation.

Chair Furth: Thank you. Thinking about our situation over on... Emerson, is it? That we just looked at? In SOFA 2? Where, when the project first came to us it wasn't feasible because of a retail preservation ordinance, and when the retail preservation ordinance disappeared, what do you know? You could build a good building. I'll give you my specific comments on this proposal, but I am... I think that, you know, these incentives have been in place for years. Instead of requiring the property owners upgrade their buildings because they're just a hazard to life and limb. And they have failed to induce people to move until the market is strong enough, I think. Who knows what other individual circumstances might apply? And if we're down to this very small group, I'm worried that it's both an illusion, and it's constraining the design in a way that's regrettable. Okay.

First, very much in favor of eliminating a serious seismic hazard. This is my commute route to downtown. For years, it was my commute route to my job. So, I walked this street all the time. And having worked on the seismic upgrade inventory, I tend to use the other side of the street. Also because my husband works in Santa Cruz and I've seen the brick walls that fell down. Killing a person. It's an important and strong corner. I appreciate the big windows on either side. The Downtown Design Guidelines do ask that these corner buildings either have cutouts so you can walk across diagonally -- as I think is the case on a number of other corners -- or at least be able to see through. But I certainly agree with Alex that we need to be sure that these windows stay window and let you see through the building. I mean, we actually required the same thing of Victoria's Secret in the Stanford Shopping Center, to eliminate a blind alley. Sort of. Well, it was across the street from McDonalds, which is an interesting usage. Small children on one side.

Thank you very much for the good staff report and the good historic study. It is interesting to realize that for a long time, for much of its life, this building was not brick. On the other hand, it has been for 50 years or so, which almost counts as history in the west. Staff, does the pedestrian overlay go down to the bank building on this block? It doesn't go all the way to Lytton, does it? Or does it?

Ms. Hodgkins: I'd have to look. I can't recall.

Chair Furth: I'm trying to read it from the planning map and couldn't figure it out. But it goes past this. And this is a, this access from City Hall over to, I guess Cogswell Plaza is the official name of the park, is supposed to be emphasized as a big pedestrian/bicycle way to connect Downtown North and the aspects of downtown. This is actually a moderately important retail access, mostly in the case of restaurants. Across the street we've got the Bank of America building, which I would say is Italianate, given Mr.

Gianni's [phonetic] preferences. Then we've got a not-very attractive alley. Then we've got a not-very attractive parking lot. And then, we've got a reasonably-attractive park that is not oriented to the sidewalk at all. There are spaces there but none of them provide seating oriented to the sidewalk, though the park itself is lovely. Though regrettably lacking bathrooms. And then, on this side we have the Mills Building, which has created quite a bit of nightlife interest as you walk down the block, and we have the alley entrance into the theater, which seems to be used by a lot of people, workers taking their breaks. And a lot of people line up along this sidewalk because they're waiting to get into the Christmas showings of classic movies, or the Harold Lloyd festival, or whatever.

And then we have a kind of mix. We have some buildings, I can't remember if it's 420 or 470, that basically look like office entrances. We have an actual lively restaurant in the vegan restaurant. We have the optometrist, and we have the reworked Chinese restaurant, which is now Bird Dog. And when Bird Dog was redone, they put a big window into it so you could see into the bar. It made it much more lively. And they put in seating, and it, of course, is integrated into their design. It's partly useful for people waiting for a seat, but it is seating, even though it doesn't have backs and benches. But for something that's supposed to be a pedestrian accent, important pedestrian way, this pair of sidewalks doesn't work. I'm really pleased that the applicant proposes to improve the sidewalk and put in tree wells about whatever poor trees we can put in there. That will help. But I'm still going to make my basic point. One of the things it says in the Downtown Design Guidelines is that this is supposed to be accessible for everybody, not just the fit and able. And as somebody whose back went into spasm this morning and wanted to sit on my way over here, there's nowhere. Once I leave my front door, there is not a single place in those two block stretches except the Bird Dog -- two little round seats -- to sit. So, I think this place needs seating somewhere along the Ramona side, and if you tell me that we can't do that because it will destroy the reconstruction, I will be very frustrated. It does strike me that the old brick is, if anything, going to be a bit of veneer. I'm not at all sure about the material because I'm not quite sure how it works well with the stucco here and across the street. But I'm not so hostile that I would be opposed to it. I just don't think it's necessary. I think that other things that would help on the Ramona frontage, which I don't think has met the standard yet. I think that David's point about the arches is well taken. I think that the point about a real bona-fide entrance is important. I also would be interested in people's comments on signage. I know we like low-key signage, but signage really, clearly signals that a building wants my attention. I would think that some sort of retail signage on that side would help. But I still want to be able to sit down. And if that could be done with street furniture in the City right-of-way because there's enough space, great. But I do think it needs to be done. Is this the corner with the fake mailbox, or is that one block up?

Ms. Hodgkins: I think it might have a mailbox on the Ramona side.

Chair Furth: It's a...

[crosstalk]

Ms. Hodgkins: Yeah.

Chair Furth: ... because I tried to mail a letter there the other day, and what do you know? It's a telecom facility. If we have room for telecom facilities, we have room for benches. This is actually true. It was mortifying. I thought it was one of those old kind of army gray ones they used to have. On the rear wall, the two walls that... I'm more aware of the wall that you see, the rear wall that you see when you're walking down Ramona toward University. And incidentally, this is not the corner of University where the City has installed seating, as we did in some others. I think that wall is very visible. I do hope that the applicant is successful in maintaining their right to use that doorway into that space. I realize that's probably beyond their control, but it would certainly be helpful. And I would like it to be more visually interesting than it appears to be now. I haven't really thought through the other one. Those are my handwritten notes. Anybody else have any other comments while I look for my typed notes?

Vice Chair Baltay: Through the Chair, could I allow the applicant to address the comment I made about false historicism? It's a fairly significant comment and I'm sure he'd like to respond to that. And I'd like to be persuaded otherwise.

Chair Furth: Sure. If you could define what you meant by "false historicism?"

Vice Chair Baltay: What I meant by it? I think that was clear in my statement.

Chair Furth: That means having something look old that isn't? Or references to the past that aren't well done.

Vice Chair Baltay: That's right. I just think Ken Hayes deserves a chance to persuade us otherwise.

Mr. Hayes: Well, so, the City Council a couple years ago... The public policy is, this whole program was set up by Fred Herman in the late 80's to rehabilitate, to mitigate the seismic hazard of all these buildings in downtown Palo Alto. And it only applies in the CD-C zone. Although you can have CD-N and CD-S projects. And we've done many projects where the mitigation was the demolition of the building. The Philz Coffee building, 278 University, 270 University, 317 University - All these buildings were demolished, and they earned either the, the (inaudible) and the seismic bonus basically through that demolition. Maybe four years ago, Council didn't think that was rehabilitation because the ordinance says rehabilitation." Since then, they have said that to earn the bonus, it needs to be considered rehabilitation. Now, we get into this dicing of what "rehabilitation" means because it's not defined in the ordinances. It's very poorly written. We've just come to interpret "rehabilitation" as saving at least over 50 percent of the existing brick walls in order to qualify for the bonus. So, I think it's a good thing. If this is the only way to mitigate a seismic hazard in Palo Alto in this day and age, then let's go ahead and do it, because in the end, we're supporting public policy, in my opinion, right? We're mitigating this hazard. I'm all for tearing the building down, and so was the owner. And, in fact, that would result in a better building, a safer building at least, right? But we're cobbling this building together through what we have to work with today, but still achieving the goal of mitigation. In terms of you comment about the building masquerading, you know, I've lived... I'm sorry, I never lived here. I felt like I did because I worked here as an architect for many years...

Chair Furth: If you spend your daylight hours here, it...

[crosstalk]

Mr. Hayes: Well, it was evening hours, too. And I've always thought of that Mills Building as this brick icon, right? I mean, you knew where you were in the Downtown if you were next to the Mills Building, right? It just sort of had this air about it that I found wanting to maintain. Now, if we're doing a new building and didn't have to work with this ordinance, you wouldn't see a brick building. But, because we have the ordinance to work with, we need to work with what's there. I feel like we're being genuine about the front of the building. We're not demolishing the main fabric of the building. We're basically taking off a shroud that was put up by her father 40 years ago on one afternoon, it sounds like in just talking to them about it. It's probably not well constructed, so it leaves me to believe it's mostly likely going to come off fairly easy. I'm sure there's no membrane or anything behind it that would aid in that removal. But once we take it off, it's a process of we've revealed what's behind there, and I think that's very genuine. It would have been there had her father not covered it up. And then, we have an opportunity on Ramona, because we're tearing the Ramona wall down. Well, we had to ask ourselves, do we want to see one brick wall facing University Avenue, or do we want to try to use the bricks from the old wall -- which is what we're doing. We're being sustainable about these bricks. They're not going to a landfill. We've re-used the bricks, and there's going to be plenty of bricks. Our openings are much bigger, and this is a double-width wall, so what's going back will be a veneer, but a real brick masonry veneer. My thinking, because going back to this idea of liking the appearance of the Mills iconic brick building on the corner, compelled us to say, "Let's wrap that brick around." If you go to drawing... Board Member Baltay, if you look at the face here, there is subtle corbeling at the top, and there's corbeling at the mid

parapet that wraps around the building. I would agree with you. When you see this, it's all washed out in the rendering. I mean, you are going to have this shadow line probably more pronounced on this wall -- depending on the time of day -- than it is here. But this does wrap around, so it's not intended to be... It's intended to be what's there behind that wall when we reveal it. And maybe it's not there, but when we look at the historic pictures, it looks like it is. I don't see this as something that is masquerading. It's basically taking its lead from what we are going to unveil, and then continuing around the corner. I like the fact that it's the Mills Building still, and so, the Mills Building has always been, and hopefully always will be, this brick masonry building that now we're modifying.

Chair Furth: Or an art-deco treasure in San Francisco, right? One or the other.

Mr. Hayes: All right. Thank you.

Chair Furth: Okay. Have we heard from everybody but me? Okay. I had one other comment, which was in looking at the lighting on the building, that's another way of signaling that you are interested in people walking along that street. They look simple, and they look all right, but I'd be a little interested in further thought on that.

Chair Furth: Okay. We're going to continue this to a date certain or uncertain?

Ms. Gerhardt: We could do certain. We were thinking April 18th.

Chair Furth: All right. I will say that in as much as the Ramona façade is not, is an entirely new wall, which gives the applicant the ability to modify it to meet our concerns, I think this approach can work. I'm also impressed by the comment that, the architect's comment that having this as a brick building does serve to orient us downtown. I think it's definitely true, and it sort of ties nicely with the redwood grove further down the block. Okay.

## **MOTION**

Chair Furth: Anything else before we continue this? Would somebody like to make a motion?

Board Member Lew: I'll make a motion that we continue the project to April 18th.

Chair Furth: Is there a second?

Board Member Thompson: I'll second.

Chair Furth: All those in favor say aye? That's five in favor, none opposed, nobody absent. Okay.

## **MOTION TO CONTINUE TO APRIL 18TH PASSES 5-0.**

Chair Furth: Thank you very much.

- 3. PUBLIC HEARING / QUASI-JUDICIAL. 180 El Camino Real [18PLN-00265]: Request for Architectural Review and for Pacific Catch Restaurant to Allow for Exterior Façade Improvements to an Existing Tenant Space in Building E at the Stanford Shopping Center. Environmental Assessment: Categorically Exempt from the Provisions of the California Environmental Quality Act (CEQA) per CEQA Guideline Section 15301. Zoning District: CC (Community Commercial District). For More Information Contact the Project Planner Samuel Gutierrez at [Samuel.Gutierrez@cityofpaloalto.org](mailto:Samuel.Gutierrez@cityofpaloalto.org).**

Chair Furth: Our next hearing is 180 El Camino [sic], request for architectural review of Pacific Catch restaurant to allow for exterior façade improvements to an existing tenant space in Building E at the Stanford Shopping Center, better known as, formerly Max's Opera Café. This category is exempt from the

provisions of the California Environmental Quality Act. The architect is... Who is the architect? We'll have to correct that from the record. The architect is Armet Davis Newlove Associates, and Simon Properties is here on behalf of Stanford University, the underlying landlords. All right. Has everybody visited the site?

Board Member Hirsch: Yes.

Board Member Lew: Yes.

Board Member Thompson: Yes, I did.

Chair Furth: Everybody visited the site. Does anybody have any ex parte communications to disclose?

Board Member Lew: No.

Vice Chair Baltay: No. No communications, but I would like to disclose, since the idea is to give additional information to the staff, I spent some time out there on Saturday afternoon, and I took it upon myself just to measure the flow of pedestrian traffic past this site into the market. To be precise, over a five-minute period, 40 pedestrians passed me by, which would translate into a flow of 480 people per hour. This was last Saturday at one o'clock in the afternoon. I'm just throwing that out there. It's something I measured. Thank you.

Chair Furth: When it was raining?

Vice Chair Baltay: It was rainy.

Chair Furth: Thank you. Staff ready?

Mr. Gutierrez: Just a moment.

Chair Furth: Okay.

Samuel Gutierrez, Project Planner: Okay, thank you. Good morning, Board. My name is Samuel Gutierrez, I'm the project planner for this project here, located at the Stanford Shopping Center, for the renovation of the previously-occupied space by Max's Opera House, and now to be the Pacific Catch location. Going into the presentation here, you can see there are renderings from the plans that were submitted of the façade changes. It is a three-sided building. Here you can see the existing conditions of the tenant space in question in Building B. You can see the arch features where the window openings are, the doorways, and these steel awnings that project out. I've tried to at least best show the different angles of the building because it is a three-sided building at this point.

The overview, of course, it is in the Stanford Shopping Center. The façade is over 35 feet in length facing outward of the shopping center, which per the requirements at the Stanford Shopping Center, it does require Board-level review. That's why we're here. And, the Master Tenant Façade and Sign Program for the shopping center does apply in this situation.

Here is the site plan for the proposal. You can see again the three-side building, or this portion of the building that has three sides for this tenant space. You'll notice the new covered patios on the shorter façade portions, where the broader is not going to have any new patio areas. The changes for Pacific Catch here are new paint on the exterior with wood slats on portions of the façade; new tile as well on the lower half. There will be two new covered patios, as I mentioned earlier, one of them featuring a fireplace. There are new planter boxes along the edges of the façade and the covered patios as well. Blue-tone awnings. In the previous images you saw that there were these projecting metal awnings. Now there will be some blue fabric awnings that are triangular that project out from the new rectangular openings. Again, the archway forms have been changed to rectangular ones. Here is the proposed façade changes as a line-up so you can see the comparison of the existing condition versus the proposed new.

The arch forms are changing to rectangular ones once again, and the chosen materials seem to mesh well. They have good cohesion, and given that the tenant space is rather large, it does have a very broad side facing Sand Hill, a lot of the design elements seem in proportion to that building wall. And the material selection seems to work well. The colors and tones make that area stand out, but it doesn't seem to overpower the general area of the shopping center, where this is located. But, there was some concern with the compatibility of, for example, the planter boxes, which kind of have this composite concrete, stamped wood construction. Not too sure if that matches well with this and some feedback from the ARB on just some of that type of differences in materials, where the other materials are finished and that one isn't, how does the Board see that. Moving to the signage, there was six signs included in the packet. Though indicated on the map that you see here -- which is actually drawing from the plan set that was submitted -- the map only shows five that are called out, but there are actually six. Where you see Location B, there's another logo sign on the façade where the wood slat portion is on that shorter end of the facade before it makes that turn to the third side. There's another one there. The sign areas are indicated in that table here. Again, the Master Tenant Façade Program applies in this situation, so the signs are over the allowed areas for the Master Tenant Façade Program for the shopping center. There are some options here for the applicant, which is to reduce the sign area to conform with the requirements of the Master Tenant Façade Program for the shopping center, and/or come in with a separate application for signage, for a sign exception. Again, this is a broader tenant space area than other portions of the shopping center. It is really large at 175 feet long if you measure the length of the façade. Perhaps some modification of signs would be appropriate, but that remains to be seen. Here is a depiction of the signs from the plans that were submitted. You can see the lettering for Pacific Catch is on the awning in one photo, and above it you can see the Pacific Catch lettering and the fish logo are put together on the wood slat portion of the broader façade. Staff wanted some feedback from the ARB on the design of the signs. The quality of the design seems to fit with the shopping center. Internally illuminated, visual channel letters, so it does look to meet that quality. But there was concern with the total number of signs, and of course their size. I mean, it doesn't meet the Master Sign Program, but we just want that feedback from you and your thoughts on how that's compatible with the overall design and facades. Moving on to landscaping. There was a landscape plan that was submitted, and this is actually a portion of that from the submitted plans. You can see there are new planter boxes along the broader façade, and then there are some planter boxes at each end of the covered patio areas that are proposed. Staff, when reviewing, felt that these plants may not readily meet all of the ARB findings for landscaping, so there was a staff alternative landscaping plan that was suggested that hit the marks better in regards to habitat, low water usage, or native plants than the applicant's submitted landscape plan. And being that there was only a few plants altogether, because there is no broad landscaped area. All of this area is paved. It's limited to planter boxes, so the options are already limited by that fact, so we do seek some feedback from the ARB on this suggested alternative, as well as the applicant's submitted landscape plan. Once again, key considerations are the architectural design, cohesiveness, so, again, the planter box material versus some of the other finished material in the design of the same high quality. And then, the sign design and how that fits together with the overall proposal for the façade changes, and the landscaping plan, of course, the staff alternative versus the applicant. Staff recommends that the ARB recommend approval of the project with staff's suggested landscape changes and the requirement to return to subcommittee with reduced signage, to the Director of Planning and Community Environment based on the findings and subject to conditions of approval.

Chair Furth: Thank you. Any questions of staff before we hear from the applicant?

Board Member Hirsch: Yes.

Chair Furth: A question? Okay. Yes, David. Board Member Hirsch.

Board Member Hirsch: As you review projects like this, do you deal with this as a single building and the other façade work that has been done on this same building isn't part of the discussion, with the planning? That would be one. And in fact, also relative to the outside of the building facing the parking lot, and there's another entrance at the other end. What is the relationship between that entrance? I don't know what direction it is, but you know what I'm talking about. To this project.

Mr. Gutierrez: Sure. The way we review the shopping center, there are various tenants in the buildings. Each building is assigned a letter so we can kind of orient ourselves. We look at that individual tenant space and make sure that it complies with the Master Tenant Façade Program, if that's applicable. There are anchor tenants like the Bloomingdale's building, or Neiman Marcus, which are a little different because they are their own building. But when this type of project comes forward where it's a tenant space in a larger building, we look at that space first, and then see how that relates to the adjacent designs and tenant spaces. It's not too loud of a design where it overpowers the adjacent tenant spaces, but it's also not too, I guess, poorly thought out or designed where the other tenant spaces overpower that one. It's a good balance that we have some consistency throughout the shopping center. To your question of the adjacent entry, I think you're speaking of the last archway. That's actually a door that's an entry to the internal corridor area of that building. All these tenant spaces have a back-of-house, if you will, entry to this corridor space, and that's where you'll find other facilities, bathrooms or trash room facilities. That door happens to be, in this upper left photo here, you can see that door. That's actually not a tenant space. That's, again, leading to that common interior space. Does that answer your question?

Board Member Hirsch: Yep.

Chair Furth: Board Member Lew.

Board Member Lew: I have a question for staff on signage. Did the staff review the Pacific Catch trademark logo? I think in the staff report, I think you were mentioning something about the fish being artwork, but did you review the actual requirements of the trademark logo? Because there's the fish, and there's also the "West Coast Fish House," which is underlining that. Did staff review that?

Mr. Gutierrez: Yeah, we looked at the different spaces in the region. I've actually visited a different Pacific Catch in the area, and I looked at their corporate website. They associate that logo in different ways. This is just one orientation, with the fish logo and the "West Coast Fish House" on the bottom. There's other orientations where the fish logo is first in a line, and then it says, "Pacific Catch," and they're all roughly the same size. There's also a modification of that where the "West Coast House" language is below the fish logo and the "Pacific Catch." It's been reoriented a few times.

Board Member Lew: Okay. My point is that I think we only allow a trademark logo. Please correct me if I'm wrong, but I think that we don't necessarily allow additional elements as part of the sign. I could be wrong about that. I think it's come up before with, like, Walgreen's and what-not.

Mr. Gutierrez: Yeah, we don't, but I viewed the "Pacific Catch West Coast Fish House" as being the true name of the business, and the logo is the fish logo.

Board Member Lew: Thank you for that.

Chair Furth: Yes, Vice Chair Baltay?

Vice Chair Baltay: Quickly to staff. I'm noticing in your report, you're saying that there is an increase of 856 square feet, which equates into three additional parking spaces. Can you tell me what numbers you are using as the ratio for parking for this facility?

Mr. Gutierrez: Sure. The parking center has a mixed blended ratio for parking. That's one per 275 square feet. And per the code requirements, if you reach more than a half space, parking space, then it gets pushed over into the next whole number. When we ran the numbers it didn't push it over into four.

Vice Chair Baltay: I see that. I'm looking at the code now and it says eating and drinking services have a different ratio than shopping centers, so you're interpreting this as shopping center, not eating and drinking, even though it is a restaurant.

Mr. Gutierrez: It is by definition a shopping center.

Vice Chair Baltay: Thank you.

Chair Furth: Is the applicant ready? If you could introduce yourself, spell your name for our transcriber, and you will have 10 minutes.

Jason Smith, LandShark Development Group: Thank you, Samuel, Chair, Vice Chair, Board Members. Pleasure to be back in front of you once again for another project at Stanford Shopping Center. My name is Jason Smith with LandShark Development Services Group. Today we have with us Keith Cox with Pacific Catch, as well as Paul Deppe and Tom Fitzgerald [sic] with the architectural team, and Mark Tasse with Hatch Design Group. We're going to go through, present the project, and look forward to receiving your feedback. Mark, if you'd like to come up right now.

Tom Fitzpatrick, Armet Davis Newlove Architects: Good morning. Tom Fitzpatrick, Armet Davis Newlove Architects.

Mark Tasse, Hatch Design Group: Mark Tasse with Hatch Design Group.

Chair Furth: I beg your pardon, I missed your last name.

Mr. Tasse: Mark Tasse.

Chair Furth: Could you spell that?

Mr. Tasse: [spells last name]

Chair Furth: Thank you.

Mr. Fitzpatrick: Thank you for having us this morning. I think I'll just start with an overview on the structure, then I'll pass it to Mark to speak to the details. We partnered up on this project... I'm the building architect, and Mark's from a design firm. Overlay the two, and he has the design aspects. As far as the structure goes, essentially the bones of the structure stay in place, with the roofline staying the same. There's some fabulous existing glazed openings that we wanted to utilize, so we actually kept those and built off of that, trying to keep a nice, bright, airy space. As far as structure goes, we didn't add any additional square footage. We're not adding to any height of the structure. Essentially, the interior platform is the same, with the kitchen being at the back of house in that existing common area where that door opening was. It's all staying the same, so, as far as the bones go of that, we didn't propose any major changes there. The existing rounded venting, the louvers that you see, those don't have any sort of mechanical benefit. Those were strictly a decorative item. In removing those, and what Mark will present, we were able to get a more contemporary feel by abandoning that and going with new canvas awnings. With that, I'll pass it to Mark, and he can speak to some of the design aspects.

Chair Furth: Thank you.

Mr. Tasse: Thank you. Basically, what we have done is the owner's concept is, his cuisine is based on the seafood of the South Pacific region. With the design, we wanted to complement that with the color palette and the materials that we chose. On the exterior, what we've done is we've, we're using lighter tones. We wanted very bright, bright color palette, which we are also incorporating on the interior of the building. We're using light-tone paints, light beiges, sand tones, and then, splashes of color where appropriate. We've brought in on the exterior, down low, we've brought in a glazed brick tile in a blue color. The awnings, as Tom mentioned, we've incorporated... Where the existing arches of the façade were, we brought in some fabric awnings to also bring in some softness to the exterior, and some texture, and again, a little pop of color. Those area a subtle, kind of seafoam blue that works well with the overall palette. We're also incorporating warm woods into the overall palette, which you see in the

proposed wood slat screens. The wood slat screen also ties in with the owner's existing identity. It's an element that he's using in his existing restaurant, so we're bringing that over and continuing that look on this proposed location. We're also incorporating a blackened steel trellis, open trellis. We have two trellises, one on the market side, the open market side. That is a solid covered trellis for further dining area below. On the street side we have the smaller patio. That has a trellis above it as well. It's a combination. A portion of that is covered, and then, a portion of it has the ability to be open. It has some retractable fabric awnings that can be opened and closed. Those awnings will also add a little splash of color. What we really tried to do on the, especially the very long street façade, because that façade is so long and so tall, we really wanted to try to bring the level down to more of a pedestrian feel. The existing with the high arches and the very tall façade just made it seem like a large building. So, we're really focusing basically from the awnings, down. That's where our key finishes are. The existing openings along that street side, we're also proposing operable horizontal bifold doors. Most of the openings on that side will fully open up in nice weather so we get that indoor/outdoor feel, and we create a sense of energy and excitement for people when they're coming to the center. They'll be able to see the activity inside the restaurant. As Tom mentioned, we've incorporated some planters along that walls, as well. The planters achieve two things for us. One, it creates a little bit of a buffer between the diners and the pedestrians walking on that sidewalk, and it also adds a softness with the landscaping. On the large patio that's adjacent to the existing market, we're proposing a decorative firepit. It's an open firepit, it has a decorative hood above it, but basically it's open all around it. That has a decorative tile on the face of it. Again, that firepit is intended to be a visual piece not only for the diners in the restaurant, but it also will enhance the existing market seating experience. So, when general public is sitting in the regular marketplace, they can take advantage of the firepit as well. In general, that's the overall concept of the exterior design. If there's any questions.

Chair Furth: Thank you. Would anybody like to ask questions of the applicant?

Board Member Thompson: I have one.

Board Member Thompson: Board Member Thompson.

Board Member Thompson: I was just hoping you could clarify a little bit further the choice to not continue the arch. You said something about the height, but the height is the same all the way. I was just hoping you could clarify the choice of going from arch to [crosstalk].

Mr. Tasse: Sure. When we initially looked at the concept, we decided to change the... You're right. The height of the openings is the same, so, if you look at the rendering there. The top of the awnings where we're squared off, that is the top of the existing arches. We're using the existing height. We decided to go away from the arch because, one, the more rectangular look fits better with our concept. Changing the arches was also something that we heard early on from the landlord, that that was something that they were in favor of going away from. They felt the arched look was getting a little dated for the center, and I think in some other portions of the center, they had already started going away from the arched look. That was something that they were in favor of as well, so that's kind of the reasoning we did that.

At the entry, at the corner of the building, right above where our main entry is, where the arches, the existing arches, we're taking the existing louvered slats out of those and we're replacing those with glazing. If you look at the third image down just above the entry, behind the wood slat screen, that will be glass windows. At night, you'll see the light coming through from the inside, so you'll get a little accent there, as well.

Chair Furth: Any other questions?

Board Member Thompson: I'm sorry, one more. The yellow material, is that the retractable trellis material? I'm looking at page A4-5.

Mr. Tasse: Yeah, that's on the shorter patio. That's the shade fabric.

Board Member Lew: Your microphone is not on.

Chair Furth: You need to turn your mic on, and which sheet are you on?

Board Member Thompson: I'm on Sheet A405, and I'm assuming it's what's being shown in images 3, 4 and 5, and that what's being shown in 1 and 2 is, like, a metal louver.

Chair Furth: Nothing in the drawings look like that yellow.

Board Member Thompson: Yeah, that's my question.

Mr. Tasse: Yeah, in the renderings that are in the package, the renderings were, I believe were done before we settled on the color of the awnings. In that first picture on the left...

Chair Furth: Image 1, that would be?

Mr. Tasse: Yeah, it's reading as gray in the renderings, but that's actually that fabric.

Chair Furth: That's the bright yellow.

Mr. Tasse: Yeah. And those are the retractable awnings that are over the smaller patio and the front of the building.

Board Member Thompson: So then, what is the material on the right, the three ridges on the right? There's also some sort of stub-straight material?

Mr. Tasse: Yeah, so, on the big patio, the three images on the right, that's the main patio, the larger patio. What we're doing on that, the underside is a decorative reed type of material, again, tying back into the South Pacific concept. It's a reeded material, but above that we're doing a translucent Plexiglas that covers the top of the patio for, you know, the rain, or something. But it will let light filter through the reed. When you're sitting below, you get the sense that you're under an open reed patio, but it's technically covered above that.

Board Member Thompson: Okay, thank you for that clarification.

Chair Furth: Any other questions?

Board Member Hirsch: Your choice of entry points into the restaurant, they're really two, is that correct?

Mr. Tasse: There are two... Let me get back to the main plan.

Chair Furth: I think they're shown on Sheet 405, among other things.

Mr. Tasse: Well...

Chair Furth: Or 201.

Mr. Tasse: I'm trying to find our main floor plan. This is the main entry right here, from the street side. Then there's a secondary entry. This is the marketplace, the common marketplace and the patio, so if you come around, there's a secondary entrance on this back side. That entrance is primarily going to be used for to-go pick-up orders, Uber Eats, delivery pickups. As opposed to them coming into the main entry, they can come around this back side, and on the inside there's a small pick-up counter where they can pick up and go out that entrance.

Chair Furth: The main entry is on the parking lot side and the secondary entry is on the pedestrian...?

Mr. Tasse: Correct. The main entry is on this angled... This is the main parking lot frontage here, and then we have that angle where the street kind of turns. The main entry is off the main parking lot side, yes.

Chair Furth: Okay.

Board Member Hirsch: I have another question regarding the extent of the exterior seating area. Is that presently designated for outdoor seating the way it is designed, right out there?

Mr. Tasse: Yeah, this main patio, the previous tenant, this is where their patio was previously, so this matches the existing. I believe it's a little, we've extended a little bit of square footage on this end, but the distance from the building out is the same as the existing tenant. This is a proposed new patio, the small patio on the front.

Chair Furth: Could I follow up on that? There is no existing tenant. It's empty. What is in that space now? I spent a lot of time with the site plan and on the site, in the rain, trying to figure out how things went together. The area shown as the exterior seating, what's the current state of it? Is it just part of the passageway?

Mr. Fitzpatrick: Yeah, it is.

Mr. Tasse: Yeah.

Mr. Fitzpatrick: Right now it's just common area, that market area. Basically, they had a concept where they had a perimeter in planters that they had removed in demolition, and they left a space. Now there are just pavers there that are an extension of that marketplace.

Chair Furth: Thank you. Any other questions of the applicant or the owner's representative, or the master tenants? Okay, we'll bring it back to us. Thank you. You can sit down if you'd like.

Mr. Tasse: Thank you.

Chair Furth: Who would like to start? Peter.

Vice Chair Baltay: Thank you. On the positive side, I find your design attractive and high-quality and very fitting for the tenant you have in mind. It's really beautiful. I have two significant, serious issues, however. When I asked the staff about the parking ratios it starts to make sense to me because it took me, on that Saturday I was referring to, about half an hour to find a place to park my car. I live here, I've been around a long time, and the parking lot is notoriously crowded at Stanford Shopping Center, to the point where it's really dangerous, I feel. People are getting aggressive, trying to find a parking place. It's uncomfortable. It just doesn't work. I've said this in other applications, but my opinion, the parking is not functional, which comes back to our Finding #4 we have to make. It has to be functional, the design. What I'm seeing happening now that I hear from staff is that restaurants have a high intensity of use. The parking code we have says that that outdoor terrace would require three additional spaces. When I look at the plan, there's 20 or 30 seats there, certainly more than three car spaces of people coming in. Our code addresses that. The requirements for parking for eating establishments is much denser, and what's been going on at the shopping center is that increasingly there's a lot more dining establishments in the shopping center. The shopping center is changing into a destination attraction, which is full of eating and drinking establishments, which inevitably bring more people, which inevitably puts higher loads on the parking. It's doubly so on this particular corner of the shopping center back here, where there's a fairly narrow chunk of very nice parking, but what the shopping center will say is on the other side of the mall, fully a quarter mile away, is a parking structure with lots of parking. It just doesn't seem reasonable that people will walk that far to this establishment. And similar establishments in other parts of our city are not expected or allowed to have parking a quarter mile away meet their parking requirements. Something isn't working here. I say this to staff, I say this to the City as a whole. What's

going on in the shopping center is that it's now under-parked, under-parked to the point where it's going to be dangerous. Somebody is going to hit a small child as the person is frustrated, trying to sneak into a spot, or two people get into a fight. It's not functional. This restaurant is just pointing that out to me, but we just keep on adding away, chipping away at the parking numbers they have without addressing the real issue. And it's a serious issue. So, adding 700, 800 square feet of additional outdoor space is a real problem for me. Secondly, this restaurant is located at a point where there's significant pedestrian traffic into the mall. It's one of the major entrances in. Like I said, though, 480 people an hour is a significant flow of traffic. If the applicant had shown the Segona's Market facilities on the same plaza, you would realize that the distance between the Segona's Market facilities and the corner of their new outdoor dining area is approximately 10 feet. Ten feet is not enough width for this level of traffic to go through. In fact, as you walk out of the shopping center, this 16-foot additional thing is right in the way of that passageway. It will feel like a blockage. Additionally, there's a number of street lights, and the trees that are shown in that plaza aren't correctly shown in this. But if the plans were just showing what was actually there, I think it would be obvious, even to the applicant, that something is out of sync. You just can't put this big of an outdoor area in this location. It doesn't work. The additional extension towards the parking lot, also. There's a large tree very close to the edge of this, and it's got to be less than five feet now between that tree and the new outdoor dining area and the curb. And again, there's an awful lot of people going by here, and to think they're all going to squeeze into what's a five foot space between the building and the tree and the curb, and then there's all these drivers who are sort of frustrated and harried because of the parking deficiency. The pieces aren't adding up. We have a real issue here, and I think trying to claim this much outdoor space in this location is the core problem here. It's a beautiful design, it's a great idea, but it's not working in this location. And when I hear the applicant explain that Uber drivers are going to be coming to pick up food at the back of the restaurant, they're going to be double-parking right in front of this restaurant, which is what people do when they run into Segona's. It just further burdens the issue. The Uber restaurant pick-up ought to be some place else, right near the curb cut, back where the service entrance is. But the way they're doing it now, it's as though somehow we're not really looking at the existing situation on the site there. I say to my colleagues that there's some functional issues with the flow of this proposal that is not functional right now. Thank you.

Chair Furth: Board Member Thompson.

Board Member Thompson: All right. Thank you for your presentation. Also, thanks, Vice Chair Baltay, for giving me a lot to respond to, as well. Initially, just to note on the signage, it does seem like a whole lot of signs, and it seems a little too much, so I would support that coming back to subcommittee to see how we can reduce the amount of verbiage everywhere. It seems a little overkill, so I will support that. I also had a note here about the arches transitioning to the rectangle. You know, adjacent is The Melt restaurant, and they kept the arches. They sort of buffed them up a little bit. What concerns me with the current proposal is that you have an entry on the property that's the service entry that you're keeping the arch, and so, there's this sort of inconsistency. You have The Melt arches, and then you have this rogue arch, and then... I think the trellis sign as you have it is a nice transition to a different architecture style, but that rogue arch is so strange and doesn't really... I don't know. It feels like there could be something a little bit more to integrate that style in there. Not saying I don't like the square arches, but I think in terms of cohesiveness of the architecture, there's something to be investigated there. And it may be keeping what you have, but treating the service arch differently. Right now it's being rendered as this sort of dark half-circle, so it's bringing a lot of attention to itself. I think that might be what it could be, but there's just something to be mitigated there. I don't think aesthetically that transition works at all. I was trying to imagine what your awnings would look like with arches instead of squares, and I think you have a point, that it sort of aesthetically it sort of doesn't work. But maybe there's something else we can do for that. For everyone else, I'm looking at the second image down on our main picture. With regard to the open space patio, I did not go out there and actually measure the congestion that could potentially be there. I didn't think to do that, so I appreciate Vice Chair Baltay for looking into that. I think at the same time, it's nice to have outdoor seating there, and there's something to be said about urbanization and everything getting a little cozier. There's a balance between what's cozy and what's just a bad idea. I could see studying that a little bit more, but I still support there being outside space. With regard to the

parking issue, I don't know, there's definitely something about the Stanford shopping mall as a whole. These days I bike, or Lyft, or Uber. I was there with my car, but I didn't actually have a hard time finding parking, but it could have been just I was there at a different time. In general, I would say that aesthetically, the building design is definitely, it's quite nice. My main issue would be the arches transition, and to re-look at the signage a little bit. But other than that, I could approve this.

Chair Furth: Thank you. Alex?

Board Member Lew: I don't have a lot to say on this particular project. My main comment is similar to Peter's, which is about the existing trees and lights and the relationship of the patio versus, the terrace patio versus the public walkway. I don't think it's drawn correctly. I was out there and photographed it, and I looked at the drawings and they don't match. Also, the large tree at the corner near the entrance isn't quite shown correctly. I think there is a little bit more space to get in and out there based on the photos that I took. But I think that is also a concern. With regard to the signage, it's a little chaotic. I think I understand the restaurant's desire to try to have a sign on every different approach, and I'm okay with that. But I think staff should try to get them to work with the existing sizes of the neighboring tenants. I've had lots of discussions with previous planners who were in charge of the shopping center and it was a constant battle to try and get them all to toe the line. So, I think we should try to push on that. And then, I think staff can push on the fish logo, and also on the "West Coast Fish House" part. If it's not actually part of the trademark logo, I think we can edit those out if need be. And I think just the placement is a little chaotic, the relationship of the fish versus the "Pacific Catch." It's, like, different on each façade, so it makes it a little chaotic. Generally, I can support all the material changes, I can support changing the arches. I think most of those arches were added in the 80's and the shopping center has been removing them, trying to make it look more like the original shopping center, a little bit more modern. I can support all of that. In concept, I do support all the outdoor seating. I think that actually makes the shopping center more attractive. I would say it's an existing restaurant use, generally. And I think if we're talking about parking ratios, to me, that's a larger discussion. That's more than just this tenant improvement, so I'm not willing to... I would not, on this particular project, I would not say that it doesn't meet the findings with regard to functional parking, just for this one restaurant tenant. I think we need to have a larger discussion at a later time.

Chair Furth: Thank you, Alex. Anything else?

Board Member Hirsch: Yeah. Interesting comment about urbanization. I really like the use of that word because of what's happening here with an extreme number of people coming to that corner. It becomes a little place by itself, you know, and I kind of like the idea that there's more people kind of gathering or moving through that particular area. It does widen out as the trees, at the edge where you meet the street. It's a little bit more difficult to cross over to the parking lot, and I agree with Peter about the safety issues. They are in the parking lot more than they are as to the density of traffic in that tight area. But it's certainly possible that you could consider cutting the corner off of the outdoor area there and provide a little better access through to the inside of the mall. I really like this entry point here. It's one of my favorites to the mall itself, with the trees, with Segona's Market, with the coffee shop couple around the corner. What really bothers me most about the project is not the new design, but the fact that it isn't integrated better with the existing, the cupola design and the other new restaurant that's right around the corner. And it seems it's a single building and it ought to have been addressed by the owner of the whole place here, and in some way figured backwards from this particular design to how to make, integrate, or find a way to properly separate it from the other commercial establishments just around the corner. I'm really opposed to the entryway next to the tree that everybody is discussing on the sidewalk. I think it is a very constricted entry, and if it's going to be as popular as I imagine you want it to be, you should provide a better, more broader entry to it. And perhaps the motivation there seems that that's what the inside of the establishment has kind of created as your entry because there's, I believe, a raised area just inside the door on the left. You're maintaining that in some way? I don't understand why the entry has to be exactly at that point. I can understand your pick-up entry in that corner, but I just don't accept the fact that you have a tree right in front of the front door. There's just not enough space to get into the restaurant. I'm very much opposed to the last door not being

incorporated somehow, but if that's, again, with the owner, then there should be discussion about that with the owner so that it integrates the end of the building and the concept of the restaurant here to the rest of that building, rather than simply have a line at that point. What happens with the stucco color there? It just isn't answered at all here. I agree that squaring off the arches seems to be a reasonable idea, and the detail of the wood fabric is a nice addition here, and the character of the restaurant shows through pretty nicely here. But it doesn't end properly. It should go the full side of that building. I think that's mostly it. I think the materials are a pleasant change on the façade. It needs to be changed. I like the feel of the materials. Those are the comments that I have. They're mostly about the way it works with the existing building and the way it doesn't work with the existing building.

Chair Furth: Thank you, David. Thank you for your presentation. It looks like it's going to be a really attractive place. I think it's going to vastly improve a really rather dreary section of the shopping center when you look at it either from the parking lot or from Sand Hill. I think most of my concerns have been raised by my colleagues. First of all, I can't really evaluate this without an accurate plan which shows Segona's, which shows the trees and the light poles, where they are, which shows Segona's produce stands out there. I literally could not figure out where everything fit. I paced some things off in an effort to figure it out, but we need a plan that's accurate, that shows Segona's, that shows Segona's external, you know, its racks and what-not. If you're planning to remove those, we need to know about that. I agree with both... We need that, first of all, to evaluate that pedestrian passageway. It is very population. I agree with Osma, you can get used to the charms of busy sidewalks. But this is a busy sidewalk that needs to accommodate the twin strollers, and the four junior high BFF's walking arm and arm, and an elderly couple leaning on each other, and it won't as far as I can tell. I need to see a plan that tells me how all those people move back and forth. We sometimes design things and implicitly tell some people not to come. I have a question of staff. Were bike racks removed from the front of this property? There's a bunch of holes punched in the sidewalk.

Mr. Gutierrez: In the broader...?

Chair Furth: No, right in front of the long side of the building, adjacent to the parking lot.

Mr. Gutierrez: There were supposed to be bike racks by the corner area, where the transition is.

Chair Furth: Well, something has been removed. I'm asking you, do we know what's been removed? Were they part of a plan to require a set of bike racks, or am I just completely confused? The applicant looks like he knows.

Mr. Gutierrez: We'd have to investigate that. I'm not aware [crosstalk].

Mr. Smith: There were existing planters out there that were removed, as well as there was an existing patio area...

Chair Furth: Got it.

Mr. Smith ...that expands the area that we're proposing [crosstalk].

Chair Furth: So, the holes in the sidewalk were simply because that's where the planters were anchored.

Mr. Smith: All part of those areas.

Chair Furth: Thank you. That's very helpful.

Mr. Smith: Bike racks were not removed from there.

Chair Furth: Thanks. Very much.

Keith Cox, Pacific Catch: Would you mind if I answered?

Chair Furth: Of course. Just introduce yourself for our transcriber.

Mr. Cox: My name is Keith Cox and I'm the founder and CEO of Pacific Catch. Since I do know this answer...

Chair Furth: Welcome to town.

Mr. Cox: Thank you, and thanks for hearing this, and for your comments. There are bike racks along that long side, and they'll be going back in. They're removed because we're ready to do the barricades for construction. We haven't put anything up yet, but [crosstalk]

Chair Furth: They did look like bike rack holes.

Mr. Cox: Yeah, and they will be going back in.

Chair Furth: Thank you. I agree that on the parking lot side, this building eave frontage is looking pretty dreary. I was going to ask my colleagues, is there something about the material that makes it particularly prone to soot staining? Because it looks like it's smoggier than it actually is here.

Board Member Thompson: You mean the existing façade?

Chair Furth: Yes.

Board Member Thompson: I think it's just [crosstalk].

Chair Furth: Every horizontal element has its little outline of grime. I'd like to know more about how, when it's re-done, that won't be a problem.

Board Member Lew: I don't know the specifics about this, but there are different ways of doing stucco. You can do interval color, or you can do panes, which is like a film of plastic. The downside with the... Well, the upside of interval color is you've got a very nice, soft, thick color, except when it rains. Then it turns it dark, and then it highlights all the dirt when it does that. Which is what I think I saw yesterday.

Chair Furth: It looks particularly bad in the rain, may be the problem.

Board Member Lew: Yeah...

[crosstalk]

Chair Furth: Okay.

Board Member Lew: And it also, Max's is a very old tenant. They've been there for a long time.

Chair Furth: It's been a while since this has been, as they say, refreshed. I do agree that the transition between the Pacific Catch restaurant and The Melt needs more work, and that seems to be property controlled, an area controlled by Simon. Is that correct? That's correct. And we need something to happen. I like the new horizontal, the new squared-off entries. I think that's lovely. You're quite right that the arches look rather tired and dated, but I think when this comes back, we need to see how there's going to be something other than a change in paint color to make that transition work. I have no idea how. To staff, I don't think the fish gets to be called "art." I think it's an integral part of their sign. We think of the difficulty we gave that poor man with his bicycle drawing on California Avenue; there's no way on earth. Plus, this is a self...

Mr. Gutierrez: It is signage.

Chair Furth: ... [crosstalk] design code.

Mr. Gutierrez: It is signage.

Chair Furth: Staff is agreeing on that point. I do think it's important that the planters have plants in them that comply with our code, for two reasons. One is, it's inherently a good thing. The other one is, the shopping center is a trend center. People look at what they did and they think, "Oh, I'll go do that. You have great pot planters." Planter gardeners. Sorry. Gardeners. Container gardeners. So, I want to see 100 percent compliant landscaping. And I cannot support burning ornamental, burning natural gas for ornamental purposes and making our environmental findings. I mean, going to this workshop in Stanford that keeps telling me we have 10 years to the apocalypse, why are we burning gas ornamentally? I mean, you can run some numbers and tell me why you're not really burning gas, but until you see that, I'm going to oppose that.

Board Member Thompson: You're referring to the firepit?

Chair Furth: I am. If it's electric and we have 100 percent clean energy, fine. But again, it's a trend center. Why would we do this? I think that's all I have to say. Which is probably plenty from the applicant's point of view. Anything else? Okay. Staff, any questions?

Mr. Gutierrez: No, none.

Board Member Lew: I think we should have a discussion, though. The staff recommendation is for these things to come back to subcommittee, so I think we have to deliberate on what we want, how we want it to come back.

Chair Furth: All right. I will tell you that I think it needs to come back to us. I do think with an accurate site plan, we would be better able, for example, to think about David's points about the entry. It does bother me that the main entry is at the parking lot, but the delivery entry point is in that heavily-traveled pedestrian area. That does not seem at all desirable. It might work, but I can't tell without an accurate site plan, so I want it to come back.

Board Member Thompson: There is existing outdoor seating there right now, and I think that... There isn't? Google Earth tells me there is. There's a picture. In the site plan it shows existing patio to be demo'd, and it looks like the depth of that patio is, at least on the plans, right side, is about the same. It's really the stuff that's on the parking garage side that's extra, right?

Mr. Tasse: Correct. That first patio that's in the market area, that was there for about 30 years. That was, the draw to Pacific Catch, of course, was to find a location where the patio furniture could be utilized, as well as for Simon Properties to get a tenant in there that would have patio uses, that being that primary, first entry point into the shopping center. I think some of the issues brought up this morning were some of the common area items, and I think originally we were moving alongside the same time as Simon with the improvements they are proposing, with some other alterations and improvement. We just need to probably re-engage with them and get their layers and show a little bit more of their project and that common area, so it's very clear how we overlay on top of that. I think we can work with staff to make sure that the committee is completely on board with all clearances, and the flow of traffic, certainly that would be a concern of Keith's as well, making sure that people can get to the restaurant and also continue on into the shopping center.

Chair Furth: They need to be able to get to See's Candies.

Mr. Tasse: The common area to the back of house, that might have been a mistake of mine, probably in being advantageous and keep, keep rendering and just extending that on. We can look at a lot of

different options. We did review that area with Simon group, and maybe it's just removing the arch and doing a whole different little detail there to have a transition point.

Chair Furth: I think everybody up here is supportive of your outdoor uses. I literally cannot see how it works because of the plan.

Mr. Tasse: You need to see the bigger...

Board Member Thompson: Just for the transcriber, my phone has the old patio image on there. I don't know if you guys want to see it. But I think it's also in the A, 101-A, is kind of showing a really faint dash of how deep that went.

Board Member Lew: Right, there is that, but then, also the trees are not in accurate locations, and then there are new light fixtures that aren't shown at all. We're not seeing, whatever it is, we're not seeing everything.

Board Member Thompson: That's true. That's fair.

Vice Chair Baltay: I want to be clear, I'm not opposed to outdoor dining in that location. I think it's a great spot for that dining to be, but I think it needs to be scaled back a bit to be more compatible with what was there. I think you need to really demonstrate to us that you're not impeding pedestrian traffic, and that it's safe and functional. I think you've pushed the boundaries another couple of feet into the public market area where Segona's is, and especially that corner where Segona's is. You're just cutting it too tight. And then, the corner by the front door where that tree is, you're just cutting it too tight again. It just isn't going to work, what you've planned, and once you look at the site plan correctly, you'll see that. But absolutely it's a great place for outdoor dining as a whole. Your concept is good. I don't think you should veer away from it completely, just tweak it.

Chair Furth: And maybe the changes involve changes in the other uses of that space, but we need to see them. I just couldn't make the trees line up with the drawings, and so on and so forth.

Vice Chair Baltay: I'll address the parking issue to my colleagues, that I think Alex is correct. It's not at all fair to hold one tenant improvement responsible for the parking issues at Stanford Shopping Center. But if I think the Board speaks firmly and clearly about this, and consistently, then we will see improvements and things being changed. If we're mute on it, we won't.

Chair Furth: Thank you. Anybody else? Peter, you and I would like it to come back.

Board Member Lew: Staff had commented on the concrete planters being incongruous with the rest of the materials. I don't think I've heard anybody comment on that. I think we mentioned, commented on the materials in general.

Chair Furth: Would you agree with staff on that point?

Board Member Lew: When I look, something seems, something seems... There seems to be something off. But it's a minor point.

## **MOTION**

Chair Furth: All right. Could somebody make a motion to have this returned at a date certain? Uncertain? What's the preference?

Mr. Smith: We'd like to have the date certain to come back.

Ms. Gerhardt: Yeah, and so, April 4th would be the next possible hearing, but that's a very quick turnaround for the applicant. So, I think we should talk through maybe what the changes are that we're expecting and see if they are able to meet that. Otherwise, it will be April 18th.

Chair Furth: What's your preference?

Ms. Gerhardt: And I do have a summary of the issues. It sounds like we're wanting a more accurate site plan, and that goes to the point of, you know, there might be pinch points on that outdoor space on the plaza, and also there's another pinch point on the parking lot outdoor space, the conflicts maybe with the tree. A more accurate site plan would give us that information. There was also conversation about the entry and the proper location given the tree and other features. I didn't hear a conclusion on that topic. The other thing is the rogue arch, which I agree need to be incorporated.

Chair Furth: Very special interest.

Ms. Gerhardt: And so, you know, just some more details about how that's going to be, how that transition is going to work there. It sounds like the native planting materials...

Chair Furth: Matters to me.

Ms. Gerhardt: ...that we're in agreement with the staff changes.

Chair Furth: Anybody opposed to that?

Board Member Lew: No.

Ms. Gerhardt: And then on the signage, there seems to be agreement of reducing the signage to meet the code and the design guidelines.

Chair Furth: Yes, and I would say that I am very supportive of the notion of having a sign that reads well from Sand Hill, but the signage more interior to the project seems to me to be out of scale. Too big.

Vice Chair Baltay: Very well. I'll move that we continue this project to April 18th, subject to the comments just outlined.

Chair Furth: (inaudible)

Vice Chair Baltay: The 18th. I believe they'll need more time to get the site plan information figured out and I don't want to see them rush on that. It's important. April 18th, subject to the comments made by Director Jodie Gerhardt.

Chair Furth: Is there a second?

Board Member Lew: I will second.

Chair Furth: I'm sorry, the applicant is urgently wishing to talk to us.

Mr. Smith: If we met the April 4th, when would you need the documents?

Ms. Gerhardt: Tomorrow. It would be tomorrow.

Mr. Smith: Yeah, we couldn't do that.

Chair Furth: The professionals up here, which do not include me, tend to have a really strong sense of what the planning turnaround is.

Mr. Smith: Okay.

Chair Furth: Thank you.

Board Member Thompson: Can you also add a note to Jodie's note? Just a more accurate site plan, but also have more information, like adjacent structures.

Chair Furth: The adjacent uses, formal and informal, the light poles, all the things that are there. And if they plan to remove some of them, that would be good to know. Thank you. Did we have a motion and a second? I forget. Alex seconded it. All in favor say aye? Opposed, no? It passes 5-0, no absences.

**MOTION PASSES UNANIMOUSLY 5-0.**

Chair Furth: We're going to take a five-minute break, and then we'll hear our last item.

[The Board took a short break.]

- 4. 375 University Avenue [18PLN-00408]. Request for Preliminary Architectural Review of Facade Improvements and Associated Modifications to the Former Cheesecake Factory Building. Proposed Improvements Include Renovation of the University Avenue Facade, as well as Minor Renovations to the Side and Rear (Alley) Elevations to Remove and Replace Decorative Wall Elements. Environmental Assessment: Not a Project. The Formal Application Will be Subject to California Environmental Quality Act (CEQA) Review. Zoning District: Downtown Commercial District (CD-C(GF)(P). For More Information Contact the Project Planner Graham Owen at [Graham.Owen@CityofPaloAlto.org](mailto:Graham.Owen@CityofPaloAlto.org).**

Chair Furth: And our last public hearing item is 375 University Avenue. It's a request for preliminary architectural review of façade improvements and associated modifications to the former Cheesecake Factory building. Proposed improvements include renovation of the University Avenue façade, as well as minor renovations to the side and rear alley elevations; to remove and replace decorative wall elements. This is not a project under CEQA. The architect is C2K and the client/property owner/applicant is Rapp Development, or some variation on that name. First of all, has everybody visited the site? Including eaten there?

Male??: [off microphone] Yes.

Board Member Thompson: Yes. So long ago.

Chair Furth: Yes, we have all visited the site, internally and externally. Better known as the Cheesecake Factory. And some months ago I had a conversation with Mr. Rapp, and Mr. Rapp, the younger, and Steve Emsley [phonetic], to talk about the fact that they were going to re-do this building, and that they had hired architects they highly valued. I learned a lot about the history of this particular site. I couldn't tell them what the Board was going to think, but looked forward to hearing it.

Board Member Thompson: I have a question.

Chair Furth: Yes? I think you need to speak into your mic a little more.

Board Member Thompson: Oh, sorry. Thank you. If we had communications with members of the public about this, do we need to disclose that?

Chair Furth: It's a good idea to say that you had them, and if they gave you interesting or relevant information, say that. Say what it is.

Board Member Thompson: I did have a conversation with a member of the public who used to live in Palo Alto and used to frequent the Cheesecake Factory. They just told me what they thought about the design. Should I disclose that?

Chair Furth: Sure.

Board Member Thompson: They thought it was handsome.

Chair Furth: They thought it was a handsome design, okay. I'm sure the applicant can handle that. Okay, staff.

Graham Owen, Planning staff: Thank you, Chair. Graham Owen with City Planning staff. This is the Cheesecake Factory building, as you mentioned earlier, 375 University Avenue. This is a preliminary review, so it's an early look at a potential project on the site. The purpose of the hearing today is to just gather non-binding, objective feedback from the Board that can inform a future project that's submitted as formal architectural review application. This is primarily an exterior renovation of the former Cheesecake Factory building. The renovation would include a number of things - The wholesale replacement of the façade of the building on University Avenue; some interior modifications, of course, to prepare for prospective new tenants; new paint on the exterior sides and rear walls of the buildings; and the replacement of the decorative sidewalk that was put in place with the Cheesecake Factory back in 2003. Here's the site. As mentioned, you're all fairly familiar with it. It's in the CD-C(GF)(P) zone, which is the Downtown core. This is the primary retail core of downtown. Comprehensive Plan land use designation of Regional Community Commercial. About one-quarter of an acre of lot area. Previous use was the Cheesecake Factory restaurant, and the building is about 13,000 square feet. The architects discussed with me briefly before the presentation that they've actually made some modifications to the front façade of the building, so I'm going to be very brief in my remarks because there are some changes to the exterior. This is the streetscape elevation, some images from University Avenue showing the existing Cheesecake Factory building, which is the pink plaster building. That's right up against two one-story shorter sections, the Crepevine restaurant as well as the Paris Baguette restaurant on either side, flanking the building. The proposal would keep approximately the same mass as the building would significantly increase the amount of glazing on the site. It would have a new type of exterior, going from plaster to a stone veneer, with a marble-like base. The windows, as you can see, have a number of grids in the top sections, and a fully transparent pedestrian-level façade. I'll go through these fairly quickly, but these are the front and the right-hand facades showing the building. This is the rear, so these sections, as you can see, would just be painted to match or to be consistent with the overall design theme on the front. Again, this is a preliminary review. A couple key issues with regard to the proposal. Projects in the Downtown are evaluated for consistency with the Downtown Urban Design Guidelines, which include a number of provisions about the treatment of facades, ensuring that especially on University Avenue, that the pedestrian realm is highlighted and expressed in a meaningful manner. The mass and scale of the building, in particular looking at the vertical fenestration pattern of the façade. The Downtown Design Guidelines really highlight the importance of having high-quality, durable materials, do encourage the use of overhangs, both for weather protection and also for framing the pedestrian realm and the sidewalk. They also include a number of provisions for increasing the use and friendliness of alleys. That's about it. I'll turn it over to the architect because they made some changes to the façade since I put this presentation together. The purpose of the hearing, again, is to provide feedback to the applicant so that they can take the feedback and form a formal presentation in the future.

Chair Furth: Thank you. Any questions of Graham before we hear from the applicant? Applicant, please.

Roxie Rapp, Owner: Thank you. My name is Roxie Rapp, the owner. I'm excited to be here. I've got to answer this young lady's question. Fifteen years ago, the Cheesecake Factory master leased the property and they had complete control of re-doing it. They did it all in this gingerbread, Las Vegas-style. Which every Christmas, every December, I get a letter. This last December, they weren't here. That was the only December I didn't get a letter saying that this is the most ugliest building on University Avenue. So, that's the way I've started off Christmas every year, receiving this letter. I'm very excited about getting it

changed and having C2K redesign it. They did a beautiful building for my best friend and myself up in Portland, Oregon, and that's where I first met them, up there. They've done a lot of retail and buildings and are very talented. I'm going to turn it over to Steve, the architect from C2K.

Chair Furth: Thank you, Mr. Rapp, and that's with two "p's," right? For our transcriber, who probably already knows how to spell it.

Mr. Rapp. Thank you.

Steve Ohlhaber, C2K Architecture: Good morning. My name is Steve Ohlhaber, I'm with C2K Architecture.

Chair Furth: You need to spell that for the transcriber.

Mr. Ohlhaber: [spells name] One thing before we get started, you'll notice that the façade is a little bit different than what is in your packet. I brought a couple extra packets here for you to get a closer look at, as well as we have a little bit of our preliminary paint finish board and smaller samples of the stone body and the product we're looking for for the simulated wood underside of the soffits. Basically, what changed in the design was doing some preliminary demo on the interior of the building. We came across the fact that, at one point or another, it wasn't built per the drawings that we had, and the brace frame for the front of the building, it was actually moved into the front, not according to the drawings that we had. Since the intent isn't to tear down the main structure of the building, it's to work with the existing structure, work with the existing roofs, and really take a look at repositioning the front façade on University Avenue, we looked at, how can we work with the brace frame that's there, inside the building? It's basically a three-portal frame that comes up to approximately this height and spans across. It has large columns, 16 x 37, so they are of significant and significant foundation because this is basically the moment frame for the front of the building. It's basically a double-high space at the way through, so this is providing the stiffness at this side. That being said, we're looking at, the major goal is to reposition the Cheesecake Factory, remove the branded sort of appearance that is reminiscence of that retailer, and to find a way to create a new façade for the building that could promote a single- or multi-tenant function, and can accommodate tenants over the years to come. To do a design that is sort of classical in nature and proportion, but also helps try to bring the scale of the building down. It's roughly 33-foot-six to the parapet. We're keeping existing height. What we're trying to do is enhance the street scape feel by introducing the awning so that it matches up with the Crepevine and the Paris Baguette awning on the other side. Try to keep the feeling of stepping in the retail or the storefront glass elevations so that there's areas where people can take a pause before they walk by the building and do window shopping. And also, to provide glass for the interior of the space. It's a double-high space and the site is approximately, I think, 123 feet deep. So, provide a way that we can bring a lot of natural light deep into the building space, instead of it being a very cavernous space as it was in the Cheesecake days. Create a space that is very open and light and seemingly transparent with the street, and also welcoming to the pedestrians as they walk by. For materials, we're looking at, again, trying to do something that is sympathetic with the adjacent buildings, primarily Crepevine and Paris Baguette, but also, as we move up and down University, we wanted to fixate on a material that was durable, that was natural, that actually also, again, helps bring down the scale of the building. Therefore, we selected two stones. One stone is for the body of the building, and that's the Travertine. New Fango is the brand name for it. It's a fill Travertine, so it will have that smooth texture to it. And then, the base is a flamed granite, extends roughly about 3-foot-6 up on the base of the building to help equalize the proportions of the façade. That wall, we're working on the details for how we're going to transition it into the main stone, but at this point, we're looking at doing probably a **chance run** [phonetic], so the base sits a little proud, adds a little weight to the building, but also creates more of a smoother edge as it transitions up into the stone. For the openings, we wanted to introduce sort of a contrasting steel material to the nat... Well, it's natural. Either way, you'll get it. But to do more of a, sort of a stronger and very rectilinear design. Use the idea of warehouse windows to, again, help bring the proportion of the façade down, and keeping the main street scape to be just (inaudible) glazed and keep the pedestrian experience very open and very promoting of sidewalk shopping. The lighting on the building, we're proposing sconces at each one of the columns or pilasters, looking at doing an up/down light so that it helps accentuate at night the natural

stone finish of the building. Also proposing -- next iteration -- up lights in the sidewalk to, again, help highlight the texture of the building. The awnings themselves, we're proposing having dimmable lights in the awnings to help bring some light down to the sidewalk space, so at nighttime, as it gets darker out, it will be photosensitive timer and motion sensor according to the City code and ordinance. It helps activate the ground plane so as people come by, it doesn't seem like sort of a dark place. And then, an amount of glass also helps with the internal lighting of the retail spill out on to the street, so it's a very friendly, enticing building to walk by. These are a couple of the updated elevations. You can see it's a very symmetrical design right now, primarily driven by the portal frames. We are still in the process, we don't really have a tenant that we're designing this for, but the design as it stands right now is a two-tenant scenario, where there's an asymmetrical division of the tenant space, one on one side and one on the other side of this column. Therefore, the main door would be in the central division, and a secondary door for the secondary tenant in the smaller division. Again, the idea for the design is so that it can support a variety of different tenants as the building goes forward and as tenants move in and move out. We are redoing the coping on the front of the building. It will be a painted metal coping to match the warehouse-style windows and the metal awnings, front. As we move over to the sides of the building, what we're doing is transitioning to the existing coping, which will be refinished with a new paint look. We will be transitioning the stone around the side of the building, so from the streetscape, the feeling is that the stone actually extends back into and around the building. This is the other side. This is Crepevine right here. And then, as we move to the back of the building, the concept is basically keeping the shell of it as is, removing the lit medallion lights that are located along the back that are reminiscent of the Cheesecake. Repainting the building so that the paints are sympathetic with the stone on the front. Introducing a color for the base, so again, we're pulling from the front of the building around to the back to help create that same vision for, an identity for the building itself. And then, at each of the openings, like we were using the darker, almost black color to highlight the warehouse windows and the entries on the front. Again, we're doing that here on the back. However, we have the service entry door that houses all the recycling and trash. That is behind here. And then, we have two doors for entry into the building on either side. The idea is as those alcoves are about five feet deep or so, they'd be painted as well. So, it's easily identifiable where you enter the building from the back, but as far as overall clean-up, it's not just a pink façade as it is right now. It's got the same sort of ideas and concept as is happening at the front of the building. These are a couple of the updated renderings, looking from various angles of University Avenue. And then, this is a quick rendering of the back. You can see how the darker color does point out the entry points into the building here, and you can see how the continuous painting of the coping sort of extends all the way around the building. This is sort of street scape shot here, to give a look and feel from the sitting area that is opposite Paris Baguette. For the sidewalk treatments...

Chair Furth: Excuse me, why don't you take another minute, and then we'll probably have a lot of questions for you. I forgot to tell you you had 10 minutes.

Mr. Ohlhaber: Okay. I'll just wrap it up then. The last part really is the sidewalk treatments. Currently, right now, it is branded for the Cheesecake Factory. What we would like to do is basically use the street City standard street scape in the division of the concrete, with the brick border along the curb line. Per code, we're required to have four short-term bicycle places. There are two staple-style racks or inverted U racks that we are proposing at each of the prospective sides of the building. And again, it sort of replicates what is seen a little bit further on down the street in front of the Medallion Rug store. There's also additional short-term bike term parking around the corner here of Paris Baguette, but that's not really allocated to our project. I'm not just sure where that one (inaudible) to, but that was our proposed way to address short-term parking, and the street scape itself.

Chair Furth: Thank you. Any questions? Board Member Thompson.

Board Member Thompson: Thank you. Is there a paint sample for the painted stucco?

Mr. Ohlhaber: Yeah. You'll see on the board there, there's going to be two pairs of paint. They're paired vertically. The middle one is, yeah, the middle one, that would be the one that matches up with the stone, and the one right below it would be the base that's mimicked on the back of the building. The one

in the upper left-hand corner, the dark, almost black, is the accent that you'll see on the warehouse windows on the cornice molding. The two on the right were basically an alternate as the design - and even as the client - were not really happy about it too much because it has a lot more of the pink tones. They are more reminiscent of the Cheesecake Factory. And I think what we want to do is try to rebrand the building entirely and stick to something more in the taupes and the grays. The lighting is a little different in here, too.

Chair Furth: Any other questions of the applicant's architect? Apparently not. You can be seated. It's a study session, so we may ask you more questions. I forgot to say the other thing I said to the Rapp family when I was talking with them, was that when we had reviewed design within reach just up the block, which is actually part of the Masonic Temple's holding, we put a lot of emphasis on the alley side, because this is one of the alleys... Graham, what's this kind of alley called? A destination alley, or something weird.

Mr. Owen: (inaudible)

Chair Furth: A place alley. It's supposed to be pleasant to walk through, but also pleasant to stop and talk to somebody in. Okay, I get to start this time. I'm the only one left. I never thought of this building as "Las Vegas." I sort of thought of it as not-very-good Assyrian temple, but good to know. And I am so pleased that you are bringing this project to us. My first impressions from the elevations is that it's going to be a very good-looking building and fit well in this block. You have some advantages in this block. One is that the design within reach project recesses its second story, so that means maintaining your up-to-the-curb second story isn't too oppressive when you look at the context as a whole. We'll see what happens to Crepevine. And you have seating at the corner, so I'm not going to be saying, "Where's your bench?" I do think you should meet the code on bicycle. I am concerned about the back. If you look at the pictures of when it was the Cheesecake Factory, they didn't just use their internal trash room. They had trash bins back there. We're not going to accept that kind of usage of that alley anymore. Paris Baguette does have a trash room, but I understand you'll never do it...

Mr. Rapp: We have [inaudible-off microphone] next door to the trash bin.

Chair Furth: Right. Could you come to the mic and explain that?

Mr. Rapp: We have the enclosed trash area, and it also houses the grease trap. It's next door, where the Paris Baguette is, that's their trash.

Chair Furth: That's the problem.

Mr. Rapp: That's theirs. And then, the other people, Crepevine, on their parking, has their trash area there. Ours is all enclosed. You don't see it at all.

Chair Furth: And that would still work when it was a restaurant, or if it becomes a restaurant, that will be adequate space?

Mr. Rapp: Oh, yeah, that's why we... Yeah. We're not ripping it out, no.

Chair Furth: Okay. Thank you. And I had a question for staff. This is quite a patchwork sidewalk, isn't it? Along this block? It isn't just the custom Cheesecake Factory sidewalk there? Isn't there something odd between, beyond that?

Ms. Gerhardt: I don't have the existing conditions in my head, but we certainly are trying Downtown to do just a standard gray sidewalk, but then to have that brick trim. And then, on the corners, to have brick corners. That is our standard that we are, as new projects come in...

Chair Furth: My question really is, is this going to leave a gap of unimproved sidewalk in front of somebody else's building? But you can answer that next time. I can't tell but it looks like Paris Baguette may have something odd, but maybe not. I can't remember. I just remember it's very varied, that block. Not really the applicant's responsibility. I believe that's all I have to say.

Mr. Rapp: It's going to match design within reach. They put in a new sidewalk.

Chair Furth: Great, thank you. Alex.

Board Member Lew: Thank you. I think it looks great. I don't really have any comments. I think it will be able to meet the findings. The only thing that I noticed on the building, the existing building, there's a, like a metal flashing that goes around the building. I think maybe they are different wall thicknesses. It's like an angled metal flashing, and it seems to be in bad shape. I think what happens is when you paint, like, galvanized metal, it has to be prepared properly, and it doesn't seem like the Cheesecake Factory did that and all the paint peeled off.

Mr. Ohlhaber: It's not metal. It's actually a fiberglass resin.

Board Member Lew: Interesting. It's not holding the paint. Or is it just dirt? Anyway, whatever it is, it's not working.

Chair Furth: It needs to be changed.

Mr. Ohlhaber: It's probably bleached out, too, as most of the stuff up on the roof is. And one of the reasons for keeping it is that it is in place... Obviously, we'll have to replace it with the new metal one on the front to improve the design on it. But it's sort of thing where it's tied into the existing roof, so, since we're not redoing the existing roof, it...

Board Member Lew: Okay. I'm not talking about the upper one. There's something lower down. Not the parapet cap. There's an angled [crosstalk] that's lower.

Mr. Ohlhaber: Right, right.

Board Member Lew: It looks to me to be metal. Anyway, it's a minor issue.

Mr. Ohlhaber: You are correct in that one. That is metal, and what it is, it's basically the parTEE wall as it extends up, and it looks like when the Cheesecake Factory was built, the way the construction happened is that there is the outer firewall, and the inner wall actually comes up higher, so they're using this as the flashing.

Board Member Lew: Right.

Mr. Ohlhaber: But the thought is that all of that would be repainted.

Board Member Lew: Right. I think my only comment is that galvanized metal has to be prepared properly. Otherwise the paint won't stick to it.

Mr. Ohlhaber: Yeah, like a zinc primer.

Chair Furth: David.

Board Member Hirsch: (inaudible)

Chair Furth: Osma.

Board Member Thompson: Okay. Thanks for your presentation. I actually wanted to clarify the note that I had from a member of the public. Actually, I have a text, so I'll, just to make sure I say... I'd like to retract what I said earlier and replace it with, "I like it better, a lot better, it fits well with what seems to be an increasingly popular two-story expression along University by most buildings." So, that's that. I had a couple of notes. I think it's great that you have the paint samples and the material samples. The renderings look a little cold. They look kind of gray and cold, and it's nice to see the Travertine. It's nice to see the paint, as well, that it's not as gray as I thought. There's warmth in here, and I think the choices that you made, the sanderling and the foothills, your primary choices I think are the correct ones. I think you're right that the alternates are definitely a bit incongruous with your Travertine and granite choices, so I would support that. The adjacent structures like Paris Baguette and Design Within Reach are starting to get colder as well in terms of their palette, so that was one concern of mine, that this would be another gray building. But it doesn't seem to be the case at all, so I appreciate that choice. I also notice that the awning height is not really aligned with Paris Baguette or Crepevine. Initially that was a point of concern for me, but after looking at your renderings a bit more, because your building is taller, it makes sense that your awning height would be higher. And so, even though they don't really match up, I think scale-wise it still works with the proportions of your building. I wanted to know, in your site plan, you noted the FDC, the fire department connection. The details for that was something I didn't see, but there's there danger that could become a protrusion more than four inches, and then you'd have to create cane detection, and that would be right in front of your building. I don't know how you plan to detail that, if you plan to recess that, but it would just be something that would, you know, this beautiful rendering is not showing the FDC, and it's not a very big thing, but it could become... It's one of the things where if you don't think about it, it could just be this tacked-on thing, and then you have to add bollards, or something, cane detection. You don't want to have to do that. I just wanted to alert you to that, that detailing that would be an important element for this otherwise very simple and clean façade. The aesthetic is quite nice. It's something that's trendy, like industrial chic. I worked in an industrial building in San Francisco in Dogpatch that has very similar fenestration to this. I'm not sure you're familiar with it. It's the AI building that's on Third Street and 20th, and they have very similar, kind of large windows. One thing that's nice about those windows is that they operate in two directions, so when you open one from the bottom, the upper also lowers, so you get this really nice air circulation. That was one thing I had a note, that there could be a nice opportunity here, because you're already using that architectural expression, that there could be an opportunity to have your windows open from the top and allow some natural ventilation cycling through there. Especially if, you know, it's already kind of in your vocabulary, I feel like adding that would be a benefit to the building. I want to say that that's most of my notes. I do miss the Cheesecake Factory. I had cheesecake with a boy that I liked in my teenage years over there, so definitely some good memories. But I think this new, this new project is definitely, is quite good-looking, and I think it would fit well.

Chair Furth: Peter.

Vice Chair Baltay: Well, Osma, I have to say, I'm not going to miss the Cheesecake Factory. I think this is a great building. It's really going to look nice. I support what everybody said. Let me throw it to you, that what I'm seeing here is more of an idea than a bunch of details, and to me, it's all in the detailing. I caution you to really think through these windows, show us what they're going to look like, make some good scale drawings of it, and really push your client to spend money on the windows. It's going to matter. You've really got to do it right, and they're going to be there for a long time. That's what the whole building is about. Secondly, the detail of the way your base element transitions to the rest of the stone is important. And you mentioned maybe a little bevel there. You might want to really think that through. Just get it right. Those are small details that carry the whole thing through. Lastly, you mentioned the idea of lighting up and down, and if you can get internal lighting that illuminates that two-story space, it will be fantastic. I really encourage you to go for that. It's a great project. Thanks for bring it to us.

Chair Furth: David.

Board Member Hirsch: Well, I agree with the term "industrial chic." I like the warehouse window concept. I wonder about the usage of this building on the street, though, sort of relative to enlivening the street and outdoor areas. I know you have to keep the options open for what is the retail within, but is there the possibility, or could there be the possibility, that if you get a restaurant, they'll actually want to open it more to the street, as so many other of the street services offer University. If it isn't that... By the way, the first rendering made it appear more to me as if it were a bank building, to be honest. And I would consider that to be kind of a limitation relative to the uses that might happen within. I think it's important to think about the interiors and how they might be used here, especially with the possibility of a second story that would enjoy the fact that they're looking out from those large industrial-looking windows above. Other than that, I think it really is an elegantly-proportioned building, and even better now that it's divided into three pieces. Definitely an improvement over the Cheesecake Factory. Which I did have a cheesecake, and it wasn't bad at all.

Chair Furth: Thank you. I also would like to see a bit more about how the alley side is going to work. I'm particularly thinking about the lighting, which shouldn't just be for taking the trash in and out, it should be for people walking by, so that it's pleasant at night. I mean, it's the lighting to the rear of these buildings that determines how comfortable people feel walking through there, and they should feel comfortable. Anything else? And I definitely don't think you should grow any vines over the front of this. It looks good without it. Does this have the usual 18-inch recess for pedestrian overlay?

Ms. Gerhardt: I don't know that it's 18 inches, but yes, there is the pedestrian overlay that requires the recessed [crosstalk].

Chair Furth: I think it's per linear foot, or something?

Ms. Gerhardt: Yeah, 1.5...

Board Member Lew: [crosstalk] linear footage.

Ms. Gerhardt: Yeah.

Chair Furth: I think we're done, unless there's anything else anybody wants. See, some of these are easy. Okay. Let us know when you... We're not done. We have the last items on the agenda. We don't need a motion on this because we're done, right? Would you like your...? What would you like? Is there a question? Oh, you want your stuff.

### **Board Member Questions, Comments or Announcements and Discussion items.**

Chair Furth: Okay, first item, board member questions, comments, announcements and discussion items. Do you have any report on the North Ventura Coordinated Area Plan? Alex?

Board Member Lew: The next meeting is on Monday night at the Ventura Community Center, which is the old school, and it's a City Council meeting for the neighborhood.

Chair Furth: Should be good. Anything else anybody wants to say about Ventura? Okay. Item 2, discussion of City response and decisions related to recent ARB recommendations. Peter and I met with Jodie and the Community Development Director, Jonathan Lait, to talk about what happens to our recommendations after they leave us. Peter, you want to talk about the research you did?

Vice Chair Baltay: Yes. To put this issue in context, over the past couple of years, it seems like a lot, but it was maybe half a dozen decisions or recommendations the Board has made have been overturned, or the Director has recommended otherwise. So, I went back through, back to 2015, and found that there was a fistful of projects where our recommendation was not followed. They were mostly public projects. The two parking garages over on California Avenue. There was a recommendation we made on the roof of the Junior Museum that was not followed. And then, a couple of these cell phone things. That's all

been in the newspapers lately. I did not find significant other issues where the Director did not take our recommendation. And that was back through 2015. I did notice that prior to that, it seemed there'd never been a case where the recommendation wasn't followed, but also had been very few cases where the Board had denied projects. There were two significant denials the Board had made, which the staff upheld. Two-oh-three Forest is the one that comes to mind. My conclusion was that the Director was taking our recommendations on the whole, and I think there's extenuating circumstances on the items that I did mention. I think that responds to your question, right, Wynne?

Chair Furth: Anybody else have any comments in that area? Alex?

Board Member Lew: I'm not going to say anything at this time.

Chair Furth: Okay, fine. Two small items. We all got emails, we've should've gotten emails, telling us to get in our...

Vice Chair Baltay: I did want to, on that same subject, I do feel that what has been lacking is a sense of feedback back to the Board of what is going on. I had to work very hard to find that information I just talked about, and I think a member of the public just wouldn't be able to do that. I was only helped because I had some memory of these projects. And we've talked to staff and they've agreed that there needs to be some mechanism to report back to the Board what the Director's decision is on our projects, which they've started doing already, I believe. Just so we have a sense of feedback.

Board Member Lew: I think that's very important, and it should be easy to find. I think the main issue here is that if the public hears the ARB recommendation, they will think that that's the decision, even though it's not.

Vice Chair Baltay: That's exactly right, Alex.

Board Member Lew: Yeah. And then, the issue is, then what happens? And that's where I think everything gets murky. From the public's point of view. Like, it's hard to know what's going on.

Vice Chair Baltay: Well, hopefully the Director, if the decision is otherwise, explains it in a way that people can understand.

Chair Furth: And explains it at this meeting, which is where some people follow what's happening. Okay. Thank you for changing that. I'm also interested in hearing when projects don't get built. When we review something and it never happens. I don't know if that's feedback or not. In some cases, it may be. But if a project, if we work on something and then it goes away, I think it's interesting to know about that.

Board Member Lew: Probably about money.

Chair Furth: Well, it's interesting.

Ms. Gerhardt: If I may, for information. When projects are officially approved by the Director, or, you know, some projects go on to Council, those are noticed to neighbors. Most of these projects have a 600-foot radius that we notice to. We also have a web page, we have a web page for pending projects that are coming to ARB, and then, we also have an "Approved" page. So, projects are moved from "Pending" to "Approved." We can maybe be better about some of the details on those web pages. And then, the other thing, as you noted, we've started sending emails to the Board when we send the letter out to the mailing radius. We're also now emailing the Board and letting them know that we've done that. And then, lastly, the agenda has been updated to include these recent project decision so that we can discuss those in the future. So, hopefully, you know, if that sounds reasonable. And as far as when things are built, I know that Development Services used to have a newsletter. I don't know if they're still doing that, and I can look into that.

Chair Furth: Well, you do a lot already, and I think what you're proposing will make it even better. Thank you. I wanted to say that we should have all gotten an email, asking us to file our Form 700 electronically. We need to do that this month. It's gotten to the point where it's pretty easy. Of course, the less property you have, the easier it is. And less debt.

Board Member Hirsch: I didn't get one of those. A 700 form?

Board Member Thompson: Was it emailed?

Chair Furth: It's an email.

Board Member Lew: Form 700 is backwards-looking. You're reporting your previous year's financial disclosure.

Board Member Hirsch: Maybe I had to do it for my first...

Chair Furth: You would have had to do an assuming office statement, but you'll need... When did you assume office, David?

Board Member Hirsch: December.

Chair Furth: I think you're still going to have to file an updated form. It's just easier to file the form than explain to them why you didn't.

Ms. Gerhardt: I'll talk to the Clerk's Office.

Chair Furth: They have a fairly automated system of sending you nasty letters if they don't have the box checked. The other thing I wanted to say is that we owe the City Council an annual report on our activities and items that we think should be brought to their attention. I did look at one of the past reports. I wanted to suggest that we briefly think about what we want to have in here. In view of the charge to us, I would like to have short paragraphs on some issues that we've seen that might be of interest to them. I think an example of that is our perception or our question as to whether the Stanford Shopping Center parking standards are accurate. And I'm envisioning, you know, City Council attention span, because they have a lot to deal with, sort of short paragraphs on these issues. And I'm actually interested in something a little more complicated, which is, if you look at what we've looked at over the past year, what have those jobs done in terms of our jobs/housing balance. We don't look at single-family homes, but we look at multiple-family homes, and I think it's an interesting snapshot as to what, you know, how we're doing on our surplus of work spaces over...

Board Member Lew: Well, the mayor just gave a very well-done talk on that on... Monday? Tuesday.

Chair Furth: Which I didn't quite make it to, but I will look at the tape. I'm sure it was very pointed. And accurate. And analytic.

Board Member Lew: Yeah.

Board Member Hirsch: It was actually very broad, statewide issues that he's concerned about.

Chair Furth: Yeah. Jodie, could you let us know where that is available, the tape of that is available?

Ms. Gerhardt: The State of the City [crosstalk]? Yeah.

Chair Furth: Despite my best efforts I did not make it.

Ms. Gerhardt: I can send that out.

Board Member Hirsch: Good review in Palo Alto on line.

Chair Furth: Good. So, in support of the City Council's effort to address these things, I think it's useful to let them know other issues that we see that bubble up fairly frequently. I don't know if anybody can think of any other items they'd like to have a brief paragraph on? Or two paragraphs?

Vice Chair Baltay: Well, I've struggled professionally, and I see it in applications all the time, when we get a, for example, a 10,000 square foot lot in a multifamily zone and we try to put three or four houses. Basically, we're maintaining the density, usually. Think of the one we just saw down on Clara Avenue.

Chair Furth: Where we lost two. Lost one.

Vice Chair Baltay: Right. Where they had four units in an apartment, rather run down, and the owner is now going to put in three. The owners would be glad to put in more, but because of, I believe because of our parking requirement of what they have to fit on site, it's just not possible.

Board Member Lew: Can we not talk about a specific issue because it's not on the agenda?

Vice Chair Baltay: Absolutely. I was just...

Chair Furth: These are items to go on the [crosstalk].

Board Member Lew: [crosstalk]... going into more detail. Say what the issue is and then [crosstalk].

Vice Chair Baltay: The issue, I believe, Alex, is our parking requirements make it very difficult to do relatively small multifamily housing developments. My experience has been that our code is focused on large developments, and when they get ramped down to a 10,000 square foot lot, give or take...

Chair Furth: Okay, I think we've got it as an item to elaborate on. And then, what about loading zones in certain districts? We always have to waive the requirement for the on-site... I'm thinking of Cambridge Avenue. Is that...?

Vice Chair Baltay: Yes, yes.

Board Member Lew: I don't think we should do that because I think the staff has already adjusted the code.

Chair Furth: Have you? That's been eliminated?

Ms. Gerhardt: There is now an adjustment allowed to remove one loading space. The Director has the ability, you know, should the circumstances be right.

Chair Furth: So we could support that.

Ms. Gerhardt: And that's an existing code section.

Chair Furth: All right. Did that change between the time we saw Cambridge Avenue and today? That's part of the brand-new...?

Ms. Gerhardt: It is new, yeah. I don't have the date, but it is definitely newer.

Chair Furth: Okay. Anything else?

Board Member Lew: This was not on the agenda, so I had not thought about it at all.

Chair Furth: Fine. We could do a study session on this, we could draft things and send them to staff and then review it. I could appoint a subcommittee. Any preferences? To draft?

Vice Chair Baltay: I'd be happy to draft a statement regarding the parking at Stanford Shopping Center. It's one I've been thinking about lately.

Chair Furth: Okay.

Vice Chair Baltay: But if, if we were to do this form that you're talking about, Wynne, perhaps several of us can put pieces together and we can all just meet and see where it goes.

Chair Furth: All right. Why don't we send topics to Jodie, to staff.

Board Member Lew: It seems to me the Chair and Vice Chair meet with staff...

Chair Furth: And we will. We will be the subcommittee, and we'll bring it back to you.

Board Member Lew: And then, my other comment on the shopping center parking is that it seems to me that's a Planning Commission issue.

Chair Furth: Well, these are things that... We'll take that into consideration. I view this annual report as something... It says, "matters that have come to our attention that would be of interest." So, City Council back to the Planning Commission, in my view. But we will [crosstalk].

Vice Chair Baltay: Alex, to respond to your comment, absolutely. That's why we're pointing these things out, because they're not directly our responsibility. So, the parking or the code change, it's just pointing out that these are things that we see.

Chair Furth: Okay, anything else that anybody wishes to announce? Okay.

Board Member Hirsch: Well, I'm...

Chair Furth: Sorry, David.

Board Member Hirsch: You know, the priority for affordable, supportive -- whichever -- housing doesn't come to us as a planning topic, but it really is a major concern for the City in general. Isn't there an opportunity for us to become a part of that discussion?

Chair Furth: I think that if we have suggestions or observations... We're really data collectors, in a sense, because we see just about every commercial and multiple family and mixed-use project in the city. We see details of projects and how they are shaped by our codes and our neighborhoods in a context and in a way that nobody else but staff does. And there's many, many staff members, and there's just five of us. My sense is that if there are specific issues that we either think we have a suggestion about, or would like the City Council to have staff or somebody else think about, then that would be a good time to alert staff to. And I agree with Alex, that staff's pretty alert already, but it's helpful to have us give them our opinion. Because we also hear from the public.

Board Member Lew: David, I would just say, the type of project that you're talking about, historically we've used the Planning and Community process to do those projects, and the Council doesn't want to use that process. So, staff has been coming up with alternatives for adding housing. And affordable housing. We have a process change, so we're not going to necessarily do it the way we've been doing it in the past.

Ms. Gerhardt: Yes, and I would agree that staff has put in place a couple of different overlays to help with that issue. We also have moving forward currently some further changes that we hope will help with increased housing development. We can bring back those details to the Board.

Chair Furth: That will be helpful. And at some point, it may be useful to have a presentation from you all on the changes in state law and how that would affect what we do, or don't do. If we ever knew what these changes in state law were going to be. All right. We done? Let the record show that it's not noon yet. It's 11:46, and we are adjourned. Thank you.

## **Adjournment**