



# Architectural Review Board

## Staff Report (ID # 14417)

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**Report Type:** Approval of Minutes **Meeting Date:** 5/19/2022

**Summary Title:** Minutes of April 21, 2022

**Title:** Draft Architectural Review Board Meeting Minutes for April 21, 2022

**From:** Jonathan Lait

### Recommendation

Staff recommends the Architectural Review Board (ARB) adopt the attached meeting minutes.

### Background

Draft minutes from the April 21, 2022 Architectural Review Board (ARB) are available in Attachment A.

Draft and Approved Minutes are made available on the ARB webpage at [bit.ly/paloaltoARB](https://bit.ly/paloaltoARB)

### Attachments:

- Attachment A: Minutes of April 21, 2022 (DOCX)



ARCHITECTURAL REVIEW BOARD  
 MINUTES: April 21, 2022  
 Council Chamber & Virtual Meeting  
 8:30 AM

**Call to Order / Roll Call**

The Architectural Review Board (ARB) of the City of Palo Alto met on this date in Council Chamber and virtual teleconference at 8:30 a.m.

Present: Chair Osma Thompson (participating remotely), Vice Chair David Hirsch, Boardmember Peter Baltay, Boardmember Yingxi Chen, Boardmember Kendra Rosenberg

Absent:

**Oral Communications**

None.

**Agenda Changes, Additions and Deletions**

Jodie Gerhardt, Manager of Current Planning, stated there were none.

**City Official Reports**

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2) Tentative Future Agenda items and 3) Recent Project Decisions

Ms. Gerhardt stated that they had a full Board at the meeting. She shared the ARB 2022 Meeting Schedule and noted that all future meetings are currently scheduled to be held in hybrid format. The next hearing is scheduled for May 5, 2022 and will contain two or three items.

**Study Session**

2. California Avenue Street Improvements / Parklets

Chair Thompson called for the staff report.

Ms. Gerhardt introduced Assistant Director Rachael Tanner who had a prepared presentation.

Rachael Tanner, Assistant Director of Planning, asked if they needed to do a Resolution for the hybrid meeting.

Ms. Gerhardt indicated that it was done at the last meeting.

Ms. Tanner indicated that she had an update to accompany the staff report. She shared her screen and explained that she would provide an overview of the street closure program, clarify the Council referrals to the ARB, and prepare the ARB for future involvement in the project. She provided a slide of the timeline

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of the project from 2020 through 2021, explained it, and indicated she was open to answering questions. Currently, Council gave a direction to prepare a resolution to close portions of California Avenue and Ramona Street until the end of 2023. Staff is preparing the resolution for Council's May 16<sup>th</sup> hearing. Council also directed staff to allow parklets to continue and to accept new parklet applications. Council has received letters of support from the community supporting the closures. She displayed a map of the City and pointed out the Downtown Street Closure area. She also showed a map of California Avenue and pointed out the closure. With respect to permanent closures Transportation will lead the charge although multiple departments have been involved and supportive. The City has the authority to close streets, but it must follow State law in order to do so and therefore must undertake a study to determine if it meets the justifications. Other examples of municipalities that have closed street include Mountain View which conducted a feasibility study in 2019. That study was put on hold due to COVID, but the Mountain View City Council temporarily closed the streets through the end of January 2023 and have a resolution to permanently close them forthcoming this spring. Palo Alto's Transportation Department will seek consultant support to do a feasibility study including traffic, parking, and economic analysis. She displayed a slide containing Council's February 28, 2022 Motion on a project. They recommended that staff move forward with the Request for Proposal (RFP) and Request for Information (RFI) and return to Council with an extension of the temporary closures and a schedule of the proposed work. On February 28<sup>th</sup> Council had a significant discussion about the temporary closure and ongoing status of the street. In June 2021 staff was directed to work on a streetscape plan for California Avenue using pro bono design expertise to include evaluation of potential sites for permanent performance stages in other potential areas. This has been an iterative process and Council has had different perspectives over time. The ARB has an opportunity to be very valuable to the process. Staff requests guidance for businesses using the closed street. The ARB could assist with the adjustments to the interim conditions and with the exploration of the permanent closures and their designs. Staff will return to the ARB to discuss parklets and in the future as the program develops.

Chair Thompson indicated that she would call for a round of questions followed by ARB thoughts.

Vice Chair Hirsch asked if anyone involved with the arts was a part of the project.

Ms. Tanner explained there was interdepartmental collaboration with the public art program. Art has been placed in the closed street portions and there has also been collaboration with the Community Services Division on community events. They have also tried to get the merchants involved in promoting the events.

Boardmember Chen asked if the closed streets were still open to bicycles and scooters.

Ms. Tanner explained that currently California Avenue asks people to walk their bikes although some people do bike down the middle. Longer term [break in audio 23:10] ... bicyclists should bike, and pedestrians should walk to reduce the conflict. With respect to the prior question she just learned that there is a master plan for art for California Avenue that takes into account the long term closures.

Ms. Gerhardt stated that she had photographs if Boardmember Chen wanted to view them.

Chair Thompson said that she wanted to get through the questions before there were further presentations. She inquired about the timeline on the RFI and RFP and if the ARB's discussions would help

influence them. Specifically, she asked if there would be a consultant available the next time the ARB discussed the matter.

Ms. Tanner explained the consultant was necessary for the feasibility study. She indicated that she would need to check with Transportation, but she knew they were working on the scope. By the next time they meet with the ARB they could have someone on board. The contract has to go through the Council for approval so the process could take a few months.

Chair Thompson said that Boardmember Chen had a presentation and so did she. She asked if anyone else had one prepared.

Boardmember Baltay indicated he had structured thoughts to give following the presentations.

Chair Thompson stated that they would take feedback following the presentations. She called for Boardmember Chen's presentation.

Ms. Gerhardt asked for a moment due to technical issues on the Zoom. She then shared Boardmember Chen's presentation.

Boardmember Chen said that when thinking about street closures there were two items that should be carefully considered. First, they need to ensure pedestrian safety and second, they should create playful outdoor spaces. An art program would be nice, especially if they could host interactive installations. She explained that her slides provided examples of interactive public art and led the ARB through them. Art installations could also be used to separate spaces between businesses or activities. Some businesses are concerned that the street closures would push pedestrians away from their windows so the artwork could be placed in a way that encouraged business window viewing and increased street traffic. She also suggested creating sections to meet different interests of different age groups. She suggested space for family oriented restaurants that allowed chalk drawing on the streets or walls. The City could also host art events and festivals. If there were bike lanes allowed they could paint the street different colors to enhance pedestrian safety.

Chair Thompson thanked Boardmember Chen. She shared her screen with the ARB and explained that she had walked California Avenue at night on a Wednesday night and captured the current conditions. She displayed pictures of the street and noted that the entrance had definite design opportunities. The temporary solution features egregious signs but as it becomes permanent the threshold to the space should be carefully considered. She showed pictures of some of the street's cafes and noted that some had opaque shelters which made the street feel less active. The ARB could consider shields or boarder protections for certain properties. Mountain View uses planter solutions to create privacy. There are large portions of the street with no activity, but she had no suggestion for that. The music along the street was great and should be encouraged. The ARB should also consider if pedestrians should walk on the sidewalks or the middle of the street as there are pros and cons to both. Some pictures she showed illustrated how closed off it could feel, even in the middle of the street. The sidewalk was more engaging and cozier with activity on both sides. The downside is that walking on the sidewalk splits the activity between the two sidewalks. She stated that she had wanted to share her research in photography.

Ms. Gerhardt said that there was a member of the public ready to speak.

Chair Thompson called the public comment.

Winter Dellenbach stated that she was a long term resident of Palo Alto and that her husband, Jerry Masteller, was co-owner of Printers Inc. Bookstores during its 20 years of existence and there was a store on California Avenue. Printers Inc. Bookstore was a mainstay of Palo Alto with its beloved coffee bar and author's events. She noted that she and her husband take advantage of the outdoor dining on California Avenue and appreciate it very much during the pandemic. However, they believe that retailers are getting lost on the street. She stressed the importance of highlighting their storefronts, entryways, displays, and signs from further away. The City has a study planned, but the ARB presentations did not place enough emphasis on keeping the retail alive. Many of the retailers are smaller and are part of the heart and soul of Palo Alto.

Chair Thompson asked the speaker to return and spell her name for the record.

Ms. Dellenbach did so and stressed that she and her husband were long term residents.

Chair Thompson called for further public comment but there was none. She called for individual ARB comment.

Boardmember Baltay explained he had followed the issue closely and spoken with many Councilmembers and members of the public. He believed it to be a design challenge. Boardmember Chen showed the ARB what the space could be. Chair Thompson shared what it could be and where it is lacking. A member of the public reinforced what many have said, which was to remember the retail. He thought it was a challenge to pull everything together and was uniquely suited to architects. The ARB had an opportunity to guide the City but that is separate from the larger political issue of whether the streets should be closed. Primarily the ARB was made up of design professionals and therefore they could separate themselves from that question and focus on the design issues. He pointed out that all the members of the ARB are experienced, local, familiar with the area, and working on a pro bono basis. He suggested the City should view the ARB as the City architect, not just a group to review Planning applications. The ARB should proactively form a structure so it could insist on being heard. There was already a RFI, and he asked why the ARB was not a part of the process. There could be a subcommittee of the ARB formed to integrate with the City and help direct and develop ideas for how to precede on the urban design issues on California Avenue. The subcommittee would report to the full ARB in public and get feedback. He believed that the City Council would support the ARB in its efforts and the Planning Department would love the help but had no mechanism to get it. Palo Alto had no precedent for this as the ARB has been viewed as a quasi-judicial body to review Planning Applications. He asked if the other members supported his idea of a subcommittee and the ARB getting more involved in the issue.

Boardmember Rosenberg thanked Boardmember Baltay for his eloquent and clear comments. She acknowledged the larger debate over making the street closure permanent but stated there was a lot of support to make it permanent. She thanked Ms. Dellenbach for her comments about retail. Printers Inc. was a destination on California Avenue, which has always been a place one visited, did their business, and left, which is opposed to the way University Avenue has been used. California Avenue felt transient with the exception of Printers Inc. The issue was really how to move forward with the project. She agreed with Boardmember Baltay that this was a profound opportunity to move the City forward with a group of people with the experience and desire to work on it. There are numerous examples of closed streets in

other communities to look to for inspiration. She brought up Boardmember Chen's comments about artwork and noted that other spaces had fountains, sitting areas, and plantings. She mentioned the Santa Monica Promenade and La Rambla in Barcelona as possible examples to learn from. La Rambla has permits for street performers which is something that could be explored. She wanted the project to move forward, and actions taken with a schedule proposed for the merchants and restaurants on the street. Currently the business owners are in limbo and do not know what will be allowed in six months.

Vice Chair Hirsch thanked everyone for their participation and noted they had a detailed but broad view of the problem. He noted that La Rambla was remarkably interesting and thanked Boardmember Rosenberg for reminding him of the street performers. When University Avenue closes they chalk a side street, and the artwork is incredible. That is paid for by local merchants and sponsors. He further appreciated the examples of art provided by Boardmember Chen. Currently some of the merchants are taking up too much of the street and one of the things that needs to be required is a guideline for what can be built. Closing off an area does not work as it affects a neighboring commercial enterprise. That was a practical issue that must be solved perhaps in the Municipal Code. Sight lines are critical and whatever is placed in the street has to retain a view of the sidewalk. It is critical to get children involved in the street and he mentioned examples from Brooklyn. He further suggested staging events for children to get families into the street. The difference between California and University is partially physical. University features two story structures and is a tight space while California is one story and not as structured. The ARB must determine how it wants to participate in the process moving forward or if it would look to the City to provide consulting help. He thought that it might be helpful to hire an architect to work with the ARB so that person could visualize their ideas. The ARB cannot spend the time necessary to design the project, so he suggested they program it instead.

Boardmember Chen echoed the other Boardmember's thoughts and thought either the ARB or the City should develop a masterplan or guidelines with some flexibility for the business owners. The strategies would differ by street since the streetscape and width of the streets were different.

Chair Thompson agreed and explained that Castor Street in Mountain View implemented very different solutions along the street. Boardmember Chen was correct that different typologies required different solutions. With respect to creating a subcommittee she supported the idea and suggested that they set it up although she felt trepidatious about being called "the City's architect" because it was important for designers to be paid. Additionally, the ARB is a reviewing body that is supposed to be impartial to designs that come before them. In that respect it might be better for another to design the project so the ARB could actually review it. However, creating a subcommittee to provide input was a helpful idea that would spur progress. The only way to really hold someone to a work plan and schedule is if they are paid.

Boardmember Chen added that they needed to consider solutions that worked through both the summer and winter seasons and again added that business owners needed to have information to plan their expenditures around.

Boardmember Baltay agreed that designers should be paid for design work. He envisioned the ARB subcommittee's work as functioning as the expert pick the right consultant and keep that consultant focused. Basically the subcommittee would support good design and ensure there was visibility for

businesses and good dining environments. That is valuable expertise that could be given to the City for free in a committee meeting. He stressed that the ARB would not be free designers for the City.

Boardmember Baltay moved to have Chair Thompson form a subcommittee of two people empowered to interact with City Departments to assist with the California Avenue Urban Design Project. The subcommittee will help choose a consultant, formulate RFIs, and interact with the public. The subcommittee will report to the full ARB on a regular basis. Chair Thompson did not have to name the committee at the meeting and that the Motion was simply to direct her to form the committee.

Ms. Gerhardt said that the item was placed on the agenda as a Study Session and that they did not need a formal Motion, but the suggestion could be taken under advisement.

Boardmember Baltay thought it was important for the City to see the ARB do something.

Chair Thompson called for a second.

Boardmember Rosenberg seconded.

Vice Chair Hirsch thought the committee could develop a scope of work based on the meeting's discussion. He agreed that a committee would be an important step in the process.

Boardmember Rosenberg indicated that she seconded the Motion and thought forming a subcommittee was a valuable step forward. She stressed that the subcommittee would need a scope and defined role, but a two person subcommittee could ensure that the process moved forward to provide more certainty to the California Avenue businesses.

Ms. Gerhardt clarified that it was a Study Session, and a Motion was not necessary. The ARB could take a straw poll. Additionally, the ARB Work Plan was later in the agenda and the item could be discussed as part of that.

Chair Thompson thought it might already be in the Work Plan.

Ms. Gerhardt said that the Public Arts Program advised her there was a California Avenue District Public Art Plan done in 2021. Staff would provide that to the ARB at the next discussion.

Chair Thompson called for the straw poll on the subcommittee idea.

Boardmember Chen indicated support.

Vice Chair Hirsch also supported the idea.

Boardmember Baltay strongly supported the idea.

Boardmember Rosenberg supported the idea.

Chair Thompson agreed that she supported the idea. She requested that individual Boardmembers contact her about their interest in serving on the subcommittee.

Ms. Tanner thanked the ARB for its thoughtfulness and time and indicated that she would ensure the subcommittee was connected with the other staff members working on the project.

Chair Thompson asked that the Boardmembers contact her with their interest that week and closed the item.

3. Review of proposed updates to the City's Tree Protection Ordinance, Title 8 of City of Palo Alto Municipal Code

Chair Thompson introduced the item and called for the staff report.

Ms. Gerhardt introduced Urban Forester Peter Gollinger and his presentation.

Peter Gollinger, Active Urban Forester, shared his screen with the ARB and explained they have been involved in a long project to update the City's Tree Protection Ordinance. The original ordinance was adopted in 1951 and protected public trees. It was updated in 2001 to add Redwoods to the list of protected species. Since the last update there have been updates to many City policy documents including the Urban Forest Master Plan, the 2030 Comprehensive Plan, and the ongoing Sustainability and Climate Action Plan. Additionally, there have been a number of new State regulations recently added. He provided and walked through a timeline of the updates to the ordinance. The Urban Forest Master Plan calls for the City to achieve a greater percentage of native draught tolerant species, ensure no net loss of benefits, increase habitat, increase canopy cover, and minimize negative impacts of development on the urban forest. The 2030 Comprehensive Plan contains many policies and goals related to the urban forest. The Sustainability and Climate Action Plan contains several policies and key actions related to the urban forest including a measurable goal of increasing the canopy to 40% by 2030 and ensuring no net loss of canopy on all projects. He cited several changes in State Law that also needed to be included in the City's plan. The urban forest provides many benefits and recent studies have made that more apparent. The quantifiable benefits related to CO<sub>2</sub>, storm water, air pollutants, and energy saved are impressive. Proposed changes included in the update are to update authorized officers and relevant staff positions, a restructuring of chapters and sections for clarity, and substantive changes to align the ordinance with existing policies and state laws. 8.04.010 to 8.04.040 discuss permits for work on public trees and streamlines and clarifies the process. 8.04.070 and 8.10.100 – 110 deals with enforcement of violations and clarifies the penalties applied and who has the authority to apply them. The main penalties used are administrative penalties, civil penalties, and stop work actions/development moratoriums. Another change implements a designated arborist system where the City would maintain a list of qualified, certified, and selected arborists for hire by City applicants. Some projects would continue along the current path, where the City selects the arborist and bills the applicant for the services. Excessive pruning has a new definition to include roots and lengthen the timespan between pruning. Oaks have been removed from the main definition and they have their own threshold of 15%. Additional species have been added to the list of protected trees including Bigleaf Maple, Incense Cedar, Blue Oak, and Black Oak. Redwoods remain protected. The biggest change is that all other species of tree are protected at 15 inches or greater excluding invasive species or high water users, subject to those definitions. Other protected tree categories remain from the former plan. Another change moves from the use of the Tree Technical Manual to the Tree and Landscape Technical Manual. The purpose of that change is to avoid the planting of exotic fast growing trees to replace canopy. The prohibited acts section was reorganized into categories outlining where a protected tree may be removed. Outside of the development process trees can be removed if dead, hazardous, or a nuisance, or if the tree were a detriment to or crowding an adjacent protected tree or impacting the foundation or eaves of a primary residence. Trees removed may trigger a

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36 month development moratorium, which is intended to prevent trees from being removed and then a development application being filed. On a residential lot a tree could be removed if it was so close to the proposed development that construction would result in the death of the tree and preserving the tree was not feasible. He then listed acceptable reasons for tree removal in subdivided land and any project requiring discretionary approval. Another change is a requirement for owners of protected trees to notify the City and post public intent to perform maintenance. The City plans to address tree removal in wildland-urban interface areas in a future iteration in detail. The new section of the current plan specifies that the fire chapter takes control in those situations. The applications, notice, and appeals section were reorganized to clarify the process and include notification requirements. To summarize, applicants must now file for a protected tree removal permit, more applications will require an arborist report, and tree disclosure statements and arborist reports will require completion by a designated arborist. Following the ARB meeting there would be a Parks and Recreation Commission meeting, a tentative second community meeting, and the Ordinance would go to Council at the end of May or early June 2022. He indicated that he was happy to take questions.

Chair Thompson called for the public comment.

Madina Klicheva, Administrative Assistant, indicated that there were several public speakers both online and in person.

Winter Dellenbach indicated that she wanted to discuss the value of trees. Trees add to property value and are important in the fight against climate change. She cited a UC Davis study and informed the ARB about how trees sequester carbon. Trees must be protected, and more trees must be planted. Removal of trees releases stored carbon into the atmosphere. Trees help guard against excess heat in cities and can lower air temperatures in neighborhoods up to 10 degrees. The US Department of Energy states that carefully placed trees can reduce a home's energy consumption by 25% amongst other benefits. Due to these matters Palo Alto must update its Tree Protection Ordinance [break in audio/visual 1:31:22] ... she noted her middle and high school aged grandchildren would participate in the Earth Day March and were aware of climate change. She became emotional and urged the updating of the ordinance.

Karen Holman thanked the ARB for its time and explained that she had been considering the long and short view of things. There used to be a rail line from Stanford to Santa Cruz, but that was taken out. Many towns, including Palo Alto, had trolleys to take people downtown. Most of them are gone. During the pandemic when people were commuting less the air was cleaner and the birds returned. She cited the Audubon Society and explained that in the last 50 years the United States lost 25% of its birds. In the California area they have lost 140 million birds. She continued citing statistics and explained the Autobahn attributed the losses to a significant loss of trees. Trees provide habitat and if birds are the proverbial canary in the coal mine then Palo Alto needs to do everything it can to support a robust urban forest. Cities must attempt to compensate for the wildfires and the lost of forested lands. Development should embrace rather than replace trees. She explained that she was a member of the Midpen Open Space District Board and they looked at a "no net negative" which is not easy to achieve. She urged the City to listen to the birds and approve the ordinance. She thanked the ARB, Mr. Gollinger, and the staff.

Claire Elliott appeared via Zoom. She explained she was a resident and a senior ecologist with a local nonprofit, Grassroots Ecology. She thanked the ARB, staff, and the ad hoc for the opportunity to comment

and noted that she had many of the same thoughts and feelings as Ms. Dellenbach and Ms. Holman. In her work they focus on increasing the population of native species that support wildlife. The proposed changes go a long way, but she has also provided a written letter detailing further improvements to the ordinance. As mentioned by Ms. Holman, Douglas Tallany's research shows the importance of providing native trees for insects. California insects are needed to feed native birds. Because of that she was delighted about the species that were added to the protected tree list. She also wanted Buckeyes, Sycamores, and Box Elders added to the list. Los Angeles' tree ordinance protects a longer list of native trees and shrubs over 4 inches. It was also important to control invasive tree species, so she supported using the Invasive Plant Council's definition. Indigenous grasses are included in the weed definition, but they are very important to sequester rainwater and carbon. Item 2 is for fire prevention, but Item 3 covers that so it should be struck. She thanked the ARB for its time.

Julianne Frizzell appeared via Zoom and stated that she was speaking in support of a stronger Tree Protection Ordinance. She is a landscape architect and has practiced in Palo Alto and on the Peninsula for 32 years. Professionally she was surprised the current Palo Alto Tree Protection Ordinance was so weak and noted that the surrounding municipalities have stronger ordinances. Menlo Park requires mitigation for the removal of all trees with trunks over a certain diameter. The Palo Alto Ordinance should expand the number of trees protected and include strong mitigation measures and penalties. She approved of the addition of designated arborists in the Ordinance. She was concerned about trees lost in residential neighborhoods prior to new home construction due to the weak tree ordinance. She requested the ARB support the updated Ordinance.

Dave Dockter appeared via Zoom and indicated that he was the former Planning Arborist and was speaking on behalf of the Canopy Advisory Committee. The ARB has received their Canopy Comment Letter on adopting the proposed Ordinance and all of Title 8. Certain changes are important to the ARBs purview and every site plan it reviews. The City's canopy is the only local solution to climate change and neighborhoods with canopies are up to 10 degrees cooler than other neighborhoods. The update expands the list of protected trees, so he suggested they review the Tree Ordinance Comparison Chart with other local cities contained in the Canopy Comment Letter. Palo Alto must be more inclusive of native species. The permit process for protected trees is well articulated in the new plan. The Ordinance also links the Sustainability and Climate Action Plan with the Urban Forest Master Plan and the Landscape and Tree Technical Manual as well as State wildfire and County water usage regulations. The update will simplify the ARB's site plan reviews and they should expect to see less revisions because the designated arborist system would compel complete landscape plans. He thanked the ARB for recognizing the value of the Canopy Advisory Committee's input. They ask the ARB to emphasize to Council that the update should be completed and adopted without delay and that the Landscape and Tree Technical Manual will be completed and implemented with the necessary budget support from the City.

Rebecca Eisenberg appeared via Zoom and indicated that she strongly agreed with and echoed the concerns of the other public speakers as well as their requests to update the current Tree Ordinance. At the recent community meeting on the topic the public was also in favor of updating the Tree Ordinance. She appreciated the words by Ms. Dellenbach and former Council Member Holman especially and wanted to add that she grew up in Milwaukee, Wisconsin. Milwaukee followed Native American thinking and planned for seven generations down the line. Palo Alto must do the same because of climate change. The

fears voiced by the public are real and trees are important to mental health as well. Canada is proscribing passes to National Parks to fight depression and anxiety. Palo Alto is named after a tall tree and should live its name and act to protect the trees. She stressed that the matter should be handled prior to the Council's scheduled vacation to save trees. Trees need to be considered with proposed developments, not dealt with later such as in the case of Castilleja School. The City needs to act more strongly.

Ms. Klicheva indicated that concluded the public comment.

Chair Thompson called for questions of staff.

Boardmember Baltay stated that the Ordinance allowed for designated arborists. He asked staff to elaborate on how it would make that judgement other than licensing.

Mr. Gollinger answered that staff planned to choose arborists in a RFP process based on other city's systems. Staff would check the credentials and analyze samples of their report writing.

Boardmember Baltay asked if they planned to list the criteria in advance that they would judge the reports by like a list of objective standards. He was concerned that the process would be subjective.

Mr. Gollinger said that the criteria would be included in the RFP. The goal would be to attract arborists familiar with development plans.

Boardmember Baltay asked how a severe development impact was determined and currently when a project proposed to remove or impact a tree how that was evaluated.

Mr. Gollinger asked if he was talking about the residential removal.

Boardmember Baltay stated he was looking at Section 18.100.50(b)(1).

Mr. Gollinger said that the applicant and the arborist would have the burden of proof as to why the tree needed to be removed. The staff arborist would redo their work to determine if the City agreed or if it would request another proposal. Generally, trees are in danger if more than 20% of their Tree Protection Zone (TPZ) is disturbed during development. That also varies on the species and condition of the tree, so it is very site specific.

Boardmember Baltay asked if there were any allowances for construction techniques such as a drilled pier versus a spread footing foundation.

Mr. Gollinger indicated it did because the drilled pier had a smaller impact on the TPZ.

Boardmember Baltay then asked about the designation of the primary structure and if it included Accessory Dwelling Units (ADU).

Mr. Gollinger said he was hoping to resolve that question [break in audio/visual 1:54:15] ... include both the primary home and an occupied ADU and the current language may not specify that. They did not want to include accessory structures like pool homes or sheds, but occupied buildings should be included. Staff hoped for guidance on that item.

Boardmember Rosenberg requested to know the current canopy coverage of the City.

Mr. Gollinger thought that was a good question.

Boardmember Rosenberg said the goal was 40% by 2030 and 50% ultimately. She asked for the current number.

Mr. Gollinger stated that it depended on the study, but Palo Alto was currently somewhere in the upper 30%. He ballparked the figure at 36 to 38%. They are trying to come up with a standard for year by year comparison. A canopy cover tool is in the process of being built.

Boardmember Rosenberg asked how the percentage of coverage would be affected by tree trimming necessary to the health and safety of the canopy.

Mr. Gollinger thought that would be fairly minimal unless a major structural issue were being addressed. General maintenance pruning would not dramatically affect the canopy coverage of the tree.

Boardmember Rosenberg requested a list of invasive species or the location where one was published.

Mr. Gollinger said it was published on the Invasive Plant Council website and was grouped by species. There were not that many as most invade wetlands.

Boardmember Rosenberg asked if Eucalyptus was on the list.

Mr. Gollinger believed Blue Gum Eucalyptus was on the list but none of the rest.

Boardmember Rosenberg asked for a list of the high water use species and if it was available to the public. She wanted to know where people who wished to plant trees would go for information.

Mr. Gollinger stated that staff planned to include a list of both high water users and invasive trees in the plan. the most common high water user in Palo Alto are Redwoods which are exempt. Willows are high water users that would not be protected. The majority of landscape plants are protected.

Boardmember Rosenberg inquired if high water use trees or invasive trees would be banned in the future or if they would be discouraged.

Mr. Gollinger explained there was no current plan to ban any species, but they planned to discourage the planting of both. They are not encouraging the planting of new Redwoods because of water use, but they want to continue to protect existing Redwoods. Staff is working with its nonprofit partner, Canopy, to create a preferred and restricted species list. That would be integrated into Canopy's tree tool and should be complete in about a year.

Boardmember Rosenberg said that there were some WUI (Wildland Urban Interface) interfacing properties in the Palo Alto Hills. Accordingly, she asked how different the regulations were and how much more would be allowed to keep homes fire safe.

Mr. Gollinger explained that the exemption was in order to give staff time to craft a specific policy for tree protection for the foothills. There are separate rules for tree removal in the hospital district and so there would be something similar for the WUI area. Currently the fire rules are referenced for clearance issues.

Boardmember Rosenberg inquired about trees that straddle properties and what would happen should two properties next to each other redeveloped within months of each other.

Mr. Gollinger did not believe there was anything in the Ordinance that would address that specifically. It may fall under the excessive pruning rule and a period of three years may have to pass before the neighbor could do anything to that TPZ. However, in such a specific situation the City could probably come up with reasonable mitigation measures to allow for development. If a property owner did not wait they could be subject to a fine for excessive pruning.

Vice Chair Hirsch asked if San Francisco Creek was in Mr. Gollinger's bailiwick.

Mr. Gollinger indicated that there was a JPA that dealt with everything inside the Creek.

Vice Chair Hirsch explained that he was from New York and the Mayor once called for 1,000,000 trees. That would still not approach the percentage in the Ordinance. He thought the goal might be worthy of some private funding. He thanked Mr. Gollinger for his presentation and work.

Chair Thompson asked if Vice Chair Hirsch had questions.

Vice Chair Hirsch stated he did not.

Boardmember Chen said she had two questions related to Boardmember Baltay's line of thought. First she asked how many designated arborists the City intended to have and how often it would update the list.

Mr. Gollinger said that was still to be determined. The larger the pool of arborists the better, but it depended on how many applied to be included in the list. Staff will consult with other agencies that have a similar process. The list should be fairly large and could be adjusted annually or every few years. The main point is to have arborists on the list who are familiar with the ordinances and development plans.

Boardmember Chen inquired about how staff would investigate if something were financially feasible for homeowners under the single family home tree replacement section.

Mr. Gollinger explained that the burden of proof fell to the applicant and the arborist in the arborist's report and the design.

Chair Thompson asked if the ordinance discussed whether or not bird habitats influenced a tree's removal.

Mr. Gollinger said that it did not specifically address that but they are encouraging the preservation and planting of native species to ensure wildlife corridors and habitat. Arborists are required by Federal law to ensure there is no nesting prior to tree work.

Chair Thompson confirmed that as the nesting was handled elsewhere it was not included.

Mr. Gollinger stated that was correct.

Boardmember Baltay said that "landscape" was added to the Tree Technical Manual and Mr. Dockter implied more information would be provided. He asked if the City was moving toward requiring landscape drawings for residential projects.

Mr. Gollinger said it was not, but that they wanted to provide guidelines for compliance with the MWELO requirements. Landscapes larger than a certain square footage would trigger the Model Water Efficiency Landscape Ordinance Review which requires a full landscape plan with water budgeting. Mr. Dockter was

implying that more projects would likely have full landscape plans. It could be a downstream consequence of having more protected trees.

Vice Chair Hirsch asked if there was a standard process in place based on the size of a project and how that was triggered.

Mr. Gollinger explained that currently Project Coordinators would review the plan set and Tree Disclosure Statement to determine if it needed to be routed to Urban Forestry for review. Urban Forestry currently reviews about 50% of all Planning Applications. There is a staff Landscape Architect that completes the majority of reviews.

Vice Chair Hirsch asked how staff kept track of trees that might need special attention throughout a project.

Mr. Gollinger stated that in the proposed Ordinance they would record the trees in the Tree Inventory Database so they would be tied to parcel reports. Staff has not worked out the procedure yet, but the first step is to add the trees to the Tree Inventory.

Boardmember Rosenberg followed up on what would happen once a tree was added to the Inventory Database and asked if there would be inquiries made into tree deaths. She was concerned about how they would know if a tree died a natural death or if it was removed prematurely.

Mr. Gollinger said that if a tree declined the neighbors or staff would notice. Additionally, most people submit removal permits which triggers an inspection. If the tree was in decline through no fault of the resident then the permit would be issued.

Boardmember Rosenberg asked if the homeowner would then have to replant new trees.

Mr. Gollinger explained that when a tree was determined to be dead, dying, or hazardous then there was no requirement to replant it. Homeowners would be strongly encouraged to replant. The new Ordinance has increased replant requirements so more situations require mitigation plantings.

Boardmember Rosenberg confirmed that trees planted as mitigation would become protected.

Mr. Gollinger explained the new trees would be treated as designated trees on an improved landscape plan. Designated trees are protected in future projects.

Boardmember Rosenberg directed the ARB to a comment in 8.10.020d and read it aloud. She asked how the City would ensure that was a fair process for the applicant.

Mr. Gollinger said that was something that staff would work on. The intention was to ensure that projects have firms or arborists capable of handling large projects. Currently the City hires third party arborists when they want additional feedback, and they bill the applicant. A current example is the Castilleja project.

Chair Thompson thanked the ARB and indicated that it was a Study Session, so no Motion was needed. She called for a round of ARB thoughts.

Boardmember Rosenberg thought the goal of the Ordinance was excellent and that everyone needed more trees for long term planning and planet protection. She asked how native plantings were being encouraged other than simply stating they were encouraged. She was concerned that people would avoid planting the trees the City wanted them to plant in order to avoid potential future impacts. People would also avoid planting Oaks so that they did not have to go through the process to get them pruned. Trees should be protected, but proper care and maintenance should be as easy as possible so people could protect their assets while also being encouraged to plant Oaks and native trees. [break in audio/visual 2:16:42] She repeated that she was worried that people would avoid planting the trees the City wanted. She suggested that people could receive a credit on their water bill or something if they planted certain trees so that there was encouragement to get the trees planted. She indicated that some people might cut down an 11 inch diameter tree just to avoid having an 11.5 inch protected tree. She apologized for not having a solution but stated that she needed to voice the concerns and thanked staff for their time and effort.

Boardmember Baltay said that the City was overdue to update the Ordinance as neighboring municipalities had already done so. He cautioned staff to be impartial when they prepared the list of approved arborists based on objective criteria. Secondly, ADUs should be viewed as primary residences and be protected as such. That is how State law was written and the City should be careful of it. He supported the Ordinance and thought the City should move forward.

Vice Chair Hirsch explained that he was the only retired architect on the ARB but had a personal question. There is a palm tree in his yard that gave dates and he asked if he was responsible for picking them up. Additionally he has a large Oak tree in his yard. Last year the Oaks were infested with caterpillars, were loud, and gave a large mess. Trees come with problems as well, but he stated that he loved them.

Boardmember Chen stated Palo Alto was a tree loving city. She was concerned about the timing of the Ordinance and trees being removed prior to its implementation. Also with the primary residences the rules are in place for people's safety. Therefore it would be nice to include all areas where people might reside. She suggested borrowing the language from the Single Family Technical Manual for all structures greater than 120 square feet and 5 feet in height. That would qualify the primary residence, any ADUs, garages and perhaps other structures.

Chair Thompson stated she was happy to see the Ordinance and appreciated the public engagement. She also appreciated the other Boardmembers concerns and shared some of them. Specifically, she was concerned about the allowable reasons for tree removal and read the portion about a tree being too close to a proposed project and what happens when there is no reasonable or feasible alternative to preserve the tree. Projects have come forward where applicants have a building that might compromise a tree and the ARB has pushed back and challenged them to find an alternative. Based on that, she wondered how the City could put pressure on applicants to deal with trees creatively. She was concerned that non-architects might take applicants at their word and not encourage the creativity to save trees. Another allowable reason to remove a tree was that retention would result in reduction of the otherwise permissible buildable area of the lot by more than 25% and she thought that needed more attention. She asked for the ARB thoughts on those issues.

Boardmember Rosenberg stated that the size of the lot and the size of the tree needed to be considered. If there is a 4,000 square foot (sf) lot with a tree taking up 25% of the space it was very different impact than a tree on a 20,000 sf lot. Because of that she appreciated the percentage aspect of the Ordinance. Given the state of the housing market people tend to buy sight unseen and only look into the property once they've purchased it. She encouraged the tree database to be included with the parcel maps so people understand what they are purchasing. The goal for the solution is to have people live harmoniously with their trees and have them be an asset instead of a liability.

Ms. Gerhardt explained that if there were a tree in the center of a property staff would work with the owner to determine if they could build around the tree. There is also a variance process which could allow a building to enter a side or rear setback to avoid the tree.

Boardmember Baltay stated that he had worked on a number of projects in the City where a tree limited the development of a property. Palo Alto's 25% is a high threshold for most residential lots. The staff and the arborists are proactive and help find solutions. Therefore, the system does not need correcting. Different methods of building can be utilized to protect trees and can be accomplished. The regulations simply force property owners to think about what they are doing and to hire an arborist. 25% is restrictive but also is manageable. The biggest change to the Ordinance is the inclusion of more species of trees. People do need to be allowed to build on their properties. The goal is to increase the overall tree canopy over time, which will happen so long as property owners are required to replace trees at a 3:1 ratio. Chair Thompson's points were well made, but he thought the Ordinance worked well on those accounts.

Vice Chair Hirsch explained that he built his home 10 years prior, and the Oak tree was about 9 feet from the foundation of the house. The lot was only 45 feet wide, so the Oak was shared between two properties. The foundation was carefully dug and finding no roots was able to proceed. Based on that he wondered if Urban Forestry would allow the ground to be tested in that way. The drip line was over the house and if that had been taken as a line one could not pass they would have had significant construction impacts. He asked how that situation would be handled.

Mr. Gollinger explained that exploratory excavation is allowed and often recommended to determine if roots are headed towards proposed development areas. Staff currently uses the method and encourages it on a case by case basis.

Vice Chair Hirsch asked if someone would come to the site. He indicated that he had an arborist present during the digging who prepared a report.

Mr. Gollinger stated that an exploratory trench was the most common method used. That would be inspected by the project arborist and the City to confirm the results.

Chair Thompson called for further comments, but there were none. She thanked staff and the public and called for a brief recess.

### **The ARB took a break**

### **Action Items**



4. PUBLIC HEARING/QUASI JUDICIAL. 2850 West Bayshore (21PLN-00177]: Recommendation on Applicant's Request for a Major Architectural Review to allow for the demolition of an existing office building and construction of 48 townhomes with associated private streets, utilities, landscaping, and amenities. The project also includes a bike lane and 14-foot sound wall along West Bayshore Road. A Conditional Use Permit for residential uses with the ROLM zone district is required. Environmental Assessment: Exempt per CEQA Guidelines Section 15332. Zoning District: ROLM (Research Office and Limited Manufacturing).

Chair Thompson called the meeting back to order, introduced the item, and called for disclosures.

Boardmember Baltay disclosed that he visited the site earlier in the week.

Boardmember Rosenberg disclosed she visited the site, grew up near the area, and reviewed the videos of prior meetings.

Vice Chair Hirsch disclosed that he visited the site and other similar housing projects.

Boardmember Chen disclosed that she visited the site and walked through the park from Colorado Avenue to the Southwest corner of the project. She further observed that the parking along Colorado Avenue was better than she had expected it to be.

Chair Thompson disclosed that she had visited the site multiple times in the past and walked through Greer Field. She called for the staff report.

Garrett Sauls, Project Planner, stated that the hearing was the second formal review of the project by the ARB and that the applicant and environmental consultant were present. He shared his screen and showed an aerial view of the parcel. The site is zoned ROLM and can be developed under a Conditional Use Permit (CUP). The project would remove a 32,000 sf office building and replace it with a 48 unit for sale residential townhome project. The project is SB 330 and Housing Accountability Act application and as such must be handled in 5 meetings or less. The project will also go through the Planning and Transportation Commission (PTC) and City Council. The project also qualified for a density bonus and has requested a 1.142 to 1.0 Floor Area Ratio (FAR) based on the density bonus code. The project must provide up to 15% affordable units, which means there will be 7 affordable units built on the site. The affordable units qualify the project for one development concession. A consultant handled the environmental impacts, and the City found the project qualified under Class 32 categorical exemption under California Environmental Quality Act (CEQA). The applicant also requested an allowance to utilize private open space to accommodate for the open space requirements. Approximately 18 units would utilize that provision of the code. A sound wall is proposed between West Bayshore Road and Highway 101 to mitigate noise. There is also a proposed easement to provide for a future bicycle lane. He noted that the staff report contained a correction to the Zoning Comparison Table. There should be a 10 foot setback requirement on the interior sides of the property. He displayed the previously proposed and ARB reviewed site plan and explained there were changes made to the private park and the project now included an access point to Greer Park. He then provided a slide showing the ARB feedback from the last hearing and the applicant's response. The applicant addressed most concerns, but as noted at the January 20<sup>th</sup> hearing did not include underground parking as it was financially infeasible. The applicant made efforts to modify the design to meet the Context Based Design Criteria. Materials were changed and were available for ARB review. With

respect to additional guest parking the project exceeds the City's requirements but the access point at Greer Park makes street parking more accessible. The applicant confirmed it would be able to accommodate the 7.5 foot clearance requirement for vehicles. The plant palette has been modified to include a majority of native species and additional landscape buffering. He provided renderings of the proposed buildings and asked the ARB to note the color changes and the organization of the building materials and massing. Detail of the landscaping near the common park space was shown as was the pedestrian ramp to Greer Park. In response to the ARB's request there was additional information on the sound wall provided on Page 60 of the staff report. Staff recommends the ARB approve the application with its attachments.

Chair Thompson called for the applicant presentation.

John Hickey, Vice President of Development SummerHill Homes, shared his screen and thanked staff for their work. He welcomed the new ARB members and thanked them for their review of the prior meetings and materials. Mr. Sauls did an excellent job of running through the changes, but he wanted to highlight some key points and was happy to answer questions. On January 20<sup>th</sup>, the ARB provided clear direction that they wanted a direct pedestrian connection from the project to Greer Park. Accordingly they added a pedestrian connection at the southwest corner of the site near where two park paths connect. That is also closer to Colorado Avenue and strengthens the pedestrian connection to the site. He displayed a section detail drawing of the ramp to the park, an illustration of the project and pedestrian connection from the park, and a demonstration of the parking spaces along Colorado. The paths will be well lit at night for safety. Also on January 20<sup>th</sup> the ARB requested they look into reducing the appearance of the retaining wall along the site, so they added a slope at the rear of the common area. He displayed a drawing of the slope and the reduced retaining walls as well as a conceptual illustration with a view from the park. The ARB also requested they increase the landscaping between the buildings and the park, so they redesigned Buildings 7 and 8. They made a series of changes with the goal of differentiating the buildings and units. The parapet elements were eliminated and replaced with other roof styles. The massing was revised at the second story, and they introduced different designs and materials for the entries. They also upgraded all windows to casements with thick frames. Each building has its own unique architecture and color scheme. They provided additional materials for Mr. Sauls to bring to the chambers for ARB review and he noted that the colors shown on the video screen are not necessarily a good representation of the actual color palette. The ARB also requested more information about the landscaping and architecture on the private streets. The private streets are at least 32 feet wide with one being 36 feet wide with a sidewalk. He noted that was substantially wider than other private streets in Palo Alto townhomes. He provided conceptual views of the private streets. He thanked the ARB for its time, stated they appreciated the January 20<sup>th</sup> comments, and believed that the revisions helped make the project a substantial contribution to the City. They respectfully request the ARB recommend the project for approval. The architect, landscape architect, civil engineer, and the Senior VP of Development were all available to answer questions.

Chair Thompson thanked Mr. Hickey and called for the public comment.

Ms. Klicheva indicated there were no public speakers in chambers, but there was one on Zoom.

Rebecca Eisenberg appeared via Zoom and indicated she supported the project. She noted that it was often difficult to discern the difference between Planning staff's description of the project and an applicant's description of the project. She supported the project in this case subject to reasonable modifications but wished the Planning Department would have a more City focused manner of presenting projects. She strongly supported the addition of housing in the neighborhood and specifically the replacement of a commercial building with housing. She commended SummerHill Homes for making the project feasible and showing that it is possible to replace commercial properties with housing. She was also grateful the project had generous living space as many units that have recently been built are too small. She suggested that the City could be more lenient with height restrictions and noted that this project could potentially be taller. She thanked the ARB for its time.

Ms. Klicheva indicated that concluded the public comment.

Chair Thompson called for questions of staff or the applicant.

Vice Chair Hirsch stated that there was a parking lot inside the park and asked if there were any restrictions on that lot. He requested they display the aerial view of the project again.

Mr. Sauls displayed the photograph.

Vice Chair Hirsch thought that it was about the same distance from the project as Colorado Avenue. He asked if people would use that lot to visit the site and suggested a similar connection to that end of the site.

Mr. Hickey answered that the signs in the park state that parking is only allowed during the hours of park operation. During those hours people could choose to park there, but the Colorado Avenue on street parking seemed more appealing. The entry to the park was selected because the ground level of the park is substantially higher at that point. In order to put a ramp on the other corner it would have to be much longer and is not feasible if they want to retain the two on site guest parking spaces.

Vice Chair Hirsch asked about the decibel (dB) reduction provided by the sound wall.

Mr. Hickey explained that they had asked the acoustic engineer to evaluate the project with the wall in place, so he did not have that number to provide. The sound wall had a high STC rating. If the ARB requests they could look into the matter further, but the primary benefit of the wall was at the ground level and second floor. It would also make it more pleasant for pedestrians along West Bayshore.

Boardmember Baltay asked staff how they measured the height of the buildings.

Ms. Gerhardt said that he was correct and that they were measuring from the finished grade of the project. Staff measured five feet out from the building wall.

Boardmember Baltay confirmed that it was measured after the property was graded.

Ms. Gerhardt stated that was correct.

Boardmember Baltay noted that on the site plan Streets C and D dead ended close to the park. Street C goes very close to the park, and he asked for the height of the retaining wall at the end of it. Second, he asked if Street D would need a backup space for the people living in the end units.

Mr. Hickey indicated that those spaces were not for backing up, but rather for guest parking. Guest parking was included at the ARB's suggestion. They could not accommodate those spaces on Street D due to the pedestrian connection to the park.

Mr. Sauls directed the ARB to the Plan Page 56, Section BB and shared that on his screen. He pointed out the intersection on the drawings.

Mr. Hickey explained the section was taken to the east/south of the end of C Street. The upper retaining wall will be within 6 inches to a foot of the outer retaining wall at that location. It must be closer in that area to accommodate the parking spaces. The site plan shows that the path in the park is some distance from the property and there are existing trees and bushes that will screen that portion of the site from the park. He directed the ARB to Sheet A08 for another view of the street.

Boardmember Baltay asked for the height of the combined retaining wall.

Mr. Hickey explained there were two separate retaining walls. He asked his team if they had the height at the top of the wall and the grade at the base available for Boardmember Baltay.

Boardmember Baltay said that they could follow up on the question. He assumed the combined height to be approximately 7 feet. He then inquired how someone would get out of the garage on D Street.

Mr. Hickey explained that the streets were very wide, 32 feet. A car could back straight out and then turn.

Boardmember Baltay had comments on the elevations on Buildings 1 and 3 and directed everyone to Packet Page A14 and A15. He requested that Mr. Sauls display the sheets on the screen.

Boardmember Baltay on A15 he pointed out there was a hip roof on the feature. He asked how it would work.

Mr. Hickey called for their architect to answer the question.

Jennifer Mastro, Architect, stated that Boardmember Baltay was correct and that the drawing was off. There should be a horizontal line rather than a peak in that location.

Boardmember Baltay thanked Ms. Mastro for the clarification. Finally, he asked about the extent of the brick masonry finish on the fronts of the buildings. He requested to see where the brick was on Building 2.

Mr. Sauls showed Building 2.

Mr. Hickey explained that they did not use brick on Building 2. In order to create variety and differentiation they used stucco on the end units.

Boardmember Baltay inquired about Building 6. He thought there was a brick portal at the center and then darker panels.

Mr. Hickey stated that was correct. The elevation uses brick, stucco, and siding. Two of the units have a second level deck which was the reason for the parapet look.

Boardmember Baltay asked for the architect to explain the design rationale for the variation of materials at the base level.

Chair Thompson indicated that she was also planning to inquire about the design intent.

Ms. Mastro explained the idea was to create differentiation amongst the buildings themselves as well as the entries for each unit. The different materials provide differentiation along Bayshore as well as along the internal streets. She suggested they view the park perspective to understand the differentiation. Previously they had the same material, and each entry was more repetitive.

Mr. Hickey added that Buildings, 5, 6, and 7 face the common area. There are brick elements on some of the entries of Buildings 5 and 7. So there is differentiation as well as a unifying theme throughout the project.

Chair Thompson asked if those perspectives were included in the packet.

Mr. Hickey stated that they were in the plan set.

Mr. Sauls said it was the 2<sup>nd</sup> page of the plan set.

Boardmember Baltay asked Mr. Sauls to zoom in further on the images.

Mr. Sauls zoomed in on building 6.

Mr. Hickey pointed out the brick and the stucco entrance.

Ms. Mastro said that the brick was in the middle and the other unit was sided. There was no stucco on that building.

Mr. Hickey apologized.

Chair Thompson confirmed that the rendering was correct and that the elevation was not.

Ms. Mastro indicated she would pull up her plan set and check.

Mr. Sauls said that he would display the elevations again.

Ms. Mastro explained that Building 6 does not have stucco but Building 2 did.

Chair Thompson thought there was a discrepancy on Sheet A23 between the elevation and the renderings.

Mr. Hickey agreed and said that they inadvertently had included stucco in the elevation.

Chair Thompson asked what the intended design was.

Ms. Mastro said that it was intended to be stucco at the base.

Boardmember Chen inquired about the exterior elevations of Buildings 4 and 5 and their roof design. Building 4 was on Sheet A21.

Mr. Hickey understood that both extended out from the main façade of the building.

Ms. Mastro said they extended about a foot to act as a parapet or shelf element.

Boardmember Chen asked about the recessed area in the end units above the garage door.

Ms. Mastro explained the second floor pushed back in that location and there was a roof over the garage below.

Chair Thompson requested clarification on Boardmember Chen's first question.

Boardmember Chen explained that her first question was related to the side elevations. She asked if the roofs were flat.

Ms. Mastro repeated that they stuck out about a foot and were more shelf like.

Boardmember Rosenberg stated that Building Section A28 showed a significant attic space above the units. She asked if they would utilize the attic space.

Ms. Mastro said a good portion of the space would be used for mechanical equipment. There is access to the equipment for servicing, but the space is not used for storage or anything due to fire and building codes.

Boardmember Rosenberg confirmed each unit would have its own air conditioning equipment in its own attic.

Ms. Mastro stated that was accurate. There would also be walls in the attic for security purposes.

Chair Thompson said that the roofs appeared solid but would require ventilation for the mechanics. She asked if there would be vents or chimneys.

Ms. Mastro said that code requires ventilation and typically they use a low profile vent that goes into the roofing material. It should not be noticed by the public. Additional venting would occur under the eave line via a small, screened vent.

Chair Thompson confirmed that there would be no chimneys.

Ms. Mastro stated there would not be.

Mr. Hickey noted that the roof of each building would also have solar panels. The project is all electric.

Chair Thompson thanked him for the clarification.

Boardmember Rosenberg asked if they had diagrams of the solar panels.

Mr. Hickey stated that they were shown in the renderings.

Chair Thompson called for further questions.

Vice Chair Hirsch noted that Building 5 has a three story high stucco element that stood out to him.

Mr. Hickey requested Mr. Sauls show Sheet A21 or A20 on the screen. He thought Vice Chair Hirsch was asking about the lap siding and not the stucco.

Vice Chair Hirsch said that it was a vertical window and panel bay. He thought the in between pieces were stucco.

Mr. Hickey said that it was a Hardie panel.

Ms. Mastro said that it was a fiber cement Hardie panel.

Vice Chair Hirsch asked how many of the units had that detail.

Ms. Mastro stated that Building 5 had the two in the back. It is also used as an accent on the front façade of a few buildings.

Mr. Hickey indicated that it was on Buildings 1 and 3 as well. Sometimes the panels are painted to match the adjacent stucco and others in the body color. With respect to his question about the window, it was a bedroom window. That particular bedroom had a volume ceiling.

Chair Thompson called for additional questions.

Boardmember Baltay noted that there were no questions in the chambers.

Chair Thompson indicated she had a few questions. First, she inquired about unit types and mix of units.

Mr. Hickey said that information was on Sheet A09. There are 5 different floor plans with a few alternates. There are 11 four bedrooms, and the rest of the units are three bedroom.

Chair Thompson inquired about the traffic flow on the site and if there would be pedestrians on the streets that have cars.

Mr. Hickey said that there was a sidewalk along B Street. There is also a sidewalk on the entry drive. Streets C and D are alleys only serving the buildings on either side. They are wide enough that people would be comfortable using them to walk, but that would not be necessary because of the dedicated walkways. The site plan was displayed, and he pointed out the walkways.

Chair Thompson asked if there was different paving on C Street versus B Street.

Mr. Hickey said that they planned to use the same paving throughout. The driveway apron for each garage would be a different material though. There will be stamped asphalt/decorative paving for the crosswalk.

Chair Thompson indicated that concluded her questions.

Boardmember Rosenberg said that she had other questions. She asked for confirmation that the project would be all electric.

Mr. Hickey stated that was correct. They will also provide capacity in each unit for level 2 Electric Vehicle (EV) charger in each garage. There will also be an EV charger by the guest parking spaces.

Boardmember Rosenberg asked for the estimated amperage per unit.

Mr. Hickey did not remember off the top of his head, but indicated they worked through the issue with the MET.

Boardmember Rosenberg asked where the transformers would be located.

Mr. Hickey said that they were shown on the site plan.

Mr. Sauls displayed the site plan and indicated where the transformer was proposed.

Boardmember Rosenberg confirmed there were two transformers, one near Unit 18 and one between Unit 1 and 9.

Mr. Hickey stated that was correct and that they were the only transformers necessary. They worked with the Utility Department on the location and number of the transformers.

Boardmember Rosenberg asked if they had designated which units would be the 15% affordable units.

Mr. Hickey said that they submitted a Below Market Rate BMR plan for those. The unit mix matches the mix for the overall complex. He requested a few minutes to find the detail.

Chair Thompson called for other questions which Mr. Hickey looked for the answer.

Mr. Hickey shared his screen with the BMR document they submitted. He reviewed the affordable units for the ARB which were Units 2, 7, 11, 15, 19, 22, and 44. The pricing will be for 5 units low and 2 units moderate income households.

Chair Thompson thanked the applicant and returned to the ARB for their comments.

Boardmember Baltay thanked the applicant and stated that the new housing was exciting and in a good location. There were four items he was unsure about which may keep him from supporting the project. First, he was concerned about the overall amount of site grading and the 4 to 7 feet of fill the project would require. He was profoundly uncomfortable with that type of development and thought there should be a greater space at the boundary line to landscape and slope. Street C would feature a 7 foot retaining wall or two walls 6 inches apart. He found the issue to have a negative impact on the park. He noted that he walked the park, and the project would be behind the softball field and practice areas and there was landscaping on the park side so the impact would not be as great as he feared. He stressed that bringing in 7 feet of fill and pushing it to the boundary of the property with retaining walls was bad practice and planning. He asked the question about the height limit because he believed the intent of the code was to prohibit that kind of development. He was uncomfortable making findings with that level of development. Second, the fundamental orientation of the project is to garages on private streets. These developments house cars first and then the people which significantly limits the pedestrian aspects of the project. Visitors, deliveries, pedestrians would have a difficult time with the way the project is designed so he had an issue with making Finding #4. Third, he was concerned about the basic massing of the buildings. The building design has improved overall, but they are 8 buildings with the same massing and window fenestration. The ARB requested different types of buildings, so they created "building pop outs" to attempt to fulfill the request. He did not see it as high quality design. Lastly, the material palettes contained a lot of basic fiber cement thin Hardie boards and cement brick applied haphazardly. He repeated that he had issues with the basic grading of the site, the traffic and circulation, the overall massing of the building, and the materials left him on the fence for the project and he welcomed his colleagues' opinions.

Boardmember Chen agreed with Boardmember Baltay. Parking and walking through the park was a nice experience, but functionally it would be better to add guest parking to the site. The four spots provided



meet the zoning requirements but were difficult to find on the site. She suggested downsizing some units to shorten the buildings and add guest parking.

Mr. Hickey asked if that was a question for them and whether that were feasible.

Chair Thompson asked if that were a question or a comment.

Boardmember Chen said that it could be a question or something for the architect to explore.

Mr. Hickey asked if they wanted the answer.

Chair Thompson thought it was a comment.

Vice Chair Hirsch stated that he was less concerned about the perimeter wall than Boardmember Baltay. However, he was concerned about guest, delivery, and service parking. A project like this in an area like this with a significant sound impact made him question which windows would be operable. He thought the area should be zoned for a higher density building with appropriate ground level and guest parking given its location. He discussed Prospect Park in New York City and mentioned how the berm near the street closed the interior of the park from vehicular sound. More housing could happen along the border to Highway 101, but it would require a zoning change so that 5 story buildings could be accommodated. He noted that his comments were in addition to Boardmember Baltay's comments. He asked if the ground level created the problems what the alternative would be. He did not think much else could be done on the site. He thought the subtlety of the buildings was nice although the project was a bit of a "paste up." There could be different forms of differentiation used that were more interesting and could make the project more successful. He questioned if the private park was logical given the location next to an actual park. He suggested making the project one way in and one way out to reduce the streets significantly. Then there would be private open space areas adjacent to the units. The Alma Village is a very successful housing project. Each house is very different in texture, material, and color with more guest parking and a delivery area. This project does not work because of the visitor parking.

Boardmember Rosenberg thanked the applicant, stated more housing was needed in Palo Alto, and indicated that the site was ideally located for housing. She appreciated the effort to make high quality housing that was more than studio apartments. She understood the flood plane issue but was concerned about the extent of the fill. She questioned why there could not be an underground structure with 7 feet of fill. There were only 4 guest parking spaces for the units so the overflow would be on Colorado and the park parking lot. She also suggested adding a staircase for another park access point and noted that it would not have to be a ramp as there was already one on property. A greater connection to Greer Park was critical. The guest parking and delivery issues could use more thought. With massing the ARB requested building variety, but the applicant returned with a superficial material variety and slight changes. She urged the applicant to revisit that issue and stated that material and color changes were not enough. With the fill she could be persuaded it was necessary if the applicant provided underground parking. Raising the site 7 feet and then measuring the height limit of the building from there showed a lack of respect to the park. She noted that the height differentiation on Section D had 7 feet of wall topped by 42 inches of railing. If one compares Section C to Section D there is no question which was better and more respectful of the park. She understood Section C could not be achieved everywhere, but requested the applicant pay more attention to how the project integrates with the park. She also questioned the

zoning and whether the site could be more mixed use or have more variety of housing. She thanked the applicant for their presentation.

Chair Thompson thanked the applicant and the ARB for their comments. She understood the flood plane issue and for that reason understood the grading needs of the site. The efforts made to mitigate the relationship to the park were appreciated. The ARB felt that there could be more done, so she encouraged the applicant to consider that. With traffic she did not share the loading concerns. There was plenty of space for delivery trucks to move through the units. The project felt vehicle centric, and she would appreciate efforts to make the streets more pedestrian friendly. She shared Boardmember Baltay's concerns about the massing of the buildings and agreed there was not enough differentiation between the buildings. The façades are busy and chaotic. The garage side façades are simpler and easier to understand. Finding #2 requires the design be unified and coherent and currently that is not the case. She explained she could not make Finding #2 because there were too many materials, too many architectural moves of different styles. Because the elevations do not match the renderings the drawings felt incomplete. She further agreed with the other Boardmembers about the high quality materials, which was a finding as well. No material really shines as a high quality material. With the sound wall she did not think vines were enough to make it visually interesting and she stressed that it could be improved. She appreciated the access added to Greer Park and understood that residents might have security concerns with an entrance to a public park, so she was appreciative of the private park space.

Mr. Hickey interrupted and said that there was a statutory time limit on the project. Based on that he asked to speak to a few things.

Chair Thompson stated that staff mentioned the time limits.

Mr. Hickey stated that staff mentioned the 5 hearing limit. If the ARB were to continue the project and then someone appealed the approval it would automatically be considered a denial of the project by the City and the project would end up in court. At that point, the City could be subject to damages. Secondly, SB 330 requires the project be approved within 90 days of the prior week and that includes the tentative map. If the ARB went to a third hearing they would exceed the 90 days and would be considered a denial. He read from the staff report about how the project was in conformance with the City's Objective Development Standards. He understood that some Boardmembers had issues with that, but as things were not raised in a timely manner the project is considered compliant with the Objective Development Standards. He read from the Housing Accountability Act (HAA) and explained that the ARB must find the project consistent with the Objective Standards and the Subjective Standards so long as any reasonable person could make the finding. The ARB could only deny it if no reasonable person could make the findings. He argued that as staff had already proposed the findings there was no grounds for the ARB to say that no reasonable person could make the findings.

Chair Thompson thanked him for his thoughts. Her understanding was that the ARB recommended approval but did not grant it. The City may take the ARB's recommendation or not. She called for ARB discussion or a Motion.

Boardmember Baltay stated that he had hoped he could be persuaded, but he had heard his four colleagues reinforce his opinions. He indicated that he had met with the applicants in advance of the project in an informal review and then there was a formal review. The ARB has consistently made the

same comments and did not receive the expected or anticipated changes. He understood that there were constraints the City must follow but indicated he wanted to hear them from staff and noted that he did not know what to believe. Based on that he thought they should recommend denial of the project and move the proposal forward. He was unable to make the required findings and did not have confidence that he would be able to do so if they held another hearing, so he advocated for not wasting the City's and applicants' time. The project could and should succeed but the ARB did not get traction and now he felt threatened. He asked for staff's thoughts if Chair Thompson would support that.

Chair Thompson asked staff if they had anything to add.

Ms. Gerhardt said that many of the statements made by the applicant were correct as related to State law. However, the City had communicated its concerns early and often. They are restricted to 5 hearings maximum including the subdivision. Another ARB hearing would make that timeline difficult especially if there were an appeal. staff recommended a Motion at this hearing for that reason. In order for the ARB to make a Motion especially if it was a denial the ARB would have to assist the Planning Director in understanding which findings could not be made and which Objective Standards were not met. With a housing development project the bar was high due to State regulations and the Density Bonus Law.

Boardmember Baltay asked Ms. Gerhardt what she meant by Objective Standards as he thought the ARB had to check the project for conformance with the ARB Findings. The Objective Standards were not in place when the application was put in.

Ms. Gerhardt agreed that they were not discussing the new Objective Standards. the current Objective Standards were setbacks and height limits and that was what she meant. The project was discretionary and subject to the ARB Findings. The ARB is not able to reduce density.

Boardmember Baltay said that no one asked to reduce density or unit count. He wanted that clearly placed on record.

Chair Thompson concurred that there was no request to reduce density. She heard concerns on Finding #4 about functionality and Finding #2 which is about unified and coherent design. She agreed that they wanted housing on the site and did not want to recommend denial in that sense; however, housing that was not functionally designed without a coherent design would not be successful. The City wants functional housing. The ARB is made up of reasonable people and she believed in the integrity of the Boardmembers. She called for further comment.

Mr. Sauls indicated that it did not look as though there were further comments from the ARB.

Ms. Gerhardt asked if the Chair had closed the public hearing.

Chair Thompson indicated she had. She called for a Motion.

**MOTION:** Boardmember Baltay moved, seconded by Vice Chair Hirsch, to recommend denial of the project to the Director of Planning as the ARB is unable to make Findings #2, #3, and #4.

Chair Thompson stated that she wanted to speak to the Motion. She asked if the ARB thought given another hearing that the applicant could provide them with something they would approve. She heard Boardmember Baltay voice doubts but wanted to hear what the other Boardmembers thought.

Boardmember Rosenberg thought that was a question for the applicant.

Boardmember Baltay stated that it was hypothetical question.

Chair Thompson indicated that she wanted to hear the opinions as she was undecided. If other Boardmembers thought the project could get there then she would consider another hearing.

Boardmember Rosenberg said that they wanted to encourage housing projects and agreed that the site was appropriate for housing. The issue was the execution of project. With the applicant returning for a second hearing with minimal changes she asked if they thought they would receive something more successful in the future. She did not think the Boardmembers could answer that question.

Ms. Gerhardt said that if they were going to continue the hearing and request changes of the applicant they should ask for very clear changes.

Chair Thompson asked for Boardmember Chen and Vice Chair Hirsch's thoughts.

Boardmember Chen asked staff to explain the appeal process.

Ms. Gerhardt explained that the ARB was a recommending body to the Director of Planning. The Director would make the ultimate decision on the application and may or may not take the ARB's recommendation. Most of the time the Director follows the ARB's recommendation, but staff would have to take a hard look at the application for conformance with State law. If the Director denied and the applicant appealed if the ARB had a list of requested changes that would make it easier for the applicant to work though items prior to Council.

Vice Chair Hirsch thought that the ARB was put in the position of having to design the project.

Ms. Gerhardt disagreed. The applicant proposed a townhouse project, and the City must decide if it conforms with its standards.

Chair Thompson confirmed that if the ARB denied the project and the applicant appealed they could make changes to the design in the appeal.

Ms. Gerhardt repeated that the Director made the ultimate decision, and the applicant could make whatever changes it wanted to prior to Council.

Mr. Sauls explained there was a preliminary review, a first hearing, and this second hearing. In the first hearing the ARB suggested a substantial change to the project and the applicant returned with something the ARB called piecemeal. It appeared that the ARB would need more modifications to meet their Findings. He thought it would be good to advise the applicant how dramatically different the ARB would need the project to be for approval.

Boardmember Baltay opined that the project would require a significant redesign at the functional level, the floor plan. The applicant seemed resistant to that, and he understood that but they needed to pull the buildings back and change the end units to have less impact on the park. The buildings need to be simpler yet differentiated. He thought it was stronger to be clear in what they thought. He predicted a third hearing would end similarly to this one and would burn the City's clock. He hoped with clear and

unanimous direction the project would have three months to improve. The applicant needed to have the project make sense and address its floor plan. The right thing to do was to vote to deny the project.

Chair Thompson asked if anyone else wanted to speak to the Motion. Hearing none, she called the vote.

**VOTE:** 5-0-0-0

Ms. Gerhardt stated staff would take the Motion to the Director. She thanked the ARB for its work.

Chair Thompson thanked the applicant and staff and closed the item.

5. PUBLIC HEARING / QUASI-JUDICIAL. 180 El Camino Real [21PLN-00326]: Recommendation on Applicant's Request for Approval of a Minor Architectural Review to Allow new Storefront façade for ALO (retail), Storefront Glazing, and New Signage within Two Spaces (Space #1130 & 1115) at the Stanford Shopping Center. Environmental Assessment: Exempt. Zoning District: CC (Community Commercial). For More Information Contact the Project Planner Tamara Harrison at [tamara.harrison@mbakerintl.com](mailto:tamara.harrison@mbakerintl.com)

Chair Thompson introduced the project and called for the staff report.

Tamara Harrison, Michel Baker International, shared her screen and explained the ALO retail façade and sign project was at the Stanford Shopping Center. She displayed a map of the shopping center and explained the project was subject to the Stanford Shopping Center's Master Tenant Façade & Sign (MTFS) program. Storefronts greater than 35 feet in length require an ARB public hearing. The project faces El Camino Real and does not seek to increase FAR, height, or lot coverage of site or change proposed use. The project seeks to modify the exterior and interior tenant space. The exterior façade features three design components consisting of a white plaster finish, white oak wood trim, and open storefront glazing. The design is consistent with the MTFS program and the character of the shopping center. She displayed the color and material board and explained the signage was subject to the Palo Alto Municipal Code. A maximum of 100 sf is available for signage. Code also allowed blade signs up to 3 sf in area. The project is subject to the El Camino Real Design Guidelines which requires signage to be reduced by ½ to 2/3 the allowable size per code. Therefore this project would be allowed 50 to 66 sf. The MTFS program allows for one wall and one blade sign. The applicant proposed two wall signs [unintelligible audio 4:51:55].

Ms. Gerhardt interrupted and indicated that Ms. Harrison's microphone was having issues.

Ms. Harrison apologized and stated that staff supported the additional wall and blade sign beyond the MTFS program without a sign exception because the tenant space is located on a corner and includes two front door entries. The precedence was already set for this with the previous tenant and its ARB hearing in 2015. The ARB is asked to ensure the project's conformance with the ARB Findings, the MTFS program, the City's sign code, and the El Camino Real Design Guidelines. Staff recommends the ARB recommend approval of the proposed project façade changes and signage to the Director of Planning based on findings and subject to staff's conditions of approval. She indicated that she was available for questions.

Chair Thompson called for ARB disclosures.

Boardmember Baltay disclosed he visited the site.

Boardmember Rosenberg disclosed she visited the site.

Vice Chair Hirsch disclosed he visited the site.

Boardmember Chen disclosed she visited the site.

Chair Thompson stated that she had been out of town and had not visited the site but did shop at the Stanford Shopping Center often. She called for the applicant's presentation.

Jason Smith, Landshark Development Services, thanked the ARB and staff. He explained that he represented ALO and that he had members of his team that had to join the hearing as members of the public. He introduced Laura Donovan.

Ms. Gerhardt indicated they would stop the hearing clock and asked who he needed added as panelists. Mr. Smith provided Ms. Gerhardt information and she indicated she would promote them to participants. She indicated that they would restart the hearing clock.

Laura Donovan, ALO Yoga, explained that ALO is a lifestyle and wellness brand that provides activewear and is excited to join Stanford Shopping Center.

Lan Hwang, Architect, explained that she and Danielle [couldn't hear last name 4:58:00] were designing the store. She repeated that they were combining two tenant spaces and explained they wanted a simple and minimal design with modern materials. The storefront will feature a smooth stucco finish with a powder coated metal.

Chair Thompson asked if Ms. Hwang meant to share her screen.

Ms. Hwang shared her screen and displayed photographs of the current building as well as renderings of the proposed façade. She pointed out the two entries and explained that they met code. The large folding door would remain open weather permitting. She displayed the color palette and noted that they were proposing one primary and blade sign along the garden walk and another primary and blade sign on the mall entry side as the store occupied a corner. The project is fairly simple, and the project team considered the visuals from all sides. She indicated they were happy to answer questions.

Chair Thompson called for the public comment.

Ms. Klicheva indicated there was none.

Chair Thompson called for questions of the applicant or staff.

Boardmember Chen asked the applicant if their rendering on Sheet P005 true to size as the logo looked smaller than the neighbor's signs.

Ms. Hwang stated the rendering was true to size.

Boardmember Chen asked staff if they were allowed to have two primary wall signs.

Ms. Harrison explained that the MTFs was silent on corner building spaces. [audio issues 5:04:52]. One wall sign and one blade sign were required.

Ms. Gerhardt advised Ms. Harrison she was still having microphone issues. The ARB reviewed Vineyard Vines and since there was not much detail related to corner spaces in the MTFs decided to allow two fronts. As the tenant space has two doors staff concluded that two sets of signs were allowed.

Boardmember Rosenberg requested confirmation that both entries had a recessed overhang.

Ms. Hwang believed that the rendering was just a matter of perspective. The overhangs are 4 feet.

Vice Chair Hirsch inquired about the curved window on the corner.

Ms. Hwang said that the drawings showed faceted glazing, but they were considering curves.

Boardmember Baltay stated the renderings implied a monolithic piece of curved glass at the corner. He asked if that was incorrect.

Ms. Hwang asked for Ms. Donovan to comment.

Ms. Donovan indicated that it was shown as a faceted glazing system with an alternate of curved glazing. They are looking into whether the monolithic piece of glass was feasible in the budget and timeline. They preferred that it would be monolithic curved glass but understood that had constraints.

Boardmember Baltay asked about the finish on the white oak.

Ms. Hwang stated that it was a clear coat finish that would keep the nature of the wood.

Boardmember Baltay asked if they specified the varnish.

Ms. Hwang said that it would be water based and clear. They did not want to have any yellowing.

Boardmember Baltay asked if there were any provisions for increased bicycle parking outside the storefront.

Ms. Gerhardt said that the Shopping Center added a fair number of bicycle parking spots and she believed it was now up to code. They could consider adding another bike rack but would have to speak to the overall leaseholder for the Shopping Center.

Mr. Smith believed Ms. Gerhardt was correct and explained that the bicycle parking was handled during the Macy's redevelopment.

Chair Thompson indicated that her questions had already been raised. She called for ARB comment.

Vice Chair Hirsch stated that the design was beautiful and simple and an incredible improvement on the corner. The materials were well chosen, and he was impressed by the abstraction of the project. His only concern was that the corner window be protected so it was not broken. He hoped the project would move ahead quickly.

Ms. Gerhardt interjected that the entire Shopping Center required 522 bicycle spaces and following the Macy's redevelopment it reached 351. They are still deficient 182 bicycle spaces from what is required in the code.

Boardmember Rosenberg thought the project was clean, classy, simple, and beautiful. She was not opposed to either the faceted or the curved glass but preferred curved. Given current supply chain and cost issues either solution worked nicely. She appreciated the recessed doors, the elegant signage, and joint detail.

Boardmember Baltay shared Boardmember Rosenberg's compliments. He thought the glass needed to curve as the space was the gem of the Shopping Center and faceted glass would not look the same. He proposed that the ARB require curved glass or that the faceted glass return for ad hoc committee review. Curved glass would be thick, and he did not believe it could be broken with a brick. He cautioned them to choose a clear conversion finish for the white oak so that it would not yellow. Finally, he thought the ARB should require bicycle parking as part of the project and noted that they did so on the Pacific Catch Restaurant. A yoga studio would certainly attract bicyclists so bicycle parking should be included in the project at staff's direction. He complimented the architects on the design.

Boardmember Chen thought the design was successful as it was clean with high quality material. She suggested thinking about the logo location or size as it seemed small in the rendering. She found the white stucco to be very blank which could be addressed by moving the logo. She noted that those were things to consider but that she thought the current design was good.

Chair Thompson agreed with the other Boardmembers and could recommend approval. She supported the curved glass but did not want that to hold up approval. She echoed Boardmember Baltay's comments on the varnish and bicycle parking. With respect to Boardmember Chen's comment about moving the sign above the doors she was fine with leaving them as they were. She called for further discussion or a Motion.

**MOTION:** Boardmember Rosenberg moved, seconded by Boardmember Baltay, to approve the item with bicycle parking added to the scope of the project and that if faceted glass were used the project would return for ARB ad hoc review.

Ms. Gerhardt asked how much bicycle parking the ARB wanted or if it should be consistent with the size of the store.

Boardmember Rosenberg said that it should be appropriately scaled with several bicycle parking spaces.

Vice Chair Hirsch asked if he could make another comment.

Chair Thompson acknowledged him.

Vice Chair Hirsch stated that the corner was very important, and he asked if the designer had considered how white the façade was. He suggested adding some texture to the wall to reduce the flat impact.

Boardmember Baltay stated that the storefront was in the right location to do something strong, bold, and dramatic.

Vice Chair Hirsch agreed that it should be white as possible, but texture was reasonable.

Boardmember Rosenberg felt the smoothness was part of the charm and cleanliness of the design.

Chair Thompson agreed with Boardmember Rosenberg and noted the façade faced northeast and would not get a lot of sun.



Boardmember Rosenberg thought that the curve of the building enhanced the material.

Chair Thompson called for the vote.

**VOTE:** 5-0-0-0

6. Discuss the Draft Architectural Review Board's (ARB) Draft Work Plan, Suggest Changes, and Recommend Submitting the Draft Work Plan to the City Council; and Discuss the ARB's Annual Report and any Bylaw Changes Needed (Continued from March 3, 10, 17, and April 7, 2022).

Chair Thompson introduced the item.

Ms. Gerhardt stated that she was not as prepared as she would have liked to be and offered to bring up the attachments.

Chair Thompson stated that the Work Plan was in the packet and hoped everyone had reviewed it. She called for comments on the Work Plan after she read the list aloud. The Work Plan needs to be sent to Council and would be reviewed at the Special Meeting with Council in May.

Boardmember Baltay thought the ARB could review applications earlier in the process when they first enter the Planning Department to provide informal initial feedback on the design and content. He suggested this could be handled by a subcommittee or the Chair and Vice Chair with staff. This goes toward his idea of acting as the City's architects and should be put in the Work Plan.

Vice Chair Hirsch said that he agreed with Boardmember Baltay and would suggest "a pre-review of projects at the schematic stage in advance of formal hearings." He also thought they should handle sign ordinance.

Boardmember Baltay agreed that needed work but indicated there was not much time for it.

Vice Chair Hirsch said that under project goals (interrupted)

Chair Thompson noted that they were nearing 2:00 p.m. and asked if Boardmembers needed to leave. The item had been deferred in the past and there was another ARB meeting prior to Council review.

Boardmember Baltay was happy to continue.

Vice Chair Hirsch thought it would not take long.

Boardmember Rosenberg said if they could handle it quickly she could stay.

Chair Thompson had an obligation at 2:00.

Ms. Gerhardt thought they could defer the item to the next meeting. She suggested that the ARB provide her with ideas to include in the Work Plan for the next time.

Vice Chair Hirsch said that under "benefit impacts" they should hold joint meetings with the PTC to ensure that they understood material from the ARB.

Chair Thompson said that she met with the Mayor and other Board/Commission chairs where there was discussion about the format being clunky. She suggested adding under Item 2 discussing California Avenue, seeing projects early, subcommittees, signage, and joint meetings with other boards.

Vice Chair Hirsch said that the ARB and PTC overlap on many projects but could support whatever wording. A lower priority would be three unit housing development.

Ms. Gerhardt asked what specifically about the 3 unit development.

Vice Chair Hirsch said it was just a lower priority compared to other issues.

Chair Thompson asked if he had a specific goal with the 3 unit developments.

Vice Chair Hirsch thought under high priority they should have housing site preliminary submission for projects that would impact larger community areas.

Ms. Gerhardt asked if that was a goal Vice Chair Hirsch wanted to add.

Vice Chair Hirsch said that would be a high priority under the project goals.

Ms. Gerhardt asked which goal he was on.

Vice Chair Hirsch stated housing site preliminary submissions, projects that would impact larger community areas, projects that would use State regulations to obtain expedited approvals.

Ms. Gerhardt asked which Packet Page he was on.

Vice Chair Hirsch indicated he was on Packet Page 123 under "high priorities."

Ms. Gerhardt confirmed that she understood where he was looking.

Chair Thompson stated that she needed to leave. She stated she could leave and Vice Chair Hirsch could continue running the meeting or they could continue the rest of the items.

Ms. Gerhardt suggested that Vice Chair Hirsch take over and get through the Minutes.

Chair Thompson asked if Vice Chair Hirsch was comfortable with that.

Vice Chair Hirsch indicated he was.

Chair Thompson left the meeting and Vice Chair Hirsch assumed the Chair responsibilities.

Ms. Gerhardt stated Vice Chair Hirsch was Acting Chair.

Acting Chair Hirsch suggested that Ms. Gerhardt take down the notes and then the ARB would discuss them later.

Ms. Gerhardt agreed and said that people could also email her.

Acting Chair Hirsch indicated he would email her his thoughts.

Ms. Gerhardt said that emails would be great and that they needed to continue the item to the next hearing.

Acting Chair Hirsch called for a Motion.

**MOTION:** Boardmember Baltay moved, seconded by Boardmember Chen, to continue the item to May 5, 2021.

**VOTE:** 4-0-0-1 (Chair Thompson absent)

### **Approval of Minutes**

7. Draft Architectural Review Board Meeting Minutes for March 3, 2022 (continued from 4/7)

Acting Chair Hirsch announced the March 3, 2022 minutes.

Boardmember Baltay requested a correction to Page 20 of the Minutes. The spelling is "Savoye."

Acting Chair Hirsch stated that Packet Page 138 contained a spelling error, and the correct spelling was "charette." He called for a Motion.

**MOTION:** Vice Chair Hirsch moved, seconded by Boardmember Baltay, to approve the minutes of March 3, 2022 with the requested edits.

Ms. Gerhardt indicated that as only Boardmember Baltay and Vice Chair Hirsch were at the March 3<sup>rd</sup> meeting she was unsure if the vote would stand. She indicated that she would check afterwards.

**VOTE:** 2-0-2-1 (Boardmember Chen and Rosenberg abstained, Chair Thompson absent)

Ms. Gerhardt indicated she would confirm the issue with the attorneys.

8. Draft Architectural Review Board Meeting Minutes for March 17, 2022

Acting Chair Hirsch announced the March 17, 2022 minutes.

Boardmember Baltay requested a correction on Page 25, the middle of the second paragraph states that he quickly listed why he preferred D to E. He requested staff list the reasons.

Acting Chair Hirsch called for other changes or a Motion.

**MOTION:** Boardmember Baltay moved, seconded by Boardmember Chen, to approve the March 17, 2022 minutes with the requested edit.

**VOTE:** 4-0-0-1 (Chair Thompson absent)

### **Subcommittee Items**

None.

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

None.

### **Adjournment**

Acting Chair Hirsch adjourned the meeting.