



CITY OF
**PALO
ALTO**

Architectural Review Board

Staff Report (ID # 14565)

Report Type: Approval of Minutes **Meeting Date:** 7/21/2022

Summary Title: Minutes of June 16, 2022

Title: Draft Architectural Review Board Meeting Minutes for June 16, 2022

From: Jonathan Lait

Recommendation

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

Background

Draft minutes from the June 16, 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

Attachments:

- Attachment A: Minutes of June 16, 2022 (DOCX)



ARCHITECTURAL REVIEW BOARD

MINUTES: June 16, 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. [Chair Thompson indicated that the meeting started late, but did not state the time]

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

Absent: None

1. Adoption of a Resolution Authorizing Use of Teleconferencing for Architectural Review Board During Covid-19 State of Emergency

Chair Thompson called for a Motion.

MOTION: Boardmember Baltay moved, seconded by Boardmember Rosenberg, to adopt the Resolution Authorizing Use of Teleconferencing for ARB during Covid-19 State of Emergency.

Boardmember Baltay commented that the Resolution was only acceptable given the State of Emergency, otherwise the City Council should provide specific direction to continue hybrid meetings.

Chair Thompson stated that she thought hybrid meetings would continue regardless of emergencies. She asked if there were any other Boardmembers who wanted to speak to the Motion but heard none.

VOTE: 5-0-0-0

Oral Communications

Madina Klicheva, Administrative Assistant, stated there were none.

Agenda Changes, Additions and Deletions

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

City Official Reports

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

Ms. Gerhardt shared her screen with the ARB and displayed the ARB 2022 Meeting Schedule. All future meetings are currently scheduled to be held in hybrid format. The July 7, 2022 hearing has another 180 El

Camino project. The ad hoc committee will also hear 2585 E. Bayshore on that date. She would not be present for the July 21, 2022 hearing, but the Home Key project would most likely be heard then. She planned to inform the ARB of the City Council agenda later in the meeting.

Action Items

3. PUBLIC HEARING / QUASI-JUDICIAL. 180 El Camino Real [22PLN-00028]: Recommendation on Applicant's Request for Approval of a Board Level Architectural Review Application to Allow for a new Storefront Façade and Signage for Hummus Mediterranean Kitchen Restaurant (formerly Cocola Bakery – Space #715, Bldg. E). Environmental Assessment: Exempt From CEQA per Section 15303 (New Construction). Zoning District: CC (Community Commercial). For More Information Contact the Project Planner Tamara Harrison at Tamara.Harrison@mbakerintl.com

Chair Thompson introduced the item and called for disclosures.

Boardmember Baltay disclosed that he visited the site.

Boardmember Rosenberg disclosed that she visited the site.

Boardmember Chen disclosed that she visited the site.

Vice Chair Hirsch disclosed that he visited the site.

Chair Thompson disclosed that she also visited the site. She called for the staff presentation.

Tamara Harrison, Project Planner with Michael Baker International, shared her screen and explained that the item was for Hummus Mediterranean Kitchen façade change and signage located at 180 El Camino Real in the Stanford Shopping Center. The location was Space #715 in Building E and was formerly the Cocola Bakery. The project is subject to the Stanford Shopping Center's Master Tenant Façade & Sign (MTFS) program. She displayed a diagram of the project's location within the Stanford Shopping Center. Staff determined that given the placement of the tenant space and the length of the storefront that ARB review was required. The project faced Plum Lane and sought to change the existing façade and signage to accommodate the new tenant. The project has also been conditioned to add an additional bicycle rack to the Shopping Center. The project does not seek to increase the Floor Area Ratio (FAR), height, or lot coverage of the site or the use of the space. The proposed exterior façade will include white stucco, white oak wood slats, open storefront glazing, a recessed green door and mosaic tile floor entry, and metal accents and signage. The design was found consistent with the MTFS and the character of the Shopping Center. She displayed the colors and materials board and explained the primary material was white stucco. The existing metal canopies would be repainted. There are two proposed outdoor dining spaces which would be partially enclosed by perforated decorative metal panels. The new signage was subject to the Palo Alto Municipal Code. As the subject façade was roughly 1,313 square feet (sf) the sign code allowed a maximum of 75 feet of wall signage and for blade signs up to 3 sf in area. Signage was also subject to the MTFS, which allowed for one primary façade wall sign and one blade sign. The project was found to be consistent with the ARB Findings, the MTFS, and the City's Sign Code so staff recommended the ARB approve the proposed project to the Director of Planning & Development Services based on findings and subject to staff's conditions of approval. She indicated that she was available for questions.

Chair Thompson called for the applicant's presentation.

Jason Smith, Landshark Development, repeated that the project was at the Stanford Shopping Center and noted that the project team was available to provide the presentation and to answer questions.

Chair Thompson indicated that the applicant would have 10 minutes.

Amir Hosseini, explained that he did not have a presentation but wanted to introduce himself and provide background on the restaurant concept. He explained they were fine casual cuisine and saw themselves as an "affordable player in the fine food space" and indicated that he was available for questioning.

Mr. Smith requested that Jennifer Downing proceed with the presentation.

Jennifer Downing, Mokume Design Studio, shared her screen and the primary rendering for the space. She then showed the current condition of the façade and explained they wanted to elevate it to meet their brand's standards. The design was intended to draw on people's thoughts of iconic Mediterranean design with fresh white plaster. The existing beige wood slats would also be updated with a whitewashed oak. The bright green entryway and mosaic would draw one into the space and speak to the Mediterranean vibe. The metal finishes were planned to be dark bronze in contrast to the white stucco. The exterior seating barrier would be a dark bronze dye cut metal and would match the undersides of the awnings although that would be in a different pattern in an attempt to bring in more Mediterranean patterning. They also planned to bring in potted olive trees, which are indicative of a Mediterranean space. She indicated that she was available for questions.

Mr. Smith thanked Ms. Downing and indicated that they were prepared to answer questions and hear the ARB's discussion.

Chair Thompson called for the public comment.

Ms. Klicheva indicated there were none.

Chair Thompson called for ARB questions of the applicant or staff.

Boardmember Baltay thanked the applicant for the presentation and indicated he had questions for the architect. He requested to learn more about the profile of the metal pattern on the exterior guardrail.

Mr. Hosseini indicated that the designer hand selected the pattern.

Ms. Downing explained that they looked at more traditional Turkish and Mediterranean patterns and explained that the rendering was the best reflection of the pattern. It would be custom dye cut to create the aesthetic.

Boardmember Baltay requested that she provide the drawing for reference.

Ms. Downing showed her screen and the rendering with the metal barrier.

Boardmember Baltay said that Sheet A 210 had several elevations of the railing that appeared different and requested additional information.

Ms. Downing displayed Sheet A 210 and explained that the rendering was correct.

Boardmember Baltay stated that the white oak slats were shown on the sample board as a veneer material. He asked if that was the intent.

Ms. Downing explained the intent was to have them be solid wood and that the material board was simply for color and finish reference. The finish schedule also references that the element would be solid white oak.

Boardmember Baltay inquired about the finish of the white oak.

Ms. Downing said that it would be whitewashed and then treated with a marine grade epoxy sealant in clear matte. The brand they planned to use was Mas, an epoxy maker for boats.

Boardmember Baltay stated that his next two questions were related to the outdoor space and lease area. He asked for the definition of the area as he was concerned it may be a bit tight.

Ms. Harrison answered that the outdoor dining areas totaled 182 sf.

Boardmember Baltay indicated that it was difficult to hear Ms. Harrison.

Ms. Harrison apologized and repeated that the outside space totaled 182 sf.

Boardmember Baltay asked for the dimensions and how far off the face of the building the space went.

Chair Thompson indicated that she had a follow-up to the question. Drawing A1 10 looked like the dining would occur directly under the awning and would not go beyond it. She asked if that was correct.

Ms. Harrison confirmed it was directly under the awning and displayed the plan for the ARB.

Ms. Downing clarified that the dining was directly under the awnings and did not go beyond the awnings on either side.

Ms. Gerhardt asked if Boardmember Baltay was inquiring about circulation.

Boardmember Baltay said that he was getting at that. He explained that during his site visit he measured the awning at approximately 6 feet off the building. The drawing on Sheet A1 10 was dimensioned at about 7 feet 6 inches.

Ms. Downing stated that they also did field verification and pointed out on the drawing that the awnings were actually approximately 8 feet deep from the façade.

Boardmember Baltay asked for a definition of the official lease area.

James Rizzo, Rizzo Associates, stated that he completed the field measurements and noted it was a curved element with the furthest point being 8 feet. He understood the lease line to go directly under the awnings in a square format that did not follow the curve.

Boardmember Baltay asked what the furthest point from the façade was.

Mr. Rizzo stated it was 8 feet.

Boardmember Baltay found on Sheet G 101 that there was a reference to some sort of space, and he wanted to understand what that was.

Mr. Rizzo stated that he thought that was a discrepancy in the Unit number at one point.

Boardmember Baltay stated that it was an internal reference.

Mr. Rizzo said it was a reference to the lease from Simon.

Boardmember Baltay thanked the applicant.

Chair Thompson called for further questions.

Boardmember Chen asked staff about Sheet G 101 [skip in audio/video 27:16] was outside the boundaries of the awning and in the path of travel. The cart and food stand were moveable, so she wondered if they met the code relating to circulation.

Ms. Gerhardt clarified that she was asking about the adjacent tenant.

Boardmember Chen said that was correct.

Ms. Gerhardt explained that the diagram showed marked tenant spaces, but staff would have to review the planning permits for that business to determine which areas they were allowed to use. Generally they were trying to maintain an 8 foot walk pedestrian walking space.

Boardmember Chen indicated she wanted to confirm that the applicant did not need to shrink its outdoor dining space to keep the circulation.

Mr. Smith said that when they came on another project they had the adjacent tenant place brass caps as delineation markers in the ground to help maintain the clear path of travel.

Chair Thompson called for further questions.

Vice Chair Hirsch requested that Ms. Klicheva display a photograph, which she did. He said that Boardmember Baltay questioned the same items that he had been concerned about. He wanted to look at the corner between Taro and the areas that would project out and asked Ms. Klicheva to go to the next slide, which she did. The building took a break and then the neighboring building had an entry there. A rectangular layout would be restrictive of the neighboring door. Accordingly he asked if they had looked at the movement pattern and if the neighbor knew how far out the seating area would be relative to the passageway to their establishment.

Richard Wessells, Senior Coordinator for Simon Property Group, explained that the adjacency of the exterior seating area was already defined in the GFA of the overall Shopping Center. It was an allowable exterior seating area with no implications for the adjacent tenant and is permitted.

Vice Chair Hirsch asked if the neighbors were informed of the proposed seating.

Mr. Wessells said that they were aware of the new restaurant moving in.

Vice Chair Hirsch asked if they were aware of the detail for the outdoor seating.

Mr. Wessells said that he would share that with them but was unable to confirm that they had seen it.

Vice Chair Hirsch said that it was a passage issue and not just a legal issue. He thought there should be discussion with and notification to the neighbors. If there were a problem there could be an accommodation because it seemed that the passage was critical at that point.

Chair Thompson called for further questions.

Boardmember Rosenberg asked if the bifolding doors were split in the middle and went two panels to each side. Then she asked if they were able to access the front dining areas from the entryway before one stepped into the restaurant.

Mr. Rizzo indicated that the planters would be there mostly fixed in place, but he thought you could access the space from the sidewalk.

Boardmember Rosenberg confirmed that one did not need to enter the restaurant to access the outdoor dining areas.

Mr. Rizzo said that was correct.

Boardmember Rosenberg asked if one would have to walk around the bifold door panels to get into the dining from the entry space.

Ms. Downing offered to speak to the circulation.

Boardmember Rosenberg said that would be helpful.

Ms. Downing said that a patron would come through the entry to the host station. While people would eat in the exterior spaces and potentially leave through the open space they would not enter the dining room through the exterior seating portion. She demonstrated the flow on her shared screen.

Boardmember Rosenberg asked what they would do with the outdoor dining on days with inclement weather.

Ms. Downing said that they would expect to have the doors closed on cold days. The tables would remain outside but likely unoccupied.

Mr. Hosseini explained that unless there was a request during winter to be sat outside the area would likely be closed. It was really a customer preference to sit outside during winter. If a customer wished to sit outside in the rain they would be allowed but the doors would be closed.

Boardmember Rosenberg asked if they intended to provide outdoor space heating.

Ms. Downing said that there was.

Chair Thompson said that the material board had two wood finishes. She asked where the second wood sample would go.

Ms. Downing displayed the materials on the screen and explained the bottom left wood represented the color of the tabletops. The interior and exterior tabletops would be the same.

Chair Thompson reminded the ARB that they were currently in the question portion of the hearing and to not give statements. She called for further questions and hearing none she thanked the applicant and returned to the ARB for comments.

Boardmember Baltay thought that the palette of materials was beautiful and fit the restaurant design intent wonderfully. He found them to be rich and high quality but thought they needed to be reviewed at an ad hoc committee level. First, he thought the wood slats needed to be solid wood with the proper finish. He did not find it to be specified clearly enough in the finish schedule. He also cautioned the applicant that the wood was likely to look shabby within a year or two and the ARB's goal was for that not to happen, so it needed to be tightly specified. Second, the metal railing in the rendering was lovely and he supported it but would like to see it clearly defined in the drawings. The outdoor dining space concerned him as the overhang looked closer to 6 feet in his opinion. He suggested the item return to subcommittee and be verified. If the seating were only under the overhang it would be fine, but if it stuck out to 7.5 feet it would be too tight and would reduce the pathway to only 5 feet at a major entrance to the Shopping Center. They established a guideline with the Pacific Catch restaurant of a minimum of 8 feet 100% clear pedestrian pathway in the shopping center. The standard should be the same in this case regardless of the lease area. Sigonas had to be more carefully enforced or this applicant had to cut back its tables. He did not find the lease area to be relevant in the face of a safety and functionality issue for the Shopping Center. Vice Chair Hirsch pointed out that the adjacent tenant's entrance was not correctly shown on the plan and was closer to the inside corner. Therefore the tables and the 42 inch metal railing would basically block the door. The ARB had a functionality requirement which is not met with the proposed arrangement. He suggested an asymmetrical table arrangement with the left hand side being deeper and only one row of tables on the right side. He encouraged the applicant to give more consideration to the seating arrangement. He repeated that his main concern was to keep the functionality of the pathway.

Boardmember Chen stated she was generally in favor of the design and approved of the materials. She stressed that the ARB wanted to see solid wood, not wood veneer on the project. She shared Boardmember Baltay's concerns about circulation and safety. Outdoor dining was a good experience for the customer, but the ARB needed to know how far out it went from the exterior wall in order to keep the 8 foot wide circulation. Therefore, they may need to reconsider the seating layout. The site plan indicates the dimensions were verified in field so she hoped that in their next submission they would have more accurate dimensions shown.

Boardmember Rosenberg thought that the project was beautiful, and the applicant did a nice job on the façade and was an upgrade from the current condition. She noted that the ARB was seeing a lot of white designs in the Stanford Shopping Center and the project was in keeping with that theme. She appreciated the vibrancy of the green door and mosaic tile flooring. She also agreed with Boardmember Baltay that the railing needed to be a unique pattern closer to what was shown in the rendering. With respect to the circulation she thought that if the tenant was allowed the space they should be allowed to build in the space. If an adjacent property expanded beyond its zone then the project should not be penalized for that. The 8 foot path must be maintained; however, if someone else was in violation they should be held accountable. The applicant had its own limits and should be allowed to build to them regardless of the neighbor's misstep. Sheet A 120 shows that the entrance across the way was located where there were

no dining tables. Therefore she was less concerned about circulation than the other Boardmembers, but their points were well taken, and safety was always a concern. She suggested that the outdoor dining could be chamfered at the corners as being a respectful neighbor was important. An ad hoc committee might not be necessary in her opinion as the design and façade materials were lovely. The boundaries of the exterior dining were not something that should require a full second review and could be done in ad hoc.

Vice Chair Hirsch stated that the other Boardmembers had “stolen his thunder.” He was excited about the façade and thought it would be the most exciting entry in the entire Shopping Center. He indicated that it was in his preferred entry location at the Shopping Center and was a good location. He wished the applicant good luck and also approved of the food choice in that location. He was most concerned about the railing issue, but Boardmember Baltay covered it clearly. It would have been helpful if the ARB had been provided a more advanced design for it from the beginning. The interior tilework was spectacular but could have been expressed more directly to the ARB. He suggested that materials should be turned over to the ARB sooner. The doorway, planters, and interior tile work was significant to the project. He was concerned about the oversimplistic idea of the top of the building and hoped for something more decorative near the top. He suggested they look to the fish restaurant for inspiration. However, the Mediterranean feeling was impressive, and he could accept it even with the top remaining simple. He repeated that he was very concerned about the neighbor’s entry and suggested they recognize the issue by considering chamfering the corner. Boardmember Baltay suggested they consider the area more carefully and he agreed. The idea of getting one’s food and then going to the exterior dining did not work as well as there was not much room to get through the inside to the sitting area. He suggested they review the furniture layout and attempt to improve it. He was concerned about how they would deal with the ground surface and the drainage across the front of the store. The ARB had not reviewed the paving issues and he did not know how it would work and did not find it attractive to have a drainage trough. He thought another session or ad hoc meeting would be a good idea for the remaining issues. He thanked the applicant.

Chair Thompson thanked the applicant and stated she appreciated the design work and thought it would be a great addition to the Shopping Center. She agreed that she would like to see an elevation of the railing pattern and of the underside of the RCP on Sheet A 120. Reviewing the railing in an ad hoc committee made sense. With respect to circulation her main concern was adequate access to the neighbor’s door. If it could be demonstrated that the neighbors would have accessible access she would not object to the current configuration. She had no other objections to the proposal. She called for further comments or a Motion.

Boardmember Baltay asked if it was possible to have the applicant speak about the ARB’s concerns regarding the seating.

Chair Thompson asked if the applicant would like to discuss the seating issue and the pinch point to the neighbor.

Ms. Downing thought that to chamfer the corner to provide access for the neighbor was a reasonable modification that would result in the loss of one or two seats. They were also more than happy to provide detail on the dye cut metal railing. The Shopping Center has a lot of visual overstimulation so part of what

they were trying to bring was a refreshing room in which to breathe. In order to not neglect the beautiful Mediterranean patterns they are included on the RCP and awning in a discrete but authentic way.

Boardmember Baltay asked if it was possible to get someone from the Shopping Center to speak. They discussed the same issue with the Pacific Catch restaurant and much of the problem is because Sigonas exceeds their lease area. Here it seems like the Noodle House to the right was also setting up a design that brought up the issue discussed by Boardmember Rosenberg. Each tenant should be able to use its full lease area but not exceed it. He asked how the Shopping Center enforced these issues to maintain the 8 foot clear pathway.

Mr. Wessells stated that he had been in communication with mall management and would address the issue with Sigonas again later that day. Sigonas would have to keep within the confines of their lease going forward. With the adjacent noodle bar the unpermitted tables would be removed.

Boardmember Baltay repeated that it seemed unfair to the new tenant not to be able to use its leased space. At the same time there needed to be functionality.

Ms. Downing indicated that the distance to the neighboring door was verified on site. She displayed Sheet A 200 and pointed out the space and configuration. She agreed that it looked like it might impede in some of the site plans, but it did not.

Chair Thompson thanked Ms. Downing and stated that was helpful.

Boardmember Rosenberg noted that A 200 made her less concerned. In person it looked closer.

Chair Thompson asked if the drawing was made from field verification.

Mr. Rizzo indicated that it was.

Ms. Gerhardt said that staff could verify the measurements through the building permit process if the ARB wanted them to.

Boardmember Baltay thought it should go to an ad hoc committee. Instead of the stained white oak he suggested the designer consider an unfinished olive wood or Mediterranean pine instead. It could weather and then would be less of a maintenance issue. That was not a stipulation, simply an idea.

Ms. Downing said that she loved the idea.

Boardmember Baltay thought that could be left to her to redesign as she saw fit. The oak was okay, but very Northern California.

Ms. Downing agreed. The main issue for stipulating the oak had to do with supply chain issues. She loved the idea of other wood and would be happy to explore it.

MOTION: Boardmember Baltay moved, seconded by Boardmember Chen, to recommend approval of the project as presented with the following items returning to an ad hoc committee: 1) detailed drawing or specification of the metal guardrail and ceiling pattern, 2) specification of the solid wood slats on the exterior including the finish, and 3) an accurate drawing of the lease area in front of the shop and of the

adjacent tenants to the right and left and across the way demonstrating an 8 foot clear passageway through the shopping center.

FRIENDLY AMENDMENT: Chair Thompson requested the accurate drawing of the site plan include the neighboring door to ensure accessible access.

FRIENDLY AMENDMENT ACCEPTED: Boardmember Baltay accepted the Friendly Amendment and explained the intent was that the accurate site plan needed to show the impact to the adjacent neighbors. The intention is not to limit the project, simply to demonstrate how things would function.

Boardmember Chen accepted the Friendly Amendment as well.

Chair Thompson called for Boardmember thoughts on the Motion.

Vice Chair Hirsch was not sure if the neighbor had inappropriately located the door as it was not studied. He did not think they should make the assumption that the neighbor was at fault. The ARB could appropriately ask what the application hoped to do relative to the neighbor's door and hoped that was part of the Motion.

Boardmember Baltay said that his intent was for staff to have the information to assess whether any access codes or safety issues are impacted for any tenant in the Shopping Center. If the project caused an access issue with the neighbor it would have to be addressed somehow, but that was not for the ARB to stipulate. He agreed with Vice Chair Hirsch that the ARB should not tell the applicant what to do without further information.

Ms. Gerhardt indicated they established the 8 foot clear space on the common pathways, but the entrances to businesses the staff did not think had to be 8 feet. That space needed to be Americans with Disabilities Act (ADA) accessible, which was about 40 inches.

Chair Thompson stated that was correct. She called for further comments on the Motion and hearing none called the vote.

VOTE: 5-0-0-0

Chair Thompson requested volunteers for the ad hoc committee.

Boardmember Rosenberg volunteered.

Boardmember Chen also volunteered.

Chair Thompson indicated that they would comprise the ad hoc committee. She thanked the applicant.

The ARB took a break

4. PUBLIC HEARING / QUASI-JUDICIAL. 1700 Embarcadero Road [21PLN-00191]: Consideration of a Site and Design Review, Design Enhance Exception and Off-Street Loading Space Modification to Allow the Demolition of a Vacant Restaurant and the Construction of a new two-Story 31,000 Square Foot Automobile Dealership. Environmental Assessment: Addendum to a Mitigated Negative Declaration. Zoning District: CS(D)(AD) Service Commercial (Site & Design Review /

Automobile Dealership Combining Districts). For More Information Contact the Project Planner Sheldon S. Ah Sing at sheldon.ahsing@cityofpaloalto.org

Chair Thompson resumed the meeting, introduced the item, and called for disclosures.

Boardmember Rosenberg disclosed that she visited the site.

Boardmember Baltay disclosed that he carefully explored the Bay Trail to try to understand how the project would relate to it. He thought that it did relate to the Bay Trail as it was right in the middle of it.

Boardmember Chen indicated she visited the site earlier in the week.

Vice Chair Hirsch disclosed that he visited the site and focused on the perimeter trees in particular. He had previously visited as well.

Chair Thompson disclosed that she also visited the site and called for the staff report.

Sheldon Ah Sing, Principal Planner, thanked the ARB for its time and acknowledged the new Boardmembers. He noted that this was the 16th hearing on the automobile dealership. He would provide background, discuss the project inconsistencies, discuss the next steps, and request recommendations. There had been numerous public hearings about the site even prior to the automobile dealership proposal. First there was a change in the zoning to allow for a hotel, but that never came to fruition. The property then sold, and the City saw the first iteration of the Mercedes Benz dealership. The dealership took advantage of the CS District and its 50 feet height limit. Accordingly, the City Council denied the project due to its mass and height. The property was sold again and the property next door to Audi became part of the project, so it was a bigger building over more area that was not as tall. The building had an innovative inventory storage system which was appreciated, and the site also incorporated a multi-use bike path to address a gap in the bicycle system. The current project was subject to a preliminary ARB hearing in 2021 which would be discussed later in the presentation. The site was zoned CS(D)(AD) as it was located in the Baylands preserve area and automobile dealership uses are unique. The project would demolish the existing restaurant buildings and redevelop the site with a two story automobile dealership. The site is approximately 2.5 acres with surrounding uses of office and auto dealerships. It was within the Baylands near trails and Highway 101. He provided an aerial photo for context. The intersection of Embarcadero and Bayshore is congested due to the interchange and a dead end. He pointed out the bicycle crossing over Highway 101 and how it linked to Bayshore Road and the other trailheads. The bicycle lane on Embarcadero drops off near the project property and there was no bicycle lane across the frontage of the property. The property and the adjacent Audi property were the only ones that were zoned CS. Per the Zoning Code they were required to have a setback that reached the street similar to El Camino Real. The setbacks in the rest of the area were much greater. Along East Bayshore Road there were about 80 feet of easements for overhead utility lines and a tower at the corner. There were also underground utilities within the easements that served as constraints on the site. The request for the project was for site and design which required hearings with the ARB, the Planning and Transportation Commission (PTC), and the City Council. There was a request for a Design Enhancement Exception (DEE) for the build to setbacks along East Bayshore and Embarcadero Road. The dealership was planned for about 31,000 sf at .29 Floor Area Ratio (FAR) which was below the .6 FAR threshold. The service drive aisle covering was not counted per the code. The building was designed at 26 feet tall with a 32 foot tall sign. The preliminary

review occurred in 2021 and he displayed the rendering presented at that hearing. The ARB directed the applicant to work with staff regarding the multi-use path, to shift the building away from Bayshore to accommodate trees and the multi-use path, modulate the massing to provide variation in the elevations, be consistent with the Baylands Guidelines, wrap the green wall around the face of the office building, ensure the car wash had no negative acoustic effects, and ensure inventory was not offloaded into traffic lanes. The applicant mostly addressed the issues and would go into more detail in its presentation. He displayed the west elevation facing East Bayshore Road and noted that the applicant included more variation in material and color for the elevations. The showroom was mostly glass with wood near the service drive and a green wall wrapping around the service portion of the building. He provided additional renderings and cut sheet details. He then displayed the Embarcadero Elevation and noted the building was at an angle. He also displayed the sign elevation. The side facing the Audi building featured metal paneling and stucco. the elevation facing the office building and Baylands was wrapped with the green wall and contains ribbed paneling and stucco with the car wash. Staff identified the following inconsistencies in the project that needed to be addressed by the ARB: 1) two loading spaces were required but there was currently insufficient drive aisle width. A modification or waiver was acceptable, or the project could be redesigned to eliminate some parking to create sufficient drive aisle space. 2) parking lot shading was required at 50% per code, but the plans indicated that the project only contained 38% shading. The current dealership was more traditional, and the majority of the inventory was outside on the surface lot. There was also an 80 foot easement which constrained vegetation as PG&E did not allow anything above 15 feet. The Code could be amended to lower the threshold for automobile dealership, there could be a variance, or the project could be redesigned. 3) the build-to setback created a situation where the project could not meet the Code with the easement restrictions. The project has 0% compliance so potential remedies were a DEE, Code amendment or variance. The project was subject to the Baylands Master Plan, so staff recommended using sandy hook gray where appropriate, including additional modulations, and more of a relationship with the rear of the building through appropriate materials. A Transportation Demand Management (TDM) plan was required for the project as it would generate more than 50 peak hour trips. The Comprehensive Plan required a 20% peak hour reduction for the site. As the project was an auto related use it would not be able to meet that target. Therefore, staff worked with the applicant to create similar reduction benefits including active transportation. Currently the intersection was very busy and not safe for bicyclists. The gap in the bicycle network required 10 feet to provide a successful path through the area to connect to the existing network. Based on ARB direction from its preliminary meeting staff met with the applicant in good faith and discussed the issue as well as options and alternatives. The applicant had not entertained staff's suggestions. Mature elm trees exist under the power lines and staff requested guidance from the ARB. The City was processing the environmental documents for the application. The documents would be presented to the ARB at the next hearing along with a recommendation. Staff requested that the ARB provide feedback on the project regarding the loading spaces, parking lot shading, DEE for the build to setbacks, the Baylands Master Plan compliance, and the bicycle pathway. Staff further recommended a continuation of the project to a date uncertain.

Chair Thompson called for the applicant's presentation and indicated that they had 10 minutes.

Eric Iversen, Director of Real Estate for Swickard Automotive Group, explained that they owned the site and held the rights for the Mercedes franchise. He stated he was an avid cyclist who loved trees and started his career as a city planner. There were previous iterations of the Mercedes store on the site, and

he was shocked at the previously proposed massing which did not fit the site. Cars in elevators was a horrible idea for the operation of a dealership and was not what they wanted to do. Accordingly, they focused on right sizing the dealership for the site and the City. The dealership was an open point to fulfill a gap identified by Mercedes. Customers were currently driving too far to purchase and service their vehicles as the other dealers were both over 10 miles away and presented traffic challenges. The project was primarily a one story building with a small two story section. It was reduced from 60,000 sf to 32,000 sf. Much of the 60,000 sf was structured parking and a majority of that was planned to move off site. He noted that it was typical for dealerships to have off site storage parking. They intended to keep as little inventory onsite as necessary. Other changes to the plans included the cars being moved away from the property line. The green wall was expanded based on the 2021 preliminary hearing. The articulation on the back of the building was kept to a minimum. They wanted to attract as little attention as possible to the back of the building as they did not want people to look at it. The landscaping and green wall were intended to draw the eye to other places than the back façade. The parking lot shading was a challenge, and the prior iterations did meet the requirements, but they did so by creating a larger building and locating the parking inside. He stated that the lower building that better fit into the environment was a trade off for the 50% shading requirement. If the PG&E easement was not in place they would have been able to achieve the 50% requirement. Staff did a good job of reviewing the design elements of the building. During the preliminary hearing, the ARB asked what happened to the black and blue Mercedes columns. Mercedes revised its design standards, and the columns were now prohibited. Loading vehicles was generally not an issue as they tended to sell to individuals, but the primary issue was what would happen to the 9 car haulers used to transport vehicles to the site. He explained that was what the off site lots were for as getting a 9 car hauler off a 2.5 acre site was nearly impossible. It was possible that it might happen occasionally, but not regularly. The loading zones on site were meant for 1 or 2 car haulers and everyday deliveries such as UPS and FedEx. As the TDM cannot meet the 20% reduction the City wanted to know if a bicycle path could be provided on site. He stated that it could be provided, but that there were significant tradeoffs. First, a bike path would cause the loss of the trees along Bayshore. He questioned the safety of the bike path since one would come from a bicycle lane and go into a two way bicycle path. Looking at the American Association of State Highway and Transportation Officials (AASHTO) design guidelines for sidewalks, bicycle paths, and streets a bicycle path in this location would be unsafe. One of the biggest reasons for that was the danger posed by cyclists going in the opposite direction of traffic being struck by vehicles coming from a driveway. Second, when one left a two way bicycle path and reconnected to the bicycle lane it would lead to a conflict between cars and bicycles or to bicycles riding the wrong way along a street. He repeated that he was a cyclist and although it felt like an important connection for the City it was not a safe connection. The issue was existing at the intersection and was not created by the project and therefore the likely solution was traditional on street bicycle lanes. He indicated that he was happy to answer questions and present the project.

Chair Thompson called the public comment.

Ms. Klicheva indicated there were two public speakers.

Art Liberman introduced himself as Vice Chair of the Pedestrian and Bicycle Advisory Committee (PABAC) and explained that at the April 5th PABAC meeting they discussed the proposed development and voiced unanimous support for a multiuser path which would connect the bicycle lane on East Bayshore to Geng

Road via the signalized intersection on Embarcadero. He emphasized the comments in the staff report about the absence of the multiuser path in the proposal. The previous applicant agreed to a multiuser path. Accordingly, he urged the ARB to deny the project and any proposed project on the site that did not include a multiuser path. The path would close a gap in the City's bicycle network and provide a safer alternative for bicyclists. The Mayor indicated that once private property was developed it was "not available" so before the project was accepted was the time for the City to insist on the path. Another reason a multiuser path was necessary due to the gap in the Bay Trail. The ARB was provided a map of the Bay Trail with an inset of the Embarcadero section. Adding a multiuser path at the site would close that gap. Cyclists wishing to ride the Bay Trail from the North side of Palo Alto must currently detour and then cross Embarcadero mid-block and ride along Embarcadero to Geng Road. PABAC supported the multiuser path either along the frontage of 1700 Embarcadero, which would cross a number of driveways or at the East Bayshore and Embarcadero corner along the rear and side of the property.

Chair Thompson indicated that Mr. Liberman's time was up and requested he wrap up his comments.

Mr. Liberman stated that he wanted to emphasize that PABAC hoped the dealership would agree to having a multiuser path on its property and sell the Mercedes Benz e-bikes since the dealership would be on the Bay Trail.

Penny Ellson thanked the ARB for its time and stated that she was the Chair of PABAC. She thanked Vice Chair Liberman for his summary of PABAC's position. Though she was unable to attend the last PABAC meeting she agreed with their stated position. Her comments before the ARB were based on her reading of the staff report and given as an individual. She read from Page 14 of the staff report which explained that City Council was expecting a bicycle path adjacent to Embarcadero Road consistent with the Baylands Master Plan. If the legislative action for rezoning the property to allow an automobile dealership was contingent on implementing the multiuse path then it needed to be built. If it was not, then the opportunity to build a multiuse path or other bicycle facility should not be lost. The applicant received value in the rezoning which required the path as did TDM requirements. Those things along with the requested DEE gave the City leverage. To the applicant she explained that the Baylands was a community treasure that many hundreds of people used daily. Those people also purchase cars and were the dealership's potential customers. The multiuse path would build goodwill in a City that needed a safer and more comfortable passage to the Bay Trail. The public would pass by the dealership and be thankful for the improvement. She suggested the applicant view the multiuse path as a goodwill investment in the community. With high end purchases goodwill relationships matter.

Ms. Klicheva indicated that concluded the public comment.

Chair Thompson explained that the applicant had an opportunity to respond to public comment.

Mr. Iversen stated that they would sell Mercedes electric bicycles at the store. He repeated that he used to provide staff support to a bicycle transportation committee and understood there was a need for a bicycle connection there. The question was if a separated bike path was the answer and was safe or if an on street bike lane was the answer. He stated that there was more than one solution and that they did not have the answer to that yet. He repeated that there was a need for bicycle connectivity there.

Chair Thompson called for ARB questions of staff or the applicant.

Vice Chair Hirsch inquired about the internal circulation pattern and number of anticipated vehicles on site. He noted that there was an entry/exit off Embarcadero and an entry/exit off of Bayshore.

Mr. Ah Sing explained he may need help from Mr. Iversen with the question. There were two entry/exit points to the project site, one on East Bayshore and the other on Embarcadero. He worked with the applicant on directional signage for the site. People that enter from other side would be directed toward the front of the building as the service entry was in the center. Cars would queue inside the center of the building and would exit to the rear. Customer parking would be available along the drive aisles as the perimeter spaces were for dealership inventory.

Vice Chair Hirsch asked if they had discussed capacity on a typical or atypical day.

Mr. Ah Sing suggested Mr. Iversen address the question.

Mr. Iversen explained that almost all service was done by appointment with limited walk ins for service. Between 90 and 95% of the service functions were appointment based. Those appointments were purposely spaced out to limit the number of cars on site.

Vice Chair Hirsch indicated that he was satisfied with the answer.

Chair Thompson called for further questions.

Vice Chair Hirsch questioned the delivery areas and the conflict with the parking that was mentioned. He asked how the spaces would be managed to avoid the conflict.

Mr. Ah Sing explained that they had not gotten into conditions of approval to limit delivery hours, but they were seeking feedback from the ARB on the topic. They were also looking for guidance on a waiver of the space, a modification to dimensions, and the possibility of eliminating parking to allow for the drive aisle to have adequate access.

Vice Chair Hirsch said that the pattern of traffic around the building was a one way system. One would come in on Embarcadero and would exit on Bayshore. That could cause a conflict with the bike path. He asked if they made any consideration of that and if it was possible to change the traffic pattern within the site.

Mr. Ah Sing stated that it accommodated two way traffic and there was flexibility to work something out.

Boardmember Chen thanked the applicant for its application. She asked the applicant to explain why they selected the non-native ginkgo trees and if they had thought about native alternatives.

Mr. Iversen explained that there were some native trees as well as the ginkgo trees, but he did not know the breakdown. They could entertain other species, but ginkgo was likely selected for its cleanliness.

Boardmember Chen inquired about the reclaimed wood at the service entrance and where the material would end.

Mr. Iversen explained they intended to continue the material inside through the service drive for architectural flow. Extending the wood was meant to invite customers to pull all the way into the building rather than stopping near the entrance.

Boardmember Chen asked if it would only be applied to the right side.

Mr. Iversen indicated that the left side was all glass and was open to the showroom.

Boardmember Chen asked about the glazing and if it went to the roof.

Mr. Iversen said that from the service drive to the showroom it did.

Boardmember Chen asked if the elevations accurately represented the dimensions of the green wall system. She thought that the window lines did not align with the windows on the left side where the reclaimed windows were.

Mr. Iversen stated it was a green wall system of trays. The trays hung horizontally on the wall so that if there was dieback the tray could be removed and replaced. He indicated that he needed to investigate if there were multiple sizes available.

Boardmember Chen asked why the windows did not align with each other.

Mr. Iversen said that they should align.

Boardmember Chen inquired about the second story space above the green wall.

Mr. Iversen explained that area was part storage. The shop required a taller ceiling in order to lift cars, so the parts were stored on the mezzanine level.

Boardmember Rosenberg thanked the applicant for the application and presentation. She asked about the red denoted parking spaces on Page 01. She asked if those were the show parking spaces.

Mr. Iversen indicated that was correct.

Boardmember Rosenberg asked staff if in addition to the green wall if a green roof was considered. If not, could that be considered to offset the canopy coverage.

Mr. Ah Sing stated Ms. Gerhardt may have experience with that on past applications.

Ms. Gerhardt said that per the code the shading was required to be trees shading surface parking lots. Green roofs had not been used that way in the past, but she indicated that she would reread the code. She thought that it was possible they would need a code change to allow for a green roof instead. Staff was open to ideas because it was harder for automobile dealers to achieve the 50% coverage. Another idea that was used in other projects was solar carports.

Boardmember Rosenberg stated that addressed her next question. If the goal was trees, shading, or green living space. If the goal could be clarified there might be an alternative or creative solution available.

Ms. Gerhardt read the code allowed. It was specific to surface parking and trees for 50% shading.

Boardmember Rosenberg requested clarification on the pathway. The Renzel Trail was the two directional trail on Bayshore. It stopped short and there was separation between it and the street bike path. She asked if there was room on the street for a bicycle path.

Mr. Ah Sing stated that was correct.

Boardmember Rosenberg asked if the project was asked to put a bike path on property or if they were going to have a continuation of the two lane trail.

Mr. Ah Sing said that they were requesting a combination of right of way and private property in order to accommodate 10 feet for the bicycle lane with appropriate transitions.

Boardmember Rosenberg confirmed that there would still be a bike lane on East Bayshore.

Mr. Ah Sing stated that the trailhead was along East Bayshore, and one needed to cross the street to get to it. There needed to be a transition from the bike lane to a new path.

Boardmember Rosenberg asked if the project contained a continuation of the trail if the City could make that a requirement for the next properties down the road when they were redeveloped. If the project had a bike path then the area was zigzagging back and forth between different types of bike paths. In order to make sure it was continuous, unified, and safe she asked if staff could keep an eye on future paths in the area.

Mr. Ah Sing thought that the opportunity was that only one property was being redeveloped. If the adjacent property redeveloped then staff would look into it.

Boardmember Rosenberg asked if the center portion of the building that was not counted in the FAR was completely open. She thought the backside had garage doors making it enclosed on three sides. She asked if that was correct and why it was not counted in the FAR.

Ms. Gerhardt said that the FAR portion of the code was changed to not include service drives. However, it should be open.

Mr. Ah Sing indicated they would look into that further.

Boardmember Rosenberg noted that the elevations were unclear and that she would like some clarification.

Mr. Ah Sing indicated staff could ensure that met the intent of the code.

Boardmember Rosenberg indicated that completed her questions.

Chair Thompson asked if staff had the previous submission containing the bike pathway on hand.

Mr. Ah Sing indicated that he would pull up the file but required a few minutes.

Boardmember Baltay asked if staff could also pull up the site plan on Page 01. He wanted to understand the parking count and usage better and have the applicant explain the functionality. He also requested that the applicant explain a customer's path through the site as well as how deliveries would function.

Mr. Ah Sing displayed the site plan.

Boardmember Baltay explained he wanted to understand the parking situation as the staff report indicated they were providing 85 parking spaces. However, when he counted the spaces it was substantially more. He thought the grey and pink spaces were considered display spaces and not parking spaces and asked if that was correct.

Mr. Ah Sing stated that the grey spaces were inventory spaces. The spaces along Bayshore were considered both inventory and display. The display spaces counted as additional parking.

Boardmember Baltay said the applicant was required to provide 83 spaces and were providing 85 with 61 additional display spaces. He asked if the shading requirement was on the required and display spaces.

Mr. Ah Sing said that shading was for the surface area of a parking lot including drive aisles.

Boardmember Baltay confirmed that the display spaces were part of the requirement. He thought it would be possible to have more trees with less parking spaces.

Mr. Ah Sing thought there was a direct relationship between the amount of surface area and the amount of shading necessary.

Boardmember Baltay saw 61 additional spaces that were not counted toward the requirement. He asked the applicant to take him through a visit if he came for service on a Saturday afternoon and entered from Embarcadero.

Mr. Iversen explained that if he was coming to speak to a salesperson he could enter via Embarcadero or East Bayshore. The parking spaces adjacent to the building or the inventory parking were available for customers.

Boardmember Baltay saw two spaces at the top of the drawing on the Embarcadero side. He asked if they were customer parking spaces.

Mr. Iversen explained those spaces were for new car delivery. If someone purchased a car that was where they would pick it up.

Boardmember Baltay asked Mr. Ah Sing to point the cursor at the spaces in question.

Mr. Ah Sing did so.

Boardmember Baltay asked if those were the delivery spaces.

Mr. Iversen repeated that they were delivery spaces.

Boardmember Baltay asked if the front door to the building was there.

Mr. Iversen stated that the front door was at the chamfered corner next to the service drive.

Boardmember Baltay asked if the three slashes on the plan indicated where vehicles would be brought into the building.

Mr. Iversen stated that was their purpose.

Boardmember Baltay said that he would park to the right of the service area and would have to cross the service aisle to get into the building.

Mr. Iversen stated that was correct unless he parked along Bayshore in the tandem parking spaces. The row closest to the drive aisle would be where most customers would park.

Boardmember Baltay requested an explanation of how vehicles were delivered to the facility.

Mr. Iversen said that most vehicles arrived on 9 car haulers. Vehicles arrived in protective wrapping and had to be detailed.

Boardmember Baltay asked where the 9 car hauler would go.

Mr. Iversen explained it would go to the offsite storage lot. The 9 cars then had to be scheduled for prep and delivery.

Boardmember Baltay asked if the 9 car hauler would come to the site.

Mr. Iversen said that they did not.

Boardmember Baltay asked how the cars got to the site.

Mr. Iversen explained they were driven by porters. Each dealer typically had at least 5 individuals whose job was to move cars.

Boardmember Baltay asked how the new cars physically got to the site. He asked if each one was individually driven from the storage site.

Mr. Iversen said that was exactly what happened 100% of the time.

Boardmember Baltay stated that they did not need any big vehicles for offloading.

Mr. Iversen stated that was exactly what he meant. The 9 vehicle hauler did not fit on the 2 acre site.

Boardmember Baltay indicated that was the point of his questions.

Mr. Iversen indicated that the on site loading spaces were for UPS and FedEx.

Boardmember Baltay asked if they operated other dealerships in the Bay Area.

Mr. Iversen said that they did.

Boardmember Baltay asked if other dealerships also did not accept large car deliveries.

Mr. Iversen explained that most of their sites in the Bay Area were larger. Other locations across the country had small locations with off site storage.

Boardmember Baltay asked if there were any other facilities they operated that functioned without accepting multi-car deliveries.

Mr. Iversen said that Volvo Seattle did not have room to deliver cars on site. That dealership was half the size of the Palo Alto project.

Boardmember Baltay indicated that he had no further questions.

Chair Thompson asked how far away the offsite location was.

Mr. Iversen explained that they had not secured the offsite location yet. They were generally leased sites that changed from time to time. They could not survive without the offsite locations.

Chair Thompson said that she only asked because she wondered if they would come from East Bayshore or Embarcadero.

Mr. Iversen said that it was difficult to say and noted that sometimes they had multiple offsite storage lots. The Audi Palo Alto currently had one offsite storage facility for inventory.

Chair Thompson asked if staff had found the old bicycle path solution.

Ms. Gerhardt said that they had.

Chair Thompson asked the applicant if the glazing was bird safe.

Mr. Iversen said that it was.

Chair Thompson asked what kind of bird safe glazing it was.

Mr. Iversen did not have the answer but had contacted the architect for that information. The architect had told him that they could specify the bird safe glazing.

Chair Thompson confirmed that the drawing on the screen was the previously approved bike path solution.

Ms. Gerhardt stated that it was and indicated that the file was large and difficult to maneuver. The portion shown depicted a larger sidewalk that could be used by both pedestrians and bicycles. There was also a stopping station on Embarcadero.

Chair Thompson asked if the solution retained the streets.

Ms. Gerhardt believed it went a few feet into the streets, but everything passed through Transportation.

Chair Thompson apologized and explained she was asking if the trees were retained.

Ms. Gerhardt said that in the previous approval the existing trees on Bayshore needed to be removed and replaced with new smaller trees. The new trees were native to the area.

Chair Thompson thanked Ms. Gerhardt for the clarification. She asked if Vice Chair Hirsch had further questions.

Vice Chair Hirsch had two questions. [Audio/video skip at 2:22:00] noticed it was not in the section with Drawing 09. There was an indication of an upper solid wall that was not glazed from ground to roof. He asked to see an elevation of the wall. He did not find the answer to the question to be adequate and asked the applicant to address it further.

Mr. Iversen clarified that Vice Chair Hirsch was asking if it would be possible to continue the reclaimed wood on both sides of the service drive.

Vice Chair Hirsch said that was correct.

Mr. Iversen thought it would be possible. The intent was to have the glazing on the showroom go up as high as possible. To reach the ceiling it may have to go from storefront glass to curtain wall glass. They could be flexible on that.

Vice Chair Hirsch explained he was expressing Boardmember Chen's thought. His second question was related to the light green area adjacent to the building. he asked if there was any requirement for that or if the building could shift closer to the eastside of the site and removing the light green area.

Mr. Ah Sing said that doing so would eliminate the green area and some of the trees that were providing the shading. He suggested that moving the shading to the other side could be an offset. Staff saw that as a neutral move.

Vice Chair Hirsch asked the applicant to speak to the idea.

Mr. Iversen asked if he meant the idea of shifting the building towards the Audi dealership.

Vice Chair Hirsch said that was correct.

Mr. Iversen believed that was possible but noted that there were stormwater facilities on that side of the building which could be a limiting factor.

Vice Chair Hirsch requested the dimensions of the green area at the back of the building.

Mr. Ah Sing thought it was about 6 or 7 feet.

Vice Chair Hirsch thanked him.

Boardmember Rosenberg confirmed which green strip they were discussing.

Mr. Ah Sing explained that they needed to maintain a 5 foot space there.

Chair Thompson called for further questions. Hearing none she called for ARB comments.

Vice Chair Hirsch noted that two rounds would be preferable.

Chair Thompson agreed.

Vice Chair Hirsch said that he thought the project was getting closer although there were significant problems. The biggest problem was the bicycle path. The DEE could be resolved as discussed. The drive through situation was a significant issue because it affected the bicycle path. The issue raised about pedestrians getting to the display could be answered by the sidewalk space, but they would still have to cross the service access. He suggested that there was a way of paving the area so cars would not impede the pedestrian traffic. He was most concerned about the bicycle path and all of the cars that were on the perimeter of the site. There were two lanes of cars and a bicycle path, and the issue had not been solved. He did not believe it was impossible to create a bicycle path that went on East Bayshore to Embarcadero and made the turn. There was a conflict with the trees and an overwhelming sense of cars to the right. He did not accept the idea that was impossible, and that the bicycle path should be in the street. The intersection was too dangerous to have bicycles on the street on Bayshore. It was absolutely essential that the bicycle path be considered and without it he could not accept the project. What to do and how to do it required study and for the project to return to the ARB. The trees were an issue. If the building could be shifted and the green space moved to the opposite side there was an opportunity to expand the potential bicycle path to make the corner. He asked Ms. Klicheva to display the photographs.

Ms. Klicheva displayed photographs for the ARB.

Vice Chair Hirsch explained that the first picture was of cars parked on the site side and the existing trees. They were mature trees, but he indicated that it was possible they needed to start over with the trees and reconsider their placement. There needed to be more space for the bicycle path on Bayshore. That was the first requirement. The next photo showed the corner and he noted that regrading would be required to meet the sidewalk level. The bush on the corner would definitely be in the way. The next photograph showed Embarcadero and contained the crosswalk. It did not crossover to Geng Road and that needed to be explored. [Audio/visual skip 2:34:37] from Audi there are other issues although there was only one entry to that property so that was all that need to be considered. The application had two entries to be considered, one on Embarcadero and one on Bayshore. The next photograph showed the tall trees along the property line with the other dealership. Lower trees should be considered especially because the existing trees were not in great shape. The next photograph showed a blank space in the trees that was not complete. The ARB needed to know which trees would be retained. The trees were tall which was good although not as necessary considering the proposed building was much lower. He confirmed that was the end of his slideshow. With respect to the building there were several issues. First, there was the urban heat island effect which could be addressed by car canopies with solar collectors. He asked if the canopies were allowed as a way to address the heat island.

Ms. Gerhardt explained that the code was written about parking service areas being shaded with trees.

Vice Chair Hirsch confirmed it was trees only.

Ms. Gerhardt stated that was correct. Staff was willing to look into the canopy idea, but it may require a code change.

Vice Chair Hirsch thought that seemed to be a way to deal with the heat island. He did not see why the applicant would not consider designing some way of creating shade. He was also bothered by the double layer of cars on the Bayshore side of the site. All that would be seen by passing motorists would be cars and not the building. If that was the case he suggested the perimeter could include shading devices that interrupted that view to a certain level. Trees and/or perimeter enclosure no higher than fencing might be appropriate. He suggested beautiful fencing so that people did not have to just look at cars on the way up Bayshore. He understood they needed to sell Mercedes so that could be considered in different ways. The heat island problem needed to be solved. Bicyclists did not want to ride in the heat. He preferred that they not have to have their display of cars on that side of the building so that the showroom would do the selling. He thought the showroom was big enough for most of the vehicles and the display at the corner was sufficient. He asked if they needed to have a double layer of storage on that side. If they did not have to it provided for the possibility of a bicycle path and a double layer of trees. He had no doubt that the bicycle path would happen somehow and hoped the City would make it happen. The interruption in the bicycle path from the neighboring properties was an issue but it was possible that would change someday. Safety was an issue and perhaps the adjoining property owner might recognize that fact when this bicycle lane was implemented. He repeated that was his major concern. The relocation of the car wash was an excellent change. With the outside of the building the ARB could give up on the architectural details that Mercedes decided to discontinue using. The building was nice, slick, and complete but he had an issue with the limitation of the green wall. The reclaimed wood being brought inside was nice but thought it would also be nice if it could be incorporated into both sides. With the green wall he disagreed with the applicant's characterization of the back of the building. It would be seen from Bayshore, and he suggested

they wrap the green wall around the whole southwest side of the building and into the base of the building to provide incredible volume. He hoped that the car wash would receive the treatment as well but noted it could stop at that point because of the change in material. The other side of the building was hidden by Audi and was not as important. He pushed the applicant to continue the green wall around the corner. It was logical that the parking was defined so that people who would be onsite all day would park in the spaces which required crossing the drive aisle. He asked where the drop off would be for things like paperwork. He supposed it could occur in the recess mentioned by Boardmember Baltay. If it were designated that would satisfy UPS and solve the problem. There was no way to reduce the peak hour issue and the intersection was significant. He was concerned about the drive aisle but if the applicant could schedule it so that its service vehicles did not project out of the building it would help. The idea of the entry immediately adjacent to the service aisle was important but it was critical for customers to understand they could schedule service.

Chair Thompson stated that they were running low on time, and she wanted to make sure the other Boardmembers could speak. She asked for his final comments.

Vice Chair Hirsch repeated that he was concerned about the bike issue, the possibility of moving the building to increase the area, the possibility of reducing the display of cars at the edge of the site, the problem of the heat island.

Boardmember Chen was generally in favor of the design of the building. The massing, scale and materials looked great. She appreciated the use of the reclaimed wood and the green wall. She also appreciated the continuation of the green wall and was okay with its length and placement. As the project was a dealership it was appropriate to have the metal detailing. With the site plan she encouraged the applicant to consider native trees. She understood the bicycle lane issue but did not have a good solution. She suggested that the PTC be involved to provide guidance and solve the problem. What Vice Chair Hirsch suggested regarding shifting the building towards the Audi dealership might work to accommodate the bicycle lanes. She indicated that concluded her comments.

Boardmember Rosenberg thanked the applicant for the presentation. The two components of the project that needed to be considered were the site and the project itself. With respect to the building she appreciated the low mass, volume, and height. The applicant did a good job with that and was to be commended. The materials were high quality, and the design was attractive. She understood that not every façade could be pretty but suggested an indent to the service area on the backside to break up the façade. A few feet would be enough to provide interest and a material change might be appropriate to make the east facing side more attractive. The customer parking and pedestrians having to cross the drive aisle to get the entrance doors was concerning. She also suggested they utilize paving to make it more user friendly and give the idea more thought. Overall the building was attractive and high quality and she liked it. Most of the problems with the project stemmed from the site, location, and how the project was oriented on the lot. She echoed Vice Chair Hirsch's comments about the 19 parking spaces on Bayshore. If those were eliminated it solved many problems. The bicycle path and the existing trees were at odds. The grand total of the parking spaces was 139 so even if the 19 spaces were removed the project still had 120 spaces, which was significant. She had a problem accepting that a property that was rezoned contingent on having a bike path was trying to get out of it by claiming there was not space. She did not find that a valid argument. The 19 spaces were on a pathway in the easement along the road. That was

wider than 10 feet. Accordingly she urged a reconsideration of the façade and the ability to provide the bicycle path. The two small parking spaces by the Bayshore entrance might be problematic and difficult to get in and out of with traffic. Lastly, the five spaces near the building could potentially be a place for more trees. While the shading was contingent on trees she liked the concept of shading and solar offsets. If the applicant took those steps she would be more inclined to consider a variance. She also suggested they consider a green roof since they were already utilizing the similar technology for the green wall. That could possibly be factored into the design as well especially as it would reduce the heat island effect on the property. As a side comment the landscape choices on the renderings were not helping the application. She encouraged a revision and thanked the applicant for their time.

Boardmember Baltay agreed with his colleagues pretty consistently. The critical issues were the bicycle path and the parking lot shading and configuration. It was incorrect to state that AASHTOs standards would govern Palo Alto from [not having and onsite parking lot (verbatim – did he mean bike trail?) 2:58:47]. Along the Bay Trail other institutions and developments had created bicycle paths on the edge of their properties that were successful. The Bay Trail was a hybrid of many types of bicycle paths with property owners attempting to make it more successful. This would be another piece of the path and it was incumbent upon the applicant to do its part to make it continuous. He gave the Facebook campus as an example of a project that did its part to create the Bay Trail. The question was if the project kept the trees under the powerline easement and put the bicycle path on the edge of the road or if it was placed inboard of the trees. That was the issue the previous 15 hearings addressed. The applicant had to do something and not only the ARB but the whole community would insist that they provide a path. In the past the ARB and the City Council supported the idea of replacing the trees with a bike path. That was a compromise the community would accept and would make it possible for the path not to impede too much on the property. The City would have to provide a DEE and there needed to be a TDM plan. Both options would require a bicycle path to be feasible. He was comfortable stating that one was contingent upon the other. He thought that the applicant would hear that message from the City Council and PTC as well as the ARB. Parking lot shading was another issue, and the project could be designed to provide more landscaping. Aside from trees they could do some kind of structure with greenery one it. The City had accepted that on other projects in the past. It was improper not to meet the shading requirements as there was a great environmental impact with that amount of paving. With respect to the site plan a large number of parking spaces were simply used for inventory storage. If they planned to bring vehicles in as needed that inventory storage might not be necessary. The building could be shifted, and the parking reconfigured to get more landscaping. The parking shading was important and had to be met. The ARB needed to make a definitive statement about how it stood on both the bicycle path and the parking lot shading. He thought that the bicycle path was required, and the parking shading had to be met. The green wall started with the intent to comply with the Baylands Design Guidelines. The green wall now wrapped around to Bayshore and was removed from the back of the building. the ARB previously decided that he parts of the buildings that faced the Baylands were where they wanted to hold the Bayland standards most tightly. The green wall made sense there and the ARB also requested muted colors on the plaster and finishes facing that direction. He thought that was lost in the current package with the green wall facing Bayshore. There was a cold grey plaster wall at the back visible from the Baylands. He thought those were simple design changes and did not affect his take on the overall project but needed to be looked at. The project had to meet the Baylands Design Guidelines. He disliked the current landscaping design as

well as the presentation, which was previously mentioned by Boardmember Rosenberg. The series of California buckeye trees along Bayshore did not make sense as they were unsightly and messy. The landscaping plan needed to be more carefully put together. He repeated that the bike path and the parking lot shading and configuration were the critical issues.

Chair Thompson thanked the applicant, members of the public, and the ARB for their comments. She really liked the idea of getting rid of the row of parking and retaining the existing trees as she was against removing the trees in the prior iteration. She appreciated the applicant for expressing interest in retaining them. She agreed that there were 19 spaces which could be used and stated that a bicycle path that wove through parked cars could be interesting. That could provide both the show parking and the bicycle path although she admitted she did not know if that was feasible. She supported a solution that retained the existing trees and included a bike path. She thought the loading exception was acceptable given the discussion regarding delivery. She agreed with the rest of the ARB on the parking shading. Bird safe glazing had interesting components and there were different ways to bird safe glass. Some were visible to the human eye and others used UV treatments invisible to the human eye. The UV treatments required a certain density in order to be successful. She recommended something that was visible, such as a dot matrix. Reflective glazing was also dangerous because birds would see the trees reflected. She stated that when the project returned she would look closely at the product chosen. Building siting, orientation, and greenery also affect bird safety with low rise buildings having the highest number of collisions. The building was appropriate for the site but some mitigation measures such as green walls, berms, and landscape on the building helped guide birds away from collision. She agreed with Boardmember Rosenberg about investigating the green roof especially along the edges. Boardmember Baltay was correct that the colors were not very muted and were stark in terms of their darkness. That was probably what Mercedes wanted for its branding. She could accept the colors if there was a green roof or more interweaving of the green wall. She liked that it faced Bayshore but agreed with Boardmember Baltay that the side visible from the Baylands needed further treatment like more reclaimed wood or muted colors. The sandy hook grey was “rough” and there were other things to be considered. She suggested the applicant instruct the architect to reconsider the side facing the Baylands to include more green screens. The parapets with the dark charcoal rims concerned her and she suggested bringing the reclaimed wood in as parapet screens and in other places. She agreed with the comments about modulating the massing and variation on the back. The project was a building in the round and actually had no back as all sides would be visible from many places. The bike rack included in the packet was inferior and she recommended changing it to a half circle or U shape. She called for further ARB comment.

Boardmember Chen commented that she was unsure how much of the green wall people would see if it were relocated to the back wall due to the neighboring building and existing trees. Therefore the green wall facing East Bayshore made more sense for visibility.

Chair Thompson explained the previous application contained a rendering from the Bay Trail. The façade was visible.

Boardmember Baltay stated he had visited the site several times and both Chair Thompson and Boardmember Chen were correct. The previous applications façade was quite visible because it was closer to the Bay Trail and taller. The current application was different. If the building was visible from the Bay

Trail then the applicant needed to think hard about its appearance and the current colors were not adequate. If the façade was not visible the applicant would have more latitude.

Boardmember Rosenberg thought a rendering from that angle would be helpful.

Chair Thompson stated that she forgot the previous application was a lot taller. The ARB would have to see the new rendering.

Boardmember Baltay asked for Boardmember Chen's thoughts on the bike trail and stressed it was important for the ARB to clearly state its preferences and to do so for architectural design reasons. They could not approve a DEE without a bike trail.

Boardmember Chen agreed 100% that the bicycle lanes should be provided. She also thought the PTC needed to be more involved in the issue since it was not specific to this parcel and the City needed ensure that it would function.

Boardmember Baltay saw it as an aesthetic issue and part of the Bay front design. When the building was far from the street the applicant needed to do something increase the vitality on the boulevard. If the building could not be there and the ARB would grant a DEE then something else needed to be there. The bike trail was a good solution and he wanted to make that comment clear.

Chair Thompson thought everyone had expressed support for the bike path in different ways and maybe for different reasons which might be okay. Whether they make the DEE or other findings the issue needed more study and a wider discussion. She asked staff if their position was clear or if they needed further direction.

Ms. Gerhardt said that staff heard that on the northeast elevation that the doors to the service area could be removed and further modulations made. On the southeast elevation staff would ensure that there were renderings of what could be seen from the Bay Trail. If the façade was visible it would need to conform with the Bayland Guidelines. With the loading spaces it sounded like the ARB had not issues but the Director could make an adjustment to remove a required loading space with conditions. With parking lot shading she asked if the ARB wanted to use the code or look at other alternatives.

Chair Thompson suggested a straw poll on if the ARB was open to carports with solar shading or a green roof.

Ms. Gerhardt said that staff would also have to explore the code ramifications.

Boardmember Baltay asked about a building on El Camino designed by Joe Bellomo that had metal screening with planting that was considered vegetative covering and met the code.

Mr. Ah Sing said that it was a trellis with vines and kind of open. It was not a complete canopy.

Boardmember Baltay said that staff determined it met the code.

Ms. Gerhardt noted that project had street trees that reached over the parking lot and counted as well. Staff would look into that if it was the direction of the ARB.

Chair Thompson thought they did not need a straw poll as everyone was mostly in agreement.

Boardmember Baltay thought the shading should be vegetative.

Chair Thompson suggested the straw poll on the possibility of a non-vegetative shading option since vegetative was allowable by code. She asked if the ARB was open to a non-vegetative shading option for the parking area.

Vice Chair Hirsch wanted to discuss the item first. In the area near Audi he thought it was possible to do mechanical shading. He thought the possibility should be open for it to not be fully natural shading.

Chair Thompson asked if anyone else wanted to speak to the item.

Boardmember Rosenberg agreed that she was willing to consider alternative solutions. She appreciated Vice Chair Hirsch's comments about the placement of the non-vegetative shading. They probably did not want it on the Bayshore side although that was probably the best spot due to the PG&E easement problem.

Boardmember Chen was okay with both options, but thought they should mention [maximum nominative roof area because it could be a possible issue ? heat island again].

Mr. Ah Sing reminded the ARB that they could not put structures within the Bayshore area because of the easement. Vegetation was okay but a canopy or trellis would not be allowed.

Chair Thompson confirmed that they could not even place a carport along Bayshore.

Mr. Ah Sing stated that was correct.

Boardmember Rosenberg thought the PG&E easement also had an issue with the trees. She asked if she misinterpreted that.

Mr. Ah Sing stated that there could not be trees over 15 feet tall.

Boardmember Rosenberg thanked Mr. Ah Sing.

Chair Thompson stated that the other sides that had parking could have something built.

Mr. Ah Sing agreed that it was fine to have structures on the other sides.

Chair Thompson mentioned that as a highly populated bird habitat having vegetation would be better for the environment.

Boardmember Baltay thought it was a mistake to change what was written into the code. The ARB was taking it upon themselves to rewrite the code which says trees. He thought it was a stretch to tell staff vegetation was acceptable. Structures went against the decided policy. More than just the shade the landscaping was to provide greenery. That was valuable for heat island effects, global warming affects, and habitats. He thought there were plenty of ways for the applicant to meet the landscaping requirements. The ARB needed to be very careful because if they allowed structures then every applicant with a parking lot would request structures. He referred to the issue as a Pandora's Box and stated he was extremely uncomfortable rewriting the code.

Chair Thompson asked if Boardmember Baltay meant vegetated green roof structures.

Boardmember Baltay explained that he heard Vice Chair Hirsch suggest some sort of carport or mechanical covering. In this case the applicant could find a different way to configure its storage which was not parking by the definition of the code and make it work. He again asked the ARB to think hard about the issue and its ramifications with other projects.

Vice Chair Hirsch responded that he thought Boardmember Baltay had mentioned a project where canopies were used over parking and were successful.

Boardmember Baltay said that yes, Joe Bellomo had a lightweight trellis that supported vines. The vines provided the shading, not the structure. The structure was a simple landscaping device to support the plantings. Street trees provided the coverage but was questionable to staff and the applicant would have loved a solid roof over the carpark, but the ARB felt the greenery was important. The building was in South Palo Alto on El Camino.

Vice Chair Hirsch remembered that there was a metal roof of some sort over the property. The idea of a natural roof was a nice idea, and it could be designed well. The element could be woodsy and did not have to be harsh. Since the project already contained wood something could be done with that and vines. It was too limiting to say that it must be trees.

Boardmember Baltay said that he used the word “vegetated.” He thought that was a fair compromise.

Chair Thompson thought the ARB needed a straw poll. First, she asked if the ARB was open to a vegetated non-tree shading element to meet the shading requirement. She called for a show of hands and indicated that all five Boardmembers raised their hands. Second, she asked if the ARB was in support of a non-vegetated shading element to meet the shading requirement such as a solar panel carport or something without vegetation that shaded the asphalt in a limited area. She called for a show of hands and indicated that four Boardmembers raised their hands.

Boardmember Rosenberg stated that Boardmember Baltay’s points were valid, and that the ARB was setting a precedent by even considering the idea. She noted that the project had a unique easement and zoning conditions, so she thought this was specific to the site and project consideration. She would not make the consideration for a typical site.

Chair Thompson agreed that she normally would not support a non-vegetative option and that she still greatly preferred the vegetative cover. She emphasized that she would only support the non-vegetative option in a limited area.

Ms. Gerhardt confirmed that four Boardmembers raised their hands for the second straw poll question.

Chair Thompson said that there were four raised hands and two caveats.

Ms. Gerhardt stated that the other items were the build to setback, which she thought they discussed enough, and the Baylands Master Plan which they would watch the colors. If the façade was visible and the applicant added green walls it would be helpful. The ARB was clear about the bike path. She stated that staff had no further questions.

Vice Chair Hirsch reminded staff that he had mentioned the building could possibly be moved back to create more room on the Bayshore side.

Chair Thompson asked if they should have a straw poll.

Vice Chair Hirsch thought they should.

Chair Thompson asked what would be deleted if the building were to be moved plan right.

Boardmember Chen suggested they ask the applicant what they thought of the idea and if there was safety or other issues to be considered. [Unclear audio 3:31:02]

Ms. Gerhardt reminded the ARB to speak on microphone.

Chair Thompson suggested that Vice Chair Hirsch explain his thoughts and then let the other Boardmembers give thoughts.

Vice Chair Hirsch explained that the capability to shift the building back a certain dimension (interrupted)

Chair Thompson asked if he meant towards the Audi dealership.

Vice Chair Hirsch said that he did. That would allow for more landscaped area on the Bayshore side.

Chair Thompson asked what would get deleted from the plan.

Vice Chair Hirsch explained that the little strip adjacent to the building, although some might need to remain in place.

Chair Thompson asked if the ARB was clear. She called for Boardmember Chen's comment.

Boardmember Chen asked if they should check with the applicant for other potential issues with shifting the building.

Chair Thompson indicated that she would consider asking that of the applicant at a later point.

Boardmember Rosenberg gently argued that reducing the 6 foot path on the Audi side of the building could be problematic for pedestrian safety issues. Further, she did not think the 6 foot shift would provide a huge benefit to the East Bayshore side. Therefore she was not included to require the building be shifted for that reason.

Boardmember Baltay asked if they were saying that the applicant should move the building further back.

Chair Thompson thought it was for them to consider.

Boardmember Baltay stated that the ARB gave the applicant a hundred things to consider and asked why this was any different from the other things they had said. It was something they should consider, but they should also consider reconfiguring the parking and making space for a path in the front. He did not understand why the ARB needed to be specific on this point and explained he was uncomfortable specifying exactly what to do with the building.

Vice Chair Hirsch said that the drawing included trees on the edge of the building. It was not a walking path and was a service area.

Boardmember Baltay said that as a designer he would want to shift the building, but he did not want to design the building for the applicant.

Chair Thompson stated that the trees were providing some shading and through her bird safety research she learned that having continuous landscape around the building was most preferred for guiding birds away from windows.

Vice Chair Hirsch stated that there were few windows on that side of the building.

Boardmember Baltay supported making the item a “consider” but not a requirement.

Ms. Gerhardt explained staff just wanted straw polls.

Chair Thompson said that there were windows on that side of the building and asked if she was looking at the wrong façade. She asked if the straw poll was clear.

Boardmember Baltay requested she restate it.

Chair Thompson explained the straw poll was to have the applicant consider shifting the building towards the Audi dealership.

Boardmember Chen asked if they should add that it was to solve the bicycle lane problem.

Ms. Gerhardt asked what the concern was and why the solution was needed.

Boardmember Rosenberg thought it tied into the bigger question of if the building was appropriately situated on the site.

Chair Thompson agreed and suggested that another question was if the building could be skinnier.

Boardmember Baltay suggested they reword the straw poll as “have the applicant consider relocating the building to meet bicycle lane requirements and shaded parking requirements.”

Vice Chair Hirsch agreed with that wording.

Chair Thompson suggested “relocated or resized.”

Boardmember Baltay agreed.

Chair Thompson called the straw poll and stated that all Boardmembers raised their hands. She asked if they needed further straw polls. Seeing none she thanked the ARB for the discussion and the applicant for the project.

Boardmember Rosenberg asked if they needed a Motion to continue.

Chair Thompson called for a Motion.

MOTION: Boardmember Rosenberg moved, seconded by Vice Chair Hirsch, to recommend the project be continued to a date uncertain.

VOTE: 5-0-0-0

5. Election of Chair and Vice-Chair for the Architectural Review Board, and Direction on Minor Updates to the Architectural Review Board By-Laws

Chair Thompson introduced the item.

Ms. Gerhardt explained that the staff report indicated that all terms end March 31st. earlier in the year the ARB only had three sitting Boardmembers and did not change the chair ship. Staff thought it was appropriate to do now and so the new officers would have a 10 month term.

Chair Thompson questioned the length of the term.

Ms. Gerhardt explained it ran from the current hearing to March 31st.

Chair Thompson stated that the recommendation said December 15th. She asked if they should change the recommendation to March 31st.

Ms. Gerhardt stated that the ARB could see the difficulty she had keeping the terms straight.

Boardmember Rosenberg indicated that she had also been confused.

Chair Thompson thought it possible that the packet came out prior to the ARB retreat.

Ms. Gerhardt consulted the Code and stated that the date had changed several times.

Chair Thompson said that at the retreat they discussed running the chair ship June to June.

Ms. Gerhardt explained that Title 2 stated that effective January 1, 2022 terms of office due to expire on December 15th would be extended to March 31st. Therefore terms of office commenced April 1st.

Boardmember Rosenberg clarified that they were electing members to serve from July 1st through March 31st.

Ms. Gerhardt indicated that was correct.

Chair Thompson called for further clarification questions but heard none.

Boardmember Baltay asked if the new Chair could take over sooner and have a longer term.

Chair Thompson stated that the new Chair would conduct the next meeting.

Boardmember Baltay confirmed there were no further June meetings and stated that it did not matter then. He explained that the outgoing Chair traditionally made a Motion followed by the outgoing Vice Chair.

Ms. Gerhardt said that any Boardmember could make a nomination.

Boardmember Baltay stated that he had nominated Chair Thompson.

Chair Thompson stated they could hear nominations.

Boardmember Rosenberg asked how long officers could serve for if they were renominated.

Ms. Gerhardt did not believe there were term limitations for officers.

Boardmember Rosenberg thought that she and Boardmember Chen needed more experience before holding an officer position.

Chair Thompson stated that she and Boardmember Baltay had previously been Chair and so Vice Chair Hirsch would have the opportunity if he would like it.

MOTION: Chair Thompson moved, seconded by Boardmember Baltay, to select Vice Chair Hirsch as the new Chair of the ARB.

VOTE: 5-0-0-0

Ms. Klicheva congratulated Vice Chair Hirsch.

Chair Thompson called for the nomination of Vice Chair.

MOTION: Vice Chair Hirsch moved, seconded by Boardmember Baltay, to select Boardmember Baltay as the new Vice Chair of the ARB.

VOTE: 5-0-0-0

Ms. Klicheva congratulated Boardmember Baltay.

Boardmember Baltay stated public appreciation for Chair Thompson and noted that she had been a wonderful Chair for the group and led them through tough times with COVID. It was a pleasure to watch her mature into the position and become one of the best Chairs of a Board or Commission that he had seen in the City. He thanked her for her work.

Boardmember Rosenberg acknowledged Chair Thompson's "fun singing" as well.

Vice Chair Hirsch stated that he hoped Chair Thompson would stay and overserve his comments and let him know when he made errors.

Chair Thompson thanked everyone for their comments and said she was excited to see Vice Chair Hirsch as Chair. She stated that she might push him on time limits. She was excited to see where the ARB went.

Approval of Minutes

6. Draft Architectural Review Board Meeting Minutes for April 21, 2022

Chair Thompson called for a Motion.

Boardmember Baltay requested clarification on if the minutes were now verbatim.

Ms. Gerhardt stated that they had the full meeting in summary form with the Bayshore project verbatim.

Boardmember Baltay pointed out that the phrasing was subtly different regarding the Bayshore project. The applicant stated they would go to court which is why the verbatim minutes were requested.

MOTION: Boardmember Baltay moved, seconded by Boardmember Chen, to approve the minutes of April 21, 2022 as presented.

Boardmember Rosenberg asked if the verbatim minutes would be included in addition to the summary minutes.

Ms. Gerhardt stated she assumed they would put both on the website, but staff could remove the summary.

Boardmember Rosenberg thought they should post both.

Ms. Gerhardt agreed.

Boardmember Baltay clarified that the Motion was for the minutes as presented by staff.

VOTE: 5-0-0-0

7. Draft Architectural Review Board Meeting Minutes for May 5, 2022

Chair Thompson called for a Motion.

MOTION: Boardmember Rosenberg moved, seconded by Boardmember Baltay, to approve the minutes of May 5, 2022 as presented.

VOTE: 5-0-0-0

Board Member Questions, Comments or Announcements

Chair Thompson called for Boardmember questions, comments, or announcements.

Boardmember Rosenberg stated that it was a joy having her as a Chair.

Ms. Gerhardt stated that she had announcements regarding the Council hearings. June 20th would contain the second reading of an item to continue the temporary ban on the eligibility of commercial offices above the ground floor to participate in the Downtown in lieu program. June 20th was also the second reading of the Objective Standards. Council wanted to just use the Objective Standards for housing development projects and all other projects would use the existing Context Based Design Criteria and ARB Findings. 2850 W. Bayshore was also scheduled for June 20th. That was the 48 townhome project looked at by the ARB. The Director of Planning has requested direction from Council on the project. On June 21st they would hear 1237 San Antonio Road, the Home Key Emergency Shelter project. Council would determine if it wanted a two or three story project. Eventually the project would come before the ARB for a courtesy review.

Boardmember Baltay asked if Chair Thompson would present the ARB's position on the 2850 W. Bayshore project.

Chair Thompson indicated that she and Vice Chair Hirsch had discussed that he would present the matter.

Vice Chair Hirsch thought they needed to discuss how they would talk about it. The Board had a unified view in rejecting it. If the Council asked for comment he thought a possibility was for everyone to look through the minutes and determine two or three items they thought were essential. The presenter would then use those points at the Council hearing. He understood that Boardmember Baltay thought one

person should make the presentation, but he wanted to discuss that. He asked if that were a reasonable idea.

Ms. Gerhardt stated that they needed to be careful to remain in compliance with the Brown Act. If Boardmembers wanted to send Vice Chair Hirsch the points they wanted addressed one way communication was allowable. They could not communicate two ways.

Vice Chair Hirsch agreed that was one way of handling the matter. If Boardmembers mention the same items then those would become a higher priority. He liked the idea of everyone being involved.

Boardmember Baltay said that the ARB unanimously recommended denial of the project, but he did not feel that they had strong support from staff on that. Therefore it was particularly important that Council hear directly from the ARB about its position. He wanted to be sure that the representative stated that before the Council unequivocally. He offered to do it himself but noted he was open to anyone else doing it so long as the ARB made its position clear. He suggested they send notes to Chair Thompson, and she delegate the matter if she saw fit.

Chair Thompson indicated that she would work on the matter with Vice Chair Hirsch.

Ms. Gerhardt indicated that staff understood the ARB rarely denied projects and therefore took it very seriously when they did. Staff felt they needed to stay in conformance with state law as well.

Chair Thompson called for other questions, comments or announcements but heard none.

Adjournment

Chair Thompson adjourned the meeting.