



# Architectural Review Board

## Staff Report (ID # 14667)

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**Report Type:** Approval of Minutes **Meeting Date:** 8/18/2022

**Summary Title:** Minutes of July 7, 2022

**Title:** Draft Architectural Review Board Meeting Minutes for July 7, 2022

**From:** Jonathan Lait

### Recommendation

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

### Background

Draft minutes from the July 7, 2022 Architectural Review Board (ARB) are available in Attachment A.

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

### Attachments:

- Attachment A: Minutes of July 7, 2022 (DOCX)



## ARCHITECTURAL REVIEW BOARD

MINUTES: July 7, 2022

Council Chamber & Virtual Meeting  
8:30 AM

### **Call to Order / Roll Call**

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

Present: Chair David Hirsch, Vice Chair Peter Baltay (participating remotely), Boardmember Osma Thompson (arrived during Action Item 2), Boardmember Yingxi Chen, Boardmember Kendra Rosenberg (participating remotely)

Absent: None

### **Oral Communications**

Madina Klicheva, Administrative Assistant, stated there were none.

### **Agenda Changes, Additions and Deletions**

Jodie Gerhardt, Manager of Current Planning, stated that Chair Hirsch would be part of the ad hoc committee for Bayshore Road instead of Vice Chair Baltay.

### **City Official Reports**

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

Ms. Gerhardt shared her screen with the ARB and displayed the ARB 2022 Meeting Schedule. The July 21, 2022 hearing had the Home Key project and the Permanent Parklet Program scheduled. Per the ARB's request she provided a list of new projects that staff was working on and explained Boardmembers could complete early research and stressed that deliberations needed to be saved for the public hearings.

Chair Hirsch thanked Ms. Gerhardt for the list of new projects.

### **Action Items**

2. PUBLIC HEARING/QUASI-JUDICIAL. 180 El Camino REAL [22PLN-00049]: Recommendation on Applicant's Request for Approval of a Board Level Architectural Review Application to Allow for the Demolition of the Existing Building J (formerly LaBelle Day Spa) and Modifications to the Previously Approved Building EE Including a Standalone Building with New Storefront Facades for Two Future Restaurant Tenants. Environmental Assessment: Exempt from CEQA per Section 15302 (Replacement or Reconstruction). Zoning District: CC (Community Commercial). For More Information Contact the Project Planner Tamara Harrison at [Tamara.Harrison@mbakerintl.com](mailto:Tamara.Harrison@mbakerintl.com)

Page 1 of 24

Architectural Review Board Meeting  
Summary Minutes: 7/7/22

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

Ms. Gerhardt reminded Chair Hirsch to call for disclosures.

Chair Hirsch called for disclosures.

Boardmember Chen indicated she had visited the site.

Vice Chair Baltay disclosed that he had visited the site.

Boardmember Rosenberg stated that she had visited the site.

Chair Hirsch stated that he visited the site and assumed that Boardmember Thompson had as well. He called for the staff report.

Tamara Harrison, Project Planner with Michael Baker International, explained that she would present for City staff and shared her screen. The project was located at 180 El Camino Real. Building EE was newly proposed and would be in place of Building J, which was proposed to be demolished. The site was within the Stanford Shopping Center and was subject to the Master Tenant Façade and Sign (MTFS) Program. Storefronts exceeding 35 feet in length were required to go through an ARB public hearing. The project faced Shopping Center Way and El Camino Real. Proposed Building EE would accommodate two future restaurant tenants. The project was also conditioned to provide four bicycle racks. The project does not propose to increase Floor Area Ratio (FAR), but instead provides a net reduction of the FAR. It also does not propose to increase height from the previously approved Building EE design. The use of the tenant space remained retail tenant restaurant and did not change the vehicular circulation of the site. Building EE included brick and stone, fluted concrete, high pressure laminate woods, stucco, metal accents, and a green wall as design components. These elements were previously approved under the Macy's Men's redevelopment project. The site and building design were determined consistent with the MTFS program and the Shopping Center character. She displayed a drawing showing the previously permitted conditions under the Macy's Men's redevelopment project. Building EE was previously approved attached to Building J. Under the current proposal Building EE would be 11,799 square foot (sf) free standing building with a pedestrian paseo. Restaurant A was located on the southern portion of the building and would consist of fluted concrete, laminated wood, and metal accents. Each restaurant would be allowed to return to the ARB and propose their own storefront. Restaurant B would consist of brown stone and brick as well as a dark walnut laminate wood. She displayed an illustration of the building that would face Restoration Hardware and would include a green wall located at a common area trash room shared by the tenants. As Building EE was proposed to be freestanding it would expose a portion of Building C so that elevation would be treated with cement fiber board and a brown stucco finish with dark bronze metal accents. She provided a slide showing the elements included in the pedestrian paseo. The paseo would include market string lighting, ground lighting and trellises with vines. Key considerations for the project were to ensure the project was consistent with ARB Findings, the MTFS Program, and the El Camino Real Design Guidelines, and the Palo Alto Municipal Code. Staff requests ARB guidance on if the future tenant storefront glazing systems should return to an ARB ad hoc committee or for staff level review. Staff also recommended that the ARB recommend approval of the proposed project to the Director of Planning and subject to Conditions of Approval.

Ms. Gerhardt indicated that Boardmember Chen stepped away for a moment but would return shortly. She stated the applicant was available with its presentation.

Vice Chair Baltay suggested they do the applicant presentation prior to a round of questions.

Chair Hirsch called for the applicant's presentation.

Wayne Chubb, Simon Senior Design Manager, introduced Matt Woods with GHA Design and Mike Mowery with Kimley Horn. He noted that the project had a long history and that he was happy to answer questions.

Matt Woods, GHA Design, stated that they had been involved in the project for multiple iterations in an attempt to create a village atmosphere. He noted that Ms. Harrison thoroughly presented the project so he would just highlight a few issues. The project was previously approved for two fast casual restaurants connected to Building J, but in order to push toward a village atmosphere it was changed to a freestanding building to provide for more substantial restaurants each with a 360 degree view with patios. The curb lines are not being moved but the paseo space is being added. The paseo space was planned at 20 feet wide and added green space and pedestrian ease to the parking. He indicated that they were using high quality materials on all the elevations including a live green wall facing Restoration Hardware. The trellis elements will hold planting and lighting for the paseo. He provided a series of renderings of the building and explained that the landlord materials defined the architectural shape, and the tenant materials would soften the edges. Tenants will be able to provide umbrellas, canopies, additional lighting, and other fixtures. The material board was provided.

Chair Hirsch stated that it was not brought in.

Mr. Woods explained that it was a repeat of materials from the past with the stone, real brick, and wood compounds. The cement concrete which would be applied in sheet form was newer. He indicated that completed his presentation.

Chair Hirsch called for questions.

Boardmember Chen addressed her questions to the applicant. First, she noted that there might be a typo on Sheet A-EE4. She asked if the top of the brick wall was 128 or 125.

Chair Hirsch noted a discrepancy with the top drawing.

Ms. Gerhardt asked if Boardmember Chen was inquiring about the height of the building and explained there was two different parapet heights.

Boardmember Chen said that she wanted to ensure the brick wall would be a few inches lower than the fluted concrete wall.

Mr. Woods stated that was correct. The 129 was the screening wall behind and was the maximum height.

Boardmember Chen noticed that the Restaurant A storefront opening was set to two different heights. She asked for the reasoning behind that.

Mr. Woods explained that was just how it worked out with the trellis. They did not want a perfect line across. There was a small canopy on one side with a structure behind it and the other side had an attached trellis. If the ARB wanted them to align it could be done.

Boardmember Chen noticed that some materials were clearly labeled, and others were labeled as to be determined by the tenant. She confirmed that the clearly labeled materials were permanent.

Mr. Woods said that everything that was clearly labeled was to be done by the landlord. The spaces Xed through would be done by the tenant.

Boardmember Chen stated that on Sheet A-EE1 Restaurant B had a canopy and Restaurant A indicated it was per the tenant design. She asked for a reason for that difference.

Mr. Woods said that they had a tenant that was interested in the space but could not speak to it at this time.

Mr. Chubb explained they were showing the maximum tenant zone.

Boardmember Chen asked about the support system for the vertical wood over Restaurant A.

Mr. Woods said that it was a screen wall and was going directly over the material behind it. The intention was that area could be changed by the tenant when it went through its approvals.

Chair Hirsch called for further questions.

Boardmember Rosenberg indicated that she had a few. She clarified that the new paseo was 20 feet wide.

Mr. Woods said it was.

Boardmember Rosenberg stated that the paved portion was 8 feet.

Mr. Woods stated that was correct.

Boardmember Rosenberg said that there was about 6 feet of planting on either side.

Mr. Woods said that was correct and that it was sort of offset and went back and forth down the aisle.

Boardmember Rosenberg inquired about minimum lighting requirements.

Mr. Woods explained they planned to hit the mall minimum and add accent. There was also an opportunity for the restaurants to wrap their lighting around the corners.

Boardmember Rosenberg encouraged the applicant to make sure it was a bit brighter since the path was a bit more narrow than other parts of the Shopping Center in order to ensure it felt safe. She said it was helpful that they clarified the Xed portions on the drawings were for future tenant proposals. Some of the renderings had more detailing on the windows such as A-EE8. She confirmed that would be left to the tenant.

Mr. Wood stated that was correct. The tenants would see the renderings and they would be pushed to do a little bit more.

Boardmember Rosenberg indicated that concluded her questions and thanked the applicant.

Vice Chair Baltay requested further clarification on any changes that would be made by the tenants. Usually in the Shopping Center tenants make substantial changes to the building including new storefronts and glazing systems. He confirmed that only the Xed in areas would be changed by the tenants. He asked if there would be two new applications for storefronts when the tenants came in.

Ms. Gerhardt stated they were expecting window changes, which could be done at the staff level or at an ARB ad hoc committee meeting. She requested ARB comments on that.

Vice Chair Baltay asked the applicant if the trellis design would change.

Mr. Chubb explained the intention was to drive the tenants to maintain everything that the ARB was looking at. If a tenant wanted to affect the finish it would be included in the application.

Vice Chair Baltay stated that it was possible the tenant could want a different trellis design. He asked if they would be permitted to do that.

Mr. Chubb said that would only be permitted if it was part of their approval.

Vice Chair Baltay asked staff to confirm that changing the trellis would be allowed with ARB review.

Mr. Woods agreed that was possible.

Ms. Gerhardt stated a planning entitlement would be required. The question was if it would be at staff or ad hoc level.

Vice Chair Baltay inquired what would happen to the mature trees which were currently on either side of the existing building. Specifically, he asked which trees would be removed. He referenced Sheet T3 and stated there were red Xes through numerous trees.

Mike Mowery stated that several trees needed to be removed, specifically those on the West side of the paseo to allow for the opening. On the eastern side the tree removals were approved as part of one of the previous ARB approvals.

Vice Chair Baltay asked if it was necessary to remove Tree 282 on the west side and Trees 260 and 261 on the east.

Mr. Mowery repeated that Trees 260 and 261 were previously approved for removal and would allow for the new crosswalk enhancements and access to the paseo. Tree 282 was being removed for new utility connections.

Vice Chair Baltay asked if staff could confirm there was sufficient sidewalk space on either side of the outdoor dining areas.

Ms. Gerhardt noted they needed to review the circulation plan.

Ms. Harrison stated that the site plan showed 8 feet of free and clear walkways in those areas. Between the dining space and the curb there was 10 feet.

Vice Chair Baltay stated that he wanted to maintain the 8 foot space for consistency. He asked the applicant to show the proposed bicycle parking.

Mr. Woods shared his screen and pointed out the locations on either side of the building.

Vice Chair Baltay asked if the bicycle parking reduced the width of the 8 foot sidewalk. He indicated that concluded his questions.

Boardmember Chen asked if the lighting fixture above the green wall was a grow light.

Mr. Woods stated it was not a grow light.

Boardmember Chen noted the wall faced north and inquired about plant choice.

Mr. Woods said that had not been determined yet.

Chair Hirsch stated that he had a few questions regarding the details. He asked if the lighting fixtures in the outdoor areas were to be tenant selected.

[Man 1:04] asked which lighting fixtures Chair Hirsch was referring to.

Chair Hirsch said that the paving in the passageway was interrupted as it met the adjacent building and asked why the paving was stopped at that point.

[Man 1:04:34] asked if he was speaking about the rendering or one of the plans?

Chair Hirsch said he was looking at G1.0.

Ms. Gerhardt asked the applicant to explain the different pavements on the site plan. She then asked if Chair Hirsch's question about lighting was only related to the outdoor dining areas.

Chair Hirsch stated that he was inquiring about the outdoor dining lighting.

Mr. Woods said that the tenants would determine the outdoor dining lighting.

Chair Hirsch asked about the paving.

Mr. Woods stated that they were pulling up the sheet.

Mr. Mowery clarified that Chair Hirsch was referring to the light gray paving on Sheet G1 and ends at the Blue Bottle tenant.

Chair Hirsch said that it was on the west side in Building V.

Mr. Mowery explained the image reflected the limits of the new paving. It would conform to the paving that continued south.

Chair Hirsch confirmed that the paving would match.

Mr. Mowery stated that the new paving would be similar in material to the current corridors and sidewalks throughout the Shopping Center.

Chair Hirsch asked if the planters were a repeat of what was shown to the ARB before.

Mr. Mowery stated the planter locations were the same but the planters were slightly larger than the previous approval as they also serve as stormwater treatment facilities.

Chair Hirsch recalled that the ARB was concerned about the elevation of the crossover area. He asked what happened relative to that issue.

Mr. Mowery shared his screen and displayed Sheet A-EE8. Restoration Hardware would be to the right outside of the view of the image. He pointed out the drop off area and explained it was at the same elevation as the sidewalk. The planters provided a separation between the pedestrian walkway and the vehicle lane. In the pickup area there would be other bollard applications.

Chair Hirsch asked if that was coordinated with Restoration Hardware.

Mr. Mowery said that it was and that everything was per the ARB's previous approval from 2019.

Chair Hirsch said that on the materials there was a strong blue metallic item. He asked if that was open to possible changes.

Mr. Woods stated that possibly could change. The item was directed toward a specific tenant. If the tenant changed then the color could possibly change.

Chair Hirsch asked if tenants would understand that they did not have the option to make major changes in the volumes of the building.

Mr. Woods said that was correct

Chair Hirsch indicated that concluded his questions.

Vice Chair Baltay stated that he was reviewing the site plan on Sheet G1.0 and it showed a proposed transformer across Stanford Shopping Center Way. He asked if that was part of the project or if that was previously approved. Second, he asked if the transformer took up existing or proposed parking spaces.

Mr. Mowery explained that was a new transformer location. All the colored elements in the site plan were new elements. The transformer removed one parking space from the previous application.

Vice Chair Baltay asked staff if they evaluated if the parking still worked.

Ms. Gerhardt thought they were still about 50 spaces over what was required.

Mr. Mowery explained Sheet P1 contained the parking information for the renewed application. There was an excess of 52 spaces. He further clarified that the project signified an overall loss of square footage in that part of the Shopping Center.

Ms. Gerhardt clarified that Boardmember Chen returned to the meeting during the applicant's presentation and Boardmember Thompson just joined the meeting and would not be voting on the item.

Chair Hirsch returned the item to the ARB for discussion.

Vice Chair Baltay was excited about the paseo and thought it was a wonderful idea. He also found the drop off by Restoration Hardware to be exciting. The site plan worked well and the outdoor dining areas added vitality to the project. The transformer location seemed poor as it was in a visually prominent spot

Page 7 of 24

Architectural Review Board Meeting  
Summary Minutes: 7/7/22



and seemed to block access from the parking lot. He suggested they consider relocating it somewhere else. He was also distressed by the proposed bicycle parking locations as the one on the east side was close to the entrance to the alley and seemed to block the sidewalk. He saw similar problems with the bicycle parking on the left hand side and suggested they put more effort into considering the bicycle parking locations. The entrance to the trash storage was also poorly situated as it was a prominent part of the façade. He repeated that he would like to see them rethink the transformer location, the bicycle rack locations, and the service entrance to the building. He was also concerned about the finishes for the existing building that would be exposed on the alley. The proposed elevation was a hodgepodge and he wanted to see a more consistent architectural treatment of the façade. The current elevation would not work well or be very attractive. He remained concerned that the outdoor dining locations would impinge on the pedestrian flow around the Shopping Center despite hearing that there was 10 feet of clearance. The corner near Restaurant B cut into the ability of people to flow around the buildings. He suggested that they chamfer the corner for pedestrian access. Lastly he pointed out that the Shopping Center was under parked, especially in the northeast corner. The rationale that the large structure on the other side of the Shopping Center met the parking requirements, but that was not realistic for people to park there and walk to this part of the Shopping Center, especially for a restaurant. A new restaurant Downtown with takeout would be required to have 1 parking space for every 33 sf of restaurant, whereas a restaurant in the Shopping Center was required to have 1 parking space for 275 sf. That inequity inherently benefited the Shopping Center and disadvantaged local merchants and restaurants in town. He understood that was not an ARB issue and would not affect the application.

Boardmember Chen thanked the applicant for the application. She thought the site plan was very successful and liked the design of the paseo. She suggested they double check the pedestrian walkways around the building and ensure they were at least 8 feet wide. With the floor plan she was concerned about Restaurant B being able to accommodate the kitchen/food preparation area. If possible they may need to reconfigure the partition wall. The elevations were nice and detailed, and she liked the materials and green wall. With the south elevation she suggested they consider lowering the wood panels like they did with the green wall. With the existing trees she suggested they reconsider whether they need to be removed, especially Tree 282.

Boardmember Rosenberg thanked the applicant for the presentation and indicated she would echo many of the other Boardmembers concerns. She stated she was less concerned about the placement of the transformer. Increasing parking would always be preferred, but the tradeoff with a new transformer was not terrible. She felt bad that Wilkes Bashford would have three transformers in their parking lot. She encouraged some kind of treatment around the transformers to make them more attractive. She loved the three crosswalks coming in with the planter boxes but agreed that the bicycle parking was not ideal. The paseo was long overdue and would feel open, inviting, and public. The building was beautiful with good material choices, proportions, and scale. She strongly encouraged potential tenants to stick closely to the renderings. The architects did a good job, and their design and intent should be respected. She agreed that the trash was not in an ideal location but was unsure how to resolve it better and clearly did not want it down the paseo. The plantings and lighting were exciting, and she stressed they needed consistent and appropriate illumination for the paseo for the sake of safety. Overall, the project was commendable, and she thanked the applicant for their time.

Chair Hirsch thanked the ARB for its comments. He asked if it was possible to eliminate some of the transformers for the sake of Wilkes Bashford and noted that was an issue. With respect to the bicycle parking there did not seem to be an appropriate space on the east side for bicycle and pedestrian passage. He suggested expanding the bicycle storage on the other side of the building and questioned if there was enough space for all of the bicycle parking on the site. There seemed to be a conflict between bicycle storage location and appropriate usage of the paseo. He agreed with Boardmember Rosenberg about the location of the trash enclosure and thought it was up to the tenants to ensure that the passageway remained clean. He suggested they make sure there was enough door clearance to use the appropriate trash containers in the area. He differed from Vice Chair Baltay on the materials at the entrance to the paseo and found it attractive from both sides. The choice of materials was consistent throughout the project. With respect to the corner and Vice Chair Baltay's comments about chamfering it or ensuring better passage he agreed with Boardmember Rosenberg that the crosswalks were terrific and created a nice pedestrian passage. The site plan was clearly improved from the last iteration, especially the addition of the paseo. People might migrate to the corner of the shopping center just to walk through the alleyway. The floor plan question was important, but that was up to the applicant to deal with the tenants. The type of tenant that goes in would be determined by the size of the space and therefore was not the ARB's concern. With respect to the tree removal issues sometimes trees had to give way to improvements. Vice Chair Baltay was conscientious about trees, and he suggested the applicant return with reasons for the tree removals so the ARB could give the matter consideration. He agreed with Boardmember Rosenberg's comments about the beauty of the building and its proportions and materials. There was a bit of weirdness between the detail of the heights at one end from the other end, but the building is never viewed from a point where both ends are visible at the same time therefore he was less concerned about the variations than Boardmember Chen. He liked the proportions of the building and all the materials. He called for a Motion.

Vice Chair Baltay asked if it was possible to hear Boardmember Thompson's opinion.

Boardmember Thompson indicated that she did not believe she was allowed to do so.

Ms. Gerhardt indicated that she could provide her opinion but could not vote since she was not present for the whole hearing.

Vice Chair Baltay requested to hear Boardmember Thompson's opinion.

Chair Hirsch thought he summarized the other ARB opinions and asked if Boardmember Thompson wanted to add anything.

Boardmember Thompson did not feel right providing her opinion. As she knew she would miss the first item she did not prepare her opinion.

Chair Hirsch called for a Motion.

**MOTION #1:** Boardmember Rosenberg moved to direct staff that the item should return and be reviewed at the staff level and approve the project to the Director of Planning and Development Services.

Ms. Gerhardt stated that she heard the ARB mention the following items to return for review: the location and screening of the transformers, the bicycle parking locations, 8 foot pedestrian clearance on the pathways, the trash entrance and how to keep the area clean, and tree removals.

Boardmember Rosenberg asked if there were Friendly Amendments.

Vice Chair Baltay indicated that there was no second yet. He was uncomfortable with removing Tree 282, which was a mature tree at the end of the passageway on the left hand side. It seemed wrong to remove it for a utility connection. He was also uncomfortable not reviewing the bicycle placement. The Shopping Center needed to create more suitable places for bicycle parking. He thought it was overoptimistic to hand the project over to staff and therefore could not support the Motion.

Ms. Gerhardt asked Chair Hirsch if he wanted to allow the applicant to speak regarding the tree location.

Chair Hirsch indicated that he would want to hear from the applicant.

Mr. Mowery confirmed that the removal of Tree 282 was proposed for utility work as they were connecting to existing lines. It was the belief of the project arborist that the tree root system would likely be distressed during the connections and that was why the tree was proposed for removal.

Ms. Gerhardt asked if the Motion had received a second.

Chair Hirsch said that they did not.

Ms. Gerhardt indicated they needed to continue with that first.

Vice Chair Baltay started to make a Motion.

Ms. Gerhardt confirmed that Boardmember Rosenberg's Motion failed for a lack of second.

Chair Hirsch agreed that was correct.

#### **MOTION #1 FAILED FOR LACK OF SECOND**

**MOTION #2:** Vice Chair Baltay moved to continue the project to a date uncertain, to request the applicant return with revisions exploring the idea of relocating the transformer, to explore the necessity of which trees needed to be removed, to explore saving Tree 282 or provide detailed arborist information as to why it could not be saved, and to provide better bicycle storage locations.

Chair Hirsch called for a second.

Ms. Gerhardt clarified that the Chair could also second the Motion.

Chair Hirsch indicated that there was no second.

Ms. Gerhardt noted that the Motion failed.

#### **MOTION #2 FAILED FOR LACK OF SECOND**

Chair Hirsch said that he did not want to second the Motion but wanted to discuss it.

Ms. Gerhardt stated that a Motion could not be discussed without a second.

Vice Chair Baltay asked for Boardmember Chen's proposal.

**MOTION #3:** Boardmember Chen moved, seconded by Vice Chair Baltay, to approve the project with the items previously listed by Vice Chair Baltay returning for review by an ad hoc committee.

Boardmember Chen thought that generally speaking the building and site plan was welcoming and interesting. She did not think it was necessary to return the project to the entire ARB.

Boardmember Thompson clarified that Boardmember Chen's Motion was to approve the project subject to certain items going before an ad hoc committee.

Boardmember Chen indicated that was correct.

Vice Chair Baltay seconded the Motion.

Ms. Gerhardt confirmed that the ad hoc committee would review the bicycle locations, look into saving Tree 282 or hearing more information on the matter, and the location of the transformers. She noted that she did not hear anything about the 8 foot clearance or the trash.

Vice Chair Baltay agreed that was correct. There was not sufficient support to relocate the trash door or sufficient concern about the 8 foot clearance. He repeated that he seconded the Motion.

Chair Hirsch called for the vote.

Ms. Gerhardt clarified that they could discuss the Motion, or they could move to the vote.

Vice Chair Baltay stated that he wished he heard more support about Tree 282. He thought there had to be a way to save it.

Chair Hirsch asked for the Motion to be repeated.

**RESTATED MOTION #3:** Boardmember Chen moved, seconded by Vice Chair Baltay, to approve the project subject to review in ad hoc committee for the bicycle storage issues, the transformer issues, and issues related to the existing trees, most specifically the potential to save Tree 282.

Chair Hirsch noted that the Motion was seconded.

Vice Chair Baltay agreed he had seconded the Motion.

**VOTE:** 4-0-1-0 (Boardmember Thompson abstained)

Vice Chair Baltay requested Chair Hirsch appoint the ad hoc committee and expressed interest in being on the committee.

Ms. Gerhardt stated that Chair Hirsch could appoint the committee immediately or at a later date.

Boardmember Chen expressed interest in being on the ad hoc committee.

Chair Hirsch appointed Vice Chair Baltay and Boardmember Chen to the ad hoc committee.

Ms. Gerhardt confirmed Vice Chair Baltay and Boardmember Chen were the ad hoc committee.

Chair Hirsch indicated that was correct. He thanked the applicant for the project.

## **The ARB Took a Break**

### **Study Session**

#### 3. Discuss how the ARB's Expertise Could Best be Used in the Early Portions of a Planning Project

Ms. Klicheva indicated that the meeting would restart and that it was 10:22 a.m.

Chair Hirsch presented Boardmember Thompson with a bouquet of flowers as a thank you for her time as Chair.

Ms. Gerhardt thanked former Chair Thompson as well.

Chair Hirsch introduced the item and indicated that staff had provided documents used by the applicants when they come before the ARB. He stated that he was learning about the Municipal Code and asked if Albert Yang was available to listen to the discussion.

Ms. Gerhardt stated that he would join the meeting in a few minutes.

Chair Hirsch stated that under 18.23 there was an interesting Chapter and he read aloud from it beginning with 18.23.010. He then read from 18.76.020, noted that the Council did the prescreening and suggested that Boardmembers read 18.79. He then read 18.79 out loud and noted that they needed Mr. Yang to speak to it further. He noted that Boardmembers could not rely on comments made in the preliminary process for any decisions as everything must be handled publicly. Finally, the Multi-family Context Based Design Criteria was something they should discuss relative to the Objective Standards. He read about housing types under the letter B and explained that the Bayshore project was approved by the Council after it was presented to them by the Chair of the Planning and Transportation Commission (PTC), which had voted strongly in favor of the project. The ARB's opinions on the project were not recognized as significant enough by the Council to merit additional consideration. He attended the Council meeting with Boardmember Thompson and Vice Chair Baltay. It was clear that there were issues that involved preplanning that would be helpful moving forward. Based on that he and Vice Chair Baltay agreed it was important to discuss preplanning moving forward. He asked if Mr. Yang was available.

Ms. Gerhardt stated that he was an attendee and needed to be promoted to panelist.

Ms. Klicheva indicated that she was working on it and then stated that Mr. Yan was a panelist.

Ms. Gerhardt said that he would be available to speak in a moment. The 2850 Bayshore project was approved by Council. The Council did not enjoy going against the ARB and took the denial recommendation seriously, but there were legal requirements the Council needed to take into consideration. Staff was interested in having a conversation about how to move forward on other projects as there would be other projects that took advantage of SB 330 and the limitation to 5 hearings. The Objective Standards would be effective within the next few weeks and those regulations would be available for use in the review of new projects.

Chair Hirsch said that the applicant for the Bayshore project noted that it would have been impossible for that project to be reviewed because the townhouse development was not yet a part of the Objective Standards.

Ms. Gerhardt stated that was a bit of a misnomer. The diagrams in the approved Objective Standards looked as though they were for mixed-use projects but could also be used for townhome projects.

Chair Hirsch thought they needed to discuss how to proceed with the possibility of pre-hearing meetings in ad hoc committees or project specific committees.

Ms. Gerhardt suggested that Mr. Yang discuss that. The current process per the code discusses preliminary review. Projects could come to the ARB early, which would be helpful but is not required. Some applicants choose to skip that step and previous ARBs have not looked at that favorably, but it was not illegal. Packet Page 43 outlined the requirements for preliminary review. Packet Page 45 provided the process and noted that preliminary review was strongly recommended. Packet Page 46 included the submittal checklist for the formal process. Packet Page 52 contained the architectural review code section for reference. The list of new projects was agendized so that would be visible under City Official Reports as the projects came in. She asked Mr. Yang to discuss what Boardmembers could do as “early homework.”

Chair Hirsch asked if Mr. Yang was available.

Albert Yang, Assistant City Attorney, apologized for joining the meeting late and stated that he was missing some context about the goal of having early involvement.

Vice Chair Baltay asked to speak to the matter.

Chair Hirsch said that he would like to respond first. He explained to Mr. Yang that he and Vice Chair Baltay had discussed the matter and determined that if the ARB had been involved earlier in the Bayshore project there may have been a change in direction in the project. They looked to incorporate it somehow into the requirements listed in the code where the ARB would form ad hoc committees to review projects in advance of any official hearing. Therefore, how and when projects would return to the ARB was a question that they would like Mr. Yang’s input on. He recognized Vice Chair Baltay.

Vice Chair Baltay agreed with what Chair Hirsch said and indicated he wanted to provide a broader background for the rest of the ARB.

Chair Hirsch asked him to proceed.

Vice Chair Baltay said that after working on the ARB for almost a decade it was clear to him that earlier involvement on planning issues might help applications move through the process in a smoother manner. He noted that in the last item they heard the ARB agreed that the bicycle parking had not been properly thought through. A few comments to the applicant several months prior would have made the project go more smoothly and the application would have been more successful. Many times slight early involvement would have been helpful. The first question was if the ARB agreed that it would be helpful. If so, the question was what the proper way for the ARB was to provide the input on the projects. The City Code contained an optional preliminary review process. One thing the ARB could do is ask staff to encourage that process further. He stated that they could start by checking the fee schedule but noted

that was a separate discussion. Chair Hirsch asked the staff to provide a list of pipeline projects, which was now contained in the staff report. One thing that could be done was for individuals Boardmembers to look at the applications in the public record. He said that Mr. Yang could provide an opinion on that as the ARB was supposed to complete a quasi-judicial review of projects. He questioned if another review was considered to be a meeting or not under the 5 meeting review period. The first question to the ARB was if they agreed that some sort of initial involvement would be a good thing. If so, should the ARB push harder to get applicants to move forward with the codified preliminary process. Finally, would that count toward the 5 meeting limit on housing or would it be better to use an ad hoc committee review process.

Chair Hirsch said that Ms. Gerhardt provided the preliminary ARB submittal requirements checklist. The requirements might not include 3-dimensional imagery, detailed floor plans and sections, roof plans, landscape, grading, and drainage plans, and others. He thought that if they had an arrangement where the Chair and Vice Chair met with the design department and representatives immediately after Council screening of a new housing development project the ARB could have a bigger impact. The ARB was capable of dealing with other projects individually. Housing projects specifically have a shorter time span and approval process and could benefit the most from preliminary review. So he would suggest the Chair and Vice Chair meet with the Planning Department to discuss housing projects in and around town. If possible, he would like to invite the applicant to the review but that needed further input from Mr. Yang. The subcommittee could report on the scope of the meeting and identify the items reviewed and if the applicant had accepted the suggestion or provided acceptable alternatives. After the review the ARB would create an advisory report and summary of recommendations for presentation to Council. That procedure was not normally something the ARB would do, but it would be a way for Council to see the depth of the ARB's consideration. Vice Chair Baltay mentioned at the Council hearing that an over two acre site should have three housing types, which meant to the ARB typologies. That could have been used to better effect on the project if it was mentioned at an earlier stage but did not at the later stage. He asked Mr. Yang for his comments.

Mr. Yang said the first question he heard was if a preliminary hearing was considered to be one of the 5 meetings under the code. Typically the answer to that was no as the five meeting limit came into play after the application was complete. A preliminary hearing comes prior to the formal application.

Chair Hirsch asked for the definition of "complete formal application."

Mr. Yang said that there was an application checklist for the preliminary application and that was different than the actual application. Planners review applications for completion and if something was missing then applicants would be advised how to resolve the issue.

Chair Hirsch asked if a "complete" application used the preliminary submittal requirements.

Ms. Gerhardt said that it did not. Mr. Yang was referring to the formal checklist. She referred the ARB to Packet Page 46 and explained an applicant would have to turn in a formal application containing everything listed on the formal checklist.

Chair Hirsch indicated that he understood.

Mr. Yang said that when an applicant chose to do a preliminary review with the ARB it was prior to submitting a formal application so the 5 hearing limit was not triggered. He was unclear about the list of pipeline projects provided by Ms. Gerhardt and assumed they had submitted formal applications.

Ms. Gerhardt agreed that was correct. The projects were recently on file and were likely to come before the ARB.

Mr. Yang said that if they wanted to have an early hearing it would count toward the 5 hearing limit. With regard to looking at the list and preparing comments he advised against doing that because the applicant would not know about it or have an opportunity to speak on it. They could conceivably have a method to comment early on projects in a public hearing with notice to both the public and the applicant. That would count as one of the 5 meetings because there would have been a formal application. Based on that it was not practical. With the subcommittee question he thought it would work because a subcommittee was not the whole board or a formal hearing. The issue would be that the subcommittee could not grow beyond two members in order to comply with the Brown Act. The subcommittee could report to the whole ARB during the Boardmember Questions, Comments, and Announcements section of the agenda. That would not be an opportunity for discussion, just one for the subcommittee to report out.

Chair Hirsch called for Boardmember comments.

Vice Chair Baltay asked Mr. Yang if they were able to form a standing subcommittee.

Mr. Yang explained that a standing committee was not an ad hoc committee so different rules applied. He suggested that if the ARB take the subcommittee approach that it should be on a project by project basis and not as a standing committee.

Vice Chair Baltay asked if they could review all the projects in the pipeline at any given time. It was difficult to pick one project as the idea was to review the pipeline.

Mr. Yang indicated he would have to think about the matter further. He asked if they intended to have one subcommittee of two members look at all the projects in the pipeline and then change committee members or if they wanted to have more continuity.

Vice Chair Baltay said he would like it to have more continuity. He then suggested they hear other Boardmember comments since they did not know if the ARB wanted to pursue the idea or not.

Mr. Yang said that he wanted to make another comment about housing projects and the way the ARB could influence them. Taking Bayshore as an example he understood that Bayshore came in for a preliminary hearing. So the project received early feedback and formal feedback as well. The issue was not the timing of the feedback but that the applicant was not receptive to the feedback. State law now allows applicants to take that position. The City has very limited discretion to deny or reduce the density of housing applications that comply with the Objective Standards. The City could apply conditions to the approval of the projects. therefore, if an applicant was unreceptive to the ARB's suggestions they could fashion very specific conditions. He understood that the ARB traditionally resisted doing that, but that was [audio issues 2:37:26]

Boardmember Rosenberg interrupted and stated that the video had cut out.



Boardmember Thompson indicated that they could hear and see everyone.

Boardmember Rosenberg stated the issues were on her end and apologized for the interruption.

Mr. Yang repeated that he understood the ARB had resisted specific conditions in the past, but in the case of housing projects that complied with Objective Standards that was the way to resolve design issues.

Chair Hirsch asked if the Objective Standards would have to include language that dealt with issues which the ARB could imagine might be required [unintelligible 2:38:33].

Mr. Yang said that was not necessarily the case. The Objective Standards were not totally prescriptive and did not speak to things like color. If the ARB wanted a color change that could be a condition of approval. The City might need the ARB to provide more specificity on the type of color as opposed to saying that it should be more compatible with neighboring structures.

Ms. Gerhardt added that in the future there would be at least two different kinds of projects. the Bayshore project was an SB 330 project with a 5 hearing limit but was still discretionary. The ARB could have made objective conditions for that project. Other types of housing projects might go through the streamlined Objective Standards one hearing process. She asked if those would have to adhere to the Objective Standards as written or if the ARB could place conditions on them.

Mr. Yang indicated that they would still be able to put conditions on them, but the conditions would be different from what the ARB was used to doing. The conditions would have to be more specific.

Chair Hirsch said that color was one aspect of what the ARB looked at. Preliminarily they often looked more at site planning issues. He asked how that should be handled. The Objective Standards include three different typologies.

Ms. Gerhardt clarified that in the Context Based Design Criteria there was language that discussed diversity of housing types. The language was not 100% clear. On the Bayshore project staff looked to the ARB to help interpret the language. However, the recently approved Objective Standards clarified the language and indicated that it needed to be different housing types. On a site that was greater than 2 acres there needed to be a minimum of three housing types. That means condos versus townhouses versus detached housing. The units would have to be different.

Mr. Yang said that he had heard two questions. First, if there was an Objective Standard that required the different housing typologies could it be required? If the City had that Objective Standard then the ARB could absolutely require it. If the City did not have an Objective Standard then the ARB could condition the project approval on having different housing typologies, but they would have to figure out how to make it work. The condition would have to explain how it would be done.

Chair Hirsch thanked Mr. Yang and called for ARB comment.

Boardmember Thompson stated that Mr. Yang's feedback was very helpful. She stated that the ARB was a reviewing board which looked at projects after they were developed by a designer/architect. That was different from being a generative board. She thought that distinction was key because it gave the ARB an impartiality to the projects it heard. The Boardmembers had different backgrounds and perspectives and the virtue of the ARB was that it was impartial. [Apparent audio/video skip? 2:45:15] Since that was the

mandate she had an issue creating a subcommittee of two people to review projects prior to their coming in front of the whole ARB. The project may be influenced by the subcommittee and then receive different direction from the full ARB which might really frustrate applicants. The current process ensured that the individual Boardmembers were a “clean slate” to new projects. An ad hoc committee that is assigned to a project after a vote understands the thoughts of the full ARB. The ad hoc committee had to be faithful to the wishes of the full ARB. Therefore, she had trepidation over the whole idea and thought a prescreening subcommittee might create havoc. She agreed with Mr. Yang that Bayshore was just one project and she disagreed with Vice Chair Baltay. It was okay that the applicant received feedback on the bicycle rack before the full board. That was the purpose of ad hoc committees. The Bayshore project received feedback in a preliminary hearing and were not receptive. That was just how the process went. The ARB did not regularly deny projects and that was because the process already worked.

Boardmember Chen thanked Chair Hirsch for sending out the Code and related information as it helped her understand the process. Generally speaking she supported early screening on certain projects. She understood Boardmember Thompson’s concern about a subcommittee so she thought it was important to define what areas the subcommittee would focus on during the prescreening. The site analysis was important because site planning was the first thing that needed to be solved. It was important to be involved sooner because a full packet took a lot of time to produce. If the ARB could get involved during the site plan phase it would benefit everyone. She thought most design teams were openminded during the early stages of site planning. She thought it was a matter of appropriate timing and which deliverables to ask for in the early review.

Boardmember Rosenberg asked if the ARB was trying to make it so the preliminary review was required or if it was at the ARB’s discretion or at the applicant’s discretion.

Boardmember Thompson thought that was still being discussed.

Boardmember Rosenberg said that if it was required for all projects then they were simply adding another hurdle. It was another moment for delay and stress. She valued Boardmember Thompson’s input and thought there was a possibility for miscommunication and frustration when two Boardmembers might agree with something but not be the majority. If that happened the applicant would be left feeling as though they did what was requested and were still frustrated. She also valued Mr. Yang’s point that the issue was that the applicant was unwilling to take input from the ARB. She was open to a preliminary review if requested by the applicant but was uncomfortable with the idea of requiring it for all projects. It was not the ARB’s job to proactively look ahead at projects. It was to review what was presented. The ad hoc committees were useful after the hearings to facilitate minor changes in the project. Again, if the applicant sought a preliminary informal nonbinding meeting she could support that but would have a difficult time with it being required in any way or for every project in the pipeline.

Chair Hirsch thought Mr. Yang’s explanation of the Objective Standards being the applicable regulation was very helpful. He also appreciated Ms. Gerhardt’s note that improvements to the Objective Standards had been made. Whether the ARB inserted itself by requirement or option, the Objective Standards would still hold. The ARB might be useful at an earlier stage if it pushed toward the Objective Standards. For example, had there been Objective Standards with the Bayshore project they would have seen a very different project from the one approved. He asked Vice Chair Baltay to continue.

Vice Chair Baltay said that it was a great discussion, and his thoughts were influenced by the other Boardmembers. He thought Boardmember Thompson was correct in that it was critical that the ARB give consistent advice to applicants. On the flip side he noted that his company had a review before a Board like the ARB about once a month. One of their constant frustrations was that they did not know what the Board would think. Anything that they could do to get a sense of what the Board thought would be helpful. He argued that Boardmember Thompson was wrong to think they were just a judicial body, they wanted to be participatory and guide projects. More flexibility would be good for applicants as well as the ARB. He thought the best solution would be to take the established preliminary process and make it easier for applicants to voluntarily go through it. He stated that the last time his company came before the Palo Alto ARB they did not want to do the preliminary review because it was arduous and expensive for the client. The application fee alone was \$5,000. He asked if the ARB could work with staff to come up with a simple informal preliminary ARB review process before the entire ARB with public notice but with zero fee to the applicant and zero requirements for drawing sets and civil engineering details. He suggested that was a better solution. He thought if it was free there would be more participation. Finally, whenever he sat on an ad hoc committee he liked to ask applicants how the process went and generally received feedback about how they missed a more informal procedure.

Boardmember Thompson asked to respond.

Chair Hirsch indicated that she could respond in a moment. He thought the preliminary ARB submittal requirement checklist was pretty good up until Item C. From there on it was detailed and would require \$20,000 to \$30,000 to prepare. He noted that he spent most of his career on housing projects and thought that up to Item C it was reasonable, but after that applicant's would resent being told to go back and rethink things. Site planning and the issues mentioned by Boardmember Chen were primary and those were the issues they wanted to informally discuss. He thought a two member ad hoc committee was the way to go for legal reasons. If the Objective Standards continued to be revised then the ARB should perhaps have more input in them. The ARB should understand all of the Objective Standards as they were being changed. He thought that they also needed to know when the Objective Standards would be finalized.

Boardmember Thompson said that she wanted to focus on the early review portion of the discussion. She heard Mr. Yang say that a preliminary hearing with the full ARB did not count toward the number of hearings. She liked Vice Chair Baltay's idea of finding a way to make preliminary reviews easier. Oral Communications is a time for members of the public to discuss items not on the agenda. She wondered if they could have a similar agendized time for a roundtable discussion. The fees for the preliminary hearings were necessary to cover the City staff time. So if there was minimal work on the staff's end and the item could be heard by the full ARB at the applicant's discretion that might be a solution.

Vice Chair Baltay liked the idea.

Boardmember Rosenberg agreed.

Boardmember Chen said that she also liked the idea and added that if the discussion happened at an early stage it would be a two way discussion. She also thought the input at that point should be very objective and stress things like maintaining trees and providing 8 feet of clearance. The ARB would not be designing the projects, they would just help the applicants create better projects.

Ms. Gerhardt said that from staff's perspective there was a preliminary process on the books. That process was not required. The current process took two to three months for an applicant to get agendized. Staff could look at narrowing the timeframe, but she was concerned about the roundtable idea because staff would not have had time to do the zoning analysis. Most architects were good about respecting the zoning and height limits, but some do miss a few things which could change a project.

Vice Chair Baltay stated that he was comfortable with reviewing something that had not been analyzed by staff for zoning. Everyone would understand that the project was not fully vetted. He thought Boardmember Thompson's idea of using the Oral Communications part of the agenda had merit. He asked if Mr. Yang if an applicant could come forward during that time and if they'd waive the three minute limit if that was a way a project could be reviewed. He said that he was interested in a way to simplify the process, reduces the cost, and cuts out the legalities.

Mr. Yang said that the ARB could not comment on or discuss items raised during Oral Communications since they were not agendized.

Ms. Gerhardt said that with the ad hoc committees they did not have a long lead time. So if Boardmembers were comfortable not having a zoning analysis and they were simply taking a plan set from an applicant it could be turned around in about two weeks. Then it could be agendized and put out in a packet as a Study Session.

Vice Chair Baltay asked if that could be done for \$100 fee.

Ms. Gerhardt thought it would need to be a little more than \$100, but it could be done for less. She noted that Council did have to approve fees and staff just completed a fee study so it was not something that could be done quickly.

Vice Chair Baltay asked if there was any way to fit the idea in without going to Council.

Boardmember Thompson explained that she was thinking of a separate category outside of Oral Communications that would be a round table discussion. She thought it could be called a Study Session. She asked if that was how preliminaries were listed.

Ms. Gerhardt confirmed that preliminaries were considered Study Sessions.

Boardmember Thompson noted that the current Study Session did not require an applicant fee. She suggested that it be called a "roundtable discussion" or something different and it could have its own fee and turnaround time. Council would probably have to approve the idea, but that was her initial thought after hearing Vice Chair Baltay's comments.

Ms. Gerhardt clarified that the Code did not have a lot of language surrounding preliminary hearings. The language could be changed if the ARB was interested in doing a two to three week version like she had previously mentioned. That would get a plan set in the packet and the item on an agenda as Study Session. The fee could not be changed immediately.

Boardmember Thompson said that she did not want it to detract from a more legitimate preliminary hearing either. She was worried about conflating the two processes.

Vice Chair Baltay asked for Mr. Yang's thoughts.

Mr. Yang thought the Study Session concept would work but did not think there was a way around Council related to the fee.

Chair Hirsch asked if the Study Session would count as one of the five hearings under SB 330.

Mr. Yang said that it would depend on whether it happened before or after an applicant submitted its formal application.

Vice Chair Baltay thought it was important that it happen prior to the formal application. He asked if it was possible to create a pre-preliminary checklist.

Mr. Yang asked if he was asking if they could make it mandatory.

Vice Chair Baltay said that was not what he was asking. No one was looking to make it mandatory.

Mr. Yang said that if it was option then it could be something that happened prior to the formal application and would not count towards the 5 hearings.

Boardmember Thompson asked if there was a limit on preliminary hearings.

Mr. Yang said there was no limit under State law. In the past the City had only wanted to do one preliminary hearing to preserve City resources.

Chair Hirsch wondered why Boardmembers would be opposed to the preliminary hearing being a requirement instead of an option.

Vice Chair Baltay asked to hear Boardmember Rosenberg's opinion.

Boardmember Rosenberg stated that she was on the fence. She had an issue with making it a requirement because that forced the applicant through an extra hoop. Having the process be voluntary meant the applicant would be open to receiving any input received, which might not be the case if the process was required. She loved when they used to be able to walk into the City and sit down and quickly review the plans informally. That provided valuable input early, but she still hesitated to make it required.

Boardmember Thompson said she was also hesitant to make it a requirement. She thought it was fine to advertise to applicants that they recommended it, especially if it was more affordable, less expensive, and more streamlined. There were projects that did not require preliminary hearings and she did not want to require them to go through an extra step just because it would have benefited another project.

Boardmember Rosenberg agreed that the preliminary hearing would add an extra step that was unnecessary in some cases. That said, she personally had projects where she wished she could have had a 10 minute conversation with someone. To have that be an option would be beneficial. She suggested something similar to a professor's office hours in college. She stressed that she did not know the legality of that and understood that staff was already overworked. She suggested the idea could be left to the ARB and volunteers.

Vice Chair Baltay said that they were looking to use their powers of persuasion and the strength of good ideas. The more voluntary the process the more receptive people would be to a collaborative design

process. He was concerned about the fee and thought that when something went to City Council it would get more expensive. He suggested that they try the program and see how many applicants took advantage of it.

Chair Hirsch said that they could keep an open mind about it and see how successful it was. If the program was not successful then the ARB could change its mind. An applicant did not want to spend \$20,000 to \$30,000 to develop of detailed project and then have the ARB tell them there was something wrong with it. He pointed out that with the Bayshore project Vice Chair Baltay had consistently suggested underground parking. He asked if the Bayshore project would have changed had the ARB discussed that idea earlier.

Boardmember Thompson stated that the ARB made that suggestion in the preliminary hearing.

Vice Chair Baltay said that he would like to think that if he had a half hour with the people who worked on the Bayshore project that he could have given them a persuasive argument as to how that would have been more economical. He would have handled it the same way with a client. Ideas had to stand on their own merits so what the ARB was asking for was the time to offer different ideas for consideration.

Boardmember Chen thought it was not necessary to make the preliminary hearing mandatory. Further, the ARB's concerns were more about site plans so it might be more about a major architectural review as the minor reviews did not need an extra step.

Boardmember Thompson stated that they had been discussing the matter for about an hour and a half and asked how they wanted to wrap it up.

Ms. Gerhardt mentioned that Mr. Yang had to leave the call. She stated that they appreciated his time. She suggested that she speak with staff about having two different preliminary paths.

Chair Hirsch thought it was the ARB's opinion that it was a good idea to move forward. He personally encouraged the shorter process and thought that the ARB could give responses that would be useful to potential applicants. A number of scope issues were discussed and could be refined, but he repeated that the preliminary checklist through Item C would be plenty in order to comment on site planning, transportation, and other issues. He stated that the item was a discussion, and a Motion was not necessary.

Boardmember Thompson did not think there was a straw poll necessary. The question was if they wanted staff to look into what a shorter review period might be and if the item needed to be revisited or proposed to Council as a new part of the ARB process.

Ms. Gerhardt said that they had just approved fees with Council a month or so prior. Based on that they would need to wait a year to change fees. Based on that they had time to try out the new preliminary ideas.

Vice Chair Baltay asked if there was a fee to place something on the agenda. Fees were for applications as proscribed in the code.

Ms. Gerhardt stated that for the ARB to put an item on the agenda there was no fee. For an applicant to put something on the agenda that required staff time there had to be some kind of fee.

Vice Chair Baltay stated that a member of the public wanted the ARB to review the pole colors for Caltrain. That was dealt with as a Study Session. He asked if there was a fee for that item.

Ms. Gerhardt said that it was possible that there was no fee for that as a one time item, but this would be different as it was a regular process.

Vice Chair Baltay asked if they could explore the idea of a Study Session related to a specific project and agendaing it without charging a fee. All staff would be doing is agendaing the item and making the public notification.

Chair Hirsch asked if all the projects Ms. Gerhardt listed already had fees attached.

Ms. Gerhardt explained there were different fees for different processes. All the projects had different fees.

Chair Hirsch asked if those were the initial fees that an applicant would pay and if they would take them through [audio cut off 3:29:23]

Ms. Gerhardt said that some of the items were formal applications. There was one preliminary architectural review for 800 San Antonio. She indicated she would speak to the Director about the fees they might charge.

Boardmember Thompson suggested that if an applicant already chose a preliminary hearing they might receive a "two for one deal" where they could have an initial pre-zoning analysis meeting and then one afterward.

Ms. Gerhardt said that she could give applicants the option between the two week or the two month version. The two month version would contain a zoning review. The zoning review could always take place after the hearing as well.

Boardmember Thompson stated that was an example of a "two for one." She thought that was something to consider as an interim solution.

Vice Chair Baltay suggested Chair Hirsch appoint an ad hoc committee to work with staff on the item. He thought the position of the full ARB was well expressed.

Boardmember Thompson asked what the ad hoc committee would do.

Vice Chair Baltay explained they would try to establish some more informal preliminary review process.

Chair Hirsch thought it was best left to staff as outlined by the full ARB.

Vice Chair Baltay indicated that Ms. Gerhardt had stated it would take time over the next year to set up the process.

Ms. Gerhardt said that she could make the process change by the next day, but she could not change the fees. She heard concern about the fees so if an applicant only wanted to do the two week version she could discuss it with the Director to see if a different fee could be used.

Vice Chair Baltay thought that sounded good.

Chair Hirsch thanked the ARB for a good discussion and a significant potential change.

Ms. Gerhardt thanked the ARB.

#### 4. Discuss ARB Awards Ceremony

Chair Hirsch stated that he had asked Ms. Gerhardt to provide the architect's phone numbers for the ARB Awards.

Ms. Gerhardt indicated that Amy French would join the meeting momentarily. She had provided the Chair and Vice Chair with a draft email for the different architects as well as a list of next steps for the ARB Awards. Staff could assist with many of the items, but she suggested creating an ad hoc committee to move the item forward.

Boardmember Thompson believed she sent the whole ARB the draft email, but they need the contacts in order to send them out.

Boardmember Rosenberg stated her portion was drafted and questioned if she needed to add Boardmember Thompson's and her emails.

Boardmember Thompson suggested they be cc'd instead and volunteered to be on the ad hoc committee.

Chair Hirsch called for another volunteer.

Boardmember Rosenberg stated that she would be on the ad hoc committee.

Chair Hirsch suggested that Amy French also be cc'd.

Amy French, Chief Planning Official, stated that she would be happy to be cc'd.

Boardmember Thompson clarified that the email in question was to the award winners advising them of their win.

Ms. Gerhardt stated that she would review the system for the architect emails later in the day.

Vice Chair Baltay requested a timeline.

Boardmember Thompson thought the ad hoc committee needed to meet and explained the Awards were slated for September. The information regarding due dates was included in the email.

Chair Hirsch said that there would be coordination with the City to put the event on the board in the lobby.

Ms. Gerhardt asked Ms. French if she could look into the lobby.

Ms. French indicated that staff would work on that so long as they had the images that were selected to be on the screens.

Boardmember Thompson said that they had discussed an installation in the lobby with physical boards.

Ms. French indicated that would be for the reception on the evening it would be on the City Council agenda as there was usually a proclamation. She asked if they had discussed Council dates.



Boardmember Thompson stated they discussed holding it not on a Council day so that it would be its own Awards night. The architects, sponsors, and developers would be invited. They needed to discuss a budget.

Ms. French asked if they planned to invite Council.

Boardmember Thompson stated that they would be invited. She asked if the boards could be placed in the lobby for the entire month.

Ms. French explained that the bank of TVs could be displayed for a whole month. The physical boards would probably be safe as there was not a lot of activity in the lobby.

Boardmember Thompson suggested that the ad hoc committee meet later in the week.

Ms. French indicated she would be happy to help if invited to the meeting.

### **Approval of Minutes**

5. Draft Architectural Review Board Meeting Minutes for May 19, 2022

Chair Hirsch called for a Motion.

**MOTION:** Vice Chair Baltay moved, seconded by Boardmember Thompson, to approve the minutes of May 19, 2022 as presented.

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

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

No items

### **Adjournment**

Chair Hirsch adjourned the meeting.