



CITY OF
**PALO
ALTO**

Architectural Review Board Staff Report

From: Jonathan Lait, Planning and Development Services Director
Lead Department: Planning and Development Services

Meeting Date: August 3, 2023
Report #: 2306-1708

TITLE

Draft Architectural Review Board Meeting Minutes for May 18, 2023

RECOMMENDATION

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

ATTACHMENTS

Attachment A: Minutes of May 18, 2023

AUTHOR/TITLE:

ARB Liaison¹ & Contact Information

Claire Raybould, AICP, Senior Planner

(650) 329-2116

Claire.Raybould@CityofPaloAlto.org

¹ Emails may be sent directly to the ARB using the following address: arb@CityofPaloAlto.org



ARCHITECTURAL REVIEW BOARD
DRAFT MINUTES: May 18, 2023
Council Chamber & Zoom
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 Chambers and virtual teleconference at 8:30 a.m.

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

Absent: None

Oral Communications

None

Agenda Changes, Additions and Deletions

Senior Planner and ARB Liaison Claire Raybould indicated there were no Agenda changes, additions, or deletions.

City Official Reports

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2) Tentative Future Agenda items and 3) Recently Submitted Projects

Ms. Raybould reported there were slight changes to future agendas, the North Ventura Coordinated Area Plan Study Session will be on the June 1 Agenda, along with the 640 Waverly Preliminary review for a mixed-use project. The development agreement for 3200 Park has been moved to the June 15 hearing. New projects include 3265 El Camino which is a rezoning from a CS to a Planned Home zoning for a 5-story multi-family residential building with 44 housing units at 100% affordable for teachers, 3997 Fabian Way near the JCC which is up to 350-units.

Chair Baltay reviewed the current subcommittees and the members appointed and requested a report out at the next meeting and requested volunteers for a subcommittee for 3997 Fabian Way.

Boardmembers Chin and Hirsch both volunteered to be the subcommittee for 3997 Fabian Way.

Vice Chair Rosenberg felt 3265 El Camino warranted a preliminary look and volunteered to be on the subcommittee for it. Boardmember Thompson volunteered to be on the subcommittee as well.

Chair Baltay commented there was a multi-Commission/Board meeting in which he and Vice Chair Rosenberg attended and requested Vice Chair Rosenberg provide a brief summary of the meeting.

Vice Chair Rosenberg reported that anyone wishing to see updates on all eight Boards and Commissions can do so by visiting www.cityofpaloalto.org/departments/city-clerk/boards-and-commissions. She encouraged everyone to get to know the Boards and Commissions and when they meet. The Boards and topics that were discussed at the meeting were as follows:

Architectural Review Board (ARB): Discussed Objective Standards and how they are impacting the design of the community.

Historical Resources Board (HRB): Discussed their plan to update the registry for Historic Buildings in Palo Alto, which has not been updated since the 70's; the Mills Act; the Cannery Building.

Human Relations Commission (HRC): Discussed the Asian Americans Pacific Islanders (AAPI) Survey they are encouraging everyone to take. The website for that is www.cityofpaloalto.org/AANHPIsurvey.

Parks and Recreation Commission: Topics included expanding the parks to accommodate the growing population, and they are looking to place a dog park in Baron Park.

Planning and Transportation Commission (PTC): Discussed Objective Standards.

Public Arts Commission: They are looking to install new works and murals, and the artist in residence in Palo Alto.

Stormwater Management Oversight Committee: They are working on updates to their rules and regulations.

Utilities Advisory Commission (UAC): Palo Alto is still doing better than PG&E as far as their rates and standards are concerned, there was an unknown increase in gas for one month they are investigating.

There will be two meetings of this nature per year, each meeting will be 90 minutes.

Boardmember Hirsch has been in contact with the Rinconada Library and inquired if they had the ability to display the Awards Board, they have easels available if the Board is interested. He envisioned they would attach possibly a photo with a brief description of each award.

Chair Baltay thought it was a great idea and asked staff who the award subcommittee was on staff.

Boardmember Thompson stated she was on the subcommittee with Vice Chair Rosenberg.

Chair Baltay assigned Boardmember Hirsch and Vice Chair Rosenberg as the new subcommittee for presenting the awards and descriptions as they see fit, anywhere throughout the city.

Ms. Raybould stated staff still have the boards from prior years and she would make them available for Boardmember Hirsch after the meeting.

Action Items

2. PUBLIC HEARING / QUASI-JUDICIAL. 123 Sherman [21PLN00172]: Recommendation of Approval of a Major Architectural Review Application to Allow Demolition of Four Existing Buildings and Construction of a New 3-story 53,267 Square Foot Office Building With Two Levels of Below-grade Parking. This Project Would also Require a Lot Merger to Merge Three Existing Parcels. Environmental Assessment: An Initial Study/Mitigated Negative Declaration is Available for Public Review Beginning May 5, 2023 and ending June 5, 2023 in Accordance with the California Environmental Quality Act (CEQA). Zoning District: CC (2)(R).

Chair Baltay asked for Boardmember disclosures.

Vice Chair Rosenberg disclosed she revisited the site.

Chair Baltay disclosed he visited the site.

Boardmember Thompson disclosed she visited the site.

Boardmember Hirsch and Boardmember Chen stated they did not revisit the site.

Planner Emily Foley provided the staff report for 123 Sherman [21PLN00172] which is a request for major architectural review to allow demolition of two existing office buildings and one existing (vacant) single-family residence to build a primarily office building that will have a smaller retail component and 175 parking spaces and a transportation demand management plan. The project will merge three parcels. The site wraps 2555 Park Boulevard near the Cal Trans California Avenue station and has condominiums on three sides and is near the new public safety building. The ARB previously heard this project on December 1, 2022. Previous Board comments included material depth and color warmth, accessibility and location to retail space, massing/building modulation, potential to accommodate housing in the future, sculptural elements, and additional landscaping/greenery. The staff report will summarize the applicants responses and the applicant will also provide a presentation. Ms. Foley showed several elevation drawings depicting before ARB comments and after ARB comments to highlight the changes that were made from the previous hearing. Primary changes include adding additional dimension to the coping at the top of the parapet, adding the same color to the screening element. The staff report states and shows what appears to be a yellow color over the entry. However, on the material board, it is more of a brown color. The material board is the accurate coloring. Additional detail was added to the green wall and the entrance to the retail space. Ms. Foley

Vice Chair Rosenberg stated the iPad was not in sync with what Ms. Foley was showing on the large screen.

Chair Baltay requested the presentation be paused for Vice Chair Rosenberg's screen to be corrected.

Vice Chair Rosenberg stated that zoom was down, and she was good at looking at the big screen.

Ms. Foley continued showing the changes in the elevations. Another primary change is the wooden slat material that was added to the entrance wall at the corner of Park and Sherman. Screening on the Park side wraps around for visibility from the Sherman side, which provides somewhat of a shield for the equipment screening. The balcony railing has additional detail that has been added to the parapet

detailing, and taller landscaping has been added to the garage entrance. The change on the north side of the property which faces the Cal Tran station and some residents, is a vine wall over the solid wall on the right. Mechanical screening has been rearranged so that it will have less of a visual impact. There haven't been design changes on the Grant Avenue side, however the material samples are now included with the material board which provided a clearer design intent. As an office building, the project is subject to the office limit, however there is plenty of space to accommodate the new building. This project is subject to California Environmental Quality Act (CEQA) and was analyzed through an initial study and mitigated a negative declaration which is in circulation that started on May 5 and will end on June 5, 2023. Comments received during this time will be responded to as part of the CEQA process. Staff's recommendation is that the ARB consider the Initial Study/Mitigated Negative Declaration (MND) and recommend approval of the project subject to the Architectural Review findings and conditions of approval to the Director of Planning and Development Services.

Chair Baltay thanked Ms. Foley and suggested the applicant provide their presentation and then walk the ARB through their material board, as there is a good amount of new material that he felt was exciting to see.

Applicant Lund Smith thanked the Board and staff for all their prior feedback, and all those who have provided comments during community outreach and introduced the architect's for the project.

Ted Korth, Architect, with Amanda Borden and Boyd Smith, provided further details about the landscaping and design changes that Ms. Foley presented to the Board in staff's presentation, as those changes pertain to the ARB's original comments. Mr. Korth provided an explanation of what part of the project each material in the material packet is intended, while Vice Chair Rosenberg made notations for the ARB.

Chair Baltay opened the meeting for public comments.

PUBLIC COMMENTS

Jeff Levinsky provided public comment and stated no copies of the plans or staff report were made available for community members attending the meeting. Additionally, Mr. Levinsky expressed three concerns regarding the parking to include the parking data in the plans don't seem to agree with the parking data provided in the staff report for both the number of spaces that will be provided, and the number of spaces required. The plans depict a restaurant in the retail space in the building and restaurants require far more parking than stores and the proposed amount of parking falls short of restaurant requirements; and both the plans and the staff report have the City granting a 20% parking reduction for having a Transportation Demand Management (TDM) to the office space and the retail space. A TDM typically provides all employees with subsidized transit passes, carpool apps and free last minute cab rides. That would work for office employees. However, most parking for retail space is for customers and retail stores won't provide TDMs for customers. Mr. Levinsky stated this warrants the question of why a restaurant would be provided the same 20% parking reduction as that of an office and recalled a previous decision of allowing a reduction of parking in retail spaces and the issues that it caused.

Suzanne Steimle provided public comment as a resident that lives ten feet behind the proposed building. She thanked the applicant for adding the rear stairwell on the Sherman Avenue side and inquired if Green Waste had yet weighed in on the traffic route and access to the Palo Alto central garage room at Grant

Avenue. Grant Avenue is a narrow dead-end street with recycling/trash pick up cumulative for 5 days a week in three different locations near the building. The renderings for R2AB and R3AB seem to be spatially incorrect, the street seems too narrow to allow parking on the street, and the distance from the Pack building to the walls of the street is shorter. The trash route staging plan shows garbage trucks utilizing curb to curb for 123 Sherman. This will be difficult when cars are parked on the street. Having Green Waste evaluate the plans as well is important.

Patience Young, Palo Alto homeowner, provided public comment and noted she also submitted her comments via email and stated she supports sensible City planning. Vacant office space is in abundance, which is a good reason to discuss the viability of the project. The architects have listened to the communities concerns and have changed plans accordingly, which is appreciated. Her concerns remain with the local roads not being plotted to meet and carry traffic demands. Park Boulevard is quite busy with a bicycle route and Grant and Sherman are narrow dead-end streets which provide essential parking for 144 homes and garbage removal. Palo Alto Central relies on residence pedestrian gates for deliveries and pick/ups. Many vehicles park on Grant Street while deliveries are made on foot. Green Waste trucks are already challenged with the locations they currently serve in the spaces allotted on Grant street and then returning to Park Boulevard. The drawings of these locations are misleading as the space at the end of Grant Street is quite constricted. This congestion needs attention before construction begins. The north side of the building has been changed to improve privacy; however, it still has floor to ceiling windows, residents had proposed upper wall windows with views of sky and daylight, but not into their patios. Neighbors have been annoyed by the glaring light from the office building at 2555 Park Boulevard and light spill from 123 Sherman could be modified with timed window shades with motion detection light sensors or by adjusting the fenestration. Homeowners across Sherman will also be affected by light spill from this project. Renderings of the retail space show some sort of café with no space shown for kitchen, prep space, or deliveries. This proposal relies on TDM, zoning code requires that food service be supported by more parking spaces than are required for retail. The parking formula is still iffy on this project. There are additional comments in the emailed version of her comments regarding the initial plan for this project and utility sources for the building. She appreciates the City's scrutiny of this project and she's confident that resolutions to the community's concerns will be found.

Joseph Oorebeek provided public comment as a resident of Palo Alto Central and is concerned about the garbage access and removal of the proposed project. He highlighted that the mixed use on Plan R5 and R6, the windows and balconies of the residential spaces are not highlighted at the corner of Sherman and Park. Those are the residences that will be affected by the sightlines in the offices, and the lights left on during the night. Mitigation will be needed other than just timed shades. He questioned if the parking access for EV chargers will be 24/7 or behind locked gates and if they would be available for public use and what the traffic circulation will look like during the early phases of construction for the 144 residences utilizing Sherman and Grant, particularly with the plans to retrench Grant for the electrical lines. Additionally, plans are not available for potential damage to households in close proximity for vibrations during construction of the parking garage when they dig down two stories.

Anoja Herath provided public comment as a resident of Palo Alto Central and thanked the architects and ARB for providing the opportunity for public discussion and expressed concerns regarding the glass glare on the Sherman side and reflecting sunlight during specific times during the day and the transportation

plan for this project combined with the other new projects anticipated in the area. She echoed concerns with the cracks that have developed on the building in Phase I, one of the residents had to patch the crack. The noise from the increased traffic will be a challenge for residents who work from home.

Chair Baltay closed the meeting to Public Comments and offered the applicant time for rebuttal.

Applicant Lund Smith replied to the public comments by thanking them for their input. He heard the concerns about parking, construction, and garbage pick-up on narrow streets and acknowledged those have been challenges they have tried to address those concerns. He will make sure as they begin construction, they will keep all the residents informed. They have had experience developing sites similar to this one and are familiar with the challenges and mitigation for vibrations and cracking during construction and they have a monitoring consultant who will come in and make certain the building is not having impacts on the neighboring residences. It will be monitored throughout the construction phase, as well as the noise pollution caused by equipment. They can provide a schedule of sorts to the residents for extended construction plans, which will provide the residents with advanced notice for high noise pollution from large equipment. Parking has been carefully considered with a robust TDM plan in place. There are still parking concerns for the area, and he noted that they not only consider City parking requirements, but also what is viable for the project. They feel confident that the parking for the office portion and retail portion of the project is adequate. Recent changes in State Law states that parking is not required if a building is within a half mile of a transit station. They are not imposing that, however, mentioned it for those concerned with the number of parking spaces that are proposed. The garage is designed to enter at the ground level and the Electric Vehicle (EV) chargers will be available to the public, the lower two parking levels will be secured for the office building.

Ms. Amanda Borden explained the trash consultant with GreenWaste and who confirmed they can still service the residential trash enclosures; however, they will have to back out on to Park Boulevard. The project itself has a loading zone incorporated within the site for trash staging. The trucks will be able to pull into the building and make a three-point turn for a frontal exit onto Park.

Mr. Ted Korth explained there will be stencil panels set into the glass in combination with the trees, which provide filtering of the reflection from the building and the view from within the building looking over residential neighbors.

Chair Baltay closed the hearing to public comments and opened up questions from the Board.

Boardmember Thompson inquired about the shadow boxes on the façade and if the perforated metal aligns with the glass where the opaque white backing is located and if there are any operable windows in the project.

Mr. Ted Korth explained that the opaque white panel is in line with the glass and the stencil panel extends about three and a half inches from the glass. The stencil panel will be in front of the glazing. The panels are solid on the sides and will be the same color as the panels. There are no operable windows worked into the project.

Boardmember Thompson requested confirmation that there will be a living wall on Park with the vine trellis on the Sherman and Grant sides.

Mr. Korth confirmed that was correct, he would have to confirm with the landscape architect what the vine will be. It's meant to grow up to the first white band.

Boardmember Thompson inquired about the parking count.

Ms. Borden responded that the parking count in the plans is correct, in the report it referenced the December 1, 2022 version and the square footage has changed slightly since that time, that is where the 5-space discrepancy was derived.

Boardmember Chen asked staff if the retail parking qualifies for a 20% reduction.

Ms. Foley responded that there is a TDM plan that was reviewed by the Office of Transportation who confirmed the 20% reduction allowance for both the office and retail use.

Boardmember Chen questioned the applicant about the ceiling height difference in the retail space.

Mr. Korth stated it is nine feet with a slight gain inside. In the rendering it shows the ceiling plane is the same as the underside of the white band above the first floor. The balconies are above the 1'6" white band that runs around the entire building. It would be possible to raise it as the white band is quite a bit thicker than the concrete slab.

Boardmember Chen called out Sheet A4.2B, it seemed the bottom of the balcony is a few more inches lower than the office space.

Ms. Borden clarified that the A4.2B is the section just at the balcony where they have to step the slab to put in pedestal pavers, it's a very small area of the retail, which is where the bottom of the slab will align with the bottom of the white band, which would be nine foot clear. The 9'8" is typical throughout the rest of the space, which is shown on A4.7.

Mr. Korth added that in the rendering of the interior the lower area can be seen.

Boardmember Chen inquired about the retail trash service on the right side would be moved to the left side where the garbage will be picked up.

Ms. Borden confirmed they relocated the office trash towards Sherman, so it is directly adjacent to the staging area, which houses the larger bins. The retail trash is made up of smaller bins that will get pulled across the driveway for pick-up service at the larger bin staging area.

Boardmember Hirsch inquired if the building is planned for a single office tenant or multiple tenants.

Mr. Boyd Smith explained the project is designed to go either way, with an individual tenant per floor.

Boardmember Hirsch confirmed there were no windows in the shadow boxes.

Mr. Korth confirmed that was correct, there is white paneling on the rear inside of the shadow boxes.

Boardmember Hirsch commented that it's unfortunate the tenants will not get the benefit of the patterned light from the shadow boxes.

Mr. Korth explained they felt it would be beneficial to the inside tenants not to have too much glass.

Chair Baltay inquired the actual color behind the metal shades of the shadow boxes.

Mr. Korth replied it is the white sample on the material board. The name of the color is bone white, the rendering depicts it accurately.

Boardmember Hirsch continued and inquired if the panels were on hinges so they could be accessed for future cleanings and maintenance, and commented the maintenance and cleaning seemed it could be a difficult procedure.

Mr. Korth explained the panels were on hinges, they met with a façade maintenance consultant who helped them with how the boxes would be maintained. A lift will be used, and the boxes will open for cleaning and then shut, which is in line with Occupational Safety and Health Act (OSHA) compliance. There will not be planting in front of them. The same applied to the boxes in the residential areas.

Boardmember Hirsch inquired about the light well that allows light to penetrate into the parking area.

Mr. Korth confirmed that was correct.

Vice Chair Rosenberg requested clarification on the location of the gate within the parking structure for the secured area, she was not able to locate it in the plans.

Ms. Borden explained it is not currently shown in the plans, the space allows for that should the tenant make that request. It would not be right at the entrance.

Chair Baltay asked Vice Chair Rosenberg to point out the area she was asking about.

Vice Chair Rosenberg explained there will be an interior gate preventing the public from parking in the office area parking, should the tenant have that desire, it is not currently reflected in the plans.

Vice Chair Rosenberg inquired about the four parking spaces depicted on Grant Road. When you flip between the rendering on R6 and the Trash Staging and Turnabout Plan on TR0.0, the centrally located parking space appears to be an imposition on the trash pathing; if necessary, could that spot be eliminated.

Ms. Borden explained at the first community outreach effort there was concern about being able to provide street parking, the rendering is reflecting the spaces without the curb cut, it is not a requirement to maintain that added street parking.

Vice Chair Rosenberg shifted her questions to the vibration as related to construction and asked if they knew what type of temp shoring they would be using, or if temp shoring would be required for the site on the residential facing.

Mr. Lund Smith stated he wished the contractor had attended the meeting. He's not sure of the specifics but he does know they have engaged with the consultants, and he has had experience in past projects with shoring when digging down two levels for parking at previous locations and that will be closely monitored.

Chair Baltay requested staff go through the parking requirements to eliminate any concerns that had been previously mentioned.

Ms. Foley explained the project did not consider potential restaurant use and stated she will check what that requirement is.

Ms. Raybould noted that under Assembly Bill 2097, the City is not allowed to impose any parking requirements for this site, thus there is no minimum parking requirement as of January 1, 2023. The applicants are, however, working towards the City's Code standards.

Chair Baltay was interested in it being stated for the record.

Ms. Foley stated the parking requirements for eating and drinking services per Palo Alto Municipal Code (PAMC) 18.52.040 is one space for each 60 sq. feet of service area plus one space for each 200 sq. feet of other areas. The plans do not go to that level of detail in how the space will be allocated.

Chair Baltay asked if that would include the outdoor seating area for the café.

Ms. Foley stated outdoor seating would count towards floor area which is also not being accounted for currently.

Chair Baltay stated if it weren't for the new State regulation, someone wishing to submit an application for an eating area would have likely been denied.

Ms. Foley replied that is correct.

Chair Baltay recalled a similar case where the restaurant had to give up the outdoor seating area due to parking constraints and it was an unfortunate situation. For the record, Chair Baltay requested confirmation again that this building does not provide parking that would meet Palo Alto's current standard for a restaurant.

Ms. Foley stated per the TDM 172 parking spaces would be required with the 20% reduction, the applicants are providing 175 spaces. She does not have enough information as to if those three spaces would make or break the success of the project.

Chair Baltay asked if the TDM applies to retail, restaurant and office spaces.

Ms. Foley answered that TDM applies to the building as a whole and considers shared parking between the mixed uses.

Chair Baltay explained that while parking is not under their purview, he wanted the information on record for any future questions.

Chair Baltay called the discussion back to the Board as there were no more questions.

Boardmember Chen thanked the applicant for his presentation and making the changes that have been made since the prior meeting, there have been many improvements and she liked the colors and the wood slats over the covered plaza, as well as the new designs for the entrances to the office space and retail areas. She appreciated the addition of the living wall. She continued encouragement of increasing the ceiling heights in the retail space, nine feet is too low. The green wall should receive careful consideration on which plants to use as it pertains to the direction both sides are facing.

Boardmember Hirsch thanked the applicant for the presentation and the many ideas that make up the project and commented that the architects managed to hide two of the parking levels below grade but not without consideration for natural light, which is a good idea for below grade parking. The indoor/outdoor areas are creative on each of the floors and those are significant as they will likely be used by many residents. The landscape depicts thoughtfulness in placement planning and the green wall is a great idea and is important for softening the view of the building for the neighboring residents. The panels are a unique idea; however, they would be easier to maintain and an added benefit for pattern lighting if windows were added. The biggest concern is on the Park Boulevard elevation. There are three factors being the plaza, the entry to the office and the green wall. All three are approximately equal dimensions along Park Boulevard and all serve different functions. A great opportunity is being missed by not considering the possibility of giving up some of the office space above the plaza and turning it into an atrium or something of grand nature. It's too low for its dimension. Unlike the rendering which naturally lights the ground level of the building, the inside of the building won't get nearly the lighting compared to the outside of the building. It's a shadowed deep space. If a two-story space was created there could be a good opportunity to create something really nice. That corner is the most significant space in the building. The office entry could go back to where it was originally, and the retail space would be more useful and would stand out more. It could be the organizing element of the whole building, with entries leading to the cafe, retail, the court, or the office areas. The green wall would be improved significantly as you would be able to carry it further across behind the stairwell. It doesn't make sense to him to have all three elements on the Park side of the building. The screens might be better on some type of track system so they could be moved to provide access behind them without swinging out from side hinges.

Chair Baltay requested that Boardmember Hirsch clarify his vision of a redesign of the corner as the Board had previously requested that they relocate the café to the corner of the building.

Boardmember Hirsch stated that originally the plans showed the office entry could be accessed when entering the Park side and turning right and the commercial was straight ahead. It's possible to bring the commercial further forward and the concern about the ceiling height is not as significant when entering it from a two-story entry space. His assumption is that there must have been a zoning constraint otherwise there wouldn't have been any issues with making the first floor higher. The objective standards have a much higher requirement for first floor commercial heights than what is being proposed.

Boardmember Thompson thanked the applicant for the presentation and the members of the public for speaking on the item. She appreciates the changes that were made per the ARB's suggestions and the suggestions of the public. The wood slat entry looks really nice, the living wall locations look really great. She initially didn't realize the screens on the upper levels were solid and thought there would be glass behind them; however, she does appreciate that there is solid on the façade versus a full curtain wall from start to finish. In general, she could recommend approval for the project, the comment about the 9' ceiling height is a bit of a sticking point, potentially, the first level of parking doesn't look like it has stackers, and it could get lower, which would allow a sunken courtyard type area which in turn would provide extra height. A lot of the design elements such as the verticality of the wood would help with making the space feel taller, her recollection is there was a restriction on building height. Overall, the project is appropriate in the area.

Chair Baltay asked Boardmember Thompson if she had any to add to her comment about operable windows.

Boardmember Thompson said it would be great if there were operable windows as it would be great if the building could perform without a mechanical system at some point in the future. She is usually consistent with that opinion with most curtain wall office buildings. There is a lot of opportunity to add an operable wall and still maintain a seal. They developed some good tectonics with the half height perforated screens around the balconies and the half height solid shadow boxes in the back. If they could incorporate operable walls in the façade, it would be a great benefit for the longevity of the project.

Vice Chair Rosenberg thanked the applicant, she appreciated the presentation, and she does feel like they took the Board's previous comments seriously and made some significant changes. Thank you to the public for their comments, she appreciated the organization and thoughtfulness of their input both in person and online. A lot of the comments that came up today aren't very architecturally related such as the construction process, which is noisy and messy and inconvenient, but it is part of the process. She appreciates that the applicant has a vibration consultant they can work with and encourages that as part of their process moving forward. It is a valid concern. She encourages good communication with the neighbors with the scheduling of things like blocked roads, heavy equipment usage et cetera. Parking concerns have been noted, it was stated clearly by Ms. Raybould what the actual issue was, so she is comfortable with parking. Her only comment regarding parking is she would like to see the center parking space on Grant removed. If it were blocked off, it would ensure the traffic turnaround is accessible at all times and it would solve any concerns with turning the trash trucks around. In terms of architecture the improvements that have been made are quite lovely. She does not share similar concerns about the plate heights and believes the 9' plate height is adequate, considering the proportion of the retail space and the use of the retail space is still unknown. Imposing strict standards on something that is unknown seems unfair at this time. She sincerely appreciates the relocation of the café doors and likes the bench and the warm wood wall; it enhances the space. She noted Boardmember Hirsch's concerns about that being a dark corner, ensuring good lighting in that space with consideration to daytime versus nighttime is important. She likes the office entry on park, it's a proud sort of entrance and finds it charming. She appreciates the parapet wall addition and the color change, and she agrees that it would be nice to see those panels from the inside. She understands why the solid panel was put in that space; however, it would be nice to have just a few additional ones that you can see from the inside. Even if it's just a couple panels over windows so you get an inside/outside effect.

Chair Baltay commented he generally supports the comments that have been made and wanted to flag three items they may want to consider further; one is the plate heights. Nine foot eight is fine, but they are talking about a structural 9'8, there is always finish underneath, they were pointing to the wood slats, there's typically wiring, plumbing, sprinkler systems and things like that which often bring it down even as much as twelve inches, and 8'8 is certainly not acceptable for a retail space in a new building. Boardmember Hirsch is correct in that the Objective Standards require something taller, and he doesn't see why they wouldn't hold to that standard. He doesn't believe the issue is that they can't make the whole building taller, but rather that they have to make the offices shorter, and that's the trade off an applicant has to make. The second concern has to do with the panels in the large windows, it's related to many of the comments they've heard repeatedly from the public about light spillover. They are tall pieces

of glass that will be lit up at night. It's an established residential area, they need to find some solution to mitigate the light. He agrees the sliding panels would be wonderful if you could see them from the inside as well. The white color behind it is quite bright. Those panels are at least 50% transparent. He's concerned the building has too much brightness for the residents that are close. He shares Boardmember Thompson's opinion that if it's possible, make operable windows. It's preferable, particularly on nice days. Many buildings around the world are using operable windows as a way of improving the environment for tenants. The first big item Chair Baltay asked the Board to discuss is Boardmember Hirsch's request to reconsider the entry on the corner. That's also related to the plate heights of the building, which several Boardmembers have expressed concerns about.

Boardmember Hirsch commented that the panels that could be used at the corner could be the yellow color which is the warm accent color versus the standard grey. That's one element that could happen at the corner. The perforated metal could be used to pull the space down if they were to create a double story space. The whole space has the potential of becoming a major entry space, both to the retail which could move forward some, and the entry to the office lobby which could share in some of the two-story space as well.

Chair Baltay confirmed the suggestion is the corner become a two-story space that incorporates entrances to both commercial and office space and asked the other Boardmembers opinions.

Vice Chair Rosenberg commented that the ARB is tasked with making sure there is beautiful architecture in Palo Alto and not to design the buildings for the clients. While she thinks it would be beautiful, she is hesitant to impose it on the applicant given this is already the second hearing.

Chair Baltay commented he agrees with Vice Chair Rosenberg.

Boardmember Chen stated she also agrees with Vice Chair Rosenberg and Chair Baltay, but she could see the benefit from what is being suggested. If the office and retail switched the spaces, the bike storage would be closer to the office lobby as well. Currently there's a fair walk from the bike storage to the office space.

Boardmember Thompson stated she's not in favor of Boardmember Hirsch's suggestion. She's in love with the wood slats and can't support paint over something that's more biophilic like wood. The area that's really being vocalized with great accents is the ground floor with the living wall and the wood slats, a lot of connections to nature. Bringing more green accents up higher would also help with some of the reflectivity concerns. In terms of rearranging the entrance for the office, she agrees with Vice Chair Rosenberg, it makes sense on the façade to keep it where it is and create a deep cave type pocket, it's cozy with open corners on two sides. She understands the objective standards don't permit retail heights that are lower, however, the other element of this is if the applicant thinks it makes sense to deviate that, they can bring it before the ARB and they can reconsider a lower height, subjectively. She's happier with what's in front of them now.

Chair Baltay summarized he's not hearing a consensus regarding the corner and moved forward with the discussion of the height of the first floor.

Vice Chair Rosenberg requested staff remind the Board what the Objective Standards require for a plate height or a ceiling height of a retail space.

Manager of Current Planning Jodie Gerhardt asked if the Board would like the applicant to walk the Board through the different floor levels.

Chair Baltay believed they did that at the last meeting, he first wanted to hear what the required height for retail space is as stated in the Objective Standards.

Boardmember Hirsch stated he believes it's either fourteen or fifteen feet.

Boardmember Chen agreed that was what she remembered.

Boardmember Hirsch added that in addition to any sprinklers, duct work and any AC mechanical would also cut into that space, which is the reason for that height.

Vice Chair Rosenberg noted that on sheet A3.1A, the top elevation labeled 3, proposed south elevation at Park Boulevard, you can see the building next door versus the proposed building and this building's floor plates are a little but shorter than the existing building, but they are not six feet lower. Going from a 14' plate to a 9' plate would dramatically change the building.

Chair Baltay questioned Vice Chair Rosenberg if they used the terms on the drawings of 10'6" floor to floor, the Board understands what that means to the inside, would she be able to support that.

Boardmember Thompson noted in the same drawing the other floors appear to be 11'9", maybe they should ask 11'9" on the ground level and maybe the upper level be shorter.

Vice Chair Rosenberg suggested the top floors be reduced to eleven feet and put the additional 18" on the first floor.

Boardmember Chen suggested asking for twelve feet.

Boardmember Hirsch stated he's going to have to vote against the rest of the Board because he's not in favor of the project as presently designed. He'd like to increase the nature wall further on the face of the building and that's possible if a different entry were created to the office space. He agrees twelve feet is a good compromise.

Chair Baltay requested the applicant come forth and explain why they believe the request is not reasonable.

Mr. Boyd Smith explained he's already losing sleep over the ceiling height on the second and third floor. If they can't lease the office space, they can't build the building. They are already two or three feet shorter than a typical office space with the current design. There was a zoning change mid process that lowered the building from 37 to 35 feet, trying to accommodate three floors is really tough. They've spent a lot of time on the potential café area, trying to determine how they could make it work. A kitchen space in a café is going to be 25' to 30' deep, which leaves another 30-40 feet of actual space at 9'8". The ducting can be run along the sides, so it won't encroach further into the 9'8". They are at their limit in terms of ceiling height. They are confident it will be a nice delightful retail space, which includes floor to floor glass,

vertical elements inside and ducting that is tucked into naturally lower spots of the buildout. He can't build the building if he can't lease the office space.

Chair Baltay commented that now is the time to compromise, the ARB will likely suggest something taller.

Vice Chair Rosenberg commented that the Board is asking the first floor to be notably taller, which would dramatically change to their potential viability of the project over a quarter of the square footage of the first floor. Most of the first floor is parking. She wanted to point out they are asking for something pretty dramatic in what appears to be about one-fourth of the footprint of the first floor.

Chair Baltay stated that is their choice to decide if they want a flat plate building or they raise higher on the corner. Architects can vary things.

Boardmember Thompson asked the Chair if they could ask Planning why the height was reduced by two feet.

Ms. Foley explained that it had to do with the proximity to the residential area, having to do with the CN District.

Ms. Gerhardt explained that City Council had clarified that in years past the City had a code section that talked about within fifty feet and within 150 feet there had to be a lower height limit and that was very confusing to everyone involved, Council clarified that there now needs to be the lower height limits within 150 feet of residential property.

Ms. Foley referenced Code 18.16.060 Table III, "portions of a site within 150 feet of abutting residential district, other than a PC zone, has a maximum height of thirty-five feet."

Mr. Lund Smith followed up that the item was presented to Council a year prior to the change, they had already designed the building at thirty-seven feet, it made it tricky to manage the change to thirty-five feet, they did everything they could possibly do to shrink the building, they are confident the retail will lease at the proposed height as there are many buildings in and outside of Palo Alto that have retail space that is not fourteen feet high, and have the 9'8" clear. It doesn't have to be a café; it could be a different retail.

Mr. Korth added that the other thing making the building a little different is there are no beams on the ceiling. Many buildings with fourteen feet ceiling height have added beams. This building is designed as a concrete structure with columns that are thirty feet apart, which allows the flat plate height.

Chair Baltay continued the discussion with the Boardmembers and stated he believes they should request 11'6" floor to floor on the ground level. He believes that is a fair compromise given everything he heard.

Boardmember Hirsch commented he disagreed because it's clear they have limitations they can't overcome. Those limitations being caused by the change in the zoning, and the Board should be cognizant of that, and again suggested raising the corner, if that is raised, you could certainly accept a lower retail area. If he's the only person that recognizes that's a good idea, then he would recommend the Board accepts the applicants explanation.

Vice Chair Rosenberg stated she's in agreement with Boardmember Hirsch in that the project clearly had to deal with a code change midstream. She was very hesitant to completely derail the project based on a retail space that the ARB specifically requested and imposed on the project to some extent, and the applicants made that change. Additionally, the fact that it is a quarter of the footprint of the entire ground floor, while the remaining portion is parking, and the applicant is providing when it is not required, she found it difficult to support raising the floor height for retail space that could potentially make the project unfeasible.

Boardmember Chen commented that she understands the challenges the applicant faced, and the ARB needed to work with those, however, she wondered if it would be feasible to have multiple smaller retailers in smaller spaces, which would allow the current ceiling height to work with the size of the spaces.

Chair Baltay commented that's not currently on the table.

Boardmember Chen stated she prefers the taller space for the retail but could get on board with some of the other suggestions that were voiced, which could make the project more acceptable at the current height. The office space facing Park doesn't have a great entrance, but it has a two-story high interior space. If the office and retail were switched, the office space would have a more welcoming plaza, and it wouldn't need the two-story high foyer. Ideally the retail should have a higher ceiling, however she has no idea how to solve it, which is why she supported Boardmember Hirsch's suggestions.

Vice Chair Rosenberg added the lost floor area would be 1,044 square feet if they raised the foyer to two levels.

Boardmember Thompson commented that regardless of the suggestion made by Boardmember Hirsch and the ARB's suggestion, they are still asking the applicant to sacrifice some of their office space. The applicant made it clear that the project isn't viable if that office space is sacrificed. She liked the suggestion of varying the height along the first level given that the retail space is a smaller percentage of the whole floor plate and if that piece could be raised just a little. She doesn't love the idea of a two-story entrance. It doesn't make sense since none of the other buildings have that feature, and it would be a lower scale across the whole area. Her suggestion is to ask the applicant to study it as part of a subcommittee item, raising just one part of the floor plate. Any type of addition to the ceiling space to make it work. She wouldn't want it to affect the façade on the front, that would also have to be part of the study. She doesn't want this issue to hold up the process. In this very specific case, a smaller height could work for a retail space.

Chair Baltay stated he was not hearing a consensus to ask the applicant to have a higher floor plate on the retail space so moved to the next item for discussion, the windows under the panels, and asked the applicant to offer possible solutions for adding more windows and in turn creating more opacity for the neighbors.

Mr. Korth explained they made the wall behind the stencil panels solid, but there is an interest in having glass behind those as well, which is contradictory. They could add more of the panels and have them be opaque; or add two or three more per floor so there will be enough window area to have a nice interior space. Some of the screens could be added and have them open for natural lighting. It could be a

combination of any of those with Boardmember Hirsch's idea as a way of reducing the amount of glass on the project and still maintain natural light.

Chair Baltay stated in past projects the ARB has requested interior shades on distinct timing systems and some fairly strict regulations about how they function and inquired if that could work.

Mr. Boyd Smith stated they would be happy to study and consider that. They have never done that before.

Chair Baltay asked staff if there was a building on Page Mill Road, the Butterfly building, that did that. Staff could look into how they regulated that building. It was a similar building with tall windows facing a neighborhood.

Boardmember Thompson commented that Chair's comment about the backing of the shadow boxes looked too white, the sides are opaque so there's no actual light coming in from the side. The only light that would be emitted off the panels would be the incidental sunlight that gets through the metal that then reflects back through the metal. Those boxes within themselves won't really be a reflectivity issue. There's so little of the white in general, she's not concerned about the reflectivity. It seemed a bigger issue could potentially be the reflectivity from the glass, and possibly more vines/plants would help with that on the upper levels.

Boardmember Hirsch believes the Chair's suggestion is a good one and the shades would probably be sufficient on the inside of the building, and it would be a way of eliminating any neighborhood concerns, in conjunction with the outside panels.

Chair Baltay commented that if they had shades on the outside under the panels the building could be completely glass.

Boardmember Chen agreed that shades help and what is being proposed she is not concerned about the reflectivity issue.

Vice Chair Rosenberg commented that her biggest challenge with reflectivity would be on the north side elevation and there is already a system of paneling, white or glazing would only differentiate between a privacy issue and not a brightness issue. Between the buildings there may be a need for paneling, where the residences would be located, to prevent privacy issues. The interior shades would completely handle that.

Chair Baltay noted consensus for interior shading and moved into the concern about operable windows, and asked the Board if there was consensus of that being something they should require.

All Boardmembers agreed that would be a good request of the applicant.

Chair Baltay asked staff how they had addressed that in a prior project.

Ms. Gerhardt responded that it was asked to return to an ad hoc committee to discuss the elevations.

Boardmember Thompson commented that there was one other item they might consider getting consensus on: adding some perforated metal over glass. It might be worthwhile to ask the applicant to study adding more of the perforated metal panels over glass so there is a bit of filtered light inside the

building. If the Board asks the applicant to add operable windows this item may be part of that elevation update.

Boardmember Chen stated she could support that.

Vice Chair Rosenberg stated she could support that as well.

Boardmember Hirsch agreed.

Chair Baltay stated there was consensus on having that as part of the ad hoc committee review.

Ms. Foley requested clarification and asked if that was instead of glass or having a mix of that and glass.

Boardmember Thompson responded it would be a mix of solid and glass.

Chair Baltay expressed concern that the ARB would like to have a café at the location and asked staff if it would be possible to somehow entitle the project with the café being an intended future use, and the parking would be deemed satisfactory for a café.

Ms. Foley replied that would be something they could study for the ad hoc.

All ARB members supported that suggestion.

Boardmember Thompson commented that she heard based on State Law it didn't matter.

Chair Baltay agreed, but he wanted it in the record so it couldn't be changed again.

Ms. Raybould commented that she is unsure if the project was analyzed as a food service establishment and there are requirements under Title 5 of the Palo Alto code that is related to food service establishments. Most of those things relate to the interior and are resolved at the tenant improvement stage at building permit. They would also need feedback from the Zero Waste team and water quality division as part of that review if that change were made.

Chair Baltay stated the plans have café posted over the space, that's a pretty clear intent and expectation.

MOTION: Boardmember Hirsch, seconded by Boardmember Chen to deny the project.

Chair Baltay requested a roll call vote.

VOTE: 2-3-0-0 (NOES: Baltay, Thompson, Rosenberg)

The motion did not carry.

MOTION: Boardmember Thompson moved, Vice Chair Rosenberg seconded that the ARB recommend approval of the project subject to the conditions and findings with the following to return to an Ad Hoc Committee for review: the feasibility study of a café or restaurant use as it relates to the corner TDM, the applicant's study adding operable windows to the façade and additional perforated metal screens without an opaque backing, the addition of automatic shades to the interior for night filtering of light to adjacent residences, and the study of adding as much height as possible to the ground level for the retail space.

Chair Baltay requested a roll call vote.

VOTE: 3-2-0 (NOES: Hirsch, Chen)

Boardmember Hirsch spoke to his descent by stating he feels a great opportunity is being missed by not considering the higher foyer and he hoped it could have been a study that returned to the Ad-Hoc as an alternative possibility as it's related to the building as a whole and could change the effect of the lower ceiling heights.

Boardmember Chen stated the proper ceiling height related to the size of the space and the function of the retail space, and highly recommended the applicant do more study on the space planning to see if there are other possibilities.

The ARB took a 12-minute break.

The meeting continued with all ARB Boardmembers present.

3. Continuation of a Study Session to Review and Discuss the City's Local Objective Standards for Senate Bill 9 (SB 9) Residential Units and Urban Lot Splits Previously Approved by Council Along with the City's SB 9 Interim Ordinance 5538. Environmental Assessment: Not a Project. For More Information Contact Amy French at Amy.French@cityofpaloalto.org.

Chair Baltay introduced the item as a continuation from a previous meeting for a study session to Review and Discuss the City's Local Objective Standards for Senate Bill 9 (SB 9) Residential Units and Urban Lot Splits Previously Approved by Council Along with the City's SB 9 Interim Ordinance 5538. There is a staff report and Boardmember Hirsch has asked for a few minutes to present some thoughts he had and Chair Baltay requested thirty minutes on each of the three sections for comments and possible closure on the discussions. There will be opportunity for public comments after the staff report.

Senior Planner Amy French provided a brief summary of where the ARB left off in their discussions. This is the third meeting, and the standards are from the Individual Review (IR) guidelines for two-story homes and second floor additions that were translated for the purpose of creating objective standards for Senate Bill (SB) 9 projects. They are not design review standards, they are privacy, mass, and streetscape. The ARB is accustomed to having design standards and this is not that. Ms. French explained the images for guidelines 3, 4, and 5 that were requested by the ARB, which include key points that were extracted from the individual reviews of each item and transferred to the Objective Standards by City Council last year. Guideline three relates to form and roof lines. Guideline 4 relates to façades and entries; Guideline 5 relates to privacy.

Chair Baltay asked if there were public comments and there were none.

Boardmember Hirsch put together a slide show which reflected both modern and historical buildings because he believes it's critical to make specific design decisions in SB 9 based on the reality of what is available to see in Palo Alto. He offered the samples in the slides because there were so many comments regarding roof lines and daylight planes and suggested everyone read the book "Zoning Ordinance Technical Manual for Single Family Resident Zoning".

Vice Chair Rosenberg interjected it is available online for whoever wants to read it.

Boardmember Hirsch stated it is a book created by seven people in 2006 with significant aspects dependent upon measurements and actual calculations. Boardmember Hirsch showed twenty photos he took of various properties around Palo Alto and explained the different design concepts. He believes the SB 9 requirements ought to look like the ordinance that was created in 2006 where all of the regulations are formed from mathematical requirements, daylight planes, setbacks requirements, and rear-yard dimensions, and side-yard dimensions; all of which are very specific and nothing that would lead to limitations in design other than those regulations.

Ms. Gerhardt thanked Boardmember Hirsch for the compliments on the tech manual, she was not involved in that but also appreciates that document and finds it very helpful when talking about single-story homes that need to adhere to developmental standards. The SB9 regulations today are most related to the individual review guidelines that are currently subjective and have been converted to be objective as part of SB 9, and asking the ARB look at those and see if staff has lined them up properly with individual review guidelines; or if any changes need to be made. SB 9 objective standards need to be considered along with the IR guidelines as those are already in place, adopted and staff is not looking to make changes to those discretionary standards at this time.

Chair Baltay requested Ms. French lead the ARB discussion by explaining the key points under Guideline 3 for forms and roof lines. The key points (on Packet page 57) translated into the objective standards include garage and mass and entry points, roof form variation, roof pitch variation and rooflines in Eichler tracks.

Boardmember Thompson posed a question about the key points not being verbatim from the IR to the crosswalks of the objective standards.

Ms. French explained it is likely abbreviated for the presentation crosswalks; these were the crosswalks that were presented to City Council.

Vice Chair Rosenberg clarified there's a difference in the verbiage from slide 2 and 3.

Boardmember Thompson gave a specific example and stated she's been basing her comments off of the crosswalks, however if there was more design intent, she needed to make that adjustment.

Ms. French stated she can not explain the difference.

Vice Chair Rosenberg would like to urge the ARB to remember this is specifically related to SB 9 and higher density with tighter setbacks, so the focus is on privacy, daylighting, airflow, and things like that. Her comments for Guideline 3 include Guideline 3.1 and 4.1 have some relation to each other in terms of entry height and visual façade focal points. She has always had an issue with the twelve-foot height over the entryways, she understands why they are there; however, she believes that is applicable in smaller, tighter and more dense residences. In 3.2, the roof pitch variation, no more than two roof pitches will be depicted might be a bit restrictive in cases of curved roofs, does a curved roof apply as a roof pitch. Her question regarding incomplete roof forms was if it applied to cutouts. Do truncated roofs support cut outs. No more than two bay windows on elevations facing streets is too restrictive, but she understands they are deferring to IR rules as much as possible. Her biggest concern is with contextual roof pitch under 3.5A. She believes it is overly restrictive and should be eliminated. A great example would be Boardmember

Hirsch's example in photo number two. It's a cottage style house and by keeping the roof pitch steep, they are reducing the bulk of the building. Her only suggestion for item 3 amendment would be to eliminate items 3.5A.

Boardmember Chen commented regarding item 3.2, all the working is fine for her. Her question was when there are four units on a single lot, if there are two roof line forms, would it apply to each unit or all four units on a single lot. She would like to see consistent and believes it should be per lot and not per unit.

Vice Chair Rosenberg agreed.

Boardmember Chen commented that under 3.4A she has seen examples of longer elevations on one side and has seen examples of this on sides and at entries and at the garage. Possibly amend it to say no more than three gables for corner lots.

Boardmember Hirsch commented that based on what he showed it's limited based on roof forms. He questions why there are only two roof forms allowed, and what is the restriction that requires only two roof forms. It should read that anything within the daylight plane is allowable. Several roof forms are possible. No more than two roof pitches, same thing, anything should be a limitation of 2-4 or 2-3, only two is too restrictive. The Eichler tracks she defers to Boardmember Thompson. He does not believe they should be bothered with truncated roof lines, and they should not be permitted on two-story structures. Same with gable roof lines, it is very specific and not subject to the opportunities to do whatever is reasonable. Bay window limitations on elevations facing a public street; again, no reason to limit it to just two. Adding a third would allow an option for more variety. Roof pitches should be another addition. All of his examples should be added, not limited to subtracting them.

Boardmember Thompson echoed the other Boardmember thoughts and didn't understand truncated roof form. The IR guideline makes no mention of it and architects generally don't do that unless they need to. Referring to 3.2A, having no more than two types of roof forms, her original thoughts were similar to Boardmember Hirsch regarding that restriction, however for just this Objective standard, she could be convinced that limitation served a purpose. For 3.4, she believes that restriction is based on the size of the lot and the proportion of the buildings. The intent is to deviate from clutter and limiting it to a certain number might not be the best way to go about that objectively. It might be better to go about that based on proportion.

Chair Baltay stated on 3.1A it should say "maximum height of a roof over a single-story attached garage". It seems if there were a second story over the garage that item would be removing that option. The 12' in height is intended to trigger whether it counts twice as FAR, which is the proper way to limit it. If an architect wants to have it taller, they are paying a penalty in other aspects of the design to justify that. It should be stricken, as it's already limited through the FAR calculation. On item 3, they should define what they mean by roof form. Maybe say "primary roof form" and make a definition. There are many times there's a small dormer bay window, a little pop out over a kitchen when they want to achieve something different. He agrees that major elements should be the same.

Ms. Foley requested clarification about what was meant by roof form. In this case it was supposed to be style of roof, like hip gable, flat, not necessarily the number of roofs that the building has.

Chair Baltay stated he realized that. His suggestion was it gets defined as the primary roof element. The building typically has only one or two primary elements, maybe a gable end, and a hip mixing up on the top. However, there might be another small one over a kitchen bay window with a curved copper dormer element. It's a roof element and a different shape. The wording of this currently would prohibit that. If a determination is made between which are decorative and which are primary elements it wouldn't. Boardmember Chen's suggestion of making it per property is too restrictive. If there's an ADU in the back and you want a totally different architectural style that should not be prohibited. There's nothing in the standards that prohibit it now, why should that be introduced. It would allow more flexibility if it were per building or structure. On 3.3A, incomplete roof form is an overreach, and it should be struck altogether. There are too many cases where that would be a problem, when it's not a problem now. Gable roof forms and bay windows, Boardmember Thompson suggestion is the proper way to handle that. He supports it the way it is. Contextual roof pitch, the daylight plan regulates it effectively. Letting one building make that determination for another building seem wrong. The architect should be allowed to determine the roof pitch to fit the design.

Back to 3.1, the only comment he heard was about it being a single-story garage element and striking the second one altogether. All Boardmembers supported that.

Regarding roof form variation, Boardmember Hirsch indicated there should be no requirements on this one.

Vice Chair Rosenberg stated she liked Chair Baltay suggestion of a primary roof form variation. It makes sense to have two forms for primary with a definition of what primary is which opens the option for decorative. It could be defined as two primary roof variation with primary covering 75% of the floor area.

Chair Baltay asked if there was support for Boardmember Hirsch idea of no regulations.

Boardmember Thompson stated she could support having some regulation.

Boardmember Chen stated she liked Chair Baltay's idea of defining the primary roof form. But for a single-family zone it should still require some consistency on a small lot.

Chair Baltay summarized he heard there should be some restriction on roof forms overall.

Boardmember Thompson added that she also heard Chair Baltay say they should not restrict an ADU.

Chair Baltay said if they are going to decide there should be some restriction, they next would need to determine if it should be per building or per property. It's important to keep in mind they are not creating a design standard for every house. This is a restrictive standard for SB9 lot projects, which is already going to be a small percentage of what's being done overall. An applicant always has the option to take it to the Individual Review process if they want to get more creative with the project. It's wise to keep tighter guardrails on the item. He respected Boardmember Hirsch's thoughts, but he believed there should be some form of regulation.

Vice Chair Rosenberg commented she would agree with that for increased density as it's related to proximity.

Boardmember Hirsch believed they should allow more than two.

Chair Baltay asked if the restriction should be per building or per property.

Vice Chair Rosenberg commented she believed per building.

Chair Baltay believed per building.

Boardmember Hirsch agreed, per building.

Boardmember Thompson agreed as well, per building. She's not sure she wants restrictions, but if there are, it should be per building.

Boardmember Chen explained that SB 9 pertains to urban development, so the lot sizes will not be large. On a six thousand square foot lot or large, there needs to be some consistency for different units. However, instead of allowing only two types of roof forms, they can increase it to three.

Boardmember Hirsch stated he would agree with Boardmember Chen. Some regulation is okay for the roof form.

Vice Chair Rosenberg stated she's for regulation.

Boardmember Thompson commented she's in the minority but that's okay.

Boardmember Chen continued to believe the regulation should be per property, with an increased number allowed.

Boardmember Thompson stated she prefers per building.

Vice Chair Rosenberg made the argument that if it was allowed to be varied per building, there will be more variation seen. If it's per property, they will find there will be little clusters of 4 houses that looked like they were developed as opposed to crafted. Allowing it per building allows for more variation.

Boardmember Thompson commented that it might also help with contextualizing the properties.

Boardmember Chen raised the point that with an ADU, all four wouldn't necessarily be built at the same time and one may go in after the others with a completely different type of roof form.

Chair Baltay inquired from staff if an additional project went in after the SB 9 project, if the new project would then fall under the IR process.

Ms. Foley stated it is correct they wouldn't have to build out the entire floor area, however because SB 9 units do count towards property area, if more units were allowed, there would not be additional floor area bonuses allowed. Staff didn't feel there would be much opportunity for them to expand again after the SB 9 project is built, however if they were, they would fall under whatever rules were in place at the time of the addition, and the rules to change often.

Chair Baltay asked if it should stay at two or increase to three. All Boardmembers agreed they should be increased to three.

Chair Baltay inquired about the suggestion of defining the difference between primary and decorative roof forms.

Vice Chair Rosenberg agreed and questioned if a limit of three would be enough to cover that.

All Boardmembers started to leave it at three .

Chair Baltay summarized the limit would be per building with three types of roof forms and three roof pitches are possible. Regarding item 3.3, incomplete roof forms, he and Boardmember Hirsch said no, Boardmember Thompson stated architects don't do it.

Vice Chair Rosenberg believed 3.3A should be stricken. It's overly restrictive. A Barn style building would want that.

Boardmember Chen agreed.

Chair Baltay stated 3.3A should be removed. Gable roof forms is suggested as no more than three gable roof forms facing the street and no more than two bay windows with Boardmember Chen suggesting a corner lot exception and Boardmember Hirsch wanted an allowance for three bay windows and Boardmember Thompson questioned if it should be proportional.

Vice Chair Rosenberg the intent is to avoid an overly cluttered design, so she would leave it as it is and make sure that dormers are accepted. As far as bay windows are concerned, it should be proportionate and say no more than 40% of the façade could be bay windows. The number isn't the potential issue, the proportion of the façade is.

Boardmember Chen stated she's not convinced on the width because it could depend on the width of the first floor or second floor.

Boardmember Thompson stated the intent is about clutter, maybe rather than go by proportion, state a maximum number.

Boardmember Hirsch stated he likes the percentage idea, it's a reasonable compromise.

Vice Chair Rosenberg stated it's already done for several other material items at 35% of the facade, bay windows could be added to that list.

Boardmember Thompson inquired if that measurement was from the deviation of the flat plane.

Vice Chair Rosenberg responded yes.

Chair Baltay shared in his experience, he's found it becomes a nightmare to try to figure out how to calculate a percentage of façade for a treatment. He believes it should be kept more simple.

Vice Chair Rosenberg agreed that was fair enough.

Chair Baltay stated he's in favor of leaving it at two and he's fine with three gable forms.

Boardmember Hirsch stated he's for 40% of the surface area of the façade.

Boardmember Thompson stated that 40% seems like a large area for bay windows. That's also for façade modulation too. If all of this is restricted, are they then asking for flat façades.

Vice Chair Rosenberg stated she agrees with all of that, and she's convinced no more than three bay windows with a little less restriction and keep it simple. For 3.4A, she'd like to see the words "dormers accepted" added.

Boardmember Thompson stated she agrees with that.

Boardmember Hirsch stated he can support that.

Boardmember Chen stated she agrees with that.

Chair Baltay stated he supports that as well and moved on to contextual roof pitch. He heard three Boardmembers said it should be eliminated altogether.

Boardmember Chen agreed.

Boardmember Thompson stated in the IR guidelines it doesn't say anything about adjacent. She's going back to what's not in the crosswalk but what's in the IR guidelines.

Chair Baltay stated that it does but in a more descriptive way. It states you have to line up eaves heights and look to the architects to look for other design elements to provide continuity.

Boardmember Thompson added "where beneficial".

Chair Baltay it's extremely difficult to objectify how to make a building compatible with it's neighbor. He believes it's not necessary when the daylight plane covers that.

Vice Chair Rosenberg and Boardmember Hirsch agreed.

Boardmember Thompson agreed to remove it.

Chair Baltay summarized the Board is unanimous in removing 3.5A as well.

Chair Baltay asked Ms. French to cover section IV.

Ms. French explained the IR Crosswalk for Guideline 4 on Packet pages 51 and 52, which included four sections A-D under Keypoint III, two relating to Keypoint IV and V. Her presentation did not include Keypoints I and II, new façades focal points and façade composition. Both are listed on Packet page 51.

Boardmember Thompson commented that 4.1A seemed arbitrary to have a 50' glazing large window as the focal point. It might make sense to suggest an accent feature such as massing or a door that is a different shade of color. Under item 4.3A window frames, she didn't understand why the trim needed to be a minimum of 3.5" wide; it seems like a wide trim, particularly since the intent is to have distinctive eaves, patterns, shapes, and groupings. She didn't believe 4.3B seemed necessary, with a suggestion to strike the item. Item 4.5A, garage door panel matching the design of the entry door or window fenestration, also didn't seem to make much sense and she suggested striking that item as well. . Many people like to differentiate their front door.

Vice Chair Rosenberg commented that item 4.1AB, roof support depth and width, might not be possible due to possible tight entrances. The 12" tall is covered in 3.1, it doesn't need to be listed again. She would change B comment to read "a roofed or trellised porch at entry door and leave it alone. She agreed with

Boardmember Thompson's comments about 4.1A being arbitrary. Item 4.2A, window alignment, the vertical alignment requirement should be struck. The Cottage example from Boardmember Hirsch's examples were a perfect example where those would not align, and it doesn't matter. It's overly restrictive for potentially small buildings. She would change 4.2B to three feet in height and three feet horizontally apart due to tighter spaces if it's kept. Regarding window trim she believes the intent is to keep people from having no trim which looks cheap. She would rather see a lower minimum than 3.5". She doesn't mind the recessed options, but she doesn't want to strike it altogether and the same with 4.3B. It's the simulated divided lights and the muntin bars. When they are between the panes of glass it looks cheaper. It's trying to maintain a quality of aesthetics that Palo Alto is trying to maintain. Contextual entries on 4.4A, this might not be possible. It's a good intent however, there may not be space; she would delete that item. 4.5A she agrees is overly restrictive and can be scratched.

Boardmember Hirsch doesn't believe it's necessary to have focal points on every house. Using that terminology suggests too many possibilities. He would eliminate the item. If any of the A's or B's are going to be discussed, it should be a variation of amounts and percentages, not specific numbers; "should be at least fifty feet..." there are situations where there will be no glazing. There's a lot of conflict on standards that are reasonable standards. An example would be the Spanish style houses. Regarding window alignments should be vertical is a definite no. There are many situations where windows do not align, it should be removed. Façade elements shall be spaced at 5" could be less. The suggestion of 3" is reasonable. Boardmember Hirsch doesn't like the wording of "shall be", it needs to read "a minimum of". Window frames being minimal doesn't apply for steel window frames. That won't work unless the use of steel window frames is eliminated. It would need to be worded differently and use a minimum of. To say all sides of window are the same isn't how that works. Window fenestration with divided light, Boardmember Hirsch agreed. Divided lights should be all the way through. He was fine with the Eichler item and very bothered by porch entries. That's more of a deed restriction which isn't allowed for ADU additions. There are regulations of that nature for specific neighborhoods of specific character, not additions on single-family properties. He prefers variation and believes that should be stricken. Garage doors have been discussed and it makes no sense to bring them up again.

Ms. Gerhardt cautioned that there have been projects that came through with beautiful front doors and the cheapest garage doors.

Chair Baltay added that's a point well taken.

Boardmember Chen stated she's fine with 4.1, it's similar to what the IR guidelines already are. For 4.2A, she agrees with all the Boardmembers regarding alignment. She also agrees three feet is a good number 4.2B, however where it says large window, large window can be very subjective. For item 4.4A, she believes it should align with what is required by the IR process, so it is fine. Item 4.5A is too restrictive to match the materials and the colors. However, for panel design, it would be good if it matched the entry door, particularly on the craftsman and garage door styles.

Vice Chair Rosenberg doesn't believe it should match the color or the door necessarily.

Chair Baltay stated listening to everyone has helped him to home in on two in particular. In general, requiring a focal point is overreach. In small buildings occasionally people try to make it into a garage. The intent here is to prevent someone building a home with the garage door as an entry. What's more

important is to focus on the negative..." the garage door can not be the focal point". He can see people trying to use SB 9 to divide up properties in odd ways.

Boardmember Thompson stated she has no objections to that.

Vice Chair Rosenberg commented to counter that, she lives in a cul-de-sac and the first thing seen on her house is the garage, and there was no other option for cars entering.

Chair Baltay suggested it can't be the only focal point.

Vice Chair Rosenberg stated she was good with that.

Chair Baltay asked if there was consensus removing item 4.1A.

Boardmember Thompson stated she was okay with striking 4.1A and would like to add "provide other architectural things to provide cohesion and suggested they take a straw poll on whether or not to eliminate that item.

Two were in favor of eliminating it, two were in favor of changing the working. It's a straw pull and staff can make that decision.

Chair Baltay stated he believes front porches are important and there is a way to regulate it. If an applicant wants to eliminate it, they can go through the IR process and justify their reasoning. He supports it and could also support making it four feet deep versus six feet. It's the depth of the porch that limits the development because it pushed back from the front setback.

Vice Chair Rosenberg countered that it's not whether or not you have a front porch, rather whether or not it's the focal point of the property.

Chair Baltay suggested later they need to lump the two together rather than eliminate it.

Boardmember Hirsch prefers to change the wording to say, "if the project chooses to have a front porch, then the front porch will be the following minimum dimensions".

Vice Chair Rosenberg stated the size and depth of a front porch is dealt with later. This item is purely talking about whether that front porch is considered a visual focal point. Maybe there should be size restrictions on visual focal point of the front porch.

Chair Baltay asked if everyone agreed to lump the front porches with section 4.4A, contextual porch entries. It's obvious that a front porch is a focal point whether it's required or not.

Chair Baltay jumped to item 4.4A.

Boardmember Chen stated 4.4A is in line with the IR review so she has no problem with the item.

Vice Chair Rosenberg stated her comment was to strike it. When dealing with subdividing lots and small properties, the item is too restrictive.

Boardmember Hirsch agreed with Vice Chair Rosenberg.

Boardmember Thompson said she's okay to keep it.

Chair Baltay said they again have a split on item 4.4A.

Chair Baltay addressed Vice Chair Rosenberg and Boardmember Hirsch and said he understands the issue of taking up space or setback space on small properties for a front porch, however communities are a place where someone can sit on their front porch and interact with neighbors, drop mail, welcome a friend, it's an important element in a home. When there's not a porch that's eliminated. It's not saying you can't eliminate the porch; it's just saying you have to go through a more restrictive process to get there. It's similar to the contextual garage placement requirement.

Boardmember Thompson stated the IR guideline states, "where there is a prevailing pattern for an entry type such as front porches, or entry courts, that entry type should be considered for the design".

Boardmember Hirsch said it's reasonable to say that it should be considered.

Vice Chair Rosenberg commented she finds an issue with the concept because they will be splitting lots with main houses in the front and ADU's in the back. Does that mean the porch also has to be built on the ADU?

Chair Baltay said he thought it applied to street facing property.

Vice Chair Rosenberg reread it and stated if it was changed to 4-feet deep she would be fine.

Boardmember Hirsch stated he's okay with the current dimensions.

Vice Chair Rosenberg said she could be fine with leaving it.

Chair Baltay returned to 4.2A window alignment.

Boardmember Thompson interrupted and stated if 4.1A was going to stay in place, she had an additional suggestion for line-item C to "A focal point could be achieved by an accent color or change in plane on the front façade".

Boardmember Chen requested adding a feature instead of a porch that needs to be specific dimensions.

Chair Baltay commented that they've broadened the definition of focal point. All Boardmembers agreed.

Vice Chair Rosenberg suggested instead of using the words focal point, use façade visual features.

Boardmember Hirsch stated that would make a big difference for him.

Boardmember Thompson commented she would be more comfortable with "unifying visual features on the façade".

Chair Baltay moved on to 4.2A, window alignment. There were three Boardmembers who wanted to strike it. He could also support striking it.

Boardmember Thompson agreed.

Chair Baltay in response to Boardmember Hirsch on item 4.1A added color and material detail.

Moving back to item 4.2A, three Boardmembers Rosenberg, Hirsch and Chen wanted the alignment 3 feet apart.

Boardmember Thompson said she was fine with 3-feet.

Chair Baltay stated he is fine with 3-feet as well and moved on to window detailing in which Vice Chair Rosenberg suggested a narrower restriction, Boardmember Thompson thought it was too wide. Boardmember Hirsch felt it should be relative to the proportion of the windows. He wants to strike stucco over foam. That's a character and has nothing to do with how it actually looks.

Boardmember Hirsch suggested if it's a wood window it should have trim, if it's steel, the trim is not necessary.

Boardmember Thompson stated her objection was with the minimum of a 3.5 trim and read the IR guideline again.

Chair Baltay and Boardmember Hirsch agreed if it's not in the IR guidelines, why add it now.

Vice Chair Rosenberg suggested "windows shall not be frameless and in plane with the exterior façade". The goal is to prevent the stucco to window detail, anything else is fine.

Boardmember Chen stated she's fine with it with the addition of "except for contemporary steel windows". Trim in traditional styles is a good idea.

Boardmember Hirsch suggested "if an expressed trim is proposed, it must be a minimum dimension of 3.5".

Boardmember Thompson disagreed as there are so many beautiful window trims that are not 3.5 inches. All Eichler homes have really thin trimmed windows that are wood. Because it's so thin there's a feeling of there being more glass. If they want to in-set the window, they should be able to go frameless because it's a modern look.

Boardmember Hirsch agreed.

Chair Baltay stated they removed the minimum and stated if a window is flush with the exterior wall, it should have a trim. All Boardmembers agreed. Everyone agreed with the mullions and stucco texture items; and to strike item 4.5A.

The ARB took a 5-minute break.

The meeting continued with all ARB Boardmembers present.

Ms. French explained the organizational structure for Guideline 5.

Boardmember Chen stated her only comment on item five was clarification on point 5.2A, and if the requirement was only for the front unit facing the street.

Chair Baltay stated he thought it should say "largest window should face either the front or the rear" and they could leave that with ADUs on front and back of the property. Generally, there are larger setbacks on the front than the back.

Ms. Gerhardt stated with an SB 9 the rear could have a 4-feet setback.

Chair Baltay agreed, however, some clients don't want their bedroom windows facing the street, they should have the option to not do that. He was concerned about 5.3A, he believes the number should be 32 not 30, based on the dimensions of the most popular windows currently being used. On 5.3B, consideration should be given that double hung windows could apply to this situation which is called a tilt-turn window.

Boardmember Thompson stated looking at the IR guidelines, in 5.1 she doesn't have many comments, however for 5.2 she read the IR guideline and questioned if that's where locating the bedroom window street side comes from.

Chair Baltay explained the conflict often comes when the window is facing the side because the setbacks are smaller, the rear window can sometimes be conflicting when it overlooks someone else's backyard which is going to be an issue.

Ms. Gerhardt explained that egress windows need a lower sill height which is why there's more concern for those types of windows.

Ms. Foley added they tend to view it as a privacy hierarchy where the side is of the most concern, the rear is a lesser concern, and the front is where the most opportunity is to put larger windows.

Boardmember Thompson her query was with 5.2D, the privacy screening landscape should be located to align with proposed second floor windows across side and rear lot lines, and between windows at facing windows on units on a single property... when she read privacy screen landscaping that's bushes and does it have to be a certain height.

Ms. Gerhardt answered they ask them to be planted at 24" box and eight feet tall at planting. They would then grow to 20 to 30 feet.

Boardmember Hirsch inquired how much space is allowed for trees in the side yard.

Ms. Foley replied that one of the other objective design standards under she believes IR guideline 1, required a two-foot-wide planting strip. They would have to check how prior comments may have affected that.

Chair Baltay recalled they removed that altogether.

Ms. Raybould believed the spacing was 25 feet.

Ms. Foley added 25 feet would be a minimum, with placement being where it would make most sense, which is where the windows are located.

Ms. Gerhardt stated most of the buildings would be accessed from the center of the lot.

Boardmember Hirsch stated a tree at 25' doesn't provide much privacy.

Ms. Raybould commented there's the 25' minimum and then there's the privacy requirement, they are two different things.

Ms. Gerhardt referred to 1.4 and stated staff can go back and make sure it's clear how to measure that distance.

Boardmember Hirsch said the side lot line should also be considered, it keeps changing. His concern is how the trees get rooted properly in narrower spaces, in addition to privacy concerns and the trees for privacy should be called out specifically.

Ms. Gerhardt stated in 1.4 it says screening trees and 24" boxed trees adapt to the space.

Boardmember Hirsch said he has a personal opinion about privacy. The best way to create privacy is a window shade or drape.

Vice Chair Rosenberg commented on 5.2A, it would promote a visual interest on the front façade so she can support it however house versus ADU might be a little different. Overall, in all of the V Keypoint items she'd like to change where the sill is five-feet, to 4.6'; and in 5.2B(c) make that five-feet to six feet.

Ms. Gerhardt stated she would want to have significant conversation about that. Staff has been implementing the five feet for a fair amount of time, the point of that was they would have to get pretty close to the window to see your neighbor.

Vice Chair Rosenberg said if that's the precedence she's not going to argue over six inches. Item 5.2B lists A, B, and C. She believes all three should apply to the stair window privacy. It would allow for a little more flexibility in that staircase design. The three points between 5.2 and 5.3 are really the same points. One is listed in a run on sentence and the other is broken down into A, B, and C.

Ms. Foley stated the intent was the measurement from the landing.

Vice Chair Rosenberg supports up to 32 that Chair Baltay suggested. Her issue is with 5.3B is the item she takes issue. It is overly restrictive, if there's an obscure glazed window, they will want to decide which way that opens based on where the neighbor is. Once there is a five-foot sill, it's not needed.

Ms. Foley stated with the obscure glazing they don't need to follow the five-foot sill; this item refers to those cases.

Chair Baltay summarized he's heard no objection to 5.1A. Item 5.2 Vice Chair Rosenberg suggested the criteria in 5.2B also apply to 5.2C. Everyone agreed. He suggested the orientation of a primary window in a room. Boardmember Chen noted when you have a building at the back of a property would that still apply if it was facing forward. That might be good intent.

Boardmember Thompson stated she could agree with scratching that. It would depend on the property and the orientation of the building.

Chair Baltay suggested making it front or rear, possibly the way it's written would be the best.

Vice Chair Rosenberg suggested maybe saying in the front or rear if there's a 10-foot setback.

Chair Baltay stated he's fine with it the way it's written. All Boardmembers agreed. Regarding landscaping, Boardmember Hirsch was concerned about the spacing of trees, he agrees 25-feet is too far apart for privacy, and asked staff if that could be changed to closer to 15 feet.

Ms. Gerhardt stated they probably should not do the reference to 1.4. It's got a different reasoning so it could have a closer number for this item.

Vice Chair Rosenberg argued that 25-feet allows for other plantings in between.

Ms. Foley stated, as it's currently written, having the 1.5 as a separate requirement, staff would expect what gets proposed would be something in between. They may need to consider if that's not objective enough. They are two different requirements for two different purposes. In order to meet the privacy requirement, it may be more than one per 25 feet.

Boardmember Hirsch stated he was okay with leaving it to staff's judgement of whether or not it meets privacy requirements.

Ms. Gerhardt stated this might be one where staff need to come back for the actual language of the change.

Ms. French stated she's comfortable with striking the reference to 1.4 because 1.4 is more about trees and most of the time in a 4-foot setback, those won't be trees, it will be shrubs.

Ms. Foley stated she was sure the reference pertained to when an architect is reading through and determining what to plant, there's the reminder that they do need to comply with both.

Chair Baltay recapped that staff needs more detail from the ARB on how privacy screening is done with landscaping. All Boardmembers agreed.

All Boardmembers agreed with the 32 feet change from 30 feet in item 5.3A.

Chair Baltay continued with operable windows and the sill height of windows. The 5-foot rule has been enforced in Palo Alto for some time. If a window is less than 5-feet, it's considered a privacy violation. If they wanted to do something different, they would need to acknowledge they are doing something different than what is currently enforced as an IR standard.

Boardmember Thompson questioned if the 5-foot rule is written.

Ms. Gerhardt stated it's a solution staff have been using because precedence has already been created in the last ten years.

Boardmember Thompson stated it's worth talking about it.

Vice Chair Rosenberg added it would be setting a bad precedent for changing it specifically for the SB 9 project regulations, and backtracking her earlier comments, if 5-feet is what has always been used in Palo Alto, SB 9 should not be different.

Boardmember Hirsch stated he disagreed with everyone. He believes the base of the window with translucent glazing should have diffused glass in the bottom of it. Then it could be as low as 3 feet. Lower limit could be 5-feet for clear glazing.

Boardmember Thompson stated the only reason she wanted to talk about it is because people are short. It's worth talking about the five-foot limit might have been set at a time when people weren't thinking about the amount of population that are short.

Ms. Raybould added she's made site visits where they forgot to add the glazing, or chose not to, and it was something they needed to resolve and in going back for the second inspection it resolved the issue. It's been an effective way to keep the proposed projects compliant.

Chair Baltay stated the words "clear glazing" needed to be added to operable windows to read operable windows with clear glazing. All Boardmembers agreed. Additionally, Chair Baltay stated the word operable should be removed as operable windows have nothing to do with privacy.

Vice Chair Rosenberg believes the case for operable windows is the operation portion of the window needs to be at 5 feet or above, because even if it's obscure glass down to the floor, you wouldn't want to be able to slide that open.

Chair Baltay stated staff has consistently interpreted the ARB to require five feet when the window was transparent, at the sill height. They have not consistently regulated whether you can see through the window once it's open. In numerous cases there have been casement windows that allowed privacy violation. It's been deemed to be not consistently an issue.

Ms. Gerhardt stated the five feet has been very standard, they have tried to have the obscured windows open towards the public street, that has been a newer item they have been regulating; staff is however very open to talking about the five-foot measurement. If that were to change, it would need to change across all projects, not just SB 9 projects.

Chair Baltay recommended that they keep 5.3B to say that clear windows on the upper level with a sill height of less than five feet... he believes they should strike completely whether or not they are operable. It should say "Windows with clear glazing in the upper sill level, within 20-feet of an interior side lot line should have a sill height of five-feet or greater."

Ms. Foley asked if it would be helpful to show them what 5.3B would look like, because what Chair Baltay just stated is what 5.2B already says. The intent of 5.3B is to limit which direction obscured glazed windows are opening with the intent to push those views towards the street rather than to neighbor's rear yards. Vice Chair Rosenberg made a good point regarding not being able to look into other windows which had not been previously considered.

Chair Baltay stated that obscure glazing on an operable egress window allows for ventilation. Privacy should not be limited to how a window operates. It's not as consistently regulated right now; they should not try to increase the level of regulation.

Boardmember Thompson stated she hasn't heard an argument for why they should regulate the operability of a window that's above five feet.

Chair Baltay stated they are talking about below five feet and it's limiting that you can't have a sliding window. This is an issue that has multiple times found it's way before City Council with egress versus privacy. Chair Baltay stated he feels uncomfortable trying to increase regulation on something like this. His opinion is it should be struck altogether. All Boardmembers agreed.

Chair Baltay continued with the last item, 5.4A regarding second floor balconies and he didn't hear anyone having any issues with that item. He believed it was a reasonable interpretation of the current standard. All Boardmembers agreed.

Boardmember Questions, Comments or Announcements

Boardmember Thompson reported out on the ad hoc committee regarding the street design work, they've been keeping an eye on the development on California Avenue. Today is the first "Third Thursday Program" that will happen throughout the summer. Everyone should go out between 6-9 p.m. to check out the program and live music. Additionally, on Cal Ave there are four or five community spaces that the ad-hoc committee worked with the planner looking at how they could make them more accessible for the public both architecturally and logistically. The full design concepts likely have not been fully executed, but there are some initial things out there today, however anyone attending can let them know their comments. The flexible public places will evolve and in June there will likely be another update.

Chair Baltay added the City has hired a consultant to help take public comment and figure out how to deal with whether they want to and how they would close California Avenue and portions of Ramona Street in the downtown area. Part of that process was that they were authorized by Council to do a demonstration project, which is where the ad-hoc committee became involved with helping the planning staff figure out the best way to do a demonstration project. The hope is that their advice will be highly effective. Boardmember Thompson was very helpful in providing design thought. It's not a permanent solution, it's a temporary demonstration.

Boardmember Hirsch commented about the empty areas between the eating facilities, if those could be filled with activity that's going to be a terrific thing.

Boardmember Thompson explained that was the thinking behind it.

Boardmember Hirsch added he recently went to another city that utilized input from art schools and different groups. There's a lot of possibilities for what could work well for activities.

Adjournment

Chair Baltay adjourned the meeting.