



ARCHITECTURAL REVIEW BOARD DRAFT MINUTES: March 17, 2016

City Hall/City Council Chambers
250 Hamilton Avenue

Call to Order

Roll Call

Present: Chair Robert Gooyer; Vice Chair Alexander Lew, Board Members Peter Baltay, Wynne Furth, Kyu Kim

Absent:

Oral Communications

None.

Agenda Changes, Additions and Deletions

None.

City Official Reports

[Heard after Minutes Approval.]

1. Future Tentative Agenda Schedule and Subcommittee Assignments

Jodie Gerhardt requested Board Members provide dates of scheduled absences by email. Hearing dates in April were April 7 and 21, 2016. Chair Gooyer would move off the subcommittee with Board Member Baltay remaining until June 2016. Board Member Kim was scheduled to move onto the subcommittee through September.

2. List of Staff Approved (Minor) Architectural Reviews

Ms. Gerhardt had provided the ARB with a short list of staff-approved Architectural Reviews. Chair Gooyer and Board Member Furth did not receive the list.

Continued Business

- 3. 2515-2585 El Camino Real [15PLN-00170]:** Request by the Hayes Group Architects on Behalf of ECRPA, LLC for Site and Design Review to Allow a New 39,858 Square Foot, 3-Story Mixed Use Building Including Retail, Office, 13 Residential Condominium Units and One Level of Underground Parking on a 39,638 square foot Lot to Replace a 9,694 Square Foot Existing Restaurant (Olive Garden). The Project Includes a Request for a Conditional Use Permit (CUP) to Exceed the 5,000 Square Foot Office for the Site by Approximately 4,835 Square Feet. Environmental Assessment: An Initial Study was drafted and a Mitigated Negative Declaration was circulated on January 19, 2016. Zoning Districts: CC (2) and CN. For more information, contact Margaret Netto at margaret.netto@cityofpaloalto.org.

Margaret Netto noted the item was continued from March 3, 2016. The ARB was generally supportive of the project and offered recommendations to break up the facade along El Camino Real; to make the pedestrian connection between Sherman and Grant Avenue more friendly; to break up the El Camino Real corner; and to provide more seating along El Camino Real. On March 9, 2016, the Planning and Transportation Commission recommended approval of the project and encouraged the Council to request a higher number of units and to include a TDM plan for the parking reduction.

Board Member Furth requested staff explain the effects of the 901 High Street project no longer being eligible for the annual office cap. Ms. Gerhardt explained that the remaining projects totaled less than the 50,000 square foot limit; therefore, projects would not need Council review. The projects would be approved by the Director. Some time constraints remained, but not the March 31st deadline. The remaining projects had been to at least one ARB hearing. Board Member Furth was concerned about consequences to applicants if the ARB was unable to approve a project. Ms. Gerhardt hoped to share a deadline with the ARB shortly.

Ken Hayes, Hayes Architects, reviewed ARB comments from the prior hearing and revisions to the project.

Jeff Levinsky stated the Code required a study be performed for a shared-use parking exemption. He had not received such study. The Code also required a separate, onsite loading space for the project. The residential FAR for the project was 3 1/2 feet less than the total allowed FAR for the site. Allocation of the shared spaces between the different uses was not consistent with other projects from the same architect. If the allocations were corrected, the building would be over the FAR for residential space.

Ms. Netto reported a shared parking study was prepared by Hexagon Consultants. The study showed that 95 spaces would be required in the mixed-use project. The applicant proposed 104 parking spaces. A loading parking space was provided in the proposed project. Staff reviewed the allocation of FAR and felt the project adequately addressed the ratios of mixed use. Board Member Furth inquired whether the parking study was made available to the public. Ms. Netto advised it was addressed in the Initial Study.

Board Member Kim was pleasantly surprised by the new corner treatment and favored it. The project nicely addressed the rhythm of El Camino Real. He was ready to approve the project.

Vice Chair Lew felt the project was very nice; however, he opposed it because the building needed more modulations to be similar to other buildings on El Camino Real. The frontage was very long, extending the entire length of the block. The pattern in the area was smaller. He liked the retail and units, vertical proportions, the plaza on Sherman, and all landscape enhancements on Grant. The architecture was well articulated.

Board Member Furth liked the increased landscaping. She inquired about public seating along El Camino Real. Mr. Hayes indicated a wood bench was added to the Grant corner. Board Member Furth read from the CAP plan regarding amount of seating for projects. Mr. Hayes added that all planters along Sherman were also seats. She asked if the London planetrees have to be pruned significantly. Ms. Netto advised that Urban Forestry had reviewed the plans. She assumed the trees could be placed as shown. In traveling past the site, Board Member Furth realized the site would be enclosed which complied with the vision of the El Camino plan. She was pleased the plaza was not located along El Camino Real and pleased with changes to address the existing development on Grant Avenue. She felt the residential units should not diminish the attractiveness of living in those places. She was prepared to approve the project.

Chair Gooyer agreed that the proposed changes were good. He concurred with Vice Chair Lew regarding repetitiveness. Other points of the building had improved greatly. He would probably approve the project.

MOTION: Board Member Kim moved, seconded by Board Member Furth, to approve the project with the added condition that the glazing on the ground-floor level remain unobscured.

Board Member Furth noted the proposed project was a good improvement over the current site. She asked if the elevator would bypass the open ground floor. Mr. Hayes responded yes.

Vice Chair Lew felt an additional condition of approval could be added, to require the ground floor retail glazing to remain unobscured.

MOTION PASSED: 3-1-(Board Member Baltay absent)

New Business

4. **2747 Park Boulevard [14PLN-00388]**: Request by DES Architects, on behalf of Jay Paul Company, for Architectural Review of a new three-story 33,323 sq. ft. research and development project, replacing the existing 4,800 sq. ft. commercial building. The project provides 133 parking spaces and includes landscape and pedestrian amenities. Environmental Assessment: An Initial Study and Mitigated Negative Declaration were circulated on January 29, 2016. Zoning District: General Manufacturing (GM). For more information, contact Clare Campbell at clare.campbell@ctiyofpaloalto.org.

Clare Campbell shared an overview of the project. The applicant did not request any exceptions. The project was compliant with all development standards for zoning. The ARB had previewed the project in two study sessions. The project was subject to the interim ordinance which established the 50,000 square foot annual office limit. With the change in the number of projects subject to the office limit, the project would need approval by June 2016.

Jeanette Dalee, Jay Paul Company, had been working with staff to address comments made in the previous study sessions.

Tom Gilman, DES Architects, advised that the Jay Paul Company had offered to pay for an extension of the pedestrian pathway from the Caltrain station with the proviso that the City work with the Joint Powers Board to find a solution. In addition, the applicant would create another crosswalk on Page Mill for the new extension. Mr. Gilman reviewed revisions made to the project.

Board Member Baltay asked if the metal sun shading for the curved facade would be curved or have tapered joints. Mr. Gilman responded that he would work with the supplier to have a curved shade.

Vice Chair Lew did not interpret zoning for the site as mixed use or a retail center, even though the Council in reviewing a project across from the proposed site indicated it was a mixed use area. He did not agree with the finding regarding Comp Plan Policy L-20. Ms. Campbell would review the matter. He could support the project. Light poles were noted as 25 feet tall; however, zoning called for them to be 15-20 feet tall. Comp Plan Policy L-77 discouraged open parking lots, but the open parking lot was logical for the site. The landscaping and sidewalk enhancements were great. The pedestrian bulb-out at Page Mill and Park was unusual. He could support the project.

Board Member Furth believed the collection of plants in the landscaping were interesting and did interesting things. She liked the pedestrian bulb-out, but bulb-outs should be on both sides. Board Member Furth requested additional details regarding the pedestrian pathway to Caltrain. Ms. Campbell reported the City would need to work with Caltrain and the Joint Powers Board. Staff contacted Caltrain who favored the proposed improvement. Staff would work with parties on the improvement. Board Member Furth appreciated the well-landscaped site that would meet the finding that it was not a heat island.

Board Member Baltay shared the sentiments of his colleagues. He felt the project met the intention of the Comprehensive Plan; therefore, he could support Finding Number 1. Parking and pedestrian transit across the project appeared to work well. Landscaping was one of the best he had seen while a Board Member. He was now convinced by and impressed with efforts regarding energy efficiency of the southwest-facing facade. He supported the request to minimize the frit glass. He hoped staff would follow up with respect to the curved sun shades. He could support the project and make all findings necessary to do so.

Board Member Kim remarked regarding notes in the plans that could be deleted or edited. He appreciated the outdoor gathering spaces and benches; however, he questioned who would use those spaces. He suggested the applicant make them slightly more accommodating and people-friendly. One of the more important gathering spaces was next to the oak tree. He was hoping to see more perspectives of that seating area. He understood the glazing would be bird-friendly. He originally thought the sun shades would be too bird-friendly; however, the shading on the upper floors was different from the shading on the first floor. The project was exemplary in the way the applicant had refined details and addressed comments. He would approve the building.

Chair Gooyer was happy with the final result of the project.

MOTION: Board Member Baltay moved, seconded by Board Member Kim, to make the findings in the staff report and approve the project.

MOTION PASSED: 5-0

Board Member Furth concurred with the comment regarding Policy L-7. The building did come to the corner, but she did not see it contributing to retail vitality. She suggested staff note the project complied with part of the policy and the policy was an encouragement directive.

5. **411-437 Lytton Avenue [14PLN00-489]:** Request by Hayes Group Architects, Inc. On Behalf Of Ehikian & Company for Architectural Review to allow the demolition of an existing commercial building and the construction of a new three story mixed-use, office and residential building (two units) and a 1,417 sf Addition To An Existing Historic Category 2 residence on two lots to be merged. A two level underground parking garage is proposed to be constructed under the new mixed use building adjacent to the existing residential building. Environmental Assessment: A Mitigated Negative Declaration was circulated February 26, 2016 to March 17, 2016. Zoning District: CD-C(P) Community Commercial Downtown District and Pedestrian Shopping Combining District. For more information, contact Sheldon Ah Sing at sheldon@mplanninggroup.com.

Board Member Baltay recused himself from Item Numbers 5 and 6.

Sheldon Ah Sing reviewed details of the project and Board Member comments from a previous meeting. Key issues were adjacency to the historic structure and architectural design and context. The Historic Resources Board had concerns about the mixed-use building, setbacks, daylight plane, the roof element, and mass. The HRB recommended the project as consistent with Secretary of Interior Standards with modification of the third floor, the roof. Staff recommended approval of the project based on findings and subject to the Director's approval.

Board Member Kim requested the reason for the lot merger. Mr. Sing explained a larger lot provided opportunities to comply with development standards and potentially provided more floor area. Ken Hayes explained the motivation was to create more flexibility for site planning and parking and greater FAR.

Vice Chair Lew noted a discrepancy between the Performance Standards for visual screening, a minimum 10-foot planting and screening strip abutting low density residential districts, and tables for the CD-C

district, no interior side yard required for mixed-use buildings. Perhaps this could be included in Code revisions.

Vice Chair Lew disclosed that he met with a neighboring property owner, Mr. Leong.

Vincent Leong lived adjacent to the project site. The side of the building facing his property would be all windows. There was insufficient landscaping to ensure his privacy. He expressed concerns about privacy and noise from his backyard. A second-floor terrace would be a potential location for noise. Kipling Street was a busy street for the entrance/exit to the parking garage.

Doria Summa concurred with the previous speaker's comments. Her primary concern was the parcel merger. She did not understand how a historic property could be merged with a non-historic property without destroying the integrity of the historic property. She did not believe there was a precedent for the merger. There was lack of consideration of consistency and transition with adjacent properties, especially at the Kipling corner.

Mr. Sing explained that merging the properties resulted in a historic property with an existing historic structure and a new structure. The Historic Resources Board discussed the issue at its meeting.

Board Member Furth thought merging the properties would allow better protection of the historic portion of the site. She did not believe she could make the compatibility findings for the project. The project did not build to a higher intensity and density without damaging the pattern of the neighborhood. She did not like the building cantilevering toward the residential buildings. The design as it functioned would not improve the neighborhood. The building was a compatibility and Code enforcement problem in the making. Only design would solve the problem.

Ken Hayes, Hayes Group Architects, recalled concerns expressed at the previous Board meeting and shared revisions made to address those concerns.

Vice Chair Lew felt other properties along Lytton contained subtle details that made the buildings more compatible with historic structures than the project at hand. The project could be more compatible. He suggested automatic shades to reduce nighttime light; a mixture of trees and shrubs to provide screening within five years; eliminating the second floor terrace or including a means to govern noise in the conditional use permit; and planters on the balconies to soften the building. He noted the decreased pitch of the roof. He viewed the proposed project from Mr. Leong's home and felt there was an issue with sight lines directly into office spaces.

Board Member Kim reminded Board Members that residents living in the project could also complain about noise issues. Revisions in response to HRB comments were subtle, and he appreciated those changes. The long elevation along Lytton and along Kipling would read as a two-story mass to a pedestrian. He suggested more variety in the facade or more articulation. Mr. Hayes explained the concept for breaking up the facade. The shading fins would have a lot of shadow and rhythm interest that would help break up the facade. Perhaps canopies could also help. Board Member Kim asked if the street trees along Lytton were existing or new. The landscape architect indicated new trees. Board Member Kim felt the trees would help break up the elevation, but the time for them to grow to the needed height was different. The project was different but overall compatible with the neighborhood. Overall he would be willing to approve the project.

Chair Gooyer believed the changes were big improvements. Sloping the roof slightly made a great deal of difference. The revised color was much better. The most interesting side of the project was the back. The second-story banding could be more interesting. The building would be perceived as a two-story building from the street, but that made interest on the second floor more important. He agreed the project could be approved with minor modifications. He liked the idea of the auto shades and the restriction of hours for the terrace.

Board Member Furth was concerned about redevelopment of the rest of the block. She did not understand how the block would work with the small historic structure remaining among larger structures. She wanted occupants of the building to have access to the outdoor space; however, the noise would not be attractive for the neighbors. Enforcing provisions of a conditional use permit was difficult. Automatic shades and a limited use provision for the terrace would likely make the project better. She did not find the development compatible with the small residential quarters behind the project.

Chair Gooyer suggested zoning should be changed to prevent buildings of this size. Board Member Furth disagreed. This was the reason for compatibility standards.

Board Member Kim felt the building attempted to transition into the residential zone. Even though the Kipling Street streetscape read as a property-line to property-line development, only slightly more than half would read as one building with a void at the parking entry. Those were his thoughts regarding the project being compatible with the neighborhood.

Vice Chair Lew noted the initial environmental study did not report an issue that would trigger a significant impact for the garage location and queuing on Kipling. A transportation study for an earlier project did report some issues with the narrowness of the street and cars passing one another. The ARB could ask staff to review the initial study again.

MOTION: Vice Chair Lew moved, seconded by Board Member Kim, to approve the project subject to the findings and conditions of approval with the following amendments: (1) the applicant break the horizontal band of the two-story design element along Lytton; (2) the applicant consider a mix of trees and shrubs where abutting the adjacent Kipling residences; (3) staff consider including the outdoor terrace use in the conditional use permit; (4) staff add a condition of approval for automatic night shades for the second floor offices facing Kipling residences; and (5) staff request the transportation consultant to review again the study.

Chair Gooyer wanted to reword the first amendment. He wanted some review of that band for the second-story office portion. Vice Chair Lew clarified that Chair Gooyer wanted to break the horizontal band of the two-story design element along Lytton. Mr. Hayes suggested returning to the subcommittee with ideas on that band.

MOTION PASSED: 3-1 (Board Member Baltay recused)

6. **429 University Avenue [14PLN-00222]**: To Consider an Appeal of the Director of Planning and Community Environment's Architectural Review Approval of a 31,407 Square-Foot, Four Story, Mixed Use Building with Parking Facilities on Two Subterranean Levels on an 11,000 Square-Foot Site. Environmental Assessment: An Initial Study was prepared and a Mitigated Negative Declaration was circulated from November 17, 2014 to December 12, 2014. Zoning District: Downtown Commercial (CD-C (GF)(P)) District. For more information, contact Christy Fong at Christy.fong@cityofpal Alto.org.

[In the previous item, Board Member Baltay recused himself from this item.]

Board Member Furth recused herself from this item. The applicant had asked that she recuse herself because of a concern that she could be biased.

Ms. Gerhardt provided an overview of the project and recalled the review history of the project. In November 2015, the Council continued the appeal and instructed the ARB to reconsider the entirety of the project for compliance with the contextual criteria and Architectural Review findings. She shared renderings showing the changes made to the project and the two options for the project.

Chair Gooyer asked if the ARB should choose between Options A and B and then comment on the selected option for additional review at a future time. Ms. Gerhardt suggested the ARB could choose from three options with a third option being a mixture of the first two. The project would return to the ARB for a formal recommendation before returning to the City Council.

Vice Chair Lew questioned whether the limit of three hearings applied to appeals. Ms. Gerhardt would verify that.

Jeremy Freeman, Topos Architects, discussed his design approach for the project and explained the two options.

Vice Chair Lew remarked that the staircase above Retail Space D was a third staircase. He questioned whether the space beneath the stair could be utilized rather than left open. Mr. Freeman replied yes.

Board Member Kim asked if the parking count for both schemes was the same. Mr. Freeman responded yes, 40 spaces for each. The parking requirement for the project was 34 spaces. Board Member Kim noted Scheme A contained a parking space labeled Number 19 which was not contained in Scheme B. Ms. Gerhardt advised the project was six parking spaces over the requirement. Board Member Kim clarified that the parking count was the same for both schemes. Mr. Freeman would double check.

Michael Harbour, appellant, indicated Topos Architects was represented by a Board Member and was a tenant of the applicant. The Council asked the ARB to address size, compatibility, scale and massing. There was little change in massing, size and compatibility with regard to the Kipling and University sides of the project. The building was the exact same square footage as before. The proposed four-story project was located on the most narrow street in Downtown Palo Alto. He had been informed that the Council stated the TDR not guarantee the right to build to the maximum FAR. The project did not have the appropriate context on the Kipling and rear sides.

Jeff Levinsky stated the Council discussed the treatment of the side wall facing west. Both Options A and B proposed a blank wall facing west. The Council also discussed the notion that there was no vested right to build 3.0 FAR. The visualization of the alley did not contain any cars.

Doria Summa agreed with prior comments about guaranteed FAR. The proposed project did not achieve the Council's goals for compatibility, size, scale and massing. The building was handsome but did not belong on the project site. She did not believe the alley would be bike and pedestrian friendly because of cars entering and exiting the garage.

Beth Bunnberg, speaking as an individual, advised that the building was literally surrounded by Birge Clark buildings. Many of the structures on University Avenue were 1 1/2 or 2 stories, particularly buildings surrounding the proposed project. The smaller buildings were constructed to complement the Varsity Theater and provided a unified district. She urged the ARB to place the project in the context of the surrounding buildings and save University Avenue.

Kent Mitchell, attorney for the applicant, believed the Council's referral to the ARB was specific in that the Council sought the ARB's expertise to determine whether the findings could be made. Whether or not TDRs guaranteed FAR was irrelevant. The file contained reports from two historical consultants. Both consultants concluded that the structure would have no adverse impact on the historic qualifications or eligibility of the structures. Further revisions to the project would not add anything to the Board's determination of findings; therefore, an additional hearing would not be productive.

Ms. Gerhardt felt the Council was seeking a recommendation from the ARB. Staff did not have the preparation documents in order for the ARB to make a recommendation. If the ARB agreed, staff could return quickly with findings and conditions.

Vice Chair Lew requested the architect explain the materials which were significantly different than in the previous design. The materials did not show clearly in the drawings. Mr. Freeman provided larger samples. The commercial retail base would have limestone. Another limestone was proposed for the stairwell. Two metal panels would be on the 425 University location. The wood paneling would be used on the eaves. Vice Chair Lew asked if the retail space would have one or more tenants. How the storefronts were broken up affected a potential tenant. Retail Space D was set back and would not be visible to passersby on University. Elizabeth Wong advised that the building was constructed to accommodate many situations. The columns were perfect places to divide the space into smaller spaces. The building could have four or two retail spaces on University. She did not have a specific scenario in mind. The building was designed for flexibility.

Vice Chair Lew preferred Option B, because it minimized the stair tower. He attended the Council meeting regarding the proposed project. He was not sure whether the revised schemes addressed all the Council's concerns. The applicant made significant improvements. He was very excited about the new materials. He felt the Council wanted more massing changes on the top floor. Mr. Lewinsky mentioned the blank wall. Some projects on Hamilton had addressed blank walls; perhaps the applicant could look at those buildings. He felt something was missing in the project. Storefronts along University were similar but not uniform. The proposed building should advance another step in an effort to be more compatible with buildings across the street. The proposed building was fairly compatible with newer buildings. He thought the Council was looking for compatibility with Spanish-style buildings on the other side of the street. He was mostly concerned with the upper floors on the residential. There was room for improvement on the massing of those. He asked if the carob tree would be retained. Mr. Freeman indicated its removal would be dependent on staff. Vice Chair Lew wanted to keep the tree if possible.

Board Member Kim believed the best design element was making Retail Space A look as though it was a separate building. Perhaps more of that could be done whether along the University Avenue elevation or more importantly along Kipling. The bone white color could be too bright and could blind drivers and pedestrians. The choice of new materials refreshed the building. The stair tower did a fairly good job of creating the look of a different building which was an advantage for Option A. Depending on the reflectivity of the glazing, it could be more welcoming or cold to passersby. In Option A, the additional stair to the second floor would probably not be used because of the traffic in the alley. He appreciated the bicycle storage lockers and showers; however, the area looked a bit tight for maneuvering a bike. He was inclined to Option B. Having the tower come out toward the street was more intimidating and less friendly than having it pushed back. The alley elevation needed further refinement. Some elevations were misleading. Another advantage of Option B was the metal wrapping towards the back of the building. The alleyway elevation for Scheme B was much better than the elevation for Scheme A. Access to the parking lot would be difficult for cars, especially with the narrow width of Kipling. Overall the direction of the proposed project was positive. The Kipling side needed to be addressed with massing. The main concern was the large massing, especially at the corner of the alley and Kipling.

Chair Gooyer viewed the project as being about the bulk or the perceived bulk of the project. It was difficult to make the building look less massive when the square footage was not reduced. Without reductions in the massing, the appellant would continue to appeal the project. The revisions were a step in the right direction. The building would be attractive if it was at another location. One of the details that made the building look bigger was the enormous eyebrow on the third floor. If the eyebrow was reduced a great deal, the building would look smaller. Option B was probably the more practical choice. Because of the three bays on the corner, the whole entity looked big. Perhaps the corner could be reduced to a perceived three buildings. If the elevation for University were toned back a little bit, it would look like a two-story building. People standing a half block down on Kipling and looking up at the building would obviously see a four-story building. Building a project to the allowed maximums did not mean the project would receive approval. The fourth floor on the alley side should be modified to provide a perceived step back.

Vice Chair Lew asked if the Board could discuss the four residential units. Perhaps the applicant could explain them. Council Member Berman had asked if reducing the size of the building would result in

fewer residential units. The two proposals were different than those presented previously. The project proposed a one-story unit and three 2-story units. Chair Gooyer did not want to lose units; however, he was unsure whether a three-bedroom unit was appropriate for the Downtown area. He'd rather have three two-bedroom units and use the space to step back the building. That would be a better solution than retaining the three three-bedroom units and dropping the one-bedroom unit. Vice Chair Lew requested the architect explain the residential units. Ms. Wong stated the residential units were not condominiums because her family expected to live there. The units contained one master bedroom and two very small bedrooms. The small bedrooms could be used as an office rather than a bedroom. Chair Gooyer asked if the commercial space would be utilized by Ms. Wong. She wanted to live in a unit that was approximately 2,400 square feet. The residential square footage was reduced by the stairwell.

Vice Chair Lew asked if a light well could be added between Units B and C to help break up the blank wall and to provide light into the space. Two libraries in the project had no windows. Some mixed-use projects Downtown contained 6,000 square foot penthouses, but this project was not to that scale. Chair Gooyer noted the units contained three bedrooms and a library. Perhaps Ms. Wong could build smaller units, and then combine two units when she chose to move into the building. He was simply trying to be pragmatic and obtain a project that could be approved. Ms. Wong indicated the new architects did a wonderful job with the revisions. The purpose of the meeting was for the ARB to comment on the architecture of the building. If the Council would not accept the revised project, then she had other options. She was not willing to make the building smaller. The building would be an asset to Downtown. Without the residential units, the building would be much smaller. She did not believe the lack of residential units was good for the City in the future. The architect could address many of the ARB's comments. She believed she would prevail with the City Council.

Mr. Harbour recalled a conversation with Ms. Wong in 2014 wherein she stated she would remove the fourth floor. Ms. Wong refused to listen to instructions from the City about size, scale and massing.

Ms. Wong's son stated the appellant had no right to speak. Discussion of the alleyway was disingenuous. The alley was a service alleyway. To think of and treat the alley as a pedestrian alleyway was ridiculous.

Chair Gooyer reiterated that the ARB had provided their opinions of the architecture of the project. Both sides could take whatever action they felt appropriate.

Ms. Gerhardt inquired whether the item would be continued to a date certain. Chair Gooyer understood the applicant wanted only the ARB's opinion, at which point she would proceed to the City Council. Ms. Gerhardt advised the ARB would need to make a formal recommendation. Chair Gooyer suggested a date of May 5, 2016. Ms. Gerhardt indicated May 19 was a more realistic date. Mr. Freeman requested a date certain of May 19.

MOTION: Vice Chair Lew moved, seconded by Board Member Kim, to continue the project to May 19, 2016.

MOTION PASSED: 3-0 (Board Members Baltay and Furth recused)

Ms. Gerhardt heard the applicant state she did not choose to reduce the square footage of the building. She asked if the ARB would have a negative recommendation in that event.

Vice Chair Lew felt the key word was "apparent" in the massing of the building. The key factor was the setbacks on the upper floors to make the massing appear less bulky. He did not hear a clear directive from the Council to remove mass. The Council seemed to want to reduce the visual apparent mass first. The maker of the Council's motion asked for several ARB discussions with the applicant before returning the item to the Council.

Board Member Kim agreed that the square footage should not be relevant. The visual appearance and visual massing were the important concerns. As long as the applicant addressed ARB comments, the ARB should review the project.

Chair Gooyer agreed. The applicant could make revisions to make the building appear smaller. The applicant had made good improvements in the latest revision.

Study Session

None.

Minutes Approval: March 3, 2016

[Heard after Roll Call.]

MOTION: Vice Chair Lew moved, seconded by Board Member Furth, to approve the Minutes of March 3, 2016 as presented.

MOTION PASSED: 3-0 (Board Member Kim abstaining, Board Member Baltay absent)

Subcommittee Item

None.

Board Member Questions, Comments, Announcements

None.

Adjournment