



# Historic Resources Board

## Staff Report (ID # 8857)

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**Report Type:** Action Items **Meeting Date:** 1/25/2018

**Summary Title:** Eichler Neighborhood Design Guidelines

**Title:** PUBLIC HEARING: Historic Resources Board Discussion and Recommendation of the Palo Alto Eichler Neighborhood Design Guidelines to the City Council

**From:** Hillary Gitelman

### Recommendation

Staff recommends that the Historic Resources Board (HRB) take the following action(s):

1. Conduct a public hearing and consider comments submitted by the comment deadline (January 12, 2018), and provide comments on the Palo Alto Eichler Neighborhood Design Guidelines (Guidelines) including Process Improvement Suggestions (Guidelines Chapter 8); and
2. Recommend Council approval of the Guidelines, subject to any modifications the HRB suggests.

### Background

This report transmits information regarding the upcoming events related to the draft Guidelines that were published November 9, 2017. The Guidelines are viewable via the City's Eichler page ([http://www.cityofpaloalto.org/gov/depts/pln/special\\_projects/eichler\\_neighborhood\\_design\\_guidelines.asp](http://www.cityofpaloalto.org/gov/depts/pln/special_projects/eichler_neighborhood_design_guidelines.asp)) which is updated to reflect the current schedule for public comment, community workshop, Board and Commission hearings and Council review.

#### *HRB Review*

On October 12<sup>th</sup> staff presented background information to the HRB. On November 9<sup>th</sup>, staff provided the HRB members with a presentation and hard copy Guidelines and emailed process participants a link to the Eichler Guidelines. On December 14<sup>th</sup>, HRB provided initial comments on the Guidelines. HRB requested to defer its formal recommendation on these Guidelines until January 25, 2018, which is after conclusion of the public comment period (January 12, 2018) and the community workshop #3 (January 18, 2018) regarding Guidelines content and potential approaches for regulatory changes. The minutes from the December 14<sup>th</sup>, 2017 HRB meeting are attached (Attachment A).

### *Written Comments Received*

A total of 27 individuals submitted written comments via email on or before January 12, 2018, regarding these Guidelines. A number of comments that were received did not respond to specific sections or guidelines in the Public Review Draft, but rather, expressed values and concerns similar to the comments that the City received from the public before Page & Turnbull began drafting the document. For example, several comments appeared similar, stating that the authors valued keeping the Eichler or mid-century modern style, protecting privacy in the backyard, respecting scale and mass, and avoiding stucco mansions.

At least five commenters felt that the recommendations in the document should be more flexible toward additions at the front of the house, provided the addition is compatible with the overall design of the house. Likewise, ADUs were recommended at the front of the property, possibly attached to the primary residence or developed out of a portion of the house or garage. Comments were divided regarding second story additions; at least three commenters supported second story additions with the rationale that it preserves backyard space, while others supported the current guidance dissuading second story additions. One comment suggested that the illustrations associated with appropriate locations of additions should be clarified.

Though beyond the scope of the Eichler Neighborhood Design Guidelines document itself, there were several questions about how the guidelines would be enforced and how they would affect the permitting process. There was divided opinion about enforcement of the guidelines. Two commenters specifically stated that they want the guidelines enforced, while one did not want to make the guidelines more than informational and voluntary. One resident recommended different levels of review or strictness depending, for example, on whether the properties are located in a National Register historic district or have an Architectural Control Committee. One resident recommended stricter zoning and permitting requirements specifically to limit gross size and height to combat “McMansions.” Another resident recommended prioritization of Eichler design elements: those that affect the surrounding neighborhood (e.g. height, mass, and privacy of neighbors) should be mandatory while those that only affect the house in question (e.g. types of doors and windows, paint color, landscaping, etc.) should be optional. A second resident provided a similar recommendation that would divide the document into “privacy guidelines” that could be enforceable via the IR process versus “style guidelines” that would be voluntary. These comments, while focused on enforcement strategy, could potentially affect the organization of information in the document.

### *Articles*

KQED’s Rachael Myrow recently interviewed staff and several Eichler owners regarding Eichlers in Palo Alto, and has published an article and podcast at the following link:

<https://ww2.kqed.org/news/2018/01/03/how-joseph-eichler-introduced-stylish-housing-for-the-masses/>

The Eichler Network’s David Weinstein has posted a blog at the following link:

<http://www.eichlernetwork.com/blog/dave-weinstein/eichler-design-rules-may-annoy-purists>

### *Community Workshops*

The Eichler Guidelines team (staff of the Planning and Community Environment (PCE) Department and City's consultant Page & Turnbull) conducted two Spring 2017 workshops plus the Summer 2017 Eichler Memories Event, briefly described in the October 12, 2017 HRB report. The third community workshop, initially targeted for November 28, 2017, was moved to January 18, 2018 at the Mitchell Park Community Center. The postponement of the November workshop date led to a rescheduling of the public hearings. The January 18, 2018 workshop was focused on obtaining comments on (1) the Draft Guidelines, and (2) the options envisioned to date for potential regulatory changes (Attachment B). Staff will provide a verbal update to the HRB regarding the January 18<sup>th</sup> workshop.

### **Next Steps**

#### *City Council Action*

Staff is preparing a draft Resolution for City Council to adopt these Guidelines. The Resolution will reflect relevant policies from the Comprehensive Plan Council adopted on November 13, 2017. The new Comprehensive Plan Council adopted (and recently shared with HRB members) is similar to the prior plan, with language referring to the importance of residential neighborhoods such as, "maintain, prioritize and preserve residential neighborhoods."

Staff has targeted City Council review and adoption of the Guidelines in mid-March, and anticipates providing Council with potential regulatory options to consider. Council will be requested to direct staff as to which approach(es) to pursue with respect to code language prescribing staff use of the Eichler Guidelines and other potential modifications.

#### Single Story Overlay Regulations

Later in 2018, staff intends to propose draft modifications to Chapter 18.12 of the Palo Alto Municipal Code (PAMC), in response to the Council's direction for improvements to the Single Story Overlay (SSO) rezoning process. Any draft zoning ordinance changes must be presented in a public hearing before the Planning and Transportation Commission (PTC). References to the existence and intended purpose of residential guidelines (the Professorville Guidelines and the new Eichler Neighborhood Design Guidelines) would be included.

#### Range of Regulatory Options

The potential regulatory options under staff consideration at moment follow a tiered format. Staff intends to gather public and board comments to inform the potential options, and share these with the City Council, along with the Guidelines.

- "Tier 0" approach would mean the Guidelines are voluntary, with no ordinance to enforce mandatory use of them or lack of compliance.
- "Tier 1" approach could be to use the Guidelines as a tool for staff and consultants reviewing new two story homes and additions proceeding through discretionary

planning entitlements, such as Individual Review. Within the Individual Review Guidelines, additional privacy measures from the Eichler Guidelines could be cited to strengthen how well a new two-story home or new second floor addition respects an adjacent Eichler home's existing privacy condition.

- “Tier 2” approach is to create the opportunity for neighborhoods to self-select to become Eichler Overlay (EO) Districts, similar to Single Story Overlay (SSO) Districts. An Eichler Overlay District could have existing two story homes beyond the 20% maximum threshold for establishing an SSO. An Eichler Overlay could allow for new second floor additions or new two story homes, whereas existing SSOs could not have new two-story homes or new second floor additions.

An SSO could still utilize the Eichler Guidelines specific to one-story homes, on a voluntary basis. Currently, the City does not have a one-story design review program; therefore, any desire by owners of a tract to have a review program for one-story homes and additions would have to be addressed with ordinance language, such as noted in the next Tier, Tier 3 (not Tier 2).

- “Tier3” approach would be to modify Development Standards within the R-1 Zoning District (PAMC 18.12) specific to Eichler homes. Such regulations could be tailored for the National Historic Register tracts and non-National Register tracts with Single Story Overlays (SSOs). The standards could place additional restrictions or provide greater allowances for additions to existing Eichlers.

#### Upcoming Schedule

- In February, revisions directed by staff and the HRB to the draft Guidelines would be made, and staff would refine the potential regulatory options to share with Council for direction; and
- In March, staff would bring to Council:
  - the Draft Guidelines, revised to address board input, and
  - tiered regulatory options for Council direction. Should Council direct staff to proceed with policy and or zoning code amendments, staff would hold public hearings to refine these approaches.

#### **Alternative Actions**

In addition to the recommended action, the HRB may:

1. Form a subcommittee to assist staff with the potential regulatory options.

**Report Author & Contact Information**  
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**Attachments:**

- Attachment A: HRB Minutes December 14, 2017 (PDF)
- Attachment B: Options for Potential Regulatory Changes (DOCX)



# HISTORIC RESOURCES BOARD MEETING DRAFT MINUTES: December 14, 2017

City Hall/City Council Chambers  
250 Hamilton Avenue  
8:30 A.M.

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

Present: Chair Martin Bernstein; Vice Chair Bower, Board Member Brandon Corey, Roger Kohler, Michael Makinen

Absent: Beth Bunnenberg, Margaret Wimmer

Chair Bernstein: Welcome everybody to the December 14<sup>th</sup> meeting of the Historic Resources Board. Would staff please call roll? Thank you. First, I'd like to thank all and welcome all the Board Members who have been reelected to the Historic Resources Board. Congratulations to all, good, great.

## **Oral Communications**

Chair Bernstein: First on our meeting is oral communications. Members of the public may speak to any item, not on the agenda. I don't have any cards from the members of the public, nor do I see any members of the public here.

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

Chair Bernstein: We'll move onto if there are any agenda changes, additions, and deletions?

Ms. Amy French, Chief Planning Official: None.

Chair Bernstein: Thank you.

## **City Official Reports**

### **1. Historic Resources Board Meeting Schedule and Assignments**

Chair Bernstein: Next is City official reports, board meeting, schedule, and assignments. Vice Chair Bower.

Vice Chair Bower: I note that this our last meeting of the year and as a Member of the Board, I wanted to thank staff for all of their hard work for all of the weeks that you come and see us. I hope that we'll see you much more often next year because we'll have that much more work that we want to review so thank you very much for your dedication and thoroughness.

Chair Bernstein: Great, nice sentiment and I agree with those comments too.

Board Member Makinen: Thank you for the fine breakfast.

Board Member Corey: Yeah, it was very nice.

Board Member Kohler: I'll be here next Wednesday as well.

## **Study Session**

### **2. Discussion of Potential Retreat Topics for 2018**

Chair Bernstein: Alright, next on our agenda is a study session for discussion of potential retreat topics for 2018. Shall staff have any comments to start us off?

Ms. French: Yes, we have a PowerPoint to display the potential retreat topics here and we – when we say January 11<sup>th</sup>, that is a target date. We have not advertised it yet but obviously, advertising will happen soon because of the holidays so we kind of wanted to find out if there was capacity or in other words are people available on the 11<sup>th</sup> for a retreat? We can start with that and that would be the first meeting of January. We do have a second meeting in January which would be a potential follow up on these Eichler Guidelines that you are discussing today. So, I'll end with that and I'll let Emily present the PowerPoint.

Ms. Emily Vance, Historic Planner: Hi, good morning everyone. I just wanted to reiterate what Amy was saying about the potential date of January 11<sup>th</sup>. That would be – is that better? Can you hear me now? One of the reasons we picked that date is so that we could discuss the CLG Annual Report which is due on January 22<sup>nd</sup>. If we do it earlier, that way everyone can provide input on that document and you'll notice that there was a sheet at each of your places. I've received the statements from some of you but it would be nice to get that sometime before the 22<sup>nd</sup>. So, here's – again, here's just some of the potential retreat topics, that picture that you saw earlier was from the interior of the ITT building. Did you want to – Ok, so I'm just going to run through these real quick. One that would be a good idea would be the Mills Act and discussing the continuing work that the subcommittee is doing. The Girl Scout House over at Rinconada Park and its potential National Register listing and California Landmarking. The ITT building and what should be happening with that building. Continuing the discussion of demolition issues, the Comp. Plan update, Eichler Guideline implementation, Native American Month which is November, Historic Preservation Month which is May, the CPF Conference, as well as additional training opportunities. I just wanted to bring to everyone's attention that there's a really good Standards of the – Secretary of the Interior Standards webinar in March. As well as continuing to discuss the Mid-Century Era Context Statement Grant Application which we had mentioned at a previous meeting. So, here are just some of the potential topics, we obviously can't cover them all so it would be a good idea to pick a few for the retreat.

Ms. French: I would just add to that, we have just a couple of updates today; one on the ITT and one on the Comp. Plan update but we'll talk about that later.

Chair Bernstein: Thank you. Any – this is a study session, any comments, suggestions from Board Members? I have one – oh, sorry, go ahead.

Board Member Corey: Oh, sorry, I was going to say how do you suggest – we just pick a handful of these?

Ms. Vance: Well, maybe we'll just gage what you guys are more interested in, less interested in and we can kind of prepare a list from there. I guess we're looking for feedback at this point and of course, you can always pick something that's not on this list if there's something that the Board would like to discuss as well.

Ms. French: I should say, there's always an opportunity at a retreat to discuss how we do a thing as a Board. That's always what's going well, what could be improved, that type of topic but we don't have to call that out in particular.

Chair Bernstein: Vice Chari Bower.

Vice Chair Bower: In looking at this list, it would be several retreats to cover this amount of information. I would suggest the Board think about concentrating on things that we're not going to review and make recommendations to the City Council next year. So, I think the Mills Act discussion which is going to come before this Board I think early next year is one we wouldn't necessarily need to cover in the retreat. I think the Eichler Guidelines implementation is maybe not something that we need to think about in the retreat because we're going to hear about it and we're going to have more opportunities to consider that. I'm not sure about the Comp. Plan update, I think that's something that we ought to probably address during a Board meeting rather than at the treat. Then the one thing that I'd like to consider is a discussion of how this Board can encourage the City Council to list properties or historic districts on the City Register so that we can get some protection for those properties and some different treatment.

Ms. French: So, that's related to the Comp. Plan update.

Vice Chair Bower: Oh, alright well that's my suggestion.

Chair Bernstein: During this year's joint Historic Resources Board/City Council meeting there was expressed interest to have some training session for City Council Member so that could be tied in with the CPF Conference training opportunities date. I've heard from Council Member – some Council Members that they believe that the Members of the HRB are – have good expertise on Secretary of Interior Standards and they may – and they have not received that training. So, that's why they suggested this would be a good – so however that gets arranged between HRB and City Council Members to have a detailed discussion about the Standards. That would be my suggestion for under – that could – if that happened concurrently during the CPF Conference, that could be a good time. Ok, other Board Members? Ideas? Alright, I think that's where our comments are right now. Before we move on, any other – before we on to another agenda item? Board Members Kohler or – you have a comment or something? Ok, good.

Board Member Corey: I agree with the other suggestion so just for what it's worth.

Chair Bernstein: Alright, well, we have a nice good list in here so any other questions or requests from Staff on this agenda item?

Ms. French: Well, I guess we heard from one Member that of the ones that don't seem to be a retreat, not worthy but you know the word I am looking for, just we can handle them at a different meeting. So, what we're left with I guess if that's a concurrence and then we've got the other ones left to discuss. I might say the Mid-Century Era has been talked about quite a bit. Right now, we're in the Eichler moment which is about Mid-Century as well at least to housing. So, there might be things we want to just float at that meeting regarding that but not to take on the grant application because we're full into what we've got going on now and the Mills Act. That would be the only comment I would have is maybe that's gets put off.

Board Member Corey: Just in case, I'm just going to throw out my opinion for this anyway so I think the Mills Act and the demolition issues and the historic preservation month would be the three topics that I would like to discuss if we had to pick three.

Chair Bernstein: I was thinking about the same thing that Board Member Corey just mentioned about demolition issues. Oh, something that I think we've discussed at a previous retreat as a Board was the idea that of demolition, when does a district start losing its district character? So, that could be part of the demolition...

Board Member Corey: There's also this deconstruction business that's going on to work around.

Ms. French: We have an update today on that as well.



Chair Bernstein: Ok, excellent, good. Welcome Council Member Holman to our meeting, great. Council Member Holman we were just discussing potential topic retreats for HRB retreat and what we've focused so far is the idea of demolition and deconstruction issues, training for HRB and City Council – training for Council Members who would like to have more information about the Secretary of Interior Standards and just some of the technical aspects that the HRB is already familiar with. So, that could happen concurrently during the CPF Conference issue. Was there anything else Board Member – Vice Chair Bower?

Vice Chair Bower: I would recommend that the Chair meets with Staff and kind of based on this discussion make a decision so that you will be able to prepare for the retreat.

Chair Bernstein: Ok.

Ms. French: Could be Chair and Vice Chair if you wanted to join in, we could...

Chair Bernstein: Yeah, let's do it.

Ms. French: ...but we'd have to pull it together next week basically as far as a meeting.

Chair Bernstein: Alright, anything else on this agenda item? Council Member Holman.

Council Member Holman: As a Council Member who's been on the Planning Commission and watched things over the years, I think the training on the Secretary of Interior Standards is really a great idea but it isn't just for the Council. It's for the ARB, it's for the Planning Commission, it's for the Building Department because all of those departments effect and impact historic resources.

Chair Bernstein: Ok, that's a fantastic idea. Let's see so maybe we could add that to the minutes too. Great, good so that joint or however that training session works, yeah bring all Boards and Commissions involved. That's an excellent idea, for sure. Ok, anything else on this agenda item before we move on? Ok, thank you.

## **Action Items**

### **3. PUBLIC HEARING: HRB Discussion and Comments on Eichler Design Guidelines**

Chair Bernstein: Next would be an action item and that is a public hearing, HRB discussion, and comments on Eichler Design Guidelines. Shall staff have an introductory report for us, please?

Ms. French: As noted in the report, we did publish these back on November 9<sup>th</sup> and provided them to the Board. We asked that you bring your copy today with the assumption that you'd looked at it and had some comments, great or please do this or do that edits for us so we could take a look. If you wanted to go through those as a Board today and provide a recommendation, we welcome that. With the understanding that we – our next steps are to go to a public workshop, we're holding and you're invited on January 18<sup>th</sup> at Mitchell Park Community Center where we will have a full discussion of the guidelines with the public who can come. It's in the evening and we will also discuss potential code changes that could be directed by Council and so we have kind of a matrix of potential options that the Council may direct us too come back with and go through the process on that. I think we have a couple slides here perhaps, this shows the flow chart that I prepared to keep my head straight on this. Basically, we've got today, again comments or if you choose, recommendation and then we have the end of the guidelines comment period January 12<sup>th</sup> which happens before the public workshop. Of course, comments are solicited then but we wanted to get written comments which we haven't gotten any so far and then this workshop as I had mentioned. Then we can come back to the HRB and talk about that on the 25<sup>th</sup> and talk about the code change matrix. We're looking to go to Council probably in March – early March to ask the Council to adopt the guidelines. We're going to not go to the Planning Commission before Council, just on the guidelines but we will go to the Council following – if Council directs us to make code

changes. Then we will start kind of a process on that and that looks like towards June where the Council could potentially adopt code changes that are related to Eichler's. When I say code changes I mean the option for neighborhoods to elect to have Eichler overlay zone or conservation district or any of those and potential zoning code development standard modifications that could be discussed with this Board, Planning Commission, and Council.

Chair Bernstein: Question, I was looking through our staff report and or our Board report, this little chart looks like a great chart for the path of action. I don't – if there's some way that we could get a copy of that? I don't see it in the – in our packet here. Just it helps – I know it helped me organize my thoughts about the process.

Ms. French: We'll email it to the Board.

Chair Bernstein: Excellent, thank you so much. With that, I know I have several comments to make on these guidelines but I'll start by asking if any other Board Member have comments? Board Member Kohler.

Board Member Kohler: I think this is a good thing to have going here, this Eichler setup because I had a very unhappy situation with a client.

Chair Bernstein: Excuse me for a second, what I would like to have this focus on is not an individual project that comes before...

Board Member Kohler: Well, the point that I am making Martin is that from what I can tell in the booklet, it has opened up the possibility of some situations that previously were not even considered allowed in the Eichler neighborhood. What I'm talking about is two-story homes and there are neighborhoods that have limits on the second floor, is that correct?

Chair Bernstein: Correct, yes.

Board Member Kohler: There are whole lots of areas that don't have so I just read here it says that this does not limit the use of two-story homes so I'm just...

Ms. French: That is the situation today. I'll just give a brief overview on this so again, we have some single-story overlay neighborhoods and they are restricted to one-story. All of the other neighborhoods in this City are not restricted to one-story. These guidelines provide the opportunity for architects, homeowners, and staff and the Board to – and the IR process to review modifications to existing Eichlers be they one-story in a single-story overlay neighborhood or two-story in a non-single-story or second-floor addition in a non-single-story overlay neighborhood. These are designed guidelines tools, they are not requirements, they are guidance for folks to know best practices on adding to an Eichler or either one or two stories.

Board Member Kohler: I lost my spot here but I think it was saying that this does not – in this particular area, it doesn't limit you to a certain style of the house. Is that correct or do you still have to do an Eichler type home?

Ms. French: These are not proposing you have to do anything, these are – this is guidance. Only the Council can put a mandatory requirement so that is for later if the Council directs mandatory compliance with these guidelines. We're not at that stage Roger, we're just at the stage of looking at the guidelines and how they're set up and the content of the guidelines; not the content of the zoning code.

Board Member Kohler: I'm a little confused so in other words, right now at one point I read you said this does not limit the house to one-story. That two-stories will be permitted is what it says in here at some point. So, I guess you're not saying that still may not happen or is that – I guess I'm a little confused.

Ms. French: It would be up to the Council to direct staff to pursue modifications to the zoning code. If Council directs staff in March to pursue modifications to the zoning code, we would come back through a public hearing process with those options. Right now, what we're looking at is options so the Council could direct us to say set up an Eichler overlay zone where neighborhoods could self-select to use these in more rigorous manner. In other words, they self-select just like the single-story overlay zones self-select to be one-story. So, you know you could have an Eichler overlay zone that wants to have two-stories, in fact, we do have a two-story Eichler tract in Palo Alto, Victoria Court. They could select to be an Eichler overlay zone and they have two-story homes.

Board Member Kohler: So, they are meaning that particular neighborhood? Ok so are you – maybe I am getting this confused, are you saying that the neighborhood itself can decide whether or not they are limiting to one or two-story homes?

Ms. French: Yeah and that's a different conversation than today's conversation because we're at that point yet, where we're talking about code changes. We're only talking about guidelines which are different than code restrictions, these are not restrictive, it's advice.

Chair Bernstein: Any Board Member comments? Vice Chair Bower.

Vice Chair Bower: I have a couple of questions about some of the language in here. On page 19 there's a discussion of the Individual Review process and guidelines. In the second paragraph, it says that the single-family Individual Review guidelines establish specific requirements. I don't want to read the whole thing; however, the IR process is not a design review process. In the next paragraph it says that the single-family Individual Review guidelines are one, to reserve a unique character, promote construction, encourage respect for existing context and those four – and there's another – there are two more. These things, I think do – are exactly about design review so I find the language in here confusing because, on one hand, it says no, this is not a design review process and then in the next paragraph it says these are the things that we're going to do when we look at your design. So, I think that – I'm not sure how to make it clearer and maybe it can't be clearer but if I'm confused by this, a homeowner I don't think is going to have an easy time of it either.

Ms. French: Often confusion is the result of politics and it's no different from the Individual Review Guidelines. They were – there was – when these came through, there were very strong statements that these are not design guidelines, these are not design guidelines so they can never say that about themselves. It's a conundrum but we are just reviewing privacy, mass, and streetscape. We are not telling people this style of house you need to do – you've chosen this style of house, now you must do it well. You must do – you can't do a turret on this house because you're not doing that tutor style house. You know it's very confusing for people because we aren't doing design review, we aren't making well-resolved houses per say in the design chosen. We can give advice which we do but make or break the findings for approval of Individual Review are about those three topics, not about how well designed a house is.

Chair Bernstein: I love those, those are great, I love your words; privacy, massing, and what – those are...

Ms. French: The focus of the IR program is privacy, massing, streetscape.

Chair Bernstein: Streetscape.

Ms. French: So, we are looking to make sure that we are, to the best of our ability, not introducing direct views of – for privacy. Massing being we have a neighborhood with -- we're just trying to work on those for compatibility.

Chair Bernstein: Ok, yeah and that's always been my interpretation of the IR process is – yes, exactly, streetscape, privacy, and massing. That's what I tell everybody who asks me about that.

Vice Chair Bower: A couple of other questions.

Chair Bernstein: Ok, sure. I also want to remind the Board that we've got two members of the public that want to speak on this topic also. Go ahead.

Vice Chair Bower: At our study session I was encouraging Page and Turnbull to reorganize the two charts on page 21 and 23 which show the Eichler tracts in the City and have the IDs actually be age-adjusted, not alphabetical because I think it will be more helpful to the community to understand where each of these tracts was developed based on the beginning of the Eichler tracts. Then the end of that period so it's the beginning is what, 51 and then 70 something; 74 I think. I think that's just a reorganization of the chart. On the flood hazard map...

Chair Bernstein: Page?

Vice Chair Bower: ...which is page 23, I think it would be helpful to have the tracts that are actually affected by flood zone issues in a different color than the ones that are not. So, on this map, all Eichler tracts are in orange, the National Register Districts are in dark green. There are only two of them but then there's this light blue floodplain or flood zone area and so those tract, it's not clear to me whether it's -- for instance Tract 29, is in or out of that flood zone because it's right on the edge of the blue; it could be included. This -- obviously the purpose of this is to, again tell homeowners and anyone else who wants to know whether their house is in the flood zone. Then the next question or the next issue I'd like you to address as staff, is if an Eichler tract were included in a National Register District, it's my understanding that then the flood zone issues are not -- they are exempted from flood zone requirements or not?

Ms. French: There's a -- there's something called a variance, it's not a variance -- zoning variance, it's a variance from the Public Works requirements to not build basements in a flood zone or what have you. If it's a historic home, that's one of the perks is that you can qualify for one of those variances. Can I -- can we just go back for a moment to your earlier statement. I think that's great to show the flood zone tract as a different color from the non-flood -- for this map. I have a question, it appears that the flood zone maybe bisects a tract, would you prefer that the whole tract is colored or reflect the -- because the flood zone is kind of shown -- the blue is shown there. What do you think?

Vice Chair Bower: Well, I think it's -- for the homeowners that are in say Tract 29 and maybe 25, I don't know whether that one -- and 11 and 8, maybe 18 depending upon what that little space is; because the blue doesn't actually blend into the orange color, I would assume from looking at this map that says 29 and 25 were exempted but then there's 11 which is clearly partly in and maybe partly out and 8 which looks like it's half in and half out. So, a color shading that puts those -- the Planning Department has to have the actual parcel numbers on the floodplain but this is kind of a broad overview for homeowners and real estate agents and people looking to buy property. You ought to be able to tell fairly quickly by looking at this map whether you're in or out. Also, it seems to me if -- my next question, if in fact historic buildings or properties in a historic district are exempted from the FEMA requirements, that solves a problem that we have in this City where buildings -- existing buildings that are renovated beyond fifty percent of value would have to be raised and that ruins the neighborhood context. Having one house up 3 1/2-feet with a house next door being at current grade, that's a complaint we had at our study session from a member of the public who came and said, people next door had to raise their house and they are looking in my windows. So, this is one way of encouraging these districts to become registered as historic and it also solves a zoning problem that is not easily solved any other way.

Chair Bernstein: Thank you, Vice Chair Bower. I have a comment on the idea of I think it's good for property owners to certainly know if their parcel is in a flood zone. I'm going to suggest that the Eichler Guideline Booklet would not be a good place to put that technical information because she says it was mentioned that one of these tracts, there may be one parcel that's in the flood zone and one parcel that's not in the flood zone. So, it should not say Tract 29 is in a flood zone because that's not good

information. Also, flood zones can change so if it gets memorialized in a book like this and all of sudden then the National Flood Insurance Program says ok, this property is not – then this is out of date. I think the best source for a property owner to find out a technical issue on flood zone is just keep it where it is right now and that's in the parcel maps because those can be updated very quickly. This will not get updated very quickly and this becomes out of date. So, I think flood information is really critical for homeowners so let's just keep – I would say don't put it in this book because this is not going to get revised. Whereas the parcel reports that are available online in like pretty quick – like instantly on a computer, I think that would be the best place to keep flood zone to address the issue of are you in a flood zone or not. Then as an applicant wants to make changes to the property that is in a flood zone or just make it real specific because this is not going to be revised.

Vice Chair Bower: So, let me just respond to that very briefly. If in fact we – it's better not to have flood zone information in here, then let's take this map out. That's the whole purpose of the map, this page is only here to show people whether they are in or out so I'm just – I'm trying to make it clearer.

Chair Bernstein: Clearer, yeah.

Vice Chair Bower: I take your point and you're absolutely right, flood information is...

Chair Bernstein: Changeable.

Vice Chair Bower: ... well, no not really. It will take 25 – I'm in a flood zone, I've been there since 1998 and there's no hope in my lifetime that we're going to be out of that flood zone because of how difficult it is to get the Army Core of Engineers to move that. I think this is going to be an unlined document, printing the way we know it today is not really going to be the way information is transmitted in the future. So, I take your point but I think if we're going to have this here, it ought to be clearer or maybe we don't have it, that's all.

Board Member Kohler: I just think the map is helpful because when people walking through this but certainly could have a little script below there that says this is a fluid document...

Chair Bernstein: No pun intended.

Board Member Kohler: That's right, ok, yes, it's water under the tree when the water gets...

Vice Chair Bower: So, on page...

Board Member Kohler: ... but I'm just saying is that a little note there that says, by the way, this flood data gets changed on and off over the years, verify with the Building Department before. I think the map would be a helpful thing to at least get them understanding that they are in the flood zone if they don't already know.

Ms. French: I'll just weigh in on that. I think if we – it might be helpful if we keep it – we can put the date, as of 2018 January or whatever so they know and then add the disclaimer subject to change. Then the possibility to do a dashed line through the tracts showing approximately where that flood zone might help...

Board Member Kohler: Yeah, if you say approximate.

Ms. French: Yeah.

Vice Chair Bower: I would like to give credit to Page and Turnbull, this box here on page 22 says go – gives you exactly the internet log in – I mean direction to get to the flood zone information by parcel. So, it's there, it would be better if you could put it on this – on the same page but that's not really going to

be possible because of the way – so, they’ve done a good job of putting this information. I just think that it could be a little bit better.

Chair Bernstein: Before the HRB continues on this, I’d like to – we’ve got members of the public who would like to speak. I’d like to hear their words of comments, please. First speaker would be Lee Lippert, welcome.

Mr. Lee Lippert: Good morning distinguished Members of the Historic Resources Board. I’m Lee Lippert, I’m an architect in Palo Alto, I’m also the President of Past Heritage. I’m speaking tonight as an individual, not as speaking for the -- for Past Heritage. First of all, I want to thank you for your document, I think it’s really well done but the difficulty or challenge I see is implementation. What you really need is a path forward as to how individual house owners, as well as – homeowners, as well as each of the neighborhoods, will embrace this document. The problem is that unfortunately with sea level rise and climate change, moisture is not the friend of the Eichler. Eichlers are basically, I use this – this is an analogy, they are basically cardboard houses and so they are really subject to moisture, dry rot and those sorts of things and with sea level rise, I can just see the problems getting worse. The whole issue with the floodplain is one of interesting complexity. If a home is in the flood zone but is not deemed historic, there’s no way to sort of writing it out of the flood zone. The house basically, if it exceeds fifty percent of the replacement evaluation, needs to basically be lifted the construction value. However, if these homes were deemed historic and the only path to get there is by individual owners doing that, they are subject to a number of incentives that they can take. One is that Public Works would deem it out of the flood zone and therefore certain work can be performed on improving these buildings without parallel of that tax shall we say. In other ways, they could make use of the State Historic Building Code in renovating their building and there are other incentives, I’m sure as you know, coming down the pike. The failure of Eichlers is really in several different components, one is the beam overhangs. The beam overhangs are subject to dry rot and failure on the exterior and the solution for that is that homeowners wind up cutting them off thereby negating or losing some of the historic fabric right there. The second is in the siding, the siding is no longer available. You have to have it custom milled but most homeowners what they do is they simply rip off the siding and they sheath it with plywood or stand board and then they simply go in and cement plaster over it. Then the third area failure are the garage doors. As you know, many Eichlers have those wonderful sliding garage doors and again, those get bound up in the tracks, the tracks are very old, they cut the tracks off, they remove the garage doors and the next thing you know you have a sheet metal, roll up overhead garage door. They are not particularly attractive so if there’s some way to incentivize citizens to be about to find a path forward to embrace your guidelines here, I think you’ll begin to find that you’ll be able to preserve many more Eichlers in the neighborhoods. Thank you very much for your time.

Chair Bernstein: Thank you so much for those excellent comments. Next member of the public is [\[Mira Eldamen\]](#), welcome.

Ms. Mira Eldamen: Good morning, thank you to the Board and the Committee and thank you for all the work on the guidelines. They are really thorough and I also really appreciate the community involvement. I’m an Eichler owner in Royal Manor and before that I was an Eichler owner in Willow Glen in San Jose for 4-years. I have deep respect for architectural beauty and in my previous life I was in Washington DC where I had a historic residence where Harry Truman once lived. I really support the attempt to protect privacy and continue to have good architecture in the Eichler neighborhoods. I want to discuss today Section 5.1.1 on page 76. These are guidelines that talk about new additions to existing Eichlers, specifically with respect to first-story additions. I think this particular guideline would merit some more study. It reports to put some limits on how additions to front and rear elevations of Eichlers can be done and it includes three graphics. One with a green check mark which I understand is probably a correct way to add a rear addition and then two with red X’s which seem to imply poor additions. One to the front and one to the back, although there is a typo in the third graphic. As you know there are a variety of Eichler designs, some are flat fronts, some have certain off-sets on the front of the house where one portion of the house is further back from the other. This is often divided where a garage might be further back or further forward from the living area of the house. Eichlers are small and lots are small in Palo Alto

and so we really need to allow owners to have the ability to add additions that are consistent with zoning regulations and architectural integrity to the front and the rear of their houses as they need them. There are Eichlers in some communities, including mine, where additions were added both to the front and the back which are consistent with the original intent of the Eichler and with the graphics and the text of this guideline, might be in the future be considered inconsistent. I will provide written comments and provide some addresses. One of the Eichlers that added a very beautiful rear addition was actually on the San Mateo house tour, which I know is not within these guidelines control but it was on house tour and was done absolutely beautifully by an architectural firm. Read additions in particular, I think should have a very soft touch in these guidelines because most Eichlers are completely fenced off from the front and we're interested in protecting the privacy of the backyard. Owners who want to add additions to the backyard which is almost always the only place where there is room to add an addition, are not even seen from the street. With the first-story addition, even if you're putting up walls of glass in the back, you're not going to be intruding on the privacy of any of your neighbors because of the way the fences are. In the front of the house, often when you have an offset front of the house, you can add an addition about 6-feet to the side of the house that is set back from the road, further than the other side, to bring the house flat to the front, which is also consistent with several Eichler designs. Both designs where there's a flat front of the house where a courtyard has been added, where a fence goes to the front of the house, you have a flat front. Those are my two comments on the guidelines for the additions to the front and the back. I think there's also a beautiful addition with a rear addition in Green Meadow, I'll find the address for that one, and again, there's also one in my Royal Manor neighborhood that a front addition that is quite beautiful. Thank you for your time. I appreciate all the attention that has been given to this and hope that we have some really great outcomes for the owners that truly love our homes.

Chair Bernstein: Thank you so much. Any other members of the public that would like to speak on this agenda item? Seeing none. Bring it back to the Board, additional comments or suggestions from Board Members? Board Member Makinen.

Board Member Makinen: I just had one thought here, you emphasize this as a guideline and not a prescriptive situation right here. It might be interesting if there was an incentive that was attached to this that if you follow these guidelines, you get some type of incentive. I don't know what it would be, maybe additional size or square footage or something that you could do but make it more of a voluntary type of thing and not prescriptive. You might get more interested in it, incentivize it.

Chair Bernstein: I agree with that. The Board Members have repeatedly commented about what can be put in any guideline, including any ordinance for incentives. Incentives can – and those can be based on a voluntary basis but if you follow the money, then you might choose to take care – do the incentive. So, I think those – and we've heard a member from the public speak to an idea of an incentive so if somehow that can be incorporated somehow in the guidelines and maybe if ordinances become in place regarding Eichler Guidelines, I think that's an excellent idea.

Board Member Makinen: I just – when I look at this I think anybody who is a person looking at this as guidance would eventually assume that it was going to be prescriptive at some point. You went through all the trouble to build this guideline but if you clear made it as an incentive program, it would sort of remove that possibility and put it more as an incentive type program.

Chair Bernstein: I think that's a common voice that this choir has sung about, just if – where ever opportunities are to provide incentives, whether it's guidelines or ordinances that would be great. Alright, well I've got several things to look at, let's start on page 24. On page 24, on the right-hand side, it talks about National Register of historic places and districts. My question is, is only the district historic and not individual homes? So, individual homes are not historical properties, is that correct to date -- as we are today?

Ms. French: Yeah, the National Register forms for both of those National Register Districts are focused on the tract as a whole. The significance derives from the arrangement on the sites and kind of a holistic

look at it. There may be some homes out there that qualify individually but they have not been identified in either of those nomination forms.

Chair Bernstein: I see your lights on here, welcome.

Ms. Christina Dikas: Typically – Christina Dikas, Page, and Turnbull, typically contributors to the historic districts are considered historic resources for other purposes that you might have in the City. So, the next page has the maps that color them with contributors and non-contributors to help differentiate.

Chair Bernstein: Oh, ok. Then the contributors – so I guess from an ordinance point of view, are they considered historic properties on the – from the Historic Preservation Ordinance?

Ms. French: Our Preservation Ordinance does not address National Register District Eichler tracts so the ordinance has nothing to do with that at this point.

Chair Bernstein: At this point.

Ms. French: Yeah, that's a discussion that could happen in the future as far as the relationship between contributors to a district and our ordinance.

Chair Bernstein: Ok, thank you for that. Again, I do see that – actually on page 27, on the right-hand side near the bottom, I'll just read it. It says National Register Historic Districts are not currently listed in the City's Historic Resources Inventory. Thank you for that clarification. Next is on page 64, my comment is it talks about exterior colors so that's 4.1.2 on page 64. I'll read this then colors – that's not an enforceable guideline -- it's not enforceable, right? Color? This is page 64. My question is so it looks like colors – that's not enforceable, anyone can paint any color they want.

Ms. French: There is nothing in our code regarding colors of any -- prescriptive of any homes anywhere in the City. These are – the Architectural Control Committees that are in place in two of the three – two? Three of the districts – two of the districts are -- or sorry, of the Eichler tracts, they employ discussions or at least I think Green Meadow Architectural Control Committee has discussions with homeowners about the color – traditional Eichler colors. These are not intended to be prescriptive.

Chair Bernstein: Ok, thank you.

Board Member Corey: Actually, it says right here that the use of specific original colors is not required in Eichler neighborhoods, for whatever that's worth.

Chair Bernstein: Ok, thanks. Next on page 72 on mechanical systems, again it looks like – just it's a guideline that if you're going to put ductwork on the building, just to have it minimally visible from the street. I think it just says it so I support that idea as a guideline. Please, Vice Chair Bower.

Vice Chair Bower: I'd just like to put into the record something that I think a lot – occurs often and that is that the mechanical companies don't – because they don't have the aide of a mechanical engineer to design these HVAC systems, that they typically just put round ducts everywhere. In HVAC systems the primary consideration is the number of square inches or volume of air you move through a duct and it doesn't matter whether it's round or rectangular. There's a little bit of drag in rectangular but rectangular ducting would diminish the impact of these systems hugely so I'm encouraging people to somehow to think about that and maybe even put something in this document that talks about that.

Chair Bernstein: That's actually a good point. I'm imagining this scenario, homeowner – their steel hydronic heating system fails and then they call directly a mechanical contractor. Says hi, can you give us a price, we need ductwork up in here? Then I guess my question is for Eichler Guidelines, is there – let's see. What would encourage or let the mechanical contractor when they come to get a permit, is there anyone at the Development Center saying oh, you're Eichler, please consider rectangular ducts versus –



what's the mechanism between the contractor and the owner so that the contractor knows about this concern or is it just –says I'll put round ducts, he gets a permit, it gets installed and that's it? Without any interface with these guidelines at all. Is there any process of how that – to speak to Vice Chair Bower's good comment.

Ms. French: Well, once the Council adopts the guidelines in whatever form they do adopt them. There are opportunities for training of the Development Center Staff so they can at least have a conversation. The planning – certainly the planners that are over there will receive firm instructions and then – but people do walk in and do things at the counter – over the counter all the time.

Chair Bernstein: This is probably just a straight – right now it's probably just a straight building permit issues. I mean there's not going to be – I don't – so far there won't be any planning issue. I mean so just a good comment about how to – before a permit is issued, how can it get addressed to what these guidelines are saying; a process question, good question. Next is on page – about three more items here. On page 77 and one of the speakers made reference to page 77. Take a look at the middle diagram where it says a no with the addition beyond the side view there. There's another page, I think it's on page 104, where it talks about the idea of any addition and it encourages to be subordinate to the main existing house. There can be an addition as on page 77, the middle diagram where it extends back there, but as long as it's subordinate there can be fencing that's not visible. So, I think that can be achievable to allow for that kind of an addition and still having it be subordinate without affecting the historical aspects. Again, and part of the flexibility that one of the last speaker mentioned, I think that would be good to incorporate. So as long as it's subordinate, because that is one of the guidelines, is that whatever addition happens is that it's subordinate to the existing house. The middle diagram on page 77 then that could be a yes.

Ms. French: Thank you, I think we can certainly take that middle diagram and have it focused on how to be subordinate.

Chair Bernstein: Perfect.

Ms. French: What are the bullets that make it subordinate maybe so people can understand visually how that can (inaudible).

Chair Bernstein: That sounds great. Then the last speaker also made a typographical error on page 77, on the right-hand diagram, it says inappropriate rear so it should just be inappropriate front. On the -- yeah, she's got it, ok good. Then as the last speaker also mentioned, yeah, some kind of flexibility of if – again, these are all subject to a reviewing body I believe, right? Whenever anyone – I guess not, ok. It sounds like if a homeowner wants to make an addition, it's – again, these aren't registered historic properties so I guess none of the projects would come before the HRB. Ok, right, ok, alright. Vice – Board Member Kohler, yes.

Board Member Kohler: Just in the comment about the no in the middle where it says X, no in the back. You know all these Eichlers have these 6-foot fences everywhere. Who's going to see that in the back and what difference does it make?

Chair Bernstein: That's why I made that comment about – anyway, but the idea of subordinate and then – so there's the note there. Good comment Board Member Kohler.

Ms. French: I would just add to this conversation about the rear additions. I mean we do have that – I don't think it's called an incentive but we have that ability to encroach into the 20-foot rear setback width across half the width of the house or half the – that dimension at the rear for a distance of 6-feet. So, we could actually have several diagrams that could help people understand how to use the code to make the backyard, at least for one-story additions, a good place to start.

Chair Bernstein: Vice Chair Bower.

Vice Chair Bower: So, I think what we're talking about as we review these diagrams is that effectively it's only a front façade protection that we're seeking. I mean, of course, we want to preserve as much of the building – original building as we can. That's one of the Secretary of Interior's primary standards in any addition or renovation but the reality is because of fencing, we can't see the backyards unless we're actually invited in by the homeowners. So, I think, again any series of sketches that would allow what you were just describing, which is the encroachment issue, is probably not an X as the center one but maybe a question mark. It's nuanced and so I think that's to be encouraged. I think obviously the right-hand diagram where there's a front addition is completely problematic in preserving the design and also, I think it's unlikely. A lot of -- well, it depends upon the era of the Eichler tract but most of them were built on the front setback so I don't know that there's any exemption for front setback intrusions.

Chair Bernstein: Again, these are – and these are guidelines and so then someone can propose something and then as the neighborhood review. My last comment is on page 103 -- I'll wait till you guys finish. Page 103 and the diagram about the knob handle. With an aging population, knobs are going to be pretty difficult, it can be a challenge for a lot of people so in the middle of the page on 71.3 it says retain original door hardware knob. I'm going to suggest that there be – don't put that in a guideline that could perhaps become prescriptive. Knobs are pretty – can be challenging for people as we age so I'm concerned about putting that in a guideline and if certainly, a guideline becomes prescriptive.

Ms. French: Can I just make a quick comment on the guidelines becoming prescriptive?

Chair Bernstein: Sure.

Ms. French: If the Council directs us to have prescriptive anything, it wouldn't necessarily follow that everything that's in print in here is prescriptive. You know I mean the – anyways, that's a conversation for another time.

Chair Bernstein: Alright, I just noticed that, about the ---is says retain original knob and so just as a comment for accessibility. Those are all the comments I had. Board Member Makinen.

Board Member Makinen: Just one further comment on page 72, we did have some discussion about heating systems and if you put some of this ductwork on top of the roof, it's pretty unsightly. That is addressed kind of in a soft manner right here where it – the third bullet – the second bullet down on the right-hand side. Explore ductless heating and cooling systems such as mini split air conditioning units. I think this should probably be emphasized more as being a really practical solution to this problem. I personally have used these things for the last 10-years on a couple projects we had and they really work quite effectively. They get rid of a lot of that unsightliness and it solves a very significant problem when you have heating tubs embedded in concrete floors. You can get around it with this newer system, newer technologies, and these mini-split systems, they have – you can do several rooms right now with one condenser so I think that should be kind of highlighted as a major improvement too.

Vice Chair Bower: Can I ask you, are they reversible? I know that you can cool with split...

Board Member Makinen: Yes, you can do...

Vice Chair Bower: You can heat with them too.

Board Member Makinen: You can do – they have a system I put in recently, a hyper system that's good – not around here but it's good to minus twenty degrees; it extracts heat.

Chair Bernstein: Alright, any other comments on the guidelines? Board Member Corey.

Board Member Corey: I had one other comment that wasn't covered. On page 67, on the improving the energy efficiency of the house by repairing or upgrading windows. In general, I like all this in here but

there was – I never saw anything about trying to match the materials so it would be nice to incorporate something about materials. There's a lot about size and profile but nothing about materials so I would encourage people not to replace wood with vinyl, aluminum and those sorts of things, right?

Vice Chair Bower: (Inaudible)

Board Member Corey: I couldn't find it but maybe...

Vice Chair Bower: It's in the middle of page... its that middle column on page 66. It says new vinyl windows are discouraged, as are aluminum. Odd enough, of course, aluminum was the original Eichler window style but it doesn't meet any energy codes now so I don't even know if you can still buy them. You can't certainly buy them at Home Depot or Lowes. Anyway, good point, that's an important point to make.

Chair Bernstein: Any other comments from the Board or staff on this agenda item? Council Member Holman.

Council Member Holman: Yeah, I have a question – I'll save my comments on the guidelines for later and otherwise. Just one – oh, one comment though about the schedule, actually, it's a question. I'm not understanding this schedule because it says that the public comment period ends on the 12<sup>th</sup> but the community workshop is – you said on the 18<sup>th</sup> now has been confirmed?

Ms. French: Yes, the comment period is really the initial – kind of like a CEQA, initial comment period where we're asking people to get us the comments so we can prepare for that workshop on the 18<sup>th</sup>. The comments continue on the 18<sup>th</sup> which is yes, the targeted date. We get a little worried about when is the State of the City going to be and so we were kind of looking at two possible dates but we landed on 18<sup>th</sup> and hope that the State of the City is on another date. That's the point and then we will continue to get comments on the 18<sup>th</sup> and work that into a revised set of guidelines after that.

Council Member Holman: So, on the 18<sup>th</sup> then you will have compiled the comments received by the 12<sup>th</sup> or – the reason I am asking is that we're getting a lot of comments from the public about – Council Members are about schedules. There's been an RPP meeting scheduled for December 20<sup>th</sup> for instance and we're getting a lot of pushback on that and a lot of – I mean understandably but there's a lot of comment these days about meeting schedules so I'm just wondering how that was going to work. You've sort of explained how that would so would the comments received by the 12<sup>th</sup> be compiled in for the meeting on the 18<sup>th</sup> for people to review so we're not repeating everything.

Ms. French: We'll do our best, it depends on the extent of the comments received on the 12<sup>th</sup>. So far, we haven't gotten anything so I don't know what's going to come into my email box or the – we have an Eichler inbox that people can send comments too that I look at – that we both will look at. Then we'll have, yeah, some kind of list of what or description in that meeting of what we've heard to date from the HRB, from others.

Council Member Holman: Based on history, I think you're more likely to get comments on the 18<sup>th</sup> than you will the 12<sup>th</sup>, probably.

Ms. French: I'm hoping that people do come to the event, yes.

Council Member Holman: Then so the meeting is on the 18<sup>th</sup> and then those comments you're going to compile and bring to the HRB – back to the HRB on the 25<sup>th</sup>? Do I read that right?

Ms. French: Well, not necessarily, the ARB is making their comments today. They can recommend what they recommend today, that's an option. The 25<sup>th</sup> we were going to start to talk about these code – potential code changes that we would – we're exploring, discussion of that to get – to start that conversation.

Council Member Holman: Based on the comments received by the 18<sup>th</sup>?

Ms. French: And other – and just looking at codes and how our codes function. For instance, we have our Chapter 1812 that doesn't mention the Eichler Guidelines because – and they also don't mention the Professorville Guidelines at all so that's a code change for instance. That's an easy code change I think, to talk about the existence of both sets of guidelines that the Council could then say yes, talk about the guidelines in the zoning code about residential. Then there will be other potential options such as mention the Eichler optional overlay if you want to call it that, combining district or conservation district or however the Council directs staff to explore that.

Council Member Holman: Ok, that clarifies helpfully, thank you.

Chair Bernstein: Vice Chair Bower, you had a suggestion?

Vice Chair Bower: If we're finished with this phase of discussing the guidelines, I would like to propose to Board Members that we continue this discussion until the 25<sup>th</sup> of January or at least until after the last public input which I think is on the – January 16<sup>th</sup> or 18<sup>th</sup>? It's in here.

Ms. French: Well, yeah, January 18<sup>th</sup> is the – now, we've landed on that with our fingers crossed that nothing bumps it, yes.

Vice Chair Bower: Well but that's the next public meeting.

Ms. French: That's the public workshop, the other workshop.

Vice Chair Bower: Ok, I think we can't make, as a Board, we should not make the decision. We could but I think it would be unwise to make a decision about this and move this forward in the regulatory scheme until we actually hear that last meeting. I've been to one meeting, the very one, it was very strong opinions on both sides of whether or not there should be any guidelines. I think after this information is now widely available for the public, I'd like to hear what the public has to say. I'm recommending that we continue this until after that meeting.

Ms. French: That's great. If there are – if what has been said by the Board or the public today if there's discussion about that as far as a straw poll or anything else. You know I haven't heard anyone saying I don't agree with that when other Members have spoken but we can certainly – because we'd like to get Board concurrence at some point on the changes that have been voiced today.

Board Member Kohler: One sort of comment, have you noticed the choice of colors for houses lately by the way? White, white all outside, white all inside.

Chair Bernstein: Yeah, we are seeing a lot of that.

Board Member Kohler: It's just – I just – but we even did a house in – and we never talked about...

Chair Bernstein: Yeah, ok.

Board Member Kohler: But I'm just saying is it mentioned in here color of...

Chair Bernstein: Yeah, color is mentioned and there are guidelines for color. There are, yeah.

Board Member Kohler: They are guidelines but can you do a white Eichler?

Chair Bernstein: They are only guidelines, they are not in forceful.

Board Member Kohler: Ok.

Chair Bernstein: Following up on Board Member – Vice Chair Bower’s comment, if it’s to have a continue again so I guess that could just show up on a subsequent agenda item after the public hearing.

Ms. French: If you’d like to continue it to the 25<sup>th</sup>, that’s the – we wouldn’t talk about that on the 11<sup>th</sup> because that’s before so we can continue it to that date if you’d like.

Chair Bernstein: Ok, good, does the Board agree?

Vice Chair Bower: I also think it would be important to have all seven Board Members to move this forward.

Chair Bernstein: That would be wonderful. Anything else on this agenda item? I’m going to suggest for the next – let’s take a 10-minute break so we can set up for the next agenda item so we’ll reconvene in 10-minutes and that’s at 9:52. Ok, great, thank you.

[The Board took a 10-minute break]

[The Board move to the approval of the minutes before hearing item four.]

**4. STUDY SESSION: 755 Hamilton Avenue: Request for Study Session Review of an Individual Review application for a 1,088 square foot second story addition to an existing 2,536 square foot single story home. Zone District: R-1 (Single Family Residential). Environmental Assessment: Pending**

Chair Bernstein: Next is agenda item number four, I will read the agenda item and then I’ll make an announcement. Agenda item number four, study session, 755 Hamilton Avenue requests for a study session of an Individual Review application for a second-story addition to a single-story home. The zone district R-1 single-family and the environmental assessment is pending. I’m the architect of record so I will be stepping down from this agenda item and Vice Chair Bower will convene the rest of the meeting, thank you.

Vice Chair Bower: Thank you, Martin.

Ms. French: Staff has a presentation.

Vice Chair Bower: Yeah, I’ll let Martin get settled. Oh, I guess we could go ahead and start with the staff presentation.

Ms. Vance: Sure, ok, good morning everyone. I’m just going to provide a little bit of background information on what makes this home a historic resource, as well as providing some images of the existing and proposed elevations. The 755 Hamilton was built around 1920, it is considered an archetypal example of the California bungalow. It is a one-story wood frame home clad in stucco with a low-pitched roof and recessed front porch. Principle stylist features of the house are the tapered porch columns, moderately overhanging eaves, exposed rafter tails, multiple gables and the tapered brick chimney. Additionally, the home is significant for its association with Ralph Beal, a leader and early electronic industry in Palo Alto who made significant contributions to American military technology in World War I and World War II. You can see a picture of him in the upper right corner. Ralph Beal and his wife Merle were the first occupants and first owners of 755 Hamilton, which was built by Biel’s father in law George Burch. Beal worked for the Federal Telegraph Company from 1912 to 1926 and was an outstanding leader and authority on radio research and television. According to Ward Winslow, Beal and two others worked out the theory of the great arcs that Federal Telegraph built to become the backbone of the US Navy communications during World War I. 755 Hamilton has been deemed eligible for the National Register of Historic Places under Criteria B and C, as the home of a leader in early electronics and as an

archetypal example of the California bungalow (inaudible). We're going to run through just a few more pictures of the exterior and floor plan, as well as existing floor area sizes. Here are the existing elevations and we can always go back to these if you want to look at it further. Oh, existing and new, excuse me. This would rear of the home and this is the north side and here is the garage.

Ms. French: So, the garage is currently a three-car garage?

Ms. Vance: Right so the garage is going to be proposed for I guess demolition and then building a much smaller garage on the same footprint. So, that is kind of a brief background of this project and we have Hailey King here who was the project planner for this who can help answer questions and I think that's if from staff. Thank you.

Vice Chair Bower: Thank you, Emily. Typically, we would nowhere from the applicant's architect and then where are no, at least to date, there is not yet any public – any members of the public who want to speak to this but that might change. So, Martin if you are ready, then please review the project.

Chair Bernstein: Great, thank you, Vice Chair Bower and Members of the HRB and staff, Martin Bernstein, architect. I'll just say that for a member of the public to know, I received notice from the California Fair Political Practice Commission that as I am the architect of record and without employees, I am permitted that Commission to present this project to the Historic Resources Board. I want to start by making a simple statement about the goals for the homeowners and the owners are here to answer any other question also, Fan Yang and Hui Tan and owners are represented by Nick French. As far as the goal is it to create for contemporary use a three-generation family home, there will be three generations living in this home. That important family goal is the reason for the proposed design you're seeing today. Two other goals, we want to maintain eligibility for the National Register of Historic Places and consequently the – subsequently the California Register of Historic Places and keep the existing basement. This project and application also include requesting a variance and that variance is to keep the existing basement. The National Flood Insurance Program allows for -- that's in the Palo Alto code and also the federal guidelines is that if the structure is specifically eligible for the National Register for Historic Places and if it's deemed to continue with that eligibility, that the existing basement can remain. That requires then a variance procedure for that so that is specifically the exact words in the National Flood Insurance Program. That if it's eligible for National, then the basement can stay in the flood program. We are also asking for a Home Improvement Exception and that is to – the ceiling is low and the main rooms inside the existing house, they are very expansive. I've been in the house several times as you can imagine and it feels very compressive at 8-foot 6. The Home Improvement Exception we're looking for is to raise that ceiling 6-inches to get to a 9-foot ceiling and 6-inches will make a difference on how that feels. The reason that we would need a Home Improvement Exception is you can see on one of the documents that you have, the – on the Fulton Street, that building is 15-feet 10-inches from the property line and the side setback is 16-feet. We are 2-inches into that setback and then so to raise that up 6-inches, that's one of the reasons why we have to go through the formal Home Improvement Exception is to raise it 6-inches or 2-inches away from the sideline there. Aspects that are certainly important to the Historic Resources Board would be the...

Board Member Kohler: Martin?

Chair Bernstein: I'm sorry.

Board Member Kohler: I need to ask you a question before you get too far. The raising, what is being raised?

Chair Bernstein: The first-floor ceiling height, we want to raise that 6...

Board Member Kohler: So, does this mean the rafters stay and (inaudible)...

Chair Bernstein: We're looking at -- so the rafters are 2 by 8 so we would raise those rafters up 6-inches. We -- yeah.

Board Member Kohler: So, the height of the roof and everything from the exterior is raising up?

Chair Bernstein: 6-inches, correct, yes.

Board Member Kohler: Ok.

Chair Bernstein: Thank you. Other aspects that are certainly important to the Historic Resources Board would be conformance with -- substantial conformance with the Secretary of Interior Standards and so those are -- I'll speak briefly about compatibility, differentiation, and massing. I will say and compliment the process of the Individual Review Process and then also Historic Review. We -- I personally feel this, is that I think based on the comments we received from Historic Planner Vance and IR consultant Manuela. Then also with the guidance of Planner King and then you'll see I'll mention some of the improvements we've made based on that -- is how do we get -- maintaining the historic quality? As far as compatibility and you'll see in the perspective renderings that are in front of you, the second-floor addition certainly has the same characteristics as the historic first-floor. The differentiation and this is where I took some good Council from Historic Planner Vance, is you'll see in the packet there, there are some other photographs in the back of the existing brackets of the roof and it shows a certain little profile on there. For the second-floor brackets, those will just be kind of square and cut off and won't have all the finesse that the historic ones do so that would be an example of the differentiation. As far as the massing, we took good Council again from IR consultant Manuela and that has we reduced the Fulton Street length of the second floor. We also moved it farther away from Fulton Avenue and then we put a couple of cut outs on the back and the front and then lowering the plate height so that -- you'll see those perspective drawings from the street point of view on how it minimizes the impact of that mass. Again, we just took good Council -- I took good Council from those great comments. You'll also see in the packet from the -- you've got these pictures in front of you of examples of craftsmen style and two-story homes with a lot of different setbacks. You can see the first two pages just shows examples of two-stories in through there and then little-shed dormers. The next three and four pages that you have in front of you are showing the renderings of the proposed addition, you'll see the bracket details of existing, and then on this rendering here, you have shown the different dormer options. One of the comments that came out during the Individual Review with Historic Planner Vance was one idea to help break the mass of the second-floor and again, this is subject to HRB comment of course. You see Option A and Option B of the two different ways, my renderings are showing Option A because my thinking is that that's the least of adding mass to it but looking forward for your comments on all that. Other aspects that I think are important for the Historic Resources Board would be as far as keeping historic character and content and that is the first-floor windows that are facing Fulton and the first-floor windows facing Hamilton are unchanged. The first-floor, any of those character-defining aspects are completely remaining in place. We're not raising the floor of the building above -- any higher because the general guidelines for the Historic Preservation point of view is don't lift the building. Then we want to keep that basement because again, the variance allows us to apply for that. There will be comments of -- then we can go over the Standards for Rehabilitation, you see that in the staff report about some items that are consistent and some items that are not consistent. Those comments were based on previous plans, the current plans you have now are -- will be addressing some of these items since you are here. The -- I also want to make a point is that when we talk about massing, certainly the exterior elevations are not how a building is viewed because those are drawn at infinity so the heights are there. So, the idea of perception is what does it look like from the street point of view and that's why I provided those renderings. If at the Board's leisure, we can just go through the -- on page -- packet page 32, if it pleases the Board I can just go over briefly a comment and response to the comments that are on the standards. Is that acceptable to the Board? Yeah, ok, thank you. We'll start on packet page 31, a property shall be used for its historic purpose and that is -- so this project is considered consistent. Number two, the historic character of the property shall be retained and preserved. The removal of historical materials or alternations shall be avoided. This is saying not consistent, that was a previous plan and you'll see the explanation talks about the windows. The current plans have no change to the existing windows on the street facing facades. It

was discussed during our historic review preliminary meeting with Historic Planner Vance that there wasn't much concern expressed regarding the inboard side property windows changing because those are never visible from the public street and then from the rear, that was minimal impact from the street point of view. The windows again on Fulton and Hamilton are completely unchanged and so that would be the response to the making it consistent with the Standard number two. Number three, each property should be recognized physical place and time, changes that create a false sense of historical development. Again, earlier plans talked about the scale and mass of the second floor, again through the good Council from Manuela, we reduced the length of the wall on Fulton Street and also on Hamilton by setting back. The floor plans show where those things are setback or cutback to reduce that mass so that addressed the consistency issue for number three. Number four, properties change over time, that's consistent. Number five, distinctive features, it says explanation floor modifications to include change the number location size of glazing on windows. The current plans you have now show no change those existing windows for that issue. Standard number six, not applicable and number seven not applicable. Number eight, significant architectural resources is affected, that's consistent. Number nine, new additions and alterations shall be different from the old. Explanation of this -- on this -- on page now 34, packet page, it says the addition appear to duplicate the exact form. Then the current plans, based on the good advice and Council from Manuela, is that we've made changes to the form and the shape of the building here. Then also with the brackets being a simplified version so that they are not confused with the historic issue. Then number ten, new additions related to new construction be undertaken in the matter of removed in the future. The proposed project could have permanent impact because adding a second floor or actually, it talks about the proposed increase in wall height. The increase of height is 6-inches and that 6-inches is going to be within the shadow lines of these -- we've got like 30-inches overhangs in through here so if I went up 6-inches, my suggestion is that by the time you get to the second-floor addition that will not be a perceived change in the historical quality but it will affect and improve the interior view here. I did want to also include on the very last page, this is a project one block away on 811 Hamilton Avenue. The reason I'm bringing up this is this building has been remodeled, it was a one-story building, it was designed by Willis Polk a significant architect, and that no existing historic fabric was retained-- there was -- or removed. I know this house quite well, I'm -- I've lived in the neighborhood. The front entry columns use to be these appropriately scaled, because Willis Polk was a genius at this, of 14-inch door columns in through there and now we've got 10-inch columns so those were demolished; thrown away. I don't -- I talked to the development team, they weren't even salvaged. The -- all of the existing windows were removed and then you've got the second-floor massing on there so Willis Polk's genius of a design was abandoned. So, just for factual information and that's -- so I took Council from that before this project got started on how do we keep the historic integrity of that first-floor and then having a compatible second-floor. Again, addressing all the IR issues and certainly the eligibility issue which is important. The eligibility issue is important because that allows then for us to apply for the variance for keeping the basement. So, summarizing, it's the idea of perception of what will this look like from the street point of view and that's why I provided those renderings and that's our suggestion as the applicant that this does meet all the criteria for the variance. Then the Home Improvement Exception, we're looking for your comments on that and then any other comments you have. Available to speak to us would be -- to speak to you would also be the owners or the owner's representative as questions come up. So, I'm here to answer any of your technical issues as architect of record and any life quality issues then homeowners can address your questions. Thank you.

Vice Chair Bower: Thank you, Martin. That's a lot of material to cover and I'd just like to remind my fellow Board Members, excuse me, this is a study session so we're not going to come to any conclusions today. We want to give the owners and their architect feedback on the design so questions anybody has or comments? Brandon.

Board Member Corey: Can you explain the -- I'm a little confused on the height, on the 6-inches versus a foot versus a foot and a half. There's a lot of -- just -- it says the wall plates are going to raise a foot and then the second-floor framing is on top but it's 6-inches to the -- for the eaves. Can you just explain that?

Chair Bernstein: There is an original suggestion that the interior ceiling goes from 8-foot 6 to 10-feet high and from a spatial point of view, that would be a good point from a spatial point of view but that's



changing the historical aspect. So, again, there was an earlier set of plans, not the current set of plans, and the earlier set of plans was 1-foot high. So now – so we’re only proposing now to go 6-inches higher. Board Member Corey: So, everything would move up, the ceiling and the eaves would move up 6-inches?

Chair Bernstein: Correct, yes.

Vice Chair Bower: So, following – can I make a comment about this or it’s really asking a question? By raising the first-floor ceiling height by 6-inches, you’re going to be encroaching on the daylight plan on the right side of the building as you face it from the street, is that right?

Chair Bernstein: I believe not, let me look at the diagram here. No, if you look on page A4.1, there would be no daylight plane intrusion.

Vice Chair Bower: Oh, so 6-inches and you’re still under the daylight plane?

Chair Bernstein: Correct.

Vice Chair Bower: So, I thought earlier in your – early in your presentation you said you were applying for a variance?

Chair Bernstein: Homeowner Improvement – that’s the improvement exception because that wall is 15-foot 10 from the Fulton Street side setback, not 16-feet. So, we want to make – so that’s 2-inches intrusion so it’s a 2-inch non-conformance. We want to make that wall 2-inch – 6-inches higher so that’s technically making a non-conforming wall even taller.

Vice Chair Bower: I see so you’re not encroaching on the daylight plane, you’re still inside that.

Chair Bernstein: Correct, there’s no intrusion into the daylight plans on this project.

Vice Chair Bower: Brandon, was that all the comments you had?

Board Member Corey: Let me collect my thoughts. I just wanted to clarify that.

Vice Chair Bower: Michael, you have any comments?

Board Member Makinen: You’re taking comments in general?

Vice Chair Bower: Sure, or questions.

Board Member Makinen: I have a couple of additional examples that I collected here and I’ll pass them around to the Board Members of projects that involve adding a second-story onto an additional original structure. My general feeling is that this can be done successfully, although this particular project looks like it’s a little excessive in height on the second-story. The massing seems to be making it more dominant than I would like to see. These are examples of less dominate second-floor additions and I think was more successful in integrating a second-floor into an existing first-floor and still preserving the historic character.

Vice Chair Bower: Roger?

Board Member Kohler: Did – so in your discussion with Martin – no, with Arnold, you’ve met with him several times I guess. The –what I’ve been hearing from staff quite a bit is that the daylight plan you’ve shown would be not acceptable on most of the homes we’ve done. That the actual – the daylight plan can actually go right up close to the wall but the staff I’ve been working with has discouraged us from doing daylight plans quite that close because...

Chair Bernstein: Are you looking on page A-4.1?

Board Member Kohler: A-4.1 on the upper right-hand corner, you have the daylight plan hitting the overhang.

Chair Bernstein: Correct.

Board Member Kohler: Which I know is ok...

Chair Bernstein: Correct.

Board Member Kohler: ...but in Arnold's world, no.

Chair Bernstein: We didn't hear any objection to that from Arnold.

Board Member Kohler: Well, it may have been because – I'm just saying I see Arnold almost every week so this has become a big deal with staff (inaudible). Now, I can understand it's a historic home and everything like that so maybe you're getting a little bit eased on that. I have to admit, I mean I like the look of the house. It looks really good and everything. As I – along with the previous comment, I have to wonder whether or not it's – it does change the overall look of the size of the house, especially on the new south. You can – it's almost a two-story wall except for a little bit of roof across at the – in the middle so I – but I like the way it looks and everything. I'm just curious about the – what was the house and now what it's going to be. If it's – somehow – I don't know how you would do it actually but the up (inaudible) and it says new south which I guess is facing the street, correct or not?

Chair Bernstein: Correct, that's facing Fulton.

Board Member Kohler: So, there's one little strip of roof line there, otherwise that's a full two-story wall and again, Individual Review comments that would not be acceptable so – but it's a historic home and should get some acceptations. I'm not – I don't know, I think it's a well-done house. I'm just – when I look at the requirements that I'm receiving, this would not be acceptable this large two-story wall facing a street. I'm not sure what to say about that. Other than that, I mean it's a nice looking everything.

Board Member Corey: I'm trying to understand I think a combination here. I mean maybe it's the actual width of the second-story but the way I'm seeing it here, other than raising the first-floor to 9-feet which the second-floor is 8-feet, and the roof pitch is very – is sloped pretty low. I don't know how you could really get tighter than 8-feet. I actually think – I'm surprised that 8-foot 6 isn't an acceptable height because I'm a tall guy and 8-foot 6 ceilings are very roomy to me but I mean 8-foot is kind of at the limit. I don't know if there are any thoughts on if it's just the width or but again, I don't see a real way – other than not extending the first floor up 6-inches, I don't see another way you could avoid making – you could make it any shorter.

Board Member Kohler: Well, the 8-foot ceiling is the wall height but the ceiling inside -- I assume in his room as well that all the bedrooms slope up?

Board Member Corey: Yes.

Vice Chair Bower: On the second floor.

Board Member Corey: On the second-floor, yes.

Board Member Kohler: On the second floor so you – even there's this 8-foot wall, you come in and the rooms feel quite large depending on – this is low pitched so you don't gain a lot but the room would not just be 8-feet.

Board Member Corey: Yeah, I'm just wondering how you would be able to make that shorter.

Board Member Kohler: Make what shorter?

Board Member Corey: Make the actual – the ceiling height shorter. You're saying actually you would – how would you make it....

Board Member Kohler: It starts out at 8-feet and then the inside slopes up or it pops up or I guess all – I imagine Martin has done that as well but all the bedrooms have a higher ceiling than 8-feet.

Vice Chair Bower: But you're talking about the first-floor, aren't you?

Board Member Corey: Well I was talking about the first-floor before as far as the need about raising it up 6-inches but even on the second-floor, unless you start encroaching at the outside wall to go below 8-feet with a low slope roof like that. I don't know how you can really – the only way you can make it lower is to actually encroach in the footprint to bring those corners – to bring the edges down below 8-feet right?

Vice Chair Bower: Yeah, you can drop – but....

Board Member Corey: Sorry.

Vice Chair Bower: ... that's not really an issue in this project because as long as he's under the daylight plane, it doesn't have to but you could drop the – on a second-floor, you could drop the plate 2-inches so it would be 7-feet 10 and because it's a vaulted ceiling, you wouldn't notice that at all.

Board Member Corey: I think my only point was that it was within the daylight plan and my only point was that doesn't seem unreasonably tall given the constraints is what I think I was trying to comment on.

Board Member Kohler: Well, I think one of the issues is as I'm looking here when you look at the side which – the south side and you look how far back the second-floor is from – at least from the porch, that's pretty good. Then in the house, it's another 5 or 6-feet back from the front wall so you are kind of – the emphasis is on the existing roof line in the front which is acceptable. It's – again in my world with Arnold is that second floor, I'd have to go back. Typically, second floors have to go back 9, 10, 11-feet instead of the 4 or 5 we have here. This is an older home and all that and you're trying to work so I don't really have any issues.

Vice Chair Bower: I'd like to sort of move the discussion on since what Arnold has reviewed here is in front of us. I have the same concern about raising the first-floor to 9-feet that I think Brandon does. I have a house that has an 8-foot 4 ceiling and I have a very large two – the living room and dining room is essentially one space of about 40-feet long and that's very comfortable. My concern about raising that 6-inches is it seems to me that you then effectively have to take everything apart so that not only, I would imagine – I know will significantly increase costs but I'm not sure where – how that really costs – where the benefit is. I'm assuming you could – well, describe to me how – what you're going to do with all the character-defining features like the knee braces for instance. They are all going to be removed?

Chair Bernstein: I've don't this on another project in Palo Alto where it was in a historic district and it's all – yeah, we just salvage and then we reattach. Now of the fabric is going to be thrown away.

Vice Chair Bower: I assume that but I just wanted to hear it.

Chair Bernstein: For the record, that will happen.

Vice Chair Bower: Could we focus for a moment on your picture that you provided of the knee braces?

Chair Bernstein: Yes.

Vice Chair Bower: As I'm looking at these, we're looking at a corner where – I guess this must be in the back of the building?

Chair Bernstein: No, this is facing Fulton Avenue.

Vice Chair Bower: Facing Fulton.

Chair Bernstein: Looking at this picture?

Vice Chair Bower: Yeah, that's right.

Chair Bernstein: So, Fulton Street is to the right of that photo.

Vice Chair Bower: I see, ok and so it's a rear – it's the rear of the house on the left-hand side of this photo and the rest of the house is on the Fulton Street side?

Chair Bernstein: Yeah, correct.

Vice Chair Bower: As I'm looking at these two prominent knee braces, they are different and one of them is newer. I can't quite figure out which one, I think it's the one on the right.

Chair Bernstein: These are all existing.

Vice Chair Bower: Well, ok so there's a variation there. I'm just looking at the way the bevels are cut and that might just be a function of the...

Chair Bernstein: That could be, yeah.

Vice Chair Bower: ... photographic view.

Chair Bernstein: Could be.

Vice Chair Bower: How would you differentiate the new knee braces from these?

Chair Bernstein: We discussed that with Historic Planner Vance and instead of having the little camphor or the taper.

Vice Chair Bower: The 45-degree cut at the end?

Chair Bernstein: Yeah, we would just do square and then same with the little bottom brackets here. Instead of having that little camphor, we'd just block them off straight so that'd be our differentiation.

Vice Chair Bower: I'm not sure that I think that's a very attractive differentiation but I would encourage you to work on a different plan that doesn't reproduce this but it still is differentiated. I think that angle – those angle cuts are the (inaudible) of what these knee braces look like.

Chair Bernstein: I agree. This other project that I made reference to where we salvaged the existing brackets and then we – that was also adding a second-floor to a historic structure. We actually replicated the ones but using – so these are 4-inches by 4-inches and for the second floor we did 3 ½ and 3 – we'll find out – we'll find some way to differentiate.

Vice Chair Bower: That, by itself, because the material that's available now is 3 ½-inches net dimension rather than the full 4, it seems to me that would be adequate differentiation by itself. I just can't see those being square.

Chair Bernstein: I totally agree with you. We're looking for differentiation but however, we get there.

Vice Chair Bower: The other Board Members can weigh in on that but that would be my suggestion and the knee braces on the garage will match the second-floor?

Chair Bernstein: Yeah, correct.

Vice Chair Bower: Go ahead, Michael.

Board Member Kohler: Could I just – just a quick question on these brackets? Are these brackets in these pictures the existing ones?

Chair Bernstein: These are all existing, yes.

Board Member Kohler: Ok.

Vice Chair Bower: Alright, Michael?

Board Member Makinen: I have one additional comment. If you look on your drawing A-4.1 and we look at the elevation new south...

Chair Bernstein: Yes.

Board Member Makinen: ...in the upper left. You have on top of the roof, it looks like a little (inaudible)(crosstalk)

Chair Bernstein: Shed dormer.

Board Member Makinen: Little shed roof right there?

Chair Bernstein: Correct, yeah.

Board Member Makinen: I think if that was eliminated, it would serve to diminish the appearance of excessive mass being added to the structure. Just purely eliminate it.

Chair Bernstein: Sure.

Board Member Makinen: You would have less stuff sticking up in the air right there over the existing structure.

Chair Bernstein: Ok, that will work for us.

Vice Chair Bower: I actually had that on my list of things. I don't see that motif a place on the building...

Board Member Makinen: Doesn't add anything to it, it really detracts from the whole.

Vice Chair Bower: That's exactly how I felt, I think it that it would be much simpler without that.

Chair Bernstein: I mean that – I mean the common words I've heard about the perceived mass of it. We can remove that item.

Vice Chair Bower: If I can continue, in the – let's see if I can find this. There is a bedroom number one on the first floor on the new – I think the new first-floor. If you go to page A-3.4...

Chair Bernstein: Yes.

Vice Chair Bower: ... which is the second-floor floor plan.

Chair Bernstein: Yes.

Vice Chair Bower: It looks to me like you've got a fan shape roof design there.

Chair Bernstein: That's existing.

Vice Chair Bower: Yeah but when I look on the elevation of 4.1, I don't see that anywhere.

Chair Bernstein: Let me take a look. There is right there, the new north. It's a bay window, first floor – new north first-floor, there's a bay window there.

Vice Chair Bower: Right but there's no – those hips aren't in there.

Chair Bernstein: Ok, sure.

Vice Chair Bower: So, those are two different things and I'm picking this apart but you could frame it without doing that raised hip.

Chair Bernstein: Got it, of course, I'm drawing the hips – the ridges. Got it, sure.

Vice Chair Bower: Sorry, I'm asking not – I'm not criticizing, I'm asking as a clarification.

Chair Bernstein: Got it. I'm adding it right now.

Vice Chair Bower: There was a comment about a variance for the basement...

Chair Bernstein: Correct.

Vice Chair Bower: ... and I guess this is a question for staff. Should the Board weigh in on that or not? I don't see that as being a historic resources issue.

Ms. French: The variance is not a zoning code variance, it's a variance from the Flood Zone Regulations that require a historic – I mean the exception, if you will, is from the Flood Zone Requirements is hinging upon the preservation of a historic resource. That – the findings for that Flood Zone Exception if you will, are based on a historic resource so retaining the integrity of the historic resource is important. (Inaudible) say it that way.

Vice Chair Bower: What we need to do as a Board when we make our final determination is to decide whether or not this – the historic fabric of this building is retained to a great enough extent for that to qualify for this variance from the flood zone. That just – so I'm unclear about that, is that right? Ok.

Ms. French: Correct.

Vice Chair Bower: Alright, thank you. I don't see any streetscape elevations. Usually, we would see adjoining properties.

Chair Bernstein: Yeah, we have that. I have that. It was in the initial submittal.

Vice Chair Bower: Ok so obviously you'll have that when it comes back to us.

Chair Bernstein: Oh, yeah, of course.

Vice Chair Bower: Let's see, I wanted to reference a comment in our Board packet from a neighbor that wants us to not to allow this project to move forward because of construction impacts in the neighborhood. I'd like to say that I am totally sympathetic with that but that's totally irrelevant to what our – to what we consider as a Board. So, respectfully, we will not be able to address that but I did want to make reference to it because it's part of the public record. Michael?

Board Member Makinen: Just another comment, right down the street from this other project that you mentioned in here, the Willis Polk house. There's a house at 857 Hamilton that as a similar upper story that appears to be (inaudible) renovation right now and it does look pretty good. The job they've done to it but I think the second-floor add-on is definitely subordinate to the primary structure which makes it, in my eyes, successful.

Chair Bernstein: That was 857 Hamilton?

Board Member Makinen: 857.

Chair Bernstein: Ok, we'll take a look.

Vice Chair Bower: I think my final comment would be I like the design. I think that this works pretty well with the existing building and the reality of it is larger houses are driving all real estate development in City and this one is sensitive to the original designs. I am uncomfortable about raising the first-floor because I think that triggers a huge amount of demolition that just doesn't need to be there. That's just my personal feeling and I would feel more comfortable about the whole project if that were not here.

Board Member Corey: I echo that feeling.

Vice Chair Bower: In a new house I don't think it matters but in an existing house, that's really taken – that's a significant demolition problem. Other than that, I look forward to this coming back. Nice job, even if you are a Board Member.

Board Member Makinen: I had one more question, the survey indicates that it is – was surveyed and determined to be eligible for the National Register. Was it ever taken one step further and actually nominated to the register?

Chair Bernstein: The – it's...

Board Member Makinen: Accepted?

Chair Bernstein: To date, I think it has been but I will redo the – that's a good question and that could be a separate conversation if the thing goes on but right now, the ordinance – it's not – that's as far as it is right now; eligible.

Board Member Makinen: Yeah, I just wondered what the status of the process was. It looks like it was determined to be eligible by the DPR Form right here; 532 Form.

Ms. Vance: I can answer a couple of those questions.

Board Member Makinen: Ok.

Ms. Vance: It was deemed eligible for the National Register and by deeming something eligible for the National Register, it's automatically eligible for the California Register. So, this one has been sent to the

state and is listed with the state as a historic resource – as California historic resource. It is not listed individually on the National Register. That next step has not been taken. In additionally, to speak to Vice Chair Bower's comment about when this project will come back, that's if this project needs to come back. If these updated plans meet the Standards and are in alignment with what we're hearing today, then I don't believe it would be necessary to send it back to the Board.

Vice Chair Bower: Oh, ok.

Ms. Vance: Just to clarify.

Vice Chair Bower: Right because this was...

Ms. French: (Inaudible) ordinance.

Vice Chair Bower: ...billed as a study session so I assumed that it would – that's the preliminary step in a Formal Application.

Ms. French: I'd like to speak to that so we have a situation here where this is governed by our City ordinance for historic preservation. It's only governed by California Environmental Quality Act and these steps that they are taking to – you know for this flood zone. We're trying to approach it with input from the HRB and get it to a point where it is compliant with the standards so that it can be determined that it qualifies for this variance from the flood zone and we're following through with CEQA. It is not subject to the City's ordinance for historic preservation.

Vice Chair Bower: So, if we were – so, then I don't understand how you – the staff can reach the FEMA – the bar that allows the basement to remain. If the Historic Resources Board doesn't make a decision about the integrity of the existing design features and historic fabric, who's going to do that? Staff?

Ms. French: Well, the National Guidelines for all of this for these exceptions don't have – it doesn't say that it needs to be on the City's local inventory. It – by virtue of it being listed with the State of California as a resource, that's enough for us to do this work as far as determine compliance with Secretary of Interior Standards.

Board Member Kohler: This has to go through the Individual Review program, right?

Ms. French: It's currently in that program as a Formal Application.

Board Member Kohler: Is there a formal site plan?

Ms. French: Yes.

Board Member Kohler: This is all – all I have here is Ed Woo's drawing. Is there a site plan?

Ms. Hailey King: The site plan should be sheet A-1.0 in the plan set.

Board Member Kohler: Nope, I have no 1.0. I have three – oh, I see. It's on the front page, ok. It's awfully small, ok. So, in other words, this is not coming back to the Board?

Vice Chair Bower: Actually, that – if I can interrupt? The answer to that is it's probably not coming back to the Board, is that a fair assessment?

Ms. French: The assumption is the owners will allow their architect to modify the plans so that it does retain the existing plate height on the first-floor given your comments and give the staff comments about that issue; to retain the first floor more intact than what is proposed in the plans.



Vice Chair Bower: I thought it was coming back so I was making more general comments about this but if it's not coming back, then I have at least one other question. Martin, how will you differentiate the second-floor exterior finish from the first-floor?

Chair Bernstein: The existing first-floor has a subtle texture cement plaster. If you look at the building – the drawing with the brackets, you'll see on the middle right side of the drawing there's a little bit a texture of the stucco. So, the second floor, if we use a – if we went to a smooth plaster, same color, we'll probably do an integral color. If we go with smooth plaster, that could actually help address some of the perceived mass of (inaudible). So, if there's more texture on the first-floor and less texture on the second-floor, that could be a differentiation but keep the color the same, same material but just a little different texture there. Then taking your comments on the brackets, we can look at that so there's some differentiation and not just an exact replica.

Vice Chair Bower: I'm looking at this picture that we're talking about, there's a – it looks like there's a downspout.

Chair Bernstein: There are – that's a downspout.

Vice Chair Bower: Is that what's that is in the middle? The downspout has texture and what that tells me is....

Chair Bernstein: (Inaudible)

Vice Chair Bower: ... that this texture was – there's a product that use to be applied generously on houses because they said you could – we'll just spray your house with this and you get color and you get a new texture. That wouldn't be the original texture and as Roger was just pointing out, there's another picture where the – and I think it's the next page where the texture is actually much less significant. I'm just bringing this up, that's the way that the Board asked the Peninsula Art League which is just across the street here...

Chair Bernstein: I remember that.

Vice Chair Bower: ...to differentiate their new building from their old; same material, just different finish. I guess I would reiterate if it's not – this is not coming back, that I don't see how you can reach a decision that the historic fabric is being retained if you raise the first floor. That's just going to take everything away or what – it doesn't take it away, it removes it temporarily, then you have to bring it back and then you have to patch and that's --- I mean that's a huge difference than just adding the second-floor. Those are my comments, anybody else have any comments?

Board Member Makinen: I concur with your comments.

Vice Chair Bower: Brandon, you're ok?

Board Member Corey: As do I, we've covered it.

Vice Chair Bower: Roger, anything further?

Board Member Kohler: No, I think – I mean I can understand the art of trying to raise the first floor 8-feet. In a bigger home like that, the 8-feet feels kind of low but that's what historic homes feel like, the ceilings are generally lower than they are now.

Board Member Corey: To clarify, the original ceiling is 8-foot 6.

Board Member Kohler: Oh.

Vice Chair Bower: It's not 8-feet.

Board Member Kohler: Oh, ok. I not sure how to say – finalize, I guess I'll leave it up to whatever you guys decide. I mean if it can be done and look appropriate, I would accept it but if looks...

Vice Chair Bower: I'm just reminded that at 11 o'clock our parking stickers expire so if there – oh, Council Member Holman.

Council Member Holman: I have a global question, it's more really for staff and it's about the role of the HRB. I appreciate the staff report and I'm not without some experience in historic preservation and I guess it's easy, we all fall into this, getting into the details of a project. It's easy to do that and projects are defined by their details but isn't the role of the HRB with a global, big picture, is if this was built the way that it's being proposed, even with the changes that the HRB is recommending, would the building still be eligible for the National Register? I think that's the big global question that the HRB is not addressing and maybe that's a question for staff about the role of the HRB.

Vice Chair Bower: It's a very valid consideration but I think – how to address this? I think the process that we've just been involved in where we're doing a study session for a project that doesn't come back to us, is a flawed process and I've said that with other projects like this. I'm happy to weigh in on and I think all of the Board Members are on design issues but I just feel that the Board doesn't have the kind of tools it needs to the kind of evaluation that Council Member Holman is talking about. We could do it but at this point its way beyond relevant.

Ms. French: It's not spelled out in the City's old historic ordinance that your job is to ensure that eligible National Resources are – kept their eligibility. There's nothing in there, there are no teeth. We do have, I'll just say, a couple things that are going on here but I know you have to leave but if we want to finish this one, I can talk to you about some things.

Board Member Kohler: It's also possible when you add a second floor, you have the existing ceiling and then when you put the second-floor up above that, you can pop up in the middle of those rooms to get a raised ceiling and still have the original 8 ½-feet on the outside. You end up getting 6 to 8-inch rise so you're going to be up close to 9-feet. That saves the issue of reducing – ok, never mind.

Vice Chair Bower: Maybe that's a topic for a retreat discussion, is how we could get the – encourage the Council to actually give us better tools.

Board Member Kohler: I have one...

Ms. French: (Inaudible)

Vice Chair Bower: Sure, so thank you, Martin, for the presentation and I guess we'll move forward with updates and Board Member comments. Amy.

Chair Bernstein: Actually, if the Board please I think the owner – Nick French, the owner's representative, has a few comments.

Vice Chair Bower: Certainly, I'm sorry.

Mr. Nick French: Thank you and thanks again for your time. I just want to make – on behalf of Hui and Fan, I just want to make it clear the intention of the family. So, as we went through this process and engaged with Martin on trying to preserve the historic significance of Palo Alto in general and this property being included. We obviously want to make sure also that it's practical for the family. I mean obviously, there's a reasonability that we should be looking at. These structures are expensive, construction, of course, is there any part of what we're hearing – I understand that there's a lot of subjectivity included and I'm hearing that amongst you today as well; talking about how tall you are and

how ceiling of 8' 6" is good enough. You also – I think we just need to be reasonable and think that what we think is reasonable may not be the same to other people. So, for the family looking at doing this project, I've encouraged them from the beginning that we really want to maintain that character of Palo Alto but also being sympathetic to people's goals. One thing that's very important to this family is that 9-foot ceiling, not coffered ceilings, not vaulted ceilings but having a 9-foot ceiling so we've really been trying to work with the historical pieces of this process to kind of make that work. We started with 10-feet and we've kept dropping it down. We've talked about the cost involved and of course, yes it would be a significant cost to do it but that 6-inches is an important piece to the family doing this project. I want you to understand that because when we're going through and seeing if we're going to pursue it, that could be a make or break situation so it is important. We talked about the shadow that's going to kind of cover that extra 6-inches so obviously if we go to the 10-foot, that's significant, we get it, which is why we kind of pulled that back. So, I just want to make sure that's clear that that's really there. I think that's pretty much the one big continuous item we're talking about.

Vice Chair Bower: I would add to that, that you're not the first – this is not the first project that's come to use with that concern and that interest. Our perspective is in applying the Secretary of Interior Standards to these projects. I think a pure application would say you can't have a second-story because of it – there is an argument to be made that the second store totally destroys the character of the building and that's what you're trying to preserve. I think when we make comments about specific items, it's with the understanding of course that the owner of the property wants to have the best house they possibly can to fit their needs. I don't think we're every – I know I don't make comments ever about those needs. My comments are always or at least I try to make them about how we apply the Secretary of Interior Standards, which are our tools, to a project. You know I grew up in Palo Alto, I can remember when the first house that I built as a builder had any ceiling higher than 8-feet because that was the standard. Even though my house is built in 1923, is 8' 6" like this one, that was the standard then. It went to 8-feet and now we have standards 9', 10', 12'. Those aren't standards really, those are just changes in design and appeal. They are not any less legitimate but they don't really apply to what we're doing here. That's - just so you understand, we're not trying to make it difficult for your clients.

Mr. French: Of course, yeah.

Vice Chair Bower: We're just trying to apply the tools we have to this project.

Mr. French: I appreciate that but just respectfully, I heard earlier when you're talking about the raising of 6-inches, you talked about one of the negative things being the additional costs but quite frankly, additional cost is really not your concern.

Board Member Corey: I don't think we talking about the additional cost financially. We were referring to the additional cost to the change of the existing structure; pulling things off and would that cause damage to the...

Mr. French: That is fair.

Board Member Corey: ... it was not at all financial. It's the historic integrity we were referring too.

Vice Chair Bower: That was a peripheral comment of mine.

Board Member Gooyer: Yes.

Vice Chair Bower: My part is that these projects are costly enough but to have to add that cost and at the same time lose the fabric as we described it, that's really the issue that I was trying to point out.

Mr. French: I appreciate that and so, just to give you an idea as well, really the goal here is to maintain Palo Alto because obviously, we're all seeing it change so that's sort of the elephant in the room. This is just one more house that we definitely want to try to keep because it nice to drive down Hamilton and

see some of these older properties. So, I'm doing everything I can to help promote that to keep these kinds of structures. With the 6-inches, obviously there is that impact which Martin mentioned would kind of come back and from the street side, you know 6-inches, you're really not going to notice it from the street side but if you're inside the house 6-inches is a big deal. Again, I just want to encourage you to really appreciate the fact that for this particular project, which as you mentioned has come up before, that is a big consideration for the family.

Vice Chair Bower: Ok, thank you. Alright.

[The Board moved to Board Member questions, comments and announcements.]

## **Approval of Minutes**

### **5. Historic Resources Board Draft Meeting Minutes of November 9, 2017.**

Chair Bernstein: We're actually going to go a little bit out of order. We're going to finish off the agenda Item Five which is approval of the minutes first before we go back to item number four. Is there a motion to approve or amend the minutes of November 9<sup>th</sup>?

MOTION

Vice Chair Bower: So, moved.

Board Member Makinen: I have an amendment.

Chair Bernstein: Ok, please go-ahead Board Member Makinen.

Board Member Makinen: On page 22 of the packet, here we refer to the bottom paragraph.

Ms. French: (Inaudible)

Chair Bernstein: There's not a page 20 – I mean packet page.

Board Member Makinen: Packet page 22.

Ms. French: (Inaudible)

Chair Bernstein: No, it says package 50 something right? Here, right there, packet....

Board Member Makinen: Packet page 22.

Chair Bernstein: Oh, my gosh.

Vice Chair Bower: What?

Ms. French: So, he's looking at the excerpt minutes for the Eichler Guidelines and then there are the full minutes at the back.

Chair Bernstein: Oh, I see.

Ms. French: So, I'm on page 22, yes.

Board Member Makinen: The bottom paragraph where there were some quotes made at the bottom two lines. It said Wright was greatly influenced by Frank Lloyd Wright, that should read Eichler was greatly

influenced by Frank Lloyd Wright and strike off the word that's and the genius of all these Eichlers was Frank Lloyd Wright. So, delete the word that's and substitute Eichler for Wright.

Vice Chair Bower: It's down here.

Board Member Makinen: So, it will read properly.

Ms. French: Thank you.

Chair Bernstein: Any other amendments? Alright, anything else for – there's been a motion, is there a second to the motion including the amendments?

Board Member Makinen: Second.

Chair Bernstein: Alright, I'm not going to be voting, I was not in attendance of this meeting. All those who did attend vote by signaling aye or nay. That passes, thank you for that.

MOTION PASSES 4-0-1 WITH CHAIR BERNSTEIN ABSTAINING.

[The Board moved back up to agenda item number four]

### **Subcommittee Items**

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

Vice Chair Bower: Alright, Amy updates.

Ms. French: I want to get you to your cars but just quickly, I want to let you know that last night the Planning and Transportation Commission was due to take on this, I call it the loophole. We've proposed and Council Member Holmen I believe mentioned this at the last HRB meeting and so we quickly – ok, well anyways, we popped it into the ordinance that is under review by the Planning Commission and to get to the Council. This is basically to say that remove the incentive or close the loophole basically. So, if someone comes in with a one-story home and says I'm going to demolish this one-story home because I'm proposing – or I'm going to demolish this historic home because I'm only doing a one-story home and it's just a building permit not subject to CEQA and they demolish it. Then they come back with a two-story home in the IR program, well this would say you have a 5-year cooling off period where that's not – it may have an effect of closing that loophole and discouraging that behavior. We don't know, it's a possibility that that might have an effect so that went last night to the Planning Commission. I wasn't there so I don't know how that conversation went. Then the other things that are—we'll talk about at the retreat I believe is the Comprehensive Plan update that the Council approved on November 13<sup>th</sup>. There are some historic preservation policies. I don't want to go over them completely today. Tomorrow is the end of the challenge period so – but there's some good news in there talking about the eligible properties with respect to our inventory. I touched on that a bit and then there's quite a few historic related and archeological related Comp. Plan policies that we'll just go over at the retreat.

Vice Chair Bower: So, this wasn't part of our packet today.

Ms. French: No.

Vice Chair Bower: I wonder if you could email it to us.

Ms. French: Sure, certainly. I did email this to the Chair with respect to the project that you just reviewed so he's aware of the new policies in the Comp. Plan but yeah, we'll send that out.

Vice Chair Bower: Alright.

Board Member Kohler: I have one real quick question when you get all these drawings and data and all this, do you keep any of that up there or do you put it on – I guess you all have it on the computer, is that right?

Ms. French: Are you speaking of the website that the City has?

Board Member Kohler: No, just in general. I mean I opened some of my desk drawers and they are filled with old drawings and stuff from previous meetings we've had. I guess now with computers, you just – everything goes on the computer I guess.

Ms. French: We do have – well, there's the web pages. I think things will live on there for some time but then we also have our kind of a cloud storage where we have to retain projects that have come through the City. At least those that have a planning application and then building applications, same thing. They have a way of storing things.

Board Member Kohler: Maybe next meeting or something I'll just bring some of my little collections to see what I'm -- to tell you what I'm talking about.

Vice Chair Bower: I have one update on...

Ms. French: I'm sorry, one more thing is whether we do election of Chair and Vice Chair at the retreat. That's something that we could then or on the 25<sup>th</sup> if we want to put it off until the 25<sup>th</sup>. We need to – we should do that every year.

Vice Chair Bower: I would think that we do it at a regular meeting.

Ms. French: Ok.

Vice Chair Bower: The 25<sup>th</sup>. I wanted to an update on the Mills Act subcommittee. We met again last week and I think we've made very good progress. We should have a draft to circulate soon and we – subcommittee members look forward to sharing that with the rest of the Board and of course staff sees it.

Ms. French: We do have one thing to report on, which was the City Council approved the revised contract with the Squire House so that we keep the one Mills Act contract that we do have for the next 10-years. That was a success, otherwise, there was a non-renewal that was pending.

Vice Chair Bower: One of the issues that we could not resolve at our meeting was what happens if we actually put in this program, which has requirements and specific performance metrics in it, what do we do with the one Mills Act that we have that's totally non-compliant? So, I guess we will have to address that at some point. Alright, Karen?

Council Member Holman: I think this was at the last Council meeting and I'm trying to – sit here trying to remember exactly what it was but there were two things – I don't think this was Planning Commission meeting. It was – I'm having a foggy memory about this but there were a couple of things that the HRB had brought up that actually came with the code clean up or something that was recently adopted. I'm trying to remember what in the world it was. There were a couple of things, Marty, in particular, had been promoting them. I'll have to go back and look.

Ms. French: Martin Bernstein?

Council Member Holman: Yeah.

Vice Chair Bower: Maybe you could...

Council Member Holman: I'll have to go back and look them up, there's too much going on.

Vice Chair Bower: Ok, any other comments? Do I hear a motion to adjourn?

MOTION

Board Member Makinen: Motion to adjourn.

Board Member Corey: Yes.

Vice Chair Bower: Ok, all in favor? See you next time. Happy holidays everyone.

## **Adjournment**

# Attachment B

