



## HISTORIC RESOURCES BOARD MEETING

MINUTES: February 8, 2018

City Hall/City Council Chambers

250 Hamilton Avenue

8:30 A.M.

### Call to Order/Roll Call

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

Absent:

Chair Bower: Ok, as soon as the lights go on, we can begin. Alright so I'll call the meeting to order, would staff please call roll? Great, thank you.

### Oral Communications

Chair Bower: First off on our agenda is oral communications. I don't see anyone here to speak to anything other than our agenda items. I would like to take this opportunity to thank Beth Bunnenberg who was on this Committee for I think 17-years or more. She provided an invaluable service at every single meeting by providing us – excuse me – with either newspaper articles, historic photos, Sandborn maps or other visual aids that we would use as a Board to help – it would help us make a decision about projects. I'm going to miss her, I sat next to her for the first 8-years I was on this Board and she always had a perspective that made me think differently about projects. I think we'll all miss her contribution and I'd just like to thank her as I'm sure all Board Members do for their service here. Martin.

Board Member Bernstein: Yes, I'd also like to continue with those thoughts of appreciations for Beth. The two things that stuck in my mind was one when she would bring like you say a historic photograph of the cupola on top of the Hoover Hospital and then that got rebuilt and installed which was a fun landmark remembering her. Also, the fact that she would bring up the idea of women in the kitchen, the freedom they had once we had the technology of dishwashers and it always brought a great kind of grandmotherly view of historic family life so I always appreciated that from her.

Chair Bower: So, you want to say something Roger?

Board Member Kohler: Get this to work. I've sat next to her for a number of years and she always had articles and something she brought to us to pass around. It was a really – she was a huge bonus, I mean she had – knew a lot about everything in the historic world. It was just really a loss for us I think so good luck. I hope she's doing ok.

Ms. Amy French, Chief Planning Official: We—I might just weigh in to say we did a note from Beth Bunnenberg to let us know she is – she's doing fine so I just wanted to pass that along. She's having a bunch of stuff to deal with but she's fine so she's still with us very much so and I wanted to make that statement.

Chair Bower: Good. Michael.

Board Member Makinen: I'll echo the comments from my fellow Board Members. She obviously was a great asset to the Historic Resources Board. She'll be greatly missed and her historic perspectives are unequalled.

Chair Bower: Thank you, Board Members. I think we'll follow up with some kind of proclamation maybe after the meeting to think about that.

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

Chair Bower: Let's move on to agenda changes, additions, deletions, and are there any?

Ms. French: None.

### **City Official Reports**

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

Chair Bower: So, official City reports, Historic Resources Board schedule and assignments. I think those are the same as they were the last time we were here.

Ms. French: Just a note that we are having a second meeting in February, it's rare for this Board to have two meetings in a month but we are doing it and because we did continue the Eichler Guidelines to the meeting of February 22<sup>nd</sup>. So, we're hoping all-hands-on-deck for that meeting.

Chair Bower: Ok, I'd like to remind Board Members, of course the ones that are here don't need this reminder but if you're not going to be at the meeting, please contact Emily or Amy or any – or Robin I suppose is the appropriate – another appropriate person to let them know so we will know if we have a quorum.

### **Study Session**

#### **2. Historic Resources Board Retreat Discussion Items**

Chair Bower: Let's move onto Historic Resources -- I'm sorry, the Historic Board retreat discussion items which you will find on Page 2 of our Board packet. So, we have a staff presentation?

Ms. Emily Vance, Historic Planner: Alright, good morning Board Members so these – we are going to do kind of a quick overview of some of the topics and we can get into more detail as the Board wishes. These are the topics that were chosen at previous HRB meetings for the retreat which is happening right now. I found this – I wanted to share this picture with every one of the yo-yo demonstrations from 1953. When I'm doing research for a building or for a project, I often use the PAHA Archives and sometimes I stumble across really delightful images and I wanted to share this one with everyone today. It's pretty fun since today is a fun day, this is our retreat. Oops,

Board Member Bernstein: Is that Roger (inaudible)

Ms. Vance: Is that Roger in there.

Board Member Bernstein: I had not moved here yet. We moved from New Jersey in 1954 to Palo Alto.

Chair Bower: I was a little too young to participate but I remember them and did...

Ms. Vance: So, none of you are in this picture. So, we'll start with the CLG Annual Report overview so this was submitted to the state on January or January 13<sup>th</sup>, January 22<sup>nd</sup> was the due date and just to – I sent out a draft to everyone and I didn't receive any comments but if you have anything to say about it

now, we can. The CLG Report covers our ordinance updates and Comp Plan updates, any new local designations or listings, the review responsibilities of the HRB and staff, HRB membership which include the statement of qualification forms that you all submitted as well as the training you attended. I wanted to remind everyone that you have to attend one training workshop seminar lecture, something to an effect, a year in order to maintain the status – the CLG status and HR – the HRB status. It also – the report also included an updates survey and inventory that we did so that included, for example, the JMZ, Rinconada Park survey they did where we talked about the Girl Scout House and that report. We talked about public education and outreach with covered our Eichler walking tour and the Eichler community outreach events that we've been doing. We also talked about our one remaining Mills Act property and just a summary of the local preservation program. These were the particular questions that I would love to have Board response on. These were the pertinent questions at the end of the report, how can we do better? What's working and what isn't? So, if anyone had any comments on these now, I would greatly appreciate it. You can always send them to me in email as well because we have to do this every year but these are really good things to just kind of think about how we can approach our preservation program here in the City. Would anybody like to speak to any of these?

Chair Bower: Martin.

Board Member Bernstein: Yeah, thank you, Chair Bower and thank you, Emily. It's still – I still get questions – it's mostly getting questions from real estate agents and real estate professionals of can I tear this house down? It still seems to be a question for several people in the community so if there's – if I get that question, I guess having some guidance on how to answer it.

Ms. Vance: I think we're going to discussing demolition and the updated Comp Plan momentarily so that's a great thing to bring up.

Chair Bower: I'd like to for the record points out that Brandon and Margaret are here so we are a full Board. We've just started, we got started late so we are on study session topics, Page 2. Anybody have any comments for Emily? Martin.

Board Member Bernstein: One other question would be to -- in response to when people ask me questions about a building are what regulations are binding and which ones are arbitrary or voluntary I should say. Yeah, voluntary or binding, that seems to be a question I get a lot.

Chair Bower: We don't have any arbitrary regulations. I would like to – I think we've talked about this as a Board but I'd like to see further discussion and maybe Board action on Individual Review for all historic properties. We don't have that now if the property is outside of either Professorville or Downtown District, is that correct?

Ms. French: Individual Review Program for two-story homes applies Citywide. What I think you might be eluding to is we have not single-story review...

Chair Bower: Right.

Ms. French: ... in – for historic homes. Not Discretionary Review, just building permits.

Chair Bower: Right so I think ...

Ms. French: Except for I's and II's – Categories I's and II's...

Ms. Vance: Then Professorville...

Ms. French: All Citywide and then Professorville is all four Categories and downtown is all four categories.

Chair Bower: I would like to expand that to all categories first of all so I to IV and make sure that single or two-story development would still be reviewed in the same manner if the building isn't historic – has historic value. That's an expansion and that's a code or I mean an ordinance change.

Ms. French: It would absolutely be a code ordinance and it would have to go to the Planning Commission because Individual Review has only been for two-stories. So, it would have to be a new set of guidelines and ordinance.

Chair Bower: Yeah and I think that ties in with your – with a topic we're going to discuss after this about demolition and deconstruction. Anyone else have comments? Martin.

Board Member Bernstein: Continuing on the note that Chair Bower just mentioned about a review of historic structures. The – it has to be a listed historic structure before that gets reviewed. So, for example, in the Eichler neighborhoods, say even in the historic districts, the individual houses are not listed, is that correct?

Ms. French: That is correct.

Board Member Bernstein: Yeah.

Ms. French: We have National Register listing which is not referenced in our historic ordinance, only local historic districts are subject to our historic ordinance.

Board Member Bernstein: Right so an individual home in a historic district such as an Eichler historic district, unless that house is specifically listed it doesn't fall under the historic preservation, is that correct?

Ms. French: It does not fall under the ordinance that applies to our review process and yeah, I'll just say that. When – if someone, where to apply for a variance, says, that's a discretionary review that allows us to look at the California Environmental Quality Act with respect to that discretionary action.

Board Member Bernstein: Right and then would the Secretary of Interior's Standards apply to that building?

Ms. French: For a listed historic building we would use the Secretary of Interior's Standards for our review.

Board Member Bernstein: Yeah and right now in the historic districts of Eichler, none of those are listed as a historic structure. Is that correct?

Ms. French: The list that their – the Eichler districts are on is the National Register list and there are contributors within those districts and non-contributors but yes, we have not a local inventory of any of those homes.

Board Member Bernstein: Great, thank you.

Ms. Vance: I'll say one thing to that to kind of piggyback off that. If you were to put an ADU in Green Meadow or Green Gables, for example, those – that new construction does have to adhere to the Secretary of the Interior's Standards. So, we do have control over new ADUs in those two National Register districts, as well as elsewhere.

Ms. French: So, to the extent -- just to pile on that, to the extent that accessory dwelling units are not discretionary in terms of a review process like the Individual Review Process for two-story homes. We do have the ability to look at what's proposed in association with the building permit process. It's kind of --

it's awkward, it's not technically discretionary entitlement, it's building permit review but we do have – give it a look.

Chair Bower: It seems to me that a clearer statement by – in the City ordinance as to exactly what applies and doesn't might help residents understand that complex discussion that we just had about what applies when it applies when it doesn't. Anyone else have comments about this?

Vice Chair Corey: Can you re-clarify – I'm sorry, the ADU? I thought I got it because we had talked about it for a couple hours but I'm still not – I don't think I am clear.

Ms. French: Any time you have a workaround of – so, our Accessory Dwelling Unit Ordinance allows for the Director of Planning and Community Environment to look at the proposed accessory dwelling unit for compliance with the Secretary of Interior's Standards and that's it. Look at it and then there's a building permit and coax them to – towards compliance with Secretary of Interior's Standards.

Vice Chair Corey: It if does not comply with it, it's – what happens then?

Ms. French: We haven't received one yet so – but it's not clear as to the process of that. It's a building permit.

Vice Chair Corey: But would it be binding or any decisions or is it—I don't want to reuse the term arbitrary but is it – is there any enforcement or is it just...

Ms. French: Voluntary...

Vice Chair Corey: ...recommendation...

Ms. French: Voluntary is the word you're looking for.

Vice Chair Corey: It's voluntary? Voluntary is the word I'm looking for so it's voluntary that they comply, is that what...

Ms. French: Yeah, I mean I would like it to the projects that come before this Board, where we give them really good advice but it's just a building permit. If it is not in the National Register or local designated Professorville district, there's some – it's just a building permit so we do our best.

Vice Chair Corey: If it is locally registered in a district, let's just say it's a Category II in Professorville, then does that change that?

Ms. French: Yes, being that it's – yeah, under our ordinance it's referred to in our historic ordinance, Chapter 1649.

Vice Chair Corey: Right, ok, thanks.

Chair Bower: Alright so looking at this list that's in front of us, I wonder if the Office of Historic Preservation could help with either funding or grant funding probably of mid-century review of houses. We haven't done a – I can't – now I'm blocking on the term but it's an assessment of buildings for...

Female: (inaudible)

Chair Bower: Yeah, we haven't – we talked last year about upgrading – updating our survey – local survey and I don't think we – I think we're overdue, way overdue. Is that something they can help us with or is that something we have proactively go after?

Ms. Vance: That is something that I think we would have to get some kind of direction on and I think – right, from maybe staff or Council, Director but that exists. There is a grant application that my predecessor Mathew had started and we've kind of tweaked it and it's more or less ready to go. So, there is an application ready for a mid-century kind of survey and inventory of from I think the 40s up to late 60s. Yeah, like a context statement but we have not submitted it nor is there – necessarily are going to this year. The deadline for grants submittals to OHP is in May.

Chair Bower: Is there a reason why we wouldn't do that? I mean...

Ms. French: Yes.

Chair Bower: ... is it a funding issue?

Ms. French: In the past when we had previously prepared this draft application, there was a look at our workload so we had Professorville going at the time. We've just been through and are nearly at the end of hopefully the Eichler Guidelines which does address mid-century. I think when we start talking about commercial properties, you know non-single family, you know that's definitely of interest and we've heard that from the Board. I think the effort wouldn't be to go out and see what the individual designations of individual Eichlers, let's say. Their significant is more related to the group, the tract, the neighborhood rather than looking specifically for which Eichler, for instance, is notable. I hope that clarifies...

Chair Bower: I'm also reminded of all of the properties that are eligible for listing that have not been listed and if I understand the sequencing, we could apply for a local survey grant to fund a local survey in May. It seems to me then you would have a year to complete that? So, I'm hoping by May you'll be pretty much finished with the Eichler Guidelines; maybe but I mean it will clearer be a downside. It will take – and if – it will take the state some time to process the grant so we're really talking about maybe a September to September workload for this and that's still not doable?

Ms. French: I didn't say it wasn't doable, I was just giving the reason why in the past we didn't do it because we had some other projects on the burner and we had some staff change over. You know, going forward if we're – if it's a successful submittal and we have support for that, I think if the focus is particularly on non-residential, I think that might help as far as the 1950s, 60s because then we're getting into the 70s now I think with 50-years.

Chair Bower: Even applying in May, we're not going to do this work probably until 2019 and that's assuming that we're successful in getting the grant. So I -- if we don't start this cycle this year and especially – which is possible because the grant application is more or less complete, it probably needs to be updated slightly. Then we're waiting until next year and we're doing this in 2020. I know that you don't sit around in your office looking for things to do but I do think that it might be useful since this work was done 2-years ago. I mean the bulk of the work was done by preparing the grant and that we ought to move it forward. If that's a topic for Board discussion then let's agendize it.

Ms. French: I think we can agendize that and then just keeping in mind any time we submit a grant there's a quid pro quo that we have to give our resources in kind at least and any capital investment would have to be carefully looked at. We have a lot of capital projects that need funding so just be aware of that.

Chair Bower: Ok well maybe we could have an off – a discussion about this just so I'm clear about what the parameters are to move forward. Alright, yes, Council Member Holman.

Council Member Holman: Along with this discussion and pertinent to that, there are also some National Register eligible properties that have not been added to the inventory. It seems like that would be a really simple thing to do that requires I would think not much staff resource.

Chair Bower: It's on my list. Alright, any other comments? Martin – Michael.

Board Member Makinen: Yes, we talked about it in the past about doing a survey of industrial sites that may not have been captured as being historic – having historic merit. That might be something we could approach the OHP for some grant money to do a survey on the remaining industrial sites to see what has historic integrity and what might be eligible to list. I think that's a big gap in our historic properties considerations right here. We haven't really addressed that and I mean this is Silicon Valley, there have got to be a few sites that are still around.

Board Member Wimmer: David?

Chair Bower: Margaret.

Board Member Wimmer: When we say survey, what does that specifically – what would that entail? We're talking about a survey of certain things and is that just a professional that we hire driving around and looking at things and identifying what properties we would – could be potentially eligible? Then I also – I don't know if this is the right time to touch base on but back in 78', I think it was, when the – on a lot of our parcel reports we have under the listings of the residential properties, sometimes it will ask if it's historic. Then it will say it was deemed eligible in 79' – 80 or something like that so someone did some work back then but I don't think it was – I don't know. Maybe that – I think it would be interesting to have a discussion about that and how – who did that work and what was the criteria for that and is that what we're talking about in terms of the survey?

Ms. French: I think – if I can just respond to that? You're referring to actually the Dames and Moore survey that was done. That was the company that the City hired back in 1998 actually and then in the end in 2000, we had the list of eligible – deemed eligible that went to the state OHP and they have it on file. The potentially eligible properties, that was a windshield survey and then from there, more work was done on some but not all of those. So, we still have a number of potentially eligible properties that there wasn't a lot of effort put into at that time and seeing if there was somebody notable that had lived there or what have you for those properties. So, more work could be done on the potentially eligible properties.

Board Member Wimmer: I mean I would think that looking back since that work was started but maybe not fully completed and then it was just sort of let go for the reason I'm not sure. Wouldn't it be wise of us to look back at that and continue that effort?

Ms. Vance: That's a great question, Margaret. We're going to talk about potentially eligible resources I think in the next slide or so. So, we're going to cover that but that – yes, that's something that we need to address and then to get back to your question about surveys in general. There are a couple different kinds, you could do a windshield survey which is what they did for Dames and Moore when they picked the potentially eligible. That's exactly what it sounds like, you drive down a street, you look around you notice buildings that could have significance, that have integrity, something that stands out or you could do something a little more intensive. There's an intensive level of surveying, there were constant surveys like your windshield which is kind of a brief overview. You essentially pick your boundaries, you pick your area and then you do a grid-like kind of sweep over it. It could be on foot, it could be in a car, it could be thematic like with the industrial sites which I really like that idea a lot or it could be modern in like we're looking at a specific time period. The whole reason you do a survey is how can you protect the resources if you don't know what you have? If you don't know what's actually out there so the point of the survey is to essentially gather information and then to help in the whys, use, and planning in the future. You could do a survey plus inventories so that would be actually listing some of them but a survey doesn't in and of itself list resources necessarily. It usually just identifies resources that merit further evaluation or that you can easily look at and say oh my gosh, how did we miss this? That merits protection but it doesn't actually go as far as to list them. That's kind of the next step. If that kind of clears up what a survey is and does.

Chair Bower: Council Member Holman.

Council Member Holman: To refer perhaps to what you were mentioning like the sheet that talks about the single-story or excuse me, the single-family homes in that. Those are called DPR forms and I think Emily – we're so lucky to have Emily I think – she gave a great description of what the surveys are like. Just to be absolutely clear, when there's a windshield survey, just to support what she said, that's not the last say. Nothing gets listed because it's been identified in a windshield survey; just to be perfectly clear. I have a question actually and I don't mean to get into great detail and maybe this is a question for later but I'll throw it out. So, I also like what Michael suggested and what Emily support in terms of the industrial projects. I go by the former Addison Antique building quite a bit and the SOFA area had identified that there was like a lot of automotive work that had gone on there. I thought – I had supposed that building would be preserved in some nature but they removed all the automotive roll-up doors and I would have thought those would have been a character-defining aspect of that building but they've all been removed. So, it's more of a question than anything else right now but as we're talking about industrial building, I was rather surprised to see those removed and maybe you can update us on that at some point.

Chair Bower: Is that even – does removing those doors even require a building permit? I don't even think there's any – that there's any local action unless they are changing the structure. You know that was done on Morris Auto Parts which was in the anthropology building which – and that building has been totally undone. There's almost nothing left of the original character of that building and then I think the – Roger, you can help me with this. The Addison Antiques building was that – was an auto repair shop.

Board Member Kohler: Yeah, Union Auto.

Chair Bower: Yeah, Union, right.

Board Member Kohler: Yeah, it was an auto – my – just to let you know my wife was there as an antique store for 10 or 12-years and then just sort of got bumped out because the owner wanted to – he had people requesting who was going to do some sort of computer work of some sort. That didn't meet the requirement for the zoning ordinance and that it's a retail building and I see now they are working on it.

Chair Bower: Yeah, I saw it too but I think that's probably a lost opportunity sadly. Alright, anybody else has any comments about the information up here on the screen? We can move onto the next slide. Oh, wait, Brandon has ...

Vice Chair Corey: I'm sorry....

Chair Bower: ... a comment.

Vice Chair Corey: Going back to the survey so do – how big is the list of the drive-by from last time that we would have to follow up on because it seems to me that the only benefit of doing a new survey would be covering properties from the 50s to 70s that where not in from last time. I'm just trying to make sure that I understand that was it a cursory survey so that there could actually be a lot of stuff they missed or do we actually have a large list to start from as it is?

Ms. Vance: I mean I think they did a really thorough job and they did go up to the 40s. So, the mid-century context that we're looking at would pick up where Dames and Moore left off and carry us up through the late 60s-70s. The number of potentially eligible resources that were identified in the Dames and Moore research was around 2000. Since that time many, many, many have been demolished and I would say that number is closer to 1,500-1,700 now. I know in the past decade we've lost over a hundred and that was 20-years ago so maybe another 200 but those are the ones that I just can easily find. We've definitely lost quite a few of those (inaudible).

Vice Chair Corey: So, is it – those numbers, those are the potentially eligible and not the ones – right, ok. So, then – go ahead.



Ms. Vance: The eligible ones – so what they did is they went through and they identified thousands of homes that could be potentially eligible and then picked I think 400 that they thought had the most chance – most likely to be or the ones that were more interesting. They found 165 to be eligible for the California and maybe some for the National Register and the rest were deemed ineligible. So, when you're looking at those parcel reports, you'll see deemed not eligible for the California Register in 1998. That was one of the few that where they actually did a DPR Form for and then you'll see the ones that say deemed eligible and those are the ones that – they maybe have been a part of the Dames and Moore survey. Things can get deemed eligible and ineligible all the time but that's probably – if it says 1998, that means it was a part of the Dames and Moore survey.

Vice Chair Corey: So, one thought is depending on who's actually doing the survey and taking them from deemed eligible and eligible. Is if we're now talking about doing a full survey where we would effectively add more potentially deemed eligible from the 50s and 60s and just have – and make that list bigger but not actually make any properties...

Ms. Vance: I would recommend in the future to never use the term potentially eligible again. A lot of State Historic Preservation Officer (SHPO's) in many states are – Arizona, somewhere on the east coast because I was – it's not a term that we like to use. It's confusing and it essentially means its unevaluated and just needs more research so I would not recommend that we add to the potentially eligible list. I say either make a determination or you say needs further research because it's pretty confusing.

Vice Chair Corey: If we had to choose between the two, would we actually go and take the existing – I'm going to call them PI to avoid the term but go look through that list of 2000 or actually do a new survey and make new determinations? It seems we already have a lot of the information and then has a survey company go out and get stuff. Well, there's value there for the 50s and 70s....

Ms. Vance: Right because none of those between the 40s and '68, none of those resources have been more or less -- I can't say none but for the most part there has not been a mid-century survey. So, those are all...

Vice Chair Corey: '48-'68, is that right?

Ms. Vance: I think it ended in 1940 –40? 1940?

Vice Chair Corey: That was '48, yeah. (crosstalk)

Ms. Vance: Oh, it went to '48?

Vice Chair Corey: '48 right because it was '98.

Ms. Vance: So, this one would be from '48 to '68, capturing that mid-century stuff. We're going to talk about the potentially eligible in more detail. Let's get to the next slide and we're going to circle back to this because it is, this is a great topic.

Chair Bower: Roger and then Martin.

Board Member Kohler: I just wanted to – when I first got on this Board I remember 1998 I think was the year that we went through all the potentially eligible and we had public hearings in the little room over here is where we met. We didn't meet in here and that room was packed, we had people lined up in the hallway and we went through every single home that was on one list. I'm not sure which list, I'm not sure which list it was but I may have it in my – somewhere in the office but it was a huge, huge undertaking and a lot of unhappy people. I mean they were really unhappy, they would -- they – a couple folks were – they just stood up and yelled at us, what in the world are you doing? This is my house and that kind of thing so it was kind of scary actually.

Chair Bower: Alright. Martin.

Board Member Bernstein: Just as – this is a public meeting, what's DPR? Just for everyone to know what that is.

Ms. Vance: Oh, DPR stands for the Department of Parks and Recreation and there are certain forms, I think its 523A if anyone is interested, that are the inventory forms for when you are documenting a historic resource. So, there are a few different forms and that's what gets sent to the state for eligibility to the California Register. I think David would be very familiar with them as he scanned a lot of them for us in the past.

Board Member Bernstein: The Department of Parks and...

Ms. Vance: Hate to bring up a sore memory.

Board Member Bernstein: The Department of Parks and Recreation?

Ms. Vance: Yeah.

Board Member Bernstein: Great, thank you.

Ms. Vance: So, they are the primary records for the historic resources and they can be – again, they are not just for buildings. They can be for sites or areological sites or linear feature, all sorts of things.

Board Member Bernstein: Right.

Ms. Vance: They are kind of the catch-all.

Board Member Bernstein: That's a state or federal form?

Ms. Vance: That's a state thing.

Board Member Bernstein: Thank you.

Board Member Wimmer: I just have one quick question; would it be better – a better use of our resources to return to 1998 and continue that survey or would it be wise to start a whole new mid-century? I mean where should we invest our resources? It feels to me like we started a great thing, for some reason it got halted and now 20-years later do we start a whole new thing or do we go back and finish that original project? I would vote for going back, revisiting that and then after we feel like we've made some progress with that or got that to a phase that we feel comfortable we can use that as a tool. Then we start this new survey of the new mid-century, that is just a comment but that's my thought.

Vice Chair Corey: I agree.

Ms. Vance: Yeah, that's a great point and I think that merits further discussion about where we should put our time and resources. There is essentially a hierarchy of needs and so which one would be more pressing so I would agree with that as well.

Chair Bower: So, to move the meeting on, you know obviously there's great interest by the Board in this and I think that might warrant a discussion at another meeting about how to move it forward and so we can define perimeters. Alright, next slide.

Ms. Vance: Moving on, one of the issues that are brought up over and over is the demolition and deconstruction of our historic resources. So, here's a little bit of information for you regarding what I have found, just some numbers, about – like I said about a hundred potentially historic buildings since

2010 and I only went back that far as that was our [Gist] which is our internal GIS data. At that point, they had switched over to a new system so that's as far back as the information that I trust. So, it's about at least once a month, 13 in last year and one eligible got deconstructed and we'll talk about that. Not demolished, deconstructed and the last listed property I could find was in 2012 and I'm sure some of you are familiar with that one because that was in Professorville. Oops, sorry. So, maybe – let's see (inaudible) – we have – there are two kinds of – we have an updated Comp Plan and then we have that new ordinance change. What is that for the...

Ms. French: ADUs?

Ms. Vance: For the deconstruction and demolition...

Ms. French: Oh, yes.

Ms. Vance: Do you want to talk to that one?

Ms. French: Yeah.

Ms. Vance: Ok, I'm going to pass it over to Amy to speak a little bit more on our deconstruction/demolish issue and the difference between the two and how people can kind of get around demos.

Ms. French: Not that I want to give a prescription out for that but we do – we had for years a loophole that we're hoping – we call it the lope hole – that we're hoping to close. I don't think there's been a high level of abuse of this loophole. It just – it exists and so we're trying to address it. I believe Council Member Holman had brought it up previously and we hustled to get it into the current ordinance that's going through the process of the Planning Commission review and Council. I believe it's going to Council in March, if not before.

Council Member Holman: Maybe March, (inaudible) sounds right.

Ms. French: Maybe March and so basically on the screen here and I believe I showed this at an earlier – previous meeting as well. What we're thinking would be helpful is to – should there be an intent to avoid having scrutiny of the quality of the resource and somebody says their going to build a one-story house, comes in and demolishes the home for a one-story resource. Then never builds the resource – sorry, the one-story home and instead come back the next day with a two-story home. We want to avoid that unfortunate circumstance so that they wouldn't be able to come in for a number of years with a two-story home. So, this would kind of avoid the speculative use of property out there to avoid the attention on whether it's historic or not.

Chair Bower: Is this – this language in red, it is...

Ms. French: Correct.

Chair Bower: ...has been presented and reviewed by Planning and Transportation Committee?

Ms. French: I believe so and the next step is the Council. I don't believe that the Planning Commission has modified the language. I will find out in the – once the reports written, I can make sure what the language – if there were any tweaking of that language.

Chair Bower: I'm – the only reason I'm asking is 5-years seems to short. Why not 10-years? I mean let's make this a very serious issue. If you're trying to game the system, it seems to me that ought to have a fairly serious penalty. I don't want people – I don't want the neighbors to have to look at a vacant lot for 5-years or every 10-years. The other – my other question as I'm reading this is so I get a permit to build a one-story house and then come back and want to add a second-story, that's still a – that's a 5-year delay?

Board Member Kohler: It's very rare for someone to do a one-story home and not go up to the maximum allowed floor area.

Chair Bower: Well, if they have this penalty there, I mean that's why I'm asking the question. Could they then finish the home and then immediately apply for a second-story?

Ms. French: That's a good question that you raise that would be worth talking about. I mean I think when people come through with a one-story home and there is this prohibition, they might very well propose a basement to maximize the livable area under that scenario. If they are interested to build a one-story home that maximizes living area but yeah, there is no provisions, there's – it was a quick let's write this up, let's get it into the system for the Planning Commission. That wasn't part of the discussion.

Chair Bower: I just – the reason I'm bringing this up – one second.

Vice Chair Corey: Sure.

Chair Bower: ... is that sequencing in construction in a flood zones is very important because if you don't do that then you have to basically tear the entire house down and meet the current flood zoning issues. So, I'm thinking why not use the same strategy to maximize a building by sequencing first the first floor which then gets you underneath the radar on this or makes it compliant. Then coming back immediately offering the same. Now, as I'm reading this, it could be interrupted to say no Individual Review...

Ms. French: Right, I think that's the intent.

Chair Bower: ...for 5-years and if you wanted to add a second-story, you would have to wait 5-years.

Ms. French: Yeah, no, I believe that's (inaudible) in sayings it's Individual Review because that applies to two-stories. I guess the only difference is our Individual Review applies to – I was – when you were saying that I was thinking something less than 150-square feet because our Individual Review applies to 150-square feet of second-floor addition or more. So, somebody could come in with 149-square feet, you know I'm giving them the prescription.

Chair Bower: By the way – well, that's a 10 by 15-foot room so you might have people who would be interested in doing that. In San Mateo, I'm familiar with their ordinance, its 50-square feet and anything over 50-square feet on a second-floor gets Individual Review or their equivalent. So, I don't know why we have 150? Anyway, Brandon, you had a comment.

Vice Chair Corey: I have two comments so my first was just -- was to add on to what you said about the 5-years. I know people in San Francisco who take – who buy buildings and they – I forget the Act but you can effectively evict all your tenants and you cannot re-rent the building for 5-year to get around rent control and it's done all the time. So, if people really want, 5-years really is a short period, I mean they literally do that today. Now maybe there's different economics on the rent side but it happens on a regular basis. The second comment is and I know – I feel like I'm beating up this intent to try to do better but this discussion about the building official deeming it eligible that it's dangerous and cannot be repaired or rehabilitated. I don't see any situation where you couldn't repair or rehabilitate a house. I mean maybe there's a – maybe there's a cost involved and what have you but there's the question of this is this effectively – how is that determination made because it's easy to get somebody to say this is...

Ms. Vance: I think that's a pretty extreme situation and in my experience with that clause regarding historic resources, it usually involved fire.

Vice Chair Corey: Usually what?

Ms. Vance: Involved fire, like if there's extreme fire damage to the home, that's typically when I've seen it applied.

Chair Bower: Also, (inaudible) 89 after the Loma (inaudible) earthquake, unreinforced masonry building that actually I tore down and replaced with a new house because there was no rehabilitation of that hollow tile wall – those hollow tile walls. In fact, the building collapsed when we were – during the process of demolition on its own.

Vice Chair Corey: My question was more around are there ways to – for people to game that system by...

Ms. Vance: No, we – or at least no that I can think of right now. You can't just come in and say oh, this wood is a little rotten. I don't like my home anymore. It has to be...

Vice Chair Corey: That's a justification people commonly use right so.

Ms. Vance: This is a dangerous building has something – I think it has to be something pretty spectacular like a fire or earthquake damage or something beyond repair and it's not just – I don't think that can be easily convincing.

Vice Chair Corey: The building official has to be someone from the City I take it? Ok.

Chair Bower: Alright, other comments?

Ms. Vance: I had one more comment so the one eligible resource that was demolished – deconstructed last year in June, utilized this loophole. They came in with a one-story, this was the Plank House out on Cowper that was deconstructed and then they never built the one-story and now they are coming through with a two-story. So, this was – there's one from last year that we're trying to stop so examples like that.

Chair Bower: One second. Council Member Holman.

Council Member Holman: Are we talking – the one I'm thinking of that happened was a handful of years ago was at Waverley and – yeah, it was at Waverley and that was demolished and that property – that piece of property is still empty. There was one deconstructed at Lincoln and Emerson that – then there was a single-story house built and that's in Professorville. Lincoln and Emerson, the northeast corner, perhaps Brandon remembers that because it's near to you.

Chair Bower: (crosstalk) I'm trying to think of it.

Council Member Holman: I don't remember the address. I don't think it could have been – no it would be 405.

Ms. French: Ok, that was the big one then (inaudible).

Chair Bower: No.

Council Member Holman: Yeah, it wouldn't be 405. No, no, (crosstalk) it was not 405. So, two things, one is I would love to have the slides – you know the presentation that you're giving. Going back to the previous one, there's something that I've raised a lot and this Boards talked about it a little bit but a definition of demolition because we have buildings that are basically demolished and it's not considered a demolition. From a preservation standpoint, I see houses in Professorville even that are – there's nothing left that was original and yet it was not considered a demolition. It's something that we continue to not address so I think that's pretty critical. From a CLG standpoint, I don't know how they would feel about what we're allowing to happen but – and I'm not quite sure why and I'm still not sure that our Building Department makes accessible the (inaudible) Work Building Code either.

Chair Bower: Michael.

Board Member Makinen: I have – it's part of a question of maybe a recommendation but I'm not sure if you apply for a demolition permit, is it required to have a photograph of what you're demolishing on record? I think it...

Ms. French: No, there's no requirement and I don't know if you are referring to the Historic American Buildings Survey (HABS). It's a – we had one of these done for the Mortuary...

Ms. Vance: No, just – yeah but just for the demo permit.

Ms. French: Oh, just – the requirements for what you're submitting? They don't require a photograph to be submitted.

Board Member Makinen: I think that's a complete miscarriage of planning if we don't require a photograph of what you're demolishing just for the record so we can have that on file what existed.

Ms. French: We do require a – the image photograph of when somebodies coming through the planning entitlement process for a two-story home. They do have to show the existing streetscape and the existing home but when it's a one-story, we do not have...

Board Member Makinen: I mean for any demolition permit I think you should require a photograph of what you're proposing to demolish. It might not be part of the planning -- the Historic Resources Board's purview but I think somewhere in the system that should be a mandate that is required to see what was removed.

Chair Bower: Ok, other comments? Roger.

Board Member Kohler: I don't know if it's relevant but many years ago I was hired to look at a house that was on Waverley across the street from Steve Job's home. So, I went in and took pictures of this home and everything and I guess I was supposed to design a house but then the people sold the property. I actually haven't been by there but I think there's a new home on there but that was just what we were talking about. We took photos and the owner was going to build a new home and that's what we – I don't know if I ever gave the photos to the City or anything. I don't quite know what happens to all that. I mean I have them somewhere in my files but I'll take a look and see.

Chair Bower: If we're done with – any other comments about demolition? Deconstruction?

Ms. Vance: Ok, we'll move on. Here's the updated Comp Plan that was adopted by Council on November 13<sup>th</sup> and the – here you'll see the relevant new language regarding historic resources. The one that is probably of most interest to this Board will be Policy L-7.2. This says that before we issue alteration or demo. permits that would substantially affect the exterior, we much consider whether properties are eligible for State or National Register and whether minor changes will affect the architectural integrity of potentially historic buildings; emphasis is ours.

Chair Bower: That's actually a significant change.

Ms. Vance: It's...

Chair Bower: That's actually...

Ms. Vance: ...big.

Chair Bower: ... has some planning power.

Ms. French: With having said that, that's a policy and there's no ordinance yet written but it is giving us some new protocols that we're dealing with now since the effective date of the Comp Plan which was December 15<sup>th</sup>.

Chair Bower: It's a start. Ok, next slide.

Ms. Vance: Ok, we'll move on. Oh, here's just more Comp Plan images. Now let's move onto the CPF Conference and training opportunities. Like I mentioned earlier, all HRB members are supposed to attend at least one training seminar/lecture over the course of a year. Alright, way to go. I think it would be – you know if you attend the conference in any fashion, that would absolutely be your training for the year. So, again, those dates for the conference are May 17<sup>th</sup> through the 20<sup>th</sup>. I know we wanted to talk about HRB's participation in the conference. We don't have a meeting on that Thursday, May 17<sup>th</sup>, just to let you know. We were planning on doing an architectural scavenger hunt, as well as participating in other ways but mostly behind the scenes. There's also – upcoming there's a webinar on the Standards in March if anyone is interested, let me know and we can get you signed up for that. The other thing that we were talking about regarding HRB's participation was this idea of training for Council and other City Boards. If anyone has any comments about our upcoming CPF Conference.

Chair Bower: Martin.

Board Member Bernstein: Let's see, let me know if this is appropriate to bring this up about for training for Council and it may be a question for the public too. For a project – for a building or resource to be listed as a historic resource on the inventory, that takes City Council approval correct?

Ms. French: It requires a Historic Resources Board...

Board Member Bernstein: Recommendation.

Ms. French: ... let's go nomination and/or affirmation because we have an application process that somebody can do. We do talk to people about their interest in this to come forward so they might get the benefits of being a historic resource but it's a process.

Board Member Bernstein: So, for a house that's in a district but if it's not individually listed and then – and not approved by City Council to be on that list, then the Historic Preservation Ordinance has no effect on that project.

Ms. French: Even if it's listed as a Category III or IV, it wouldn't be affected by the Historic Preservation Ordinance if it's outside of the downtown.

Board Member Bernstein: Ok, thank you. I have more questions on Council training when you're ready. That was – it was discussed during our joint HRB/City Council meeting about having a discussion of the – and training session for members of the public, Council Members, other Board Members of other Commissions and Boards education about differentiation and compatibilities; specifically, Standard Number Nine. That's a big topic and I know for a lot of projects that I've heard from the City Council level, this discussion was – is something done in a compatible way with the district or the neighborhood or neighboring buildings or adjacent buildings or not compatible. So, some of that training could happen during this week.

Chair Bower: Alright, any other comments?

Board Member Bernstein: As far as just expanding on that then I guess maybe we or staff can discuss well, is that just a one-hour class session somehow that's advertised somehow. How do we make that happen? I heard some Council Members wanting to have something like that and then it would include other Boards and Commissions too.

Chair Bower: Has California Preservation Foundation established what seminars they're going to present at the meeting?

Ms. Vance: So, there is a schedule more or less made for the entirety, you know the Thursday through Sunday so it might be a good idea to do this on the Wednesday before just so it doesn't conflict with – they have a lot of evening programs and the days are booked solid. Then people are on study tours and off visiting sites so I think would recommend the Wednesday before as it would really be beneficial mostly just to people in Palo Alto, the people who are on Boards here, the people – the public here. I mean I love this idea, I would love for HRB to be involved with an educational learning opportunity. I guess I would recommend either we figure out a time that would be best for everyone. I think the Standards is a good route to go as Martin was talking about and the idea of compatibility. I think that's a very relevant topic and it could just be a general – even a general overview of what preservation is and does as there's a lot of misinformation kind of galloping around out there. I guess my question then would be what would that look like? Would that be a panel of several HRB Members and staff? Would we do it here? Does evening work better than a day? Those sorts of logistical questions and I also don't know if we need to get direction or approval of this first before we kind of push for it but I know I would be in strong favor of HRB participating. I mean the CPF is holding the conference here in your backyard, I think we'd like to have you guys in the spotlight a little bit.

Board Member Bernstein: I know I'd like to be involved in that training session.

Chair Bower: If you'd like to take the lead, that's fine.

Board Member Bernstein: I would.

Chair Bower: Ok.

Ms. Vance: So, then maybe Martin, you and I can work out a good time and maybe we can come back to the Board and see what we think would be ideal.

Board Member Bernstein: Great.

Chair Bower: Thank you, Martin. Alright, Emily, any additional...

Ms. Vance: Here was another topic that we wanted to discuss and just to let everyone know, we have about 45-minutes left until 10:30 at which point we were going to adjourn to give us enough time to go to our field trip which is the Girl Scout House at 11. We wanted to talk about listing properties and how that process works. We haven't listed anything since I've been here so if anyone wanted to talk about any potential projects, things that they would like to see moved forward or how we could formalize this process or if there's anything that you'd like to talk about listing properties.

Chair Bower: I don't think we've listed anything since I've been on this Board and I've been on the Board 11-years. So, I'm – I'd have to look to...

Board Member Kohler: I don't remember (inaudible).

Chair Bower: Roger, you don't remember listing a property? You've been on here 20-years. So, maybe you could -- show how would we start – so since there's no institutional memory on this side of the table...

Ms. French: I have a small memory from my 20-years here of upgrades from one category to another. Again, because our ordinance favors the I's and II's or gives incentives to the I's and II's...

Chair Bower: We just did that in our last meeting. We started that process with the building...



Ms. French: For 526 Waverley.

Chair Bower: Exactly so maybe that's the way we should start a discussion of how to do this. That particular project is driven – was driven or is being driven by the owners for financial benefit. I mean they need to have a different category on that building in order to be able to do renovations and expansion. I think that is really what drives it so I'm not sure how we would, as a Board, start the process if an owner didn't want it or wasn't interested in having it. In fact, I think state law prevents us from listing a building if the owner doesn't want it. No? Is that right?

Council Member Holman: Listing on a local inventory does not require owner consent.

Chair Bower: Inventory, right but it's...

Council Member Holman: On a local inventory it doesn't require local consent.

Ms. Vance: It should though, it should require owner consent for the local inventory. That's where we have the most incentives, as well as the most control over rehabilitation and demolitions. So, I would encourage that we do require owner consent and California and National Register, you don't – it does not require owner consent but it cannot be listed over the objection of the owner.

Council Member Holman: I'm not saying what's best practice, I'm just saying what our rules are now.

Chair Bower: Yeah, there is a difference isn't there. How would you suggest we move this forward or show we agendize this on – for a future meeting and have time to think about it?

Ms. Vance: Sure, it's a big topic and I know it was just brought up for a couple of reasons here and there. I know people had been asking about how you actually list something or why would you even do that. I guess one of the reasons it was brought up was because we have been talking about the Girl Scout House and the ITT building. Both of those are not – they are not listed resources, they absolutely should be, they are actually kind of two prized buildings here in Palo Alto that are – well, the Girl Scout House is certainly not under threat. I would say the ITT building is and we're kind of tip-toeing around it. I know I would like to see those both get listed, get some protection, get some research done on them, as well as a little bit of celebration on their significance to the City. I think that was one of the reasons why we brought up this topic in the first place is because what do we do with these two buildings? I think we wanted to really explore the listing of the Girl Scout House because that's – I think we own the land – there's some issue. We own the land, they own the building but it's kind of a no-brainer there. It's a point of pride and that would be a really kind of exciting project to see that listed soon at some point. Especially considering all of the attention that that area is getting right now due to the JMZ – the zoo and Rinconada Park getting its overhaul. That's one of the reasons why we are talking about this in the first place.

Board Member Bernstein: Can you remind us who the architect was of the Girl Scout House?

Chair Bower: It was [Julian Morrian], wasn't it?

Board Member Bernstein: Who was the architect for the Girl Scout...

Ms. French: Birge Clark.

Chair Bower: Was that? Oh.

Ms. Vance: Birge Clark.

Board Member Bernstein: Birge Clark, thank you.

Chair Bower: Margaret.

Board Member Wimmer: I just wanted to – I was just brainstorming about how we're talking about how difficult it is to identify properties that we want to list. Then obviously in a commercial atmosphere, people are (inaudible) to list their properties because they get TDR benefits or whatever their benefits are. That just prompted me to think about that we always talk about incentives and instead of us doing these windshield surveys searching for potentially eligible houses, wouldn't it be great if we had all these people applying to make their house eligible? So, how can we make that happen? Let's make that happen. I think it's easy, give them benefits, give them a bonus – a 500-square foot bonus for their floor area.

Ms. Vance: That's – that is...

Board Member Wimmer: What's wrong with that?

Ms. Vance: That is exactly how it should be.

Board Member Wimmer: People...

Ms. Vance: They should be coming to us...

Board Member Wimmer: ... should come to us and say I want me to house on the Local Register, please. I beg you, please put my house on it.

Ms. Vance: Absolutely.

Board Member Wimmer: I'm sure we could make that happen if we just figure out a way. Benefits, incentives, square footage, I think we should just rethink the way we're approaching this problem. I really do.

Chair Bower: It occurs to me that we would – it might be useful to hear from our building inspector on how the historic code is applied or how he or she makes the decision to apply it because at this point, even though I've worked for 40-years as a contractor, I have no idea what the current – how the current process works. There wasn't a California Historic Building Code when I was working. There might have been but I never worked under it. At any rate, it would be useful to hear from him or her. I don't even know who the building – chief building inspector is now.

Ms. French: George Hoyt is the Chief Building Official is his title.

Chair Bower: Building official, right.

Board Member Wimmer: I don't think there are any outstanding – I have a copy of the Historic Building Code and I've been meaning to make a copy for everyone because everyone – we should all – it's a very small document but I don't think there are any incentives in the Historic Building Code. I mean maybe you don't have to change your windows to double glazed glass or there are some minor things but it's not enough for someone to want...

Chair Bower: I think stairs are...

Board Member Wimmer: ... to pay the extra money to preserve their windows. I mean...

Chair Bower: No but I think the one critical thing that I encountered was the handrails and guardrails on buildings because both my daughters have historic buildings that have non-compliant handrails and to change them would destroy an important part of the character of those buildings. Martin.

Board Member Bernstein: A huge benefit of the Historic Building Code is that you can use archaic methods for seismic issues. So, let the existing stucco has – that has some seismic resistance and if you can show that's – you can use archaic – it's called archaic methods of analysis. So, there is a way of preserving a building using the HR – Historic Building Code. I also understand that if an applicant says I want – if it's a listed historic structure, that the applicant can say this is – I want to use that code and that's not discretionary, I've heard that. Well, I think from one of our conferences they said that.

Chair Bower: Alright. Ok, other...

Ms. Vance: I'll also mention, I believe that there's going to be a presentation on the Historic Building Code at the conference. I believe that's in the works so that would be a great one for our Board to attend. I'll double check on that, I'm not positive but I feel like I remember that happening. Also, another way – just to go back to your point Margaret – about sweetening the pot and having people come to us for listing. The Mills Act Program would be absolutely the way to do that, that would be another...

Chair Bower: I'm sorry, say that...

Ms. Vance: The Mills Act.

Chair Bower: Mills Act.

Ms. Vance: Having a Mills Act implemented, that would certainly – I feel people would clammer because now everyone wants a historic house. I think there certainly are ways or methods to explore, certainly.

Chair Bower: Council Member Holman.

Council Member Holman: I think – I mean there are quite a number of incentives that already exist, even for single-family homes and I think we don't lead with those enough. One of them does include some extra floor area ratio as a part of an HIE process. I think it's 150-feet.

Ms. Vance: That sounds right.

Council Member Holman: Is that right, 150-feet?

Board Member Bernstein: (inaudible)

Ms. French: 250, yeah.

Council Member Holman: Is it 250-feet?

Ms. French: (Inaudible -off mic) Category I and II.

Board Member Bernstein: (off mic) For a Category I and II.

Council Member Holman: Thank you very much.

Board Member Bernstein: (inaudible – off mic)

Council Member Holman: Thank you and then there's a third building and I apologize to former Vice Mayor Greg Schmidt profusely. I can never remember the name of it or the address, I bet you Michael does. It's down just off Charleston and San Antonio Road (crosstalk), on Fabian I do believe, yeah.

Ms. French: Fairchild building.

Chair Bower: That's the Fairchild...

Council Member Holman: The Fairchild – yes, the Fairchild building and that's a third one that ought to be added to this list. (crosstalk) Yeah, Greg speaks to it much more articulately...

Board Member Wimmer: There's a plaque in front of it, right? Someone put a plaque.

Council Member Holman: ... but it's not listed on our inventory even.

Ms. Vance: No, I -- it's a state landmark or it's a state point of interest. It's something like that but it's not locally listed.

Council Member Holman: So, I suggest that third (crosstalk)...

Board Member Wimmer: (inaudible)...

Council Member Holman: ... place should be added...

Board Member Wimmer: ...automatically be local and on our list. We should just make that...

Ms. French: Our ordinance, as you know, doesn't recognize other ways of listing such as state or national.

Council Member Holman: Oh, and by the way just – I believe Emily is correct that there is a State Historic Building Code session that's going to be during the CPF Conference and particularly invited to that session will be the Building Department.

Chair Bower: Alright, any other comments? Additions to the list? Emily, you are very thorough after our meetings and summarizing them, could you figure out what that Fabian Way building address is? Put it on the list because I'd like to go see it. I didn't realize that the building – there was a building down on Fabian Way. There's also the building on Charleston that's got the plaque or the original (inaudible)...

Ms. Vance: The integrated...

Chair Bower: But that's on Charleston, (crosstalk)...

Ms. Vance: The first integrated silicon chip.

Chair Bower: That's not on Fabian.

Ms. Vance: Is that not the building that we're talking about?

Chair Bower: Is that what we're talking about?

Board Member Wimmer: I think it is.

Chair Bower: The (inaudible)?

Board Member Wimmer: Fairchild (inaudible – off mic).

Board Member Kohler: I see it every weekend because I go down...

Chair Bower: Yeah, I drive by it. I mean they've totally renovated the building. They tried to tear it down and did not do that which is fortunate.

Ms. Vance: It's still very much intact on the front.

Chair Bower: Right but they've changed all the windows out. Any rate, if that's the building then I know exactly what you're talking about. We should definitely get that on the register.

Board Member Makinen: Well, if there's a...

Council Member Holman: This says it's 844 E. Charleston.

Chair Bower: Sorry?

Council Member Holman: Just a quick Google search says its 844 E. Charleston.

Chair Bower: Yeah, east Charleston, right. So, ok, that is the one I was thinking of but when we said Fabian Way, I was trying to remember what would be down there.

Board Member Bernstein: (inaudible – off mic)

Chair Bower: It's at the -- near the intersection.

Board Member Makinen: Well, I think there's a – it used to be called Fort Aero Space at Boko Ford. They did a lot of satellite work right there and I don't know if that's the same building as the Fairchild building but I think they have a whole complex there. I've actually...

Chair Bower: Most – some of those – the buildings down on Fabian Way near 101 where Fabian turns I think, those are all original 60s buildings and they haven't been torn down.

Board Member Makinen: They did a lot of the (inaudible) satellite development that was very significant.

Chair Bower: Exactly.

Board Member Makinen: Communication satellites. It's not even recognized here.

Board Member Kohler: It's not on the map.

Chair Bower: Yeah, interesting, ok so maybe we should look into that too. Any other comments? No other comments. Slides? Oh, here we are.

Ms. Vance: That's you. I think this was – I think this is the final – yeah, the final slide we wanted to – just a general conversation with our – with the HRB and staff about what's working and what isn't? If anyone has anything to say.

Board Member Makinen: Well, what isn't working is the Mills Act.

Chair Bower: That's coming before the Board -- the Mills Act presentation is...

Ms. Vance: So, the subcommittee has – we've done a lot of work regarding the tailored Mills Act Program. I think we're probably ready to present it to the rest of the Board Members and kind of get an idea where we are. It's not perfectly flushed out and ready to go but it's – I think we're ready to present so I think we just have to pick a date that would work best with our schedule and maybe not overlap with any Eichler stuff and we could certainly present it.

Chair Bower: Speaking of the Mills Act, it occurs to me that we ought to try to reach out to the real estate community and get them here or go to them and talk about historic preservation issues. I think that as we have all experienced, there's a great deal of misinformation or no information and those are – the real

estate agents are the first line in really preservation. If they can talk to their clients about what is important to preserve, then that helps everybody in the community avoid unpleasant experiences.

Board Member Wimmer: Is there – excuse me for interrupting, is there some kind of document or just maybe a one-page statement that we could prepare that says maybe something like if you are considering purchasing a historic property, bullet points, this is what – so it comes from the City as opposed to coming through the mouth of a real estate agent. Real estate agents always want to make like oh yeah you can do this or you can do that, it's no big deal because they want to make the transaction. Then I – then you get – that's when we get called and they say I thought I could do all this stuff. I just got a call like that a week ago.

Ms. Vance: We do have...

Board Member Wimmer: Then all of sudden they are getting totally different – but because of the City changes, the ordinance changes, our policies change and I mean it's really the burden I think of the real estate agents to seek out that proper information. They should be telling a potential buy incorrect information so I guess that's not really our job to put that information out there. It's their job to seek the information, due diligence right?

Ms. Vance: I – yes, I would agree with that but we do have some flyers and informational handouts. The main one being our bulletin which kind of explains what you can – well, not what you can and can't do but the level of review depending on your historic house. We also have a little hand out of the incentives offered and with the updated website, a lot of that is really clearly available and accessible now. I'm hoping that information is getting out but we have – we also have talked about reaching out to the realtors in particular and just having a general update on where we are and trying to combat this misinformation that is, unfortunately, making the rounds.

Board Member Wimmer: Is that something that Martin might be putting together for the day before the conference? Is that something that you could invite the realtors too? You'd have an audience I'm sure. I'll come.

Board Member Bernstein: That's a great idea.

Board Member Wimmer: Why not and then hey, it's preservation week and I bet you get a ton of realtors if it's after hours.

Ms. French: I would pile on to the reach out to realtor's concept. We are – with the Eichler updates we had a member of the public – I think you have At Places, comment on has there been enough outreach on Eichler Guidelines. So, I do recall in the past going out with the Chief Building Official to a realtor group and they had these monthly meetings or something. We've done that from time to time when there are some critical ordinances coming through to give a heads up to the realtor community. I think it's worthy of, again to make sure there no misinformation about what this document is or isn't. I think it might be important to reach out to them...

Board Member Wimmer: Maybe at that time having some handouts, just some basic one-page handouts or something that doesn't cost a lot of money to the product but is something that's available and even has a reference of for more information, go to the website – go to the Palo Alto website.

Ms. French: So, I'm looking to do this in March or even sooner if I can to – because there's – we're leading up to Council review of the Eichler Guidelines. So, if there's somebody that wants to partner with us here from the HRB, we'd be happy to pull you in.

Chair Bower: We certainly should invite them to our Mills Act review. That's something that would be, I think, of great use to them. Martin, you had a question? Comments?

Board Member Bernstein: Going to the slide that Emily is showing about what's working and what isn't, I have a comment on that. That question came up during the recent City Council HRB applicant questions and that was one of the questions. My response to that question when I was asked that was I gave the example of – in San Francisco. I've done about six or seven projects in San Francisco now and the first step is a historic review. We've had a project where it's almost like the last step and we've had buildings, especially commercial buildings, come before us with completely designed floor plans, where the kitchen sinks are, where the refrigerators are and then it comes to HRB, hey guys, what do you think? My comment during that interview was that no way will a developer say oh sure, I'll put that third-story on this side over here where all the engineering and everything has been done. San Francisco is you can't even go to the next step until you have a historic review so that would be my question from historic preservation. It's really effective, that's the first step, not last. I don't know, for that to happen does that require an ordinance change for that process or is it just a change in procedure? I don't know.

Ms. French: I would ask Martin, in San Francisco are these listed resources?

Chair Bower: No.

Board Member Bernstein: No but the – they are potential. They...

Ms. French: Ok so there's been some kind of windshield survey where they've been identified as cute or something...

Board Member Bernstein: Correct, yes, that's it.

Ms. French: ... and needing further study?

Board Member Bernstein: Correct.

Chair Bower: Martin and I have both have had this experience. The San Francisco has a ministerial process, it is assumed every building is historic and you have to demonstrate it's not.

Board Member Bernstein: I agree.

Chair Bower: I actually last year brought to a meeting the application and shared it with the Board. It's a very simple process in San Francisco because you can go to the San Francisco Historic Library which is in the main library building in the Civic Center and you just look up – they have all these resources. You look up your property and create some kind of narrative. In most cases, the buildings aren't historic and that takes you out of the loop but you have to do a little bit of legwork and what it does is it preserves their historic buildings. In case – in my experience, my daughter's building is in the Liberty Hill Historic District and that automatically puts it into a different category. It's an original building, it's a Victorian and in that district, all the facades are protected. So, you understand that before you even begin the design process, what you have to do in order to have a successful application.

Board Member Bernstein: Chair Bower?

Chair Bower: Go ahead.

Board Member Bernstein: Chair Bower is pointing out something really significant. So, in San Francisco the cultural view is presumed to be historic, prove that it's not and here it's well, do we really need (inaudible). So, it almost addresses Board Member Wimmer's comment about maybe having such an incentive where people just want to apply, it's presumed to be and then – so that's another approach. It's presumed to be historic, prove that it's not is another approach.

Chair Bower: Michael, did you have a comment?

Board Member Makinen: No. Excuse me.

Board Member Wimmer: Are we going to discuss the – so I think since January there's a new rule or a new ordinance where if your parcel report says you're deemed eligible, then you have to go through – is that true? That – So, I got – I just got a call from someone who said I have this house, I wasn't even sure where the house was but – and I wanted to do all these remodelings. I went through an IR with Arnold, it was pretty much approved but then Emily came in and said I had to have this historic evaluation report done. It's going to cost me \$7,000 blah blah blah. I was like – I mean I don't mean to – but this was where – why I – I just want to become more informed about is there a new policy since January and so maybe if – is that something we can discuss or is that on our agenda today?

Ms. Vance: That was the Comp Plan update (crosstalk)...

Board Member Wimmer: (inaudible)

Ms. Vance: ... L-7.2 where we must consider whether properties are eligible for state or national register and whether minor changes will affect the architecture of potentially historic buildings. So, this is where we – excuse me – this is where we are in that – in implementing this new policy. We get several a week, particularly if one goes on the market and now suddenly everyone is calling about this potentially eligible designation. Our – the way that we've been approaching this so far – we actually have a meeting later today about this very topic and I think one next week with the attorneys about how to best approach the issues coming – arising from this. In the past, a potentially eligible designation did not really stop you from much. It didn't stop you from demoing, it didn't stop you from altering and you didn't even need historic approval, that's changing now. So, for some of them I can – for some of the ones that have come through already, this is not how we're going to do it in the future but I'm undertaking the assessment of the building which I've spent a few days over at the archives and I'm pulling together information to make an educated determination of eligibility. That takes time, it takes a lot of time and it takes – its kind of a strain on our limited resources already so in the future we want to have a clear path for applicants whether it's a DPR Form, HRE, whatever it is, that's where that \$7,000 number came from. In the past HREs for a residential one-story, that's what it cost...

Ms. French: That includes our overhead.

Ms. Vance: ...and that includes our overhead which is a lot and...

Ms. French: (inaudible – off mic) 25%.

Ms. Vance: Yeah, the overhead is 25% which is what we tack onto it which we don't want – we don't really want to pursue this avenue of making everyone at the last minute pay an extra – huge amount of money and when it comes back not eligible, fine. They can continue with their project with no further historic review. If it comes back as eligible, now we have another conversation. We don't have – we have not perfectly hammered how we're implementing this new policy.

Chair Bower: Any other comments? We – I think we are near the end of this portion of the agenda since you are on the last – you were on your last slide before we jump back?

Ms. Vance: This is the last slide, there's nothing – that's just a picture of...

Ms. French: (inaudible – off mic) going next.

Ms. Vance: This is where we are going next so we have until 10:30.

Ms. French: If anyone has a car like that, we could...

Ms. Vance: There are the girl scouts...



Chair Bower: You've hired an antique car? Classic car to take us over there. Brandon, you could walk home and get yours. Alright so if we're done with this portion, there's not much left on our...

### **Action Items**

#### **Approval of Minutes**

Ms. French: There are no minutes to...

Chair Bower: There are no minutes.

#### **Subcommittee Items**

Chair Bower: There are no subcommittee items or are there? No.

Ms. Vance: No, the Mills Act subcommittee, we can probably confirm at a time to present and maybe if we wanted to meet one more time prior, that would be ideal.

Chair Bower: Sure, just to look at the revisions...

Ms. Vance: Yeah, to kind of look over...

Chair Bower: ...that we talked – last talked about.

Ms. Vance: What I've done is I've incorporated all of the comments from our last conversation and we kind of have this nice tailored program outlined. I imagine the further comments we get from the Board would be much appreciated.

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

Chair Bower: So, Board Member question? I – (inaudible)?

Board Member Bernstein: I was wondering if staff wants to make any comment or do any Board Members have any comment on the letter received from the public?

Ms. French: Yes, the letter At Places from Mr. or [Dr. Nierenberg], I did respond to [Dr. Nierenberg] and that was I believe transmitted to the Council Members but they also – he did also send it to the Historic Resources Board. Mr. Nierenberg, I believe he was in attendance at the Mitchell Park community meeting on the 18<sup>th</sup> and raised this concern about only 150 have made comments on the Eichler Guidelines. So, I have responded to him and we are expanding our outreach and we've had, let's see, how many meetings? November 9<sup>th</sup>, we had – October 12<sup>th</sup> we had a report about it, the whole process and then -- for the HRB. Then we had on November 9<sup>th</sup>, it was on the agenda and that's when we distributed the public review draft. We had a meeting on December 14<sup>th</sup> and then January 25<sup>th</sup> and we have not had a high attendance but that is not unusual for the HRB meetings. We're going to ramp up our outreach with plastering all 2,700 homes Eichler tracts with a bright green flyer saying hey, guess what we've got here and you're welcome to come to the HRB meeting on the 22<sup>nd</sup>. Then, of course, when it goes to Council, we will do something similar with maybe an even brighter color just to make sure that we aren't – we are heard. In addition, I mentioned the realtor outreach so we're working on those next steps. We do have this website that we keep updated – Emily keeps updated weekly with where we are so – and I think you'll be pleased with the changes to the guidelines that are coming to you on the 22<sup>nd</sup>. That is about that.

Board Member Bernstein: I spoke to a real estate agent about five days ago and I asked her about it. She said she had no knowledge about any Eichler Guideline discussion so yeah, outreach somehow to the real estate.

Board Member Wimmer: Has there been any effort for the Palo Alto Weekly or the Daily to write an article about it? I mean...

Ms. French: That's the other outreach to proactively ask (inaudible)(crosstalk)

Board Member Wimmer: I think they would be interested in writing an article about it.

Ms. French: Yeah, it would be – I mean we did have and as noted in on our website, we've had KOED, Rachel Miro actually did an interview, put it on a podcast and I spoke with her for that. We've had Michael – gosh, David Weinstein? Has done two blogs on it and he was in attendance at the community meeting on the 18<sup>th</sup> and has uploaded blogs. So, the Eichler Design network is it – so people that are focused on Eichlers through that method are – may be seeing those. You know people are busy.

Board Member Wimmer: I think it would make a really great front-page article for the Weekly. Someone makes it sound really controversial and maybe if someone calls them and says hey, this is a great idea for an article (inaudible).

Ms. French: Yeah, I don't know if it should be you know definitely controversial...

Board Member Wimmer: Well, I say that (inaudible) (crosstalk)

Ms. French: ... because these are voluntary guidelines but...

Board Member Wimmer: ... because it makes the paper more interested in making a...

Ms. French: I mean if the post wants to sell newspapers, you know if they are listening, they could – they do a good job of that.

Vice Chair Corey: I mean...

Chair Bower: Karen, you had a comment?

Council Member Holman: I was just going to say I think staff deserves an awful lot of credit for how much outreach they have done and how many community meetings they've had and quite frankly, for 150 residents to be interviewed and contacted regarding this is a lot. I mean if you look at – you can have a meeting about – pick a topic and if you get 50 people to get engaged, it's a lot. So, I'm somebody who's always like make things public, transparent, you know get the community engaged but I think you've done a tremendous job. I really do.

Ms. French: I would add to that, that I'm not a resident of Palo Alto, Emily is not a resident of Palo Alto but many of you are. I've had to go to extreme measures such as go visit my parents and look at their computer Next Door to see what's being said about all of the Eichler Guidelines. Mr. Nierenberg was posting there and there are other people, Penny Ellison, posted. I provided some information to another person in Green Meadow that posted correct factual information so that's always an avenue for folks to post factual information on places like Next Door or what have you. I agree that the Weekly, Palo Alto Online would be an appropriate place to drum up interest and participation conversation and controversy if that's what we're looking for. I'm not looking for that.

Chair Bower: So, it's 10:15 and we're supposed to be over at the Girl Scout House at 10:30?

Ms. Vance: We're meeting Karen at 11.

Chair Bower: At 11, ok.

Ms. Vance: So, I figured if we wrapped up by 10:30 we'd have plenty of time.

Chair Bower: One question I have that's going to come up is Brown Act training. I think that it's been 2-years since I've had it and the City has had the Brown Act training and we all have to do that every 2-years. So, could you check just...

Ms. Vance: Yeah, we'll look into that and I can – when I send the summary of the meeting out, I can mention something about if there's a training coming up?

Chair Bower: It's much better to do that training in this room than it is online and I can tell you from experience. Alright, any other comments? Questions? Contributions?

Ms. French: Does everyone have a ride over to the facility there because we are going to be borrowing a City carpool car if anyone would like a ride?

Chair Bower: I need a ride.

Ms. French: Ok. We have two?

Chair Bower: Alright, if there are no other comments we're adjourned.

## **Adjournment**