



**ARCHITECTURAL REVIEW BOARD**  
**DRAFT MINUTES: December 21, 2023**  
Council Chamber & Zoom  
8:30 AM

**Call to Order / Roll Call**

The Architectural Review Board (ARB) of the City of Palo Alto met on this date in Council Chambers and virtual teleconference at 8:32 a.m.

Present: Chair Peter Baltay, Vice Chair Kendra Rosenberg, Boardmember Yingxi Chen, Boardmember David Hirsch, Boardmember Mousam Adcock

Absent:

**Oral Communications**

None

**Agenda Changes, Additions and Deletions**

Senior Planner and Architectural Review Board (ARB) Liaison Claire Raybould indicated there were no Agenda changes, additions, or deletions.

Vice Chair Kendra Rosenberg noted she had a schedule change in which she will not be available for the February 1<sup>st</sup> meeting.

**City Official Reports**

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

Senior Planner and Architectural Review Board (ARB) Liaison Claire Raybould reported the January 4<sup>th</sup> hearing is planned to be canceled, currently the January 18<sup>th</sup> hearing is scheduled for 660 University Avenue however that may be pushed out to allow for completion of the environmental analysis pursuant to the California Environmental Quality Act (CEQA). There is also a preliminary review for 1066 East Meadow Circle that staff is looking to place on that agenda. New applications include 1066 East Meadow Circle and an SB330 pre-application for Buena Vista Mobile Home.

Chair Baltay inquired about the Buena Vista Mobile Home project and expressed an interest in assigning an ad hoc committee.

Senior Planner Raybould noted with the lengthy break for the holidays she would send out the information for that project via email. The project was filed in the last few days.

## Action Items

2. PUBLIC HEARING / QUASI-JUDICIAL. 824 San Antonio Road [23PLN-00181]: Consideration of a Major Architectural Review to Allow the Construction of a New four story mixed-use building with 28 dwelling units and 2,694 sf of retail space. Fifteen units will be independent senior living, twelve will be assisted senior living, and one owner's unit. On site amenities include two common outdoor open spaces, a dining facility, and common indoor space. Environmental Assessment: The Project is Being Evaluated for Consistency with the Previously Certified Housing Incentive Program Expansion and 788 San Antonio Mixed Use Project Environmental Impact Report (SCH # 2019090070). Zoning District: CS (Commercial Services). For More Information Contact the Project Planner Emily Kallas at [Emily.Kallas@Cityofpaloalto.org](mailto:Emily.Kallas@Cityofpaloalto.org).

Chair Baltay introduced the item and called for disclosures.

Boardmember Adcock stated she visited the site.

Boardmember Yingxi Chen stated she visited the site.

Chair Baltay disclosed he also visited the site.

Vice Chair Kendra Rosenberg visited the site.

Boardmember David Hirsch visited the site.

Project Planner Emily Kallas provided background information on 824 San Antonio Road [23PLN-00181] is proposed as a Housing Incentive Program (HIP) project includes a new four-story mixed-use building with 28 dwelling units. Fifteen of the units will be independent senior living, and 12 will be assisted senior living, plus one owner's unit. All units will meet the definition of a housing unit for Regional Housing Needs Assessment (RHNA) purposes. On site amenities include two common outdoor open spaces, a dining facility, and common indoor space. The ground floor also has two retail spaces and a café space, for a total of 2,694 sf of retail. Twenty-nine (29) parking spaces are provided in the below-grade garage. This applicant has indicated that the project is intended to be fully code compliant, including meeting the Objective Design Standards. The project does not currently meet all of the City's Objective Design Standards, but should it be revised to meet these, the project could then use the City's streamlined housing development review process set forth in PAMC 18.77.073. The project may be redesigned to comply with the objective standards or, In lieu of meeting the Objective Design Standards, the project may be evaluated against the Context-Based Design Criteria. Staff is also in the process of evaluating the project to confirm that it is consistent with the previously certified EIR for projects in the Housing Incentive Program area along San Antonio. Modifications from the preliminary review include the masonry material has been removed, and white fiber cement board is proposed instead of dark gray stucco. The metal shade screens have also been changed to white. Additional wood siding has been added to the ground floor. However, the green/planted screen element has been removed from the front façade. Programming of this space has been clarified, it includes hardscape with furniture, a bocce ball court, perimeter trees, and a bioswale. Balconies have been recessed into the building to maintain setbacks and to increase privacy. This slightly reduced the

unit sizes. A roof deck amenity has been added to the rear half of the roof, with a large trellis, planters, and patio furniture; and the build-to line requirement is now being met on the upper floors, with additional space for circulation on the ground level. Discretionary applications are being requested for Architectural Review – Major (AR): The process for evaluating this type of application is set forth in PAMC 18.77.070. AR applications are reviewed by the ARB and recommendations are forwarded to the Planning & Community Environment Director for action within five business days of the Board's recommendation. Action by the Director is appealable to the City Council if filed within 14 days of the decision. AR projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make any finding requires project redesign or denial. The findings to approve an AR application are provided in Attachment C. The Comprehensive Plan land use designation for the project site is Service Commercial. This project is located on San Antonio Road where mixed-use projects are anticipated. There is 2,922 sf of commercial space, or 0.15 FAR, which is consistent with the allowable FAR under this land use designation. The project is consistent with the policies in the Comprehensive Plan and therefore fulfills the goals of the Plan as well. In particular, the Land Use Element and Housing Element include policy L-2.3 which encourages diverse housing types, including senior housing, as well as Policy 5.1, which encourages the creation of housing, especially for specific uses such as for seniors. The subject project is currently being evaluated in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Staff is reviewing the project for consistency with the previously certified Housing Incentive Program Expansion and 788 San Antonio Mixed-Use Project EIR (SCH #2019090070). The project would be subject to all relevant mitigation measures required for projects streamlining in accordance with the adopted Environmental Impact Report.

Boardmember David Hirsch inquired how many tenants would be in the building. Planner Kallas responded the proposed project would have 28 units and there is a mix of one and two bedroom units.

Boardmember Adcock asked if the roof top usage was exclusive for the top floor unit. Planner Kallas explained the roof top does not allow accessibility by all units as per the zoning code.

Chair Baltay requested the usages allowed for the rooftop as written per code. Planner Emily Kallas stated it would require access by a common stair. Senior Planner Raybould answered a rooftop open space would need to be accessible by all residents according to 18.40.230.

Chair Baltay asked if there are setback requirements from the edge and if elevator access is allowed above the height limit. Planner Kallas referenced the 45 degree angle of the daylight plane from the parapet and answered that the elevator is allowed above the height limit.

Chair Baltay called for the applicants presentation.

Applicant Kate Conley provided the applicants presentation for the proposed project with Athen Carter from Architects FORA. The goal is to design a senior living facility with amenities. The existing building is one building with one tenant, a boxing and fitness gym. The site is accessible from public transit routes including the VTA 22 and the San Antonio Road protected bike lanes. The daylight plane setbacks on the upper levels are not proposed due to the project being in the Housing Incentive

program area. They also expect future high density projects on the adjacent properties. The overall design is a Cenoté, which is inspired by an underground lined cave or well. A parti diagram is included the plans. The floor plans include a commercial retail space on the ground floor, residential support in the common areas, and residential assisted living residential units. The second floor features a community room, a dining hall, and a central courtyard. The third and fourth floors are identical and include a community room, a gym, and independent living units. There will be twenty-nine parking spaces in the underground parking area, four of which will be commercial and will include EV car and EV van charging spaces. A bike room is provided for 34 long-term bike spaces. There is a twenty-four foot setback along San Antonio Road, five foot side setbacks and a ten foot rear setback. The project includes an easement alteration to increase the public sidewalk along San Antonio by three feet, for a total of twelve feet wide. A trash staging area and curb cut zone loading zone that can also serve as a pull out for quick deliveries or a fire truck is along San Antonio Road. The new electrical transformer is located between the trash staging area and short term bike parking spaces. A short term delivery space is located at the entrance of the underground parking garage. A path along the south side is for residents and staff only for access to the sixteen additional bike parking spaces in the first floor bike room and can also be accessed by elevator 2. The retail space will be open to the public and resident friendly such as sundries or a coffee bar. These spaces meet the ground floor commercial requirements for mixed use in the Housing Incentive program. Three assisted living apartments and resident support spaces are located on the ground floor for residents who may have mobility impairments and prefer a ground level unit. There is a redwood reflection guard planned to protect the two redwood trees on the property. The rear yard outdoor amenity features a bocce ball court, lounge seating and storm water treatment areas are well as raised garden beds to support communal space for the seniors to foster community. Communal lounges have also been provided for residents to read, gather, and watch facility led movie nights on the projector wall. Support spaces are primarily located on the north side of the main level away from the uses. On the second floor, in addition to the dining room will be a warming area for residents who wish to bring and warm their own food. A walking path has also been included on the second floor per the ARB's request. The third floor has residential units and a gym, the fourth floor is almost identical other than the gym is a communal area. The roof includes a garden area, the mechanical equipment and screen, which are all accessible by stair 2 and elevator 2. The trash room and staging areas were designed in compliance with the guidelines provided by Palo Alto's zero waste. Both the independent and assisted living units include full residential kitchens. The independent units feature balconies for private open space. The balconies are tucked back into the unit footprint to provide the clear five foot setbacks requested by the ARB. Underground parking and the ground floor will consist of larger open spaces and concrete construction. The upper three levels will consist of wood framed dwelling units that stack, with the exception of the second floor dining space. The building height is fifty feet measured at the parapet and the rooftop garden features a ten foot tall trellis. There are areas on the site with restricted ground water access for fire safety, and emergency escape and rescue. The project team is in conversation with Palo Alto Fire to determine alternate methods for emergency access as noted on the plan. A focal point in the interior lobby is a sculptural center type skylight. Recessed planters will be in the skylight. The front façade they are proposing to have a local artist design the screen at the primary entry portal as a means of incorporating the public art program requirement and will have 24/7 visibility access to the public. Noting that the screen has not yet been designed, so the wood

tone screen shown on the front elevation is merely a placeholder. Wood toned screens will be featured on the east and south façades to provide privacy, soft and hard edges, and varied natural and glazed walls. The wood look cladding on the ground level walls and the overhang soffits has been increased to lend natural warmth to the projects material palette per the ARB preliminary hearing feedback. Off white metal vertical louvered fins as a shading device from the floor to ceiling glass door fronts and at the community rooms facing San Antonio Road. The second floor courtyard overlooks the ground floor redwood garden. The curved balconies will feature hanging plants to soften the hard lines of the exterior and provide light filtering qualities. The C-shaped design of the building takes advantage of the southern exposure and views of the Santa Cruz mountains. Highly recyclable materials are being used whenever possible, with low embodied carbon. Exiting plans have included showing all floors fire ratings of walls, and occupant separation tables if needed, as well as diagrams demonstrating how the Palo Alto objective standards were incorporated into the project. Landscape plans are also available for discussion.

Chair Baltay thanked Ms. Conley for the presentation and called for public comments.

### **PUBLIC COMMENTS**

Ms. Veronica Dao stated there were no public comments.

Chair Baltay called for questions of the applicant's architects.

Boardmember Adcock thanked the applicant for the presentation and disclosed that she and Ms. Conley worked together several years ago and commented that the project is interesting and very well thought out and referenced PA Sheet 7 - the first floor and inquired if the resident communal area is separated from the public retail area and if the retail area would access the same trash staging area as the residents.

Applicant Kate Conley noted that the intent is that everything in the dark blue on sheet 7 is completely accessible to the public, and the retail would access the same trash room, and noted it could use some refinement for clarity. Anything shown as grey is intended to be residential only spaces that would utilize controlled access such as key cards.

Chair Baltay requested clarity of the blue space. It's listed as retail, however, appears to include half of the building lobby, further asking how the architects intended to keep the area as retail if it's also private space for the residents. Ms. Conley answered that all of the blue area is intended to be accessible to the public, the lounge seating would be for the coffee bar, which is open to the public, the lobby would also be open to the public. All retail is considered public space, they are still negotiating with staff on where the private entrance to the units will be from the lobby.

Chair Baltay asked staff if the City's code warrants the entrance for residents be through a public retail space such as a coffee shop. Ms. Conley continued and explained stairwell 1 and elevator 1 are immediately accessible inside the door.

Manager of Current Planning Jodie Gerhardt responded that this is staff's initial review of the project, they are still taking a deeper dive into the details. From the front door there will need to be a path for

residents that is not considered retail. Most of the area could be considered retail, there is still time to refine that.

Boardmember Adcock asked what is considered retail, and if the reception area going into the leasing office also being considered retail. Ms. Kallas stated it is not considered part of retail, which is why it is classified as such on the plans. The Leasing Office on the plans is colored grey. Staff is continuing to refine the lobby area between retail and private residential. Due to the way the Housing Incentive program is set up, it is important to classify every square foot of the lobby as either retail or residential, when there are shared spaces, it is something that staff continues to work through as it effects the calculations.

Boardmember Adcock referenced PA11.6 or 7.6 regarding the terrace and inquired if the 664 square feet listed as R2 occupancy the paved area, how they are counting the area and confirming they only need one layout of the roof garden area. Additionally, she noted there is not a boundary for what could be considered the assembly space, how would they prevent people from using the entire roof.

Ms. Conley explained that the paved area is the space considered for open space, and a boundary would be a great addition. The number of occupants was figured by the building department. The intent of the rooftop is intended for the owners only and would appreciate feedback regarding the open space requirements as that may change the way the rooftop is designed. It only requires one exit because it is an assembly space with less than fifty occupants.

Boardmember Adcock stated the boundary of what they are using for the 44 square feet seems to be minimizing how much area is actually being used to reach the occupancy of 44 and urged them to sharpen in on that. Code wise, every area which allows people to stand could be considered as that open space, which may cause the number of exits to increase.

Boardmember David Hirsch requested how the residents on the ground floor get to their units and how they distinguish the privacy of the ground floor units as compared to the upper floor units. Ms. Conley stated that currently the ground floor units would be accessed through the coffee bar.

Boardmember Hirsch asked if those units are different from the upper units. Ms. Conley responded they are not.

Boardmember Hirsch inquired how the public would access the building. Ms. Conley answered they imagine it would be accessed by pedestrians on San Antonio Road, the front has it's own double door entry, and then there is a double door leading into the public lobby. Additionally, there are four parking spaces in the basement garage that are associated with retail, those patrons would access the retail area using elevator 1 or Staircase 1.

Boardmember Hirsch requested information about what the concept is for the retail space commercial area and if the open space is intended to draw folks into the space. Ms. Conley replied they believe the skylight will be a beautiful space for everyone to gather. The commercial space on the ground floor is a requirement for it to be mixed-use as part of the housing incentive program. There is not an option in the current code not to include the retail space.

Boardmember Hirsch asked for a description of how the community spaces would be used. Ms. Conley responded they have enlisted a senior assisted living provider since the prior meeting with ARB, who has made suggestions about the type of space and activities seniors enjoy. They originally had a darkened theater and reading room, the provider encouraged them to combine it into one big living room with a projector wall for movie nights; a dining, food prep, and beverage bar on the second floor and suggested widening the corridors on the third and fourth floors for informal areas for games.

Boardmember Hirsch requested information about the intent of the dining room. Ms. Conley explained that the dining area would have a meal prep area to warm meals that had been prepared offsite, those would be served three times per day, particularly for the assisted living residents. There is also a full sized kitchen in each unit.

Boardmember Hirsch asked if the owners could have their way, would they have preferred to have the same amount of retail space that is required. Ms. Conley stated the owner is excited about providing some resident friendly retail on the ground floor, possibly not quite the quantity. It is a very narrow site so it's a really high bar to meet the 0.5 to 1 ratio. If it were a wider site with more street frontage it would be a lot easier requirement to meet.

Boardmember Hirsch asked in general how the program was developed. This project has a pretty high percentage of retail for the number of residents that will live in the building, citing his experience with senior living facilities there was generally a much more modest percentage of retail space, and how the outdoor space will be utilized and accessed. Ms. Conley explained that one of the service providers programs would likely be a shuttle service, particularly those in the assisted living units. Ms. Conley stated she does not have the details on the shuttle service, however, the space marked as pickup and drop-off, is the space intended for that shuttle service or any family members who may be picking up residents. There is also a bench nearby the double doors that will be covered. The curb cut is intended more for deliveries.

Boardmember Hirsch inquired about the widening of the sidewalk on San Antonio. Planner Kallas stated that San Antonio Road has a special setback and there's been discussion regarding whether any of that space could be used in the future to improve bicycle infrastructure. It would not be for the purpose of widening any drive isles of the road.

Boardmember Hirsch asked if this project had engaged in conversation with the Office of Transportation. Ms. Conley stated they had not, however, would welcome that discussion.

Boardmember Yingxi Chen requested information about how the trash would be taken from the collection room to the staging area for pick up. Ms. Conley explained that facility staff would manage the trash from the sidewalk and through the double gated area.

Boardmember Chen inquired about the two bike parking areas and if they were designed for two different groups of people. Ms. Conley stated they reconfigured the bike parking that had been designed all in the underground garage to now include some of the bike parking on the ground floor for the senior residents. The basement bike parking will be more for the facility staff or retail staff.

Boardmember Chen questioned the short term bike parking which is depicted in two different locations. Ms. Conley replied that is an item they need to fix. The intent was to have short term bike parking in front of the retail. They had been considerable changes after they learned the trash staging requirements and electrical transformer guidelines.

Boardmember Chen requested more information about the trees citing the parking plan shows the trees in that area as protected and the landscaping plan shows the trees removed. Ms. Conley confirmed she would find that out before the next hearing.

Boardmember Chen asked if the windows on the owner's unit and the unit below meet the egress requirements for the COAR tin screen shading. Ms. Conley stated they have several areas on the site that don't meet the emergency escape and rescue requirements so they will have an entire set of alternative means and methods that they are working through with the Department of Fire and Safety.

Vice Chair Kendra Rosenberg asked if the loading and unloading space near the front entry is an ADA space and if it is required to be. Ms. Conley stated it is not part of the required parking count, and could be designated as such, however the intent is to leave it open for everyone, but also design it as an accessible space.

Vice Chair Rosenberg inquired about the space to the dimpled sidewalk and it's size, suggesting it is enough space that if one of the mobility impaired residents can utilize it if they don't want to go over the dimpled sidewalk; and if the existing high voltage electric transformer would remain. Ms. Conley stated her understanding was they would remain. Vice Chair Kendra Rosenberg clarified the transformer behind the garbage staging area was new and required. Ms. Conley confirmed that was the case. The reason for the positioning of the new transformer was due to the view triangles from the adjacent driveway on the south side of the building.

Vice Chair Rosenberg asked if the retail space could be combined into one large retail space. Ms. Conley stated she didn't see why they couldn't be combined; it was the owner's desire to have two different tenants.

Vice Chair Rosenberg questioned the placement of the ground floor bike parking space as it feels odd to have to walk through the front door and past to coffee shop to get to it. Ms. Conley stated their primary intent was to have it accessed via the side yard, with an auto opener on the gate and door. It was positioned behind the retail because having it front and center in the lobby seemed displaced for the lobby and the retail.

Vice Chair Rosenberg asked if the assisted living area would be secured. Ms. Conley answered there will be access control on the door leading to those units.

Vice Chair Rosenberg inquired about the possibility of the expansion to the kitchen, and if the second community room may end up as kitchen space. Ms. Conley confirmed that was the option that is being considered.



Vice Chair Rosenberg asked about the different access points and if they will also be controlled on the second floor. Ms. Conley responded she didn't believe they were going to have special access between the courtyard and the corridor.

Vice Chair Rosenberg questioned the area in front of the second floor unit and if they had considered a balcony area. Ms. Conley replied that there was a strong desire from both the owner and the assisted living provider to not have balconies in the assisted living areas due to the safety risks.

Vice Chair Rosenberg continued with floor three and asked if the balconies are five feet deep, recalling at the previous review it was discussed that six feet deep is required, and clarified that a foot could be added, and they would still be within the setback requirements. Ms. Conley stated that was correct.

Vice Chair Rosenberg referenced the front elevation and asked if they have the LRV of the white color on the exterior of the building. Ms. Conley stated she could find it for her. Vice Chair Rosenberg continued that the white fins are very white and inquired if there were alternatives. Ms. Conley stated the metal fin panels could be customized and they would match the more creamy Zurich white.

Vice Chair Rosenberg commented she appreciated the angles of the renderings; she was able to understand more clearly with the 3D renderings.

Ms. Conley responded that the LRV for the Zurich white is 76.

Boardmember Adcock referenced PA7.2, and inquired about Stair 3 and the courtyard egressing, which is not egressed for Stairs 1 and 2. Ms. Conley answered Stair 3 is also for fire access to the podium from the street level, so it's serving a dual purpose. There is a code stipulation that outdoor areas exclusively servicing residential have only one means of egress. The plans depict a worst case scenario with everyone leaving the building from only stairwell 3.

Manager of Current Planning Jodie Gerhardt noted that building compliance had already reviewed the plans and would continue to do so to ensure compliance, some of these things had not yet been fully flushed out.

Boardmember Adcock asked if food delivery for the second floor dining area would be utilizing the same elevator 1 as the residents. Ms. Conley answered yes.

Boardmember Adcock inquired about the lack of gated access into the underground parking lot. Ms. Conley stated that was correct because it is also the designated commercial parking area.

Chair Baltay commented that some of the requirements of the City were making the project arduous, specifically the requirement for so much retail space and inquired if there were other ways staff might consider in order to help them cut that required square footage. Planner Kallas stated the zoning was required by the CS district and the Housing Incentive program zoning. The only alternative she was aware of would be to do a Planned Home Zoning (PHZ) project, which is a significantly more intensive process than this being in Architectural Review. A variance would require a hardship based on the property. Ms. Gerhardt stated unless they did a PHZ, it would require changing the code via a text amendment.

Chair Baltay believed the electrical and trash requirements applied to that as well, by having a serious impact on the design of the building. Ms. Gerhardt stated that Palo Alto has their own electrical entity, and the planning department remains in communication with them often. They have pushed back where they can, however, there are safety regulations not only surrounding the equipment but also the utility employees who access the transformers. The type of changes Chair Baltay was requesting would need to be City Council direction.

Chair Baltay inquired about the four spaces for the retail area and if that would allow any type of food service business. Planner Kallas stated the zoning allows for the first 1,500 square feet of retail to not be parked. They would have to look into whether or not the coffee bar could be included in that or if it would require a higher number of spaces. A TDM would be required to see if shared parking would work, and if found that it would, they would then be able to do a Director's Adjustment for parking. With regard to Planner Kallas's question of if the parking is included in the initial 1,500, there are different parking requirements for eating establishments, one would be a bigger deduction than the other, she would have to look further into that.

Chair Baltay inquired what the ratio is for retail and food service, Planner Kallas stated that regular retail is a ratio of 1:200. Planning Manager Gerhardt answered that coffee such as Starbucks is considered food retail and falls under the retail category with a ratio of 1:50 square feet.

Chair Baltay brought the item back to the Board for discussion.

Chair Baltay commented he's concerned about the retail space, with the little amount of square footage available. He found it hard to believe that the building would allow public access for facilities within the lobby with part of the building being designed for assisted living and is dismayed the City's has set such standards that make the project difficult to work. The retail standards need to be relaxed. It's disappointing they can't find a way to make the project less challenging. He has the same concerns with the trash bins. They could be left on the left side facing the building of the drive isle for collection. It makes way more sense than the front of the building.

Vice Chair Rosenberg commented that for the purpose of this review for this project she believed they are adequately showing an appropriate amount of retail. She completely supports Chair Baltay's comments, she believes this developer has found an appropriate solution to the problem. She believes the people will want to go there and having the mingling of a senior facility is a wonderful thing and they have found a way to comply with the current standards in the best they are able to at this time. She also believes that in general Chair Baltay was right on the mark. Seniors shouldn't be tucked away; they need to have interaction and to be seen and they need liveliness. The project thought out ways to solve the problems in a very clever way.

Boardmember Hirsch interjected and stated that as a senior, not all seniors would agree with that and having the younger traffic listening to different music in the lobby of their building. But at the same time, where else would they go to get that interaction. There ought to have been some consideration of the size and use of the facility in deciding if there should be or not be commercial in this type of building. If the space were compressed more, there could be more garden space or more open space. He agreed with Chair Baltay's comments and on San Antonio Road there's going to be a greater density of housing, would they really want to use this place as their coffee shop? That may be

a lack of planning for San Antonio Road. They need a midtown type shopping center for the whole area. It doesn't make sense to split it up into small pieces in residential buildings.

Boardmember Adcock believes they made it work according to the math, however if she were living there, she would feel a loss of privacy having a shop open to the public. The coffee bar is a nice idea, but she didn't see how it would work in that space. She believed there are ways to push the retail more to the right side of the building and towards the street and move the mail and other areas closer to the units for more privacy, and she's still not sure they need their third stairwell.

Boardmember Chen felt the living part of the project is great and has a luxury type feel. The retail below, she leaned more towards Vice Chair Rosenberg. It's nice to bring people into the building to make it more lively. It also would depend upon the nature of the business. It doesn't need retail that creates loud noises, it could be appropriate for the seniors. It could also be a small convenience store so when they need something it's right there. She felt the applicant found a smart way to solve the problem and meet the requirements of commercial zoning.

Boardmember Chen asked the applicant if they felt it was too restrictive for retail or if it was a good add on to the project.

Chair Baltay encouraged the applicant to go through the PHZ process and petition for what they actually wanted to do.

Boardmember Adcock agreed and wondered how easily the community would find a coffee place that far deep into a senior community.

Chair Baltay suggested it could be a very luxurious senior project if they could get the 3,000 square feet for retail and have a movie area, or a cocktail bar with a lit up atrium that was private for the seniors.

Vice Chair Rosenberg posed the question that if the retail wasn't shaded in as retail, would there be an objection with the design of the building.

Boardmember Adcock answered that the building has multiple community spaces, and the retail would be one of them. It could be very attractive if it could be resident exclusive; and security is also a concern. If they moved the receptionist further back, stairwell 1 would no longer be monitored.

Chair Baltay commented that his concern is with the lack of security from the public zone to the assisted living units. The physical structure of the design is great, the notion that there will be public space that deep into the building, is not. It's not a change to the architecture, it's a change to the specified use.

Boardmember Hirsch commented that he feels the coffee shop is not a good use in the space and once it is eliminated it opens up many potential better uses for the community, and effects the design of the rest of the building.

Vice Chair Rosenberg suggested if safety is a concern, the assisted living units on the ground floor could be moved to the second floor and the area for food prep and dining could be moved to the first

floor it would make the first floor more of a community only with the retail and dining for the residents and would eliminate the safety concern of the public having easy access to the assisted living units.

Boardmember Adcock stated that would then lead to question of who the outdoor open spaces are for. If the retail space is a café, it could be outdoor seating for the café, which goes back to the zoning of the required outdoor space.

Senior Planner Raybould stated the outdoor space would be for the residents, with possibly key card access.

Chair Baltay suggested the Board move on to the Board discussion of the rest of the building, specifically the roof deck.

Boardmember Hirsch commented that the second floor works well from an architectural standpoint, but there is a conflict with the third floor and the jog in the building and the residences shift to the front of the building. The second and fourth floor layouts work well together with the community space in the center of the floor. It is a very small building; it would be much more interesting if the screening were the entirety of the front façade. Dividing it into three pieces on such a small building is too much. Screening that you can move around can be used for privacy, shading, and many other uses. There are a lot of amenity spaces for only 28 tenants. Some of those other uses could be more units in a layout that condenses all of the community areas into one or two areas. Conceptually there would be a much better building if they reconfigured the uses into more of a Cenoté design.

Senior Planner Raybould stated she was not comfortable exploring that any further as they are not allowed to encourage the developers to not meet the code.

Boardmember Adcock commented on the exterior elevations and materials and referenced PA 5.1, the west street side elevation has the three part front, she recalled they said there would be a replacement of an art piece, which will make that façade much more interesting and will seem more like two vertical sections instead of three. The upper elevations at the upper courtyards could benefit from art as well. The rear east elevation having the pieces as the rest of it dilutes the value of the specialness of the display of art. If those pieces were eliminated in the rear, it would negate the need for egress out of the windows. Colors and materials are good, her concern is how bright white the samples are. It might be alright on the north side, but not on other sides as you drive down the street. She appreciated the trees being saved and the shape and massing of the building be worked around the trees to do so. It is hard to tell how the arc shape changes as you go up the building. It seems to change on every floor, she urged the architects to think through that. Referencing PA 5.1, she is not a fan of the gate to the stairwell. It doesn't seem like a nice thing to have facing San Antonio.

Vice Chair Rosenberg stated that she's less fussed about gate, suggesting they make it match the artwork to some extent. She believed the stairwell is appropriate considering the size of the balcony. She agreed with her colleagues on the front façade. Looking at the rear façade, it appeared more successful. She did agree that it dilutes the specialness of the other screens, and it would solve the need for egress. Getting a little more consistency on the front façade would be beneficial to the project. She's okay with the Zurich white, the white metal paneling doesn't work for her. The paneling on the front façade feels like the wrong material, and the left portion needs to be reworked a bit. She

liked the entry way and the hood. She also liked the screen. Big picture, she very much appreciated the Cenoté idea. It's a lovely concept. Having twenty eight people living in the building is going to leave the building feeling empty. It does make sense to have more public access to get a little more life and vibrancy. She suggested having all of the amenities on one floor makes more sense from a security perspective and ease of use. She would also be curious if there would be a need for an onsite live-in caretaker and if there is a unit specified for that. On the north side façade, the balconies could go to the setback line, and they would meet the six foot open space balcony setback and that could be useful on levels 3 and 4. The bike room on the ground level could be smaller. Overall, she believed the project was moving in the right direction. The concept is a good idea, and the usability is successful.

Boardmember Chen thanked staff and the applicant for the presentation and believed they did a good job on the overall planning and appreciated the outdoor and active space for the senior living. She was concerned about the trash circulation both from each unit and from the trash room to the staging area along the street. There is still time to find a better solution for both. The retail trash area should also be reconsidered. She agreed that the front elevations seem to have too many elements for such a narrow property. Around the right side it's divided between the upper and lower levels. The metal screen is nice, however, for the community center side, similar elements might be nice.

Chair Baltay commented he agrees with everyone else regarding the front façade, the back façade is more successful with the right and left pairing and the more decorative art feature in the middle. The front façade with the vertical screens on the left above the community center is too much. The building would be more successful if they kept it more simple. With a change to the kitchen, the functionality would fall into place nicely. The white color is too bright, particularly in contrast to the wood paneling. Regarding the building planning, he expressed concern about the drop off area at the front impeding on the front entrance. There's only a couple of feet that's not dimpled for ADA accessibility between the corner, and it blocks off the front door in a very inelegant way. He encouraged them to rethink the front entrance as it relates to the drop off area. It's an important feature that currently doesn't work well for the entrance. He encouraged reconsideration of the roof deck entrance to a private staircase for the owner to access from their apartment rather than have the elevator go up. If it's a private roof deck for the owner of the facility, simplify the use and design to make it such. If the intention is to use it for all the residents, there are other issues that need to be addressed, both in the size and how it's designed. The theme is similar throughout the project, they designed it to comply with all of the constraints, at some point it needs to come together as architecture. As a Board they should be clear about allowing the balconies project another foot. If the balconies could protrude to the setback, to the advantage of the interior, the six foot dimension in the objective standards is the right dimension for the balconies. It also might help with the texturing of the façade.

Boardmember Adcock agreed completely, and because it's a senior facility, there should be enough space for a wheelchair to turn around on the balcony.

Boardmember Hirsch agreed.

Boardmember Chen agreed and clarified that there are no setback's required for this property. Her understanding was it was just the five feet the ARB requested at the previous review.

Planner Kallas explained that the side yard setback in the CS zoning district (interrupted)

Senior Planner Raybould stated the setback for residential is five feet.

Boardmember Adcock stated in the chart it shows none, but six feet left or right provided. Existing is five feet.

Senior Planner Raybould reiterated she believed it's five feet on the side for residential, then clarified only if it's abutting.

Planner Kallas stated there isn't a zoning required for a setback but because of fire access, they are required to have the five foot isles around the building.

Senior Planner Raybould either way a balcony can project two feet into a setback.

Chair Baltay stated as a board, the ARB feels the balconies need to be six feet deep. They are okay with them projecting beyond the plane of the building. Regarding the bicycle access, many seniors are using the three-wheeled style bicycle which can be quite cumbersome, they need to ensure there is adequate access from the street along the side of the building and directly into the shed rather than going through the glazed façade wall from the courtyard area. They also should consider the size of the room. He doubted seniors would go down the ramp and into the back of the parking garage to park their bicycle.

Boardmember Hirsch felt there could be better planning in the middle of the care facility, the trash area, the mail room in a way they could gain access with a card front to back. Moving some of the facilities into the blue area and finding a way to expand the retail space would be beneficial. Perhaps curving into the living room area. One of the community rooms upstairs could be a space like that. The benefits of shifting things around would make a huge difference to the project and could open the possibility of having a vaulted ceiling in the lobby. More wood screening on the front would make the building seem friendlier, particularly if it rounded the sides of the building. There is still time to replan as they are required to keep the commercial space.

Boardmember Adcock inquired about the height of the building and if that included the parapet, and if the trellis and equipment are allowed to extend higher than fifty feet.

Planner Kallas explained the parapet is included in the fifty feet, there are height exceptions for the trellis, stairwell, and HVAC equipment.

Chair Baltay noted that earlier in the week staff asked for more time to work through the code requirements for the roof area.

Boardmember Hirsch noted that it would be nice if more of the roof was available for all residents.

Senior Planner Raybould summarized the Board's comments, staff heard their thoughts regarding retail, unfortunately they cannot change the code, but they can explore and consider what their options are under the code. They should reconsider the design of the back units on the ground floor

either for better security or move them to the second floor, the front elevation to be simplified, the balconies extended to six feet, rethinking the drop off space and ensuring the access to the front entrance is clear, considering alternate options for the trash staging area and the stairwell on the right side of the building and the bike room size and accessibility.

Planner Kallas added that consideration for removing the rear screen and extending the balconies.

### **MOTION**

Boardmember Adcock moved, seconded by Vice Chair Rosenberg, to continue the review to a date uncertain based on the feedback received from the ARB.

Vice Chair Rosenberg restated her position on keeping the project vibrant, lively and public and the benefits that has on senior living.

The vote passed unanimously.

**The ARB took a 10 minute break.**

**The ARB returned with all members present.**

### **Study Session**

3. STUDY SESSION: Summary of Focus Group Review and Feedback on the Existing Senate Bill (SB) 9 Standards Continued from November 16, 2023 and December 7.

Chair Baltay introduced the item and recalled they were focusing on the Eichler standards and called for staff's summary.

Planner Kallas provided a brief summary of the ARB reviewing standards A-D during the prior two meetings, with section E standards remaining for the Eichler neighborhoods specific standards; and showed a slide presentation of the prior revisions made.

Chair Baltay expressed an interest in maintaining the same discussion format as the prior meetings, reviewing each standard and discussing the ones the Board deemed appropriate, and requested clarification on the standards, are they overlays to other standards or replacement standards.

Planner Kallas explained it will be a combination, as the discussion unfolded, she would indicate which ones are replacements versus which standards are additions. The Eichler tracts are not on the zoning map, rather are a part of the Eichler design guidelines, there is a map associated with that document that identifies Eichler tracts. These standards would apply to development of an SB 9 project in those sights. Functionally, if a project were seeking a lot split, to add a new structure, the original structure would be allowed to remain as is, whether or not it is an Eichler design. In response to Vice Chair Rosenberg, these standards apply only to development within the Eichler tracts, not necessarily to Eichler designed buildings outside of those Eichler tracts. There are certain neighborhoods that have Eichler like designs.

Chair Baltay welcomed Arnold Mammarella as the consultant, citing he had the most experience, and asked him to chime in as the discussions unfold.

Planning Manager Gerhardt reconfirmed that these guidelines would apply to all homes within an Eichler tract regardless of the style of the home. Most of the style standards talk about massing, even if it's a modern style building, the City would like the massing to be similar.

Vice Chair Rosenberg clarified these standards apply to new SB 9 projects located on Eichler tracts.

Chair Baltay moved into the first standard which applied to garage placement and size.

Boardmember Adcock referenced not having a structure above twelve feet of grade, and inquired if that height is to the peak or to the eave.

Planner Kallas answered it would be to the top of a flat roof, or a sloped roof.

Chair Baltay inquired if there was a reason they were allowing a sloped roof.

Consultant Mammarella stated a lot of these standards were extracted out of the guidelines, which states roof slopes up to twelve feet are typical. Many roofs have a slope of between 2 and 12 and 1.5 to 12. Some of the numbers are based on the current guidelines in place.

Boardmember Adcock mentioned her Eichler home is three to twelve feet on the backside and many of her neighbors are steeper with 4 to twelve and questioned if that is not the standard in Palo Alto.

Chair Baltay clarified that this standard is for roof tops over garages.

Consultant Mammarella stated that elsewhere in the guidelines they discuss roof structures between three and twelve. There are a handful of Eichler's built with a flat roof with a central pitch over an atrium, which may also be what this standard refers to, however, there is a very small number of those homes.

Chair Baltay confirmed all members are good with the first standard for roofs over garages, and that 21' seems like an adequate width.

Chair Baltay moved on to the second item – the second level floor being limited to 25% of the gross floor area on the lot, which he believed referred to the allowable Floor Area Ratio (FAR).

Consultant Mammarella confirmed that was true.

Planner Kallas explained this was the standard she wanted to call attention to item C-4 which would be moving to section B and applied to all houses regardless of size, limiting it to 35%. Initially, the Eichler standards were set at 30%, as a result of the focus group process, it had been changed to 35% so that there wasn't a difference between the Eichler and the non-Eichler.

Chair Baltay commented that E-2 is essentially the same as C-4, so there isn't a point in having it listed, and asked for Consultant Mammarella's input.

Consultant Mammarella answered that that initially the intent was to mitigate boxy buildings, this is an element of refinement as the Eichler guidelines are closer to 30%. With the additional information, 35% seems like a better number, which would seem appropriate depending on the lot size. The smaller lot sizes would make it more challenging to get a workable upper floor. A larger lot size could also make it tricky.



Boardmember Hirsch inquired if it would be useful to have a diagram for some of the changes, depicting the limitations of the 35%.

Planner Kallas answered yes and based on the prior discussion about C-4, which is similar, all two story houses are being studied for a minimum square footage around 400 square feet. Staff would analyze to ensure at least two bedrooms would fit upstairs.

Boardmember Hirsch agreed and questioned if the 35% would work on an Eichler, and realized it's based on 35% of the allowed floor area of the lot.

Planner Kallas stated that the individual review guidelines generally encourage architects to put as much floor area as possible, prior to adding programming to the second floor.

Boardmember Chen questioned since the SB 9 allows for two main units and two Accessory Dwelling Units (ADU's), the 35% of the total ground floor area still excludes the ADU on the first floor.

Consultant Mammarella explained he the 35% is the allowed floor area not in consideration of ADUs. ADU's is a totally separate number, even if it's attached to the main building.

Planner Kallas explained that 35% is of the allowable floor area which would be regardless of how that floor area was divided between two units. Under SB 9, ADUs do not get any ADU bonus floor area.

Chair Baltay stated it would be beneficial to clarify in the standard that the FAR that comes out of the ratio of the lot size and 35% is derived from that amount, not 35% plus 800 square feet for the ADU.

Planner Kallas read the standard as it's worded which states not to exceed 35% of the gross floor area of the lot.

Planning Manager Gerhardt added that for an SB 9 project, the ADU has to use the gross floor area for the site. This guideline is regulating that gross floor area, specific to SB 9, the additional 800 is not counted in addition to that.

Planner Kallas referred to code 18.42.180 that specifies that on parcels that are not the result of an urban lot split, ADUs may be proposed, however the ADUs shall not receive any exemption from floor area. That also means on a lot that is doing a lot split. That ADU is just the second allowable unit, it's not an accessory dwelling unit per the usual concept. Size wise it's going to be pretty similar.

Vice Chair Rosenberg asked if the 800 square feet would be counted differently between a non-lot split and a lot split, as an SB 9 project.

Planner Kallas answered that based on the code, no.

Boardmember Chen asked if that also applied to the Junior ADU (JADU).

Planning Manager Gerhardt answered that in the spirit of talking about SB 9, it may look and smell like an ADU, but it's really a second unit.

Chair Baltay believed that 35% would also work and inquired if the Board felt Eichler's merit a special reduction. Board consensus stated leave it, as with a lot split, it would get smaller.

Boardmember Adcock inquired if there was a map with just the single story overlay.

Consultant Mammarella stated of the Eichler tracts, only two of the 30ish tracts applied to single story homes.

Chair Baltay inquired if single story overlays would supersede these regulations.

Senior Planner Raybould confirmed they can't have a second floor on the single floor overlays.

Planner Kallas stated it doesn't prevent them from doing an SB 9 project, it just prevents them from having the second story.

Chair Baltay commented that is objective, so that is what can be said and requested staff make note of questions that come out of the discussion and make amendments as appropriate; and moved on to the next item. Daylight planes. The daylight planes for Eichler's start at 8 feet, this proposes it start at 6 feet on the side yards and regular houses start at 10 feet.

Planner Kallas clarified that it is 10 in the base zoning, and they made it 8 for SB 9 properties when adjacent to one story houses specifically. When it is adjacent to two story homes this standard does not apply.

Boardmember Adcock noted that in an Eichler tract they are much more likely to be next to a single story home. She was concerned about the six feet with the edge of the setback is 4 feet away, which would bring the daylight plane to ten feet, which barely hits the minimum mark and was inclined to say it stays at 8 feet.

Chair Baltay inquired if this was something that came out of the Eichler guidelines.

Consultant Mammarella stated he wasn't sure where the six foot number came from, generally when there are very low houses, the second floor is expected to be pushed away from the edge of the lower profile of the house.

Planning Manager Gerhardt explained they were trying to codify the individual review guidelines, which does not have a measurement to the daylight planes for houses next to single story homes. Staff wanted additional space next to an Eichler because the massing of the homes are normally smaller.

Chair Baltay agreed that 8 feet is a good starting point for the daylight plane.

Boardmember Chen agreed.

Vice Chair Rosenberg stated she was also fine with that.

Boardmember Hirsch agreed.

Chair Baltay moved on to E-4, maximum roof heights.

Vice Chair Rosenberg noted that this one was written exactly like A-11, why not add the verbiage regarding the 20 feet flat roof and remove E-4.

Planner Kallas explained that it would also have to combine E-6 which includes the verbiage for the pitch requirements.

Vice Chair Rosenberg noted that in combining them it would further restrict A-11, as that allows a flat roof up to twenty-two feet. The question remains do they want to restrict non Eichler homes to 20 feet or allow Eichler's to have a height of 22-feet.

Chair Baltay agreed that allows a loophole in the code and suggested allowing the Eichler's to go up to 22 feet.

Consultant Mammarella noted that A11 allows a 312 roof at 25 feet.

Chair Baltay stated the intent is to limit Eichler's to 22 feet, and they are not concerned with the pitch of the roof limiting it to 20 feet. All Boardmembers agreed, and moved to E-6, roof forms. Roof pitches are limited to 3 and 12. Chair Baltay inquired what would happen if somebody wanted a 12 and 12 center atrium, with a glazed end.

Boardmember Adcock noted that would also apply for lot splits on an Eichler tract and somebody was trying to design an ADU in relationship to the main structure.

Planner Kallas stated as it's currently written, they would need to go through the individual review (IR) process to allow that.

Boardmember Adcock stated that seemed restricted, commenting that her house is 3 to 12, however her close to half her neighbors pitch is much steeper.

Chair Baltay stated that would become quite complicated. He preferred to leave it to the IR process.

Vice Chair Rosenberg commented that the intent it to keep Eichler's lower with a higher daylight plane, once they start singling out different scenarios it becomes very complicated and muddled.

Consultant Mammarella added that steeper roof pitches could lead to chunkier houses and E-6 attempts to address the lower plainer elements of the Eichler's. There will always be the one off situation which is where the IR process is appropriate. Also keeping in mind that additions will always go through the IR process. Standard hip roofs that don't have a flat edge, Dutch gabled roofs are types that would not apply.

Planner Kallas confirmed that section B of this one refers to a specific diagram in the Individual Review guidelines and shared it on screen. Consultant Mammarella stated the diagram predates the Eichler homes but applied to Eichler neighborhoods. The goal was to show a plan of transition without completely ignoring the Eichler context.

Chair Baltay commented he's fine with the standard since it came from the Eichler guidelines.

Vice Chair Rosenberg suggested rather than constraining it with the note, add that if a person wants a hip roof, they go through the IR process. All members agreed. Consultant Mammarella stated that was fine as everyone has the option of going through the IR process.

Chair Baltay continued to the minimum eaves side.

Boardmember Adcock stated that was typical. Consultant Mammarella confirmed there is not a maximum, one can project up into two feet of the daylight plane and project up into four feet without it counting as lot coverage. Typically, Eichler's have overhangs between 2 and 3 feet.

Chair Baltay commented it might be prudent to add if they want the eaves bigger on an Eichler it doesn't count towards lot coverage.

Planner Kallas stated that the zoning code and everything in it would still apply to an SB 9 project and allows for eaves up to four feet. If it's beyond four feet, it starts counting towards lot coverage. Staff is not proposed to change anything about that.

Chair Baltay agreed that was fine and summarized that the Board requested they make the change to section B to apply just to single plane roofs and leave the rest. And moved on to E-5, one story form on garages.

Planner Kallas responded they did decide to do away with that requirement, she still needed to return to that because B-2 allows it to be part of the building form.

Vice Chair Rosenberg suggested moving the item closer to the previous Eichler garage standard.

Chair Baltay continued to E-7, all agreed it made sense, he moved on to E-8, no projecting porches. All Boardmembers were also fine with that one.

Seeing no more comments Chair Baltay wrapped up the Study session and offered a few minutes to Boardmember Hirsch to express his concerns about SB 9.

Boardmember Hirsch stated that was too short of time for too many objections to SB 9 as related to the objection standards.

#### **PUBLIC COMMENT**

Ms. Dao stated there were no public comments.

#### **Boardmember Questions, Comments or Announcements**

None

#### **Adjournment**

Chair Baltay adjourned the meeting at 12:55 p.m.