



## ARCHITECTURAL REVIEW BOARD DRAFT MINUTES: March 07, 2024

Council Chamber & Zoom  
8:30 AM

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

The Architectural Review Board (ARB) of the City of Palo Alto met on March 7, 2024 in Council Chambers and virtual teleconference at 8:33 a.m.

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

Absent: None

### **Oral Communications**

Administrative Associate III Veronica Dao stated there were two cards submitted for public comment.

Kaitlyn Parkins on Zoom stated she was a coordinator of the glass collisions program from the American Bird Conservancy and showed support for a bird safe design ordinance. They educated architects on buildings were made safer, created resources for policy makers and advocates, and had developed a testing and rating system for bird friendly materials. Manufactured environments were a hazard that contributed to the decline of birds, such as collisions with building windows. Bird friendly designs did not require a tradeoff views and sunlight the glass provided, as there were different options in the designs to alter windows that provided safety. She commented that the elements of bird friendly designs needed to be considered at the beginning of the project and conducted until the building was completed. Ms. Parkins thanked the Board.

Lynda Heidman on Zoom was a resident of Palo Alto and wanted to discuss the bird safe designs and light pollution. She said that birds did not see glass as an obstacle, either from transparency or it reflected an image of a potential habitat. The Smithsonian stated that forty-four percent of fatal bird collisions happened in mixed-commercial areas with buildings that were three to four stories high. Bird safe glass designs needed to be required for all new construction, as well as existing buildings being retrofitted with the options available to architects. The artificial lights and sky glow around the buildings disoriented and harmed birds and gave two examples of how. Palo Alto sat on the Pacific Flyway that was critical to the birds that migrated between the Arctic and South America in the Spring and Fall. Ms. Heidman thanked the Board.

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

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

## **City Official Reports**

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

Senior Planner Raybould reported there was a change in the agenda, and the March 21<sup>st</sup> hearing was cancelled. On April 4<sup>th</sup> they planned on continuing the advanced water purification system project, informational report on the stream setback ordinance, and added the work plan discussion for ARB's next agenda. April 18<sup>th</sup> the 660 University and North Venture coordinated area plan was being held; they intended to release the draft EIR for the coordinated area plan on March 8<sup>th</sup>, and after the Study Session the ARB and public would be allowed to make comments on the draft. A new project for the Buena Vista Mobile Home Park had come in with a formal application, and it had been taken in front of Council on Monday and was in the initial review point. They had two SB 330 projects on 7381 El Camino Real for 169 residential rental units, and another on 3606 El Camino Real for 315 units; they included merging multiple lots together that created the resulted parcel on the proposed Builders Remedy projects. She asked if an ad hoc committee would be assigned to either project.

Chair Baltay responded yes and had looked at the list of what had not been assigned and asked if there were projects missing such as the Buena Vista project.

Planner Raybould stated she had to look in her notes if he wanted to put a hold on the discussion.

Chair Baltay commented there were many projects that lacked ad hoc committees and was going to confer with the Vice-Chair on an appropriate distribution of members.

Planner Raybould agreed and thanked Chair Baltay.

Chair Baltay made a comment to the Board that the April 4<sup>th</sup> hearing they were going to review the annual work plan and have it reported back to Council and the Planning Commission; he was creating a draft and it would be ready for distribution and review in advance to be prepared for feedback and comments.

## **Action Items**

2. PUBLIC HEARING / QUASI-JUDICIAL. Eight hundred San Antonio Road [23PLN-00010]: Recommendation on Applicant's Request for Approval of a Rezoning from Service Commercial to Planned Community/Planned Home Zoning and to allow construction of Seventy-five residential ownership units, sixteen of which would be below-market rate units (21% of the units). The proposed building is 5-stories with two levels of subterranean parking. The project also includes

a subdivision map to merge two adjacent lots to create a resulting 0.88-acre parcel. Environmental Assessment: Addendum to the Housing Incentive Program Expansion and 788 San Antonio Mixed Use Project EIR (SCH # 2019090070). Zoning District: CS (Commercial Service). 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 staff's presentation and asked for Board disclosures.

Boardmember Hirsch stated he visited the site.

Vice Chair Rosenberg said she visited the site.

Chair Baltay disclosed he visited the site the previous day.

Boardmember Chen commented that she visited the site.

Boardmember Adcock stated she drove by but had not been onto the site.

Project Planner Emily Kallas introduced the PC zoning PHZ project, which had a pre-screening in August of 2022 and followed with a formal application in January of 2023. Staff had been on going, but the initial PTC hearing was in June 2023, the Architectural Review Board hearing was held in August, and they returned in March. If ARB made the recommendation on this project, it would move forward to Planning and Transportation Commission (PTC) for approval, then to City Council. It was located on San Antonio Road in the housing incentive program area, however, because it was a Planned Home Zone (PHZ) project the development standards were proposed as a discretionary project and exceeded what was allowed by Host Information Profile (HIP), which had a higher development standard for the underlying Service Commercial Zoning district. The building was a seventy-five-unit condominium that had five-stories, twenty-one percent was affordable to low- and moderate-income residents, and included two levels of below grade parking with one hundred and forty-eight spaces; there was no parking reduction asked for this site. The requested exceptions to the development standards that were located in Attachment D, on the zoning comparison table asked for a 2.99 floor area ratio instead of the 0.4 to 1.0 that was currently allowed, a sixty percent lot coverage where only fifty percent was allowed, a sixty foot height where fifty foot was allowed, an approximate 1,000 square foot of retail used where 1,5000 square foot was the minimum required, a reduced on-site open space requirement for certain units, and that balconies and patio areas were projected by six inches around the corners of the front setbacks that ran along San Antonio, which sat at twenty-five feet. As a PHZ project, it had to display a public benefit to balance development standards; when brought before City Council and was approved, they presented options on how the affordable housing would be a benefit and gave an example of providing weight with five low-income units and seven poverty income units. The project included fifty-two two- bedroom units, seven one-bedroom units, and the rest were three bedrooms. Ms. Kallas presented slides showing the changes made since the August hearing, with the revised design on the right. They added a retail space that made it no longer a residential site, opened the Gym and Clubhouse amenity areas to the Courtyard as per recommendation of the ARB, Bicycle racks had been added to the front of the building, additional detail to the floor plan layouts were provided, and changed the distribution of open space, notably the private

open space in the Courtyard with two units shown on the upper half of the site were relocated to the corners of the design at ARB's recommendation. She showed a section view of the second floor, with the upper floors being stepped back to provide additional light to the Courtyard. An important note she had made was initially the balconies were only five feet in depth, when the usable open space described in the development standards was six feet, so that had been adjusted to meet the requirements. Since the ARB they had added a roof deck to increase the usability of open space and provided the potential for increased sun lighting in the Courtyard, which was surrounded by four side walls. The proposed materials for the project included fiber, cement panels, metal panels, metal trim, and glass windows. They had changed the refining of the front entry to demonstrate that it was a two-story building, with a warm brown tone color to the ground floor elements, a more solid roof overhang was added to the fifth floor, and the newly added roof deck amenity space. The ARB had made a comment on cutting off the second-floor entry element, so now it was an open, two-story clear element with an addition of a retail space with added additional façade areas that gave a human scale element to the first floor; they had modified the color to warm tones on the ground floor. She showed an image of a clarified and demarcated private space on the ground level on the rear façade, as well as site elevations that had the warm brown color that wrapped around the side of the building. As this site was near 824 San Antonio and 788 San Antonio, the design had a streetscape that helped show the scale of adjacent structures due to the proposed sixty-foot instead of the allowed fifty-foot. The sixty foot eight inches was measured from the top of the parapet, it included additional equipment on the roof, as well as trellis elements in the roof deck that was a maximum height of sixty-four foot, however the mechanical elements in the underlying code were allowed to have up to fifteen feet with no daylight plane requirements to accommodate the items. All units included private open spaces, with balconies and patios that ranged from sixty square feet to over two hundred square feet: the median being at ninety. When added and averaged out, the units with smaller balconies fell short of the one hundred and fifty feet per unit open space calculation, but there were units that had exceeded the limit. The minimum dimension required for the Courtyard was forty feet in both directions, but they had proposed a fifty-two-foot wide with a length of sixty-two foot; the step backs to the upper floor were set at seventy-two feet wide and helped allow sunlight to shine on the Courtyard. A combination of hardscaped and landscaped areas was available to the common open space, with a green wall vertical garden feature and outdoor furniture both on the Courtyard and on the roof. There were ten trees proposed for removal, with seven to be planted and the equivalent of twenty-four trees would be paid as in lieu fees. In the California Environmental Quality Act (CEQU) review, the certified 788 San Antonio Road and housing incentive program extension Environmental Impact Report (EIR) covered the area for this type of development, but it had exceeded the development standards that were anticipated on an addendum that declared no new or significant impacts were to occur because of this project, so the adapted mitigation measures applied under the EIR on this project. The proposed motion was that Staff recommended the Architectural Review Board's approval of this project to City Council. She ended her presentation and introduced the applicant Mark Donahue and his presentation.

Design Director at LY Architecture Mark Donahue thanked the Board for allowing him to come back for another presentation and had met the recommendations ARB had given in the previous hearing. He gave a view of the building from San Antonio and showed a warm toned image of the special setback. On the ground floor there had been an addition to the commercial space and the quiet and active fitness use

community spaces were placed to the bottom elevation of the Courtyard. The unit plans were included in the bound set and had a detailed slide showing each unit. The landscaping had been softened along the front of the building as had been requested by ARB, and the existent open space on the ground floor had been moved away from the main activity areas; with images of the landscaping refinement and addressed the tree issue as they had moved them to the main Courtyard that would allow sun lighting. The roof deck had been designed as a casual play and recreation space, with the play area at the bottom and the social on top; they would be reached by a main elevator core. Per ARB recommendation, they increased all balconies to six feet on each side and were directed to not go over the special setback line, so all balconies and patios would be behind the twenty-five-foot zone in front of the building. The back balconies encroached further onto the rear setback, which was allowed under the zoning code. They were unable to meet the onsite trash pick-up request due to the maneuvering of the trucks within Green Waste's requirements, and showed a slide on why it was unable to be done; they proposed having a service use bulb out on site as other buildings in the area had done. They increased the clearance on a ramp leading into the basement so panel trucks would be allowed to access the lower level, and other service elements that did not clear the fourteen-foot clearance height would be used as well. They had opened the front portal of the building as requested and gave the design more articulation and texture to the materials used; referred to the striated version on the panel board. The balconies were designed to be a figure on the ground of elevation, which allowed added depth due to the increase in size.

Chair Baltay called for Public Comment prior to the Boards questions.

## **PUBLIC COMMENT**

Administrative Associate Veronica Dao stated there were no speaker cards submitted.

Chair Baltay closed the meeting to Public Comment and opened the floor to Board member questions.

Boardmember Adcock commented that the planters and renders were well designed, but questioned how the soil for the ground level trees would be maintained; referred to the courtyard level slide to show the planter area proposed.

Planner Raybould asked Boardmember Adcock if she had reviewed the previous meeting and video.

Boardmember Adcock answered she had.

Mr. Donahue responded that the parking garage level had three square feet more than was required for clearance of vehicle traffic, so the trees would be placed inside the garage in raised planters which allowed sufficient space for the root ball of the trees.

Boardmember Adcock inquired if the bottom South stairs between the unit and commercial space's exit passageway were code compliant at the three by seven feet.

Mr. Donahue stated that it was a code complaint of forty-four inches.

Boardmember Adcock questioned if it met code with the push able clearances on the door.

Mr. Donahue responded it was not required on emergency exits, the door only needed a panic bar installed; it was assumed that the door would be used as an exit only, so the pull requirement was not applicable.

Boardmember Adcock asked if the perforated metal on the panel board was shown to scale.

Mr. Donahue replied that if it were made to scale it would not fit on the board.

Boardmember Adcock asked if there was a size limit on the board.

Mr. Donahue stated that it was eighteen by fourteen; what the panel showed was an eighth of the scale of the original patterns.

Boardmember Adcock inquired how big the openings were.

Mr. Donahue answered they were made to be decorative not performative but allowed some privacy.

Vice Chair Rosenberg questioned if a four-inch sphere would fit through the opening; was regarding bird clearance safety.

Mr. Donahue responded they were not used for guardrails; after he had heard the public comments they would take into consideration a bird safe design.

Boardmember Adcock commented that from the scale of the drawings on the design patterns they needed to adjust the sample board to clarify the intended size of the materials.

Vice Chair Rosenberg inquired what the depth of the green vertical wall was.

Mr. Donahue answered that they had not designed a section for it yet, they were typically twelve to sixteen inches.

Vice Chair Rosenberg questioned what the timeline for the project was to be maintained.

Mr. Donahue replied it was the responsibility of the Homeowners Association (HOA).

Vice Chair Rosenberg asked Staff if there was a way to ensure the green wall would be maintained, if an open trellis with no accents would change the aesthetic of the courtyard.

Planner Kallas stated that it was standard for approval that maintenance of landscaping was included and would have it added to the plans.

Vice Chair Rosenberg inquired if the below market rate units had a percentage on a single type of unit or if it were mixed.

Mr. Donahue answered it was required by law to mix the proportions.

Boardmember Chen asked if there were any windows in the bicycle rooms.

Mr. Donahue responded that the public had said they did not want visibility into the rooms, so they had not added them.

Boardmember Chen inquired about the route in which the retail tenants used to access the trash receptacles.

Mr. Donahue commented that the Staff would bring the carts to the front door and cross the sidewalk to the staged trash area.

Chair Baltay questioned how far the water table needed to be dug for the basement.

Mr. Donahue answered that the Geotechnical report set the water table level at eight to twelve feet below grade, and they were going twenty feet below the water table.

Chair Baltay asked if they had decided to construct a see-cannot wall or a drawdown.

Mr. Donahue replied that the civil engineer said there was not sufficient information to produce a qualified response; they were going to implement the best practices that worked for the site.

Chair Baltay inquired to Staff if there was a policy or practice within the Town that described how to move forward on this issue as they had faced the problems on other projects.

Planner Kalas responded that it was typically required see-cannot walls that assisted in the dewatering that was required.

Chair Baltay asked if it would be resolved at the building permit application stage.

Planner Kallas answered at both the building permit application stage and the Public Works grading permit that was required for excavation.

Chair Baltay questioned if Staff had received any feedback from the public on the dewatering or depth below the water table on this project.

Planner Kallas replied they had not received any public comments that asked specifically about the water table depth.

Boardmember Hirsch inquired how the rainwater retention-detention would be managed in the Courtyard.

Mr. Donahue stated that they were relying on the perimeter of the Courtyard to control the storm water management; it would be storm water that was drained into the storm sewer system.

Boardmember Hirsch asked if the perimeter had been calculated to ensure it worked for the site.

Mr. Donahue replied that it had.

Boardmember Hirsch inquired if there was detention to the rooftop of the site.

Mr. Donahue responded that the water source was to be higher than the detention area, and if placed on the rooftop the water needed to be pumped up to the roof.

Boardmember Hirsch suggested that the water source could be ancillary to the water collection site if rainwater were detained to the roof.

Mr. Donahue replied that the civil engineering team had done the ground-based approach due to the current knowledge of best cost practices; if the planters were placed on the roof, it needed long-term maintenance which was costly, with them being on the ground level it allowed it to be more maintenance free.

Boardmember Hirsch clarified that they had explored that as an option and had found it to be unfeasible.

Mr. Donahue answered that was correct.

Chair Baltay addressed Staff on the Environmental Impact Report for 788 San Antonio, and asked if they had considered the traffic impact from this project and how it was calculated.

Planner Kallas stated that they did not mention they had CEQUA consultants Nichole Yee and Karly Kaufman from Zoom.

Senior Planner Jodi Gerhardt commented that the Environmental Impact Report done for 788 San Antonio was combined with the EIR that placed the HIP on the entire corridor of San Antonio, so it was anticipated a similar project would be constructed along the street.

Chair Baltay inquired if additional parking requirements were included with the seventy-five new units within the study for the EIR.

Karly Kaufman with Rincon Consultants said the EIR that the project was prepared for the entire housing implementation program expansion along the corridor; the original EIR examined transportation impacts associated with the housing developments along the corridor. Under CEQUA traffic congestion was no longer an impact, so they looked at vehicle miles driven instead. This project was originally aimed at developing up to ninety-four units instead of seventy-five.

Chair Baltay said that the calculations shown for the open space were slightly below the one hundred and fifty square foot per unit average, but the applicant mentioned that they had not considered the courtyard and was over what was required.

Planner Kallas answered that the applicant's calculations included the front setback space that was not considered to be usable.

Chair Baltay asked for clarification whether it was or was not meeting the open space requirement per current codes.

Planner Kallas responded that due to the balconies being varied in size throughout the units it had not been calculated for every unit.

Vice Chair Rosenberg questioned if they were meeting the overall requirements.

Planner Kallas replied that was correct.

Planner Raybould mentioned that in Staff's analysis they felt it was under the requirements when calculated from the front setback area when a part of the programmed open space, but with released modifications before the Staff report had been done, they needed to recalculate.

Chair Baltay addressed Mr. Donahue and asked if his intention on the project was to meet the open space requirement, as well as if they would meet the requirements placed on a detailed calculation analysis over the considerations and requirements recommended by the Board.

Mr. Donahue responded that it was their intention to meet the open space requirements, and they were willing to follow that; he pointed out that there were differences in the calculated Below Market Rates (BMR) units, and when the retail area had been added, they took out a BMR which made it fifteen BMR units and qualified as twenty percent.

Boardmember Chen noticed the upper level only had one trash enclosure located towards the rear of the units, and if they knew the distance from the units to the trash receptacle that tenants traveled and if a second enclosure had been considered.

Mr. Donahue answered they had not due to the proposed congestion of the project, and HOA's had managed the internal trash maintenance on some projects.

Boardmember Adcock regarded the setbacks in the plan as if they were not at the six-foot depth, and asked if that was correct.

Mr. Donahue stated the only balconies not six feet were the second balconies for the units, all main balconies were set at a six-foot depth.

Boardmember Adcock inquired Staff if the underground garage space was allowed in the setback, noting that in the design on section A4.4, the garage area portion protruded beyond the balcony and overlapped onto the setback.

Planner Kallas replied that as a PHZ project it was considered a discretionary allowance of the project.

Boardmember Adcock clarified that it was not being asked within this project but could be allowed if proposed.

Planner Kallas responded that was correct.

Boardmember Adcock said it was difficult to decipher whether the parking extended into the planting and bio-retention areas, and needed to ensure if that was a discretion the applicant was asking for and if approved.

Planner Gerhardt clarified that as a PHZ project it had customized zoning, and it was being built as it progressed. The project normally kept the basement under the building, but it was not required under the PHZ, and asked ARB to give feedback and comments regarding the issue. Staff wanted to ensure there was room for perimeter landscaping and needed to know if adequate space for the landscaping was to be done.

Chair Baltay inquired if there was a bio-treatment swale installed over the garage as well.

Mr. Donahue answered at the current stage of the project, some details had been left out, but it was acknowledged there was an issue and was solvable; in the case of where the bio swale was placed, it had potential to encroach on the footprint of the parking garage ramps, and they had checked there was adequate clearance that allowed the slab to be brought down past a point so the bio swale was not affected.

Chair Baltay asked if the section showed the garage extended into the rear setback as a normality, or if that was the intent of the setback in the drawing.

Mr. Donahue replied it reflected the plan dimensions and it was accurate.

Chair Baltay mentioned it was an angled property line which had some stepping placed.

Mr. Donahue stated during the design development and construction document phases they illustrated the unique conditions, but during design phases the characteristics were picked; at the current stage it was primarily the vertical relationships of the floor to floor that was the focus.

Chair Baltay said the ARB had been focused on the balcony setbacks for the project and was surprised to find a setback variation requested that had not been written in the public documentation and was not sure where to move forward on that discussion; and brought the discussion back to the Board.

Boardmember Hirsch commented that it had been a well-done presentation but found that the design issues had him concerned. The front area of the building held the pressure of all the waste pickups and activities that conflicted and needed reconsidered, and inquired if most of the public used the double elevator at the front. Mr. Donahue responded yes. Boardmember Hirsch suggested either consider implementing an additional location, or to enlarge the front waste receptacle to accommodate the number of people; an example was to move to the Northwest corner of the building, or having a lift outside that took the containers up to street level that allowed for more waste storage. It had been stated a three-point turnaround was not applicable on site, but if a layby were accepted, it would not conflict with the entry of the concentrated use of the site.

Chair Baltay asked Boardmember Hirsch for clarification on the reconsideration of the waste location services.

Boardmember Hirsch replied that the waste collection site was in the basement and had suggested they moved it below the corner unit on the Northwest side of the building.

Vice Chair Rosenberg indicated to floor plan one and asked if Boardmember Hirsch wanted to move the area next to the bicycle room.

(Crosstalk)

Vice Chair Rosenberg clarified in the basement where the battery back-up area was.

Boardmember Hirsch mentioned if that were where the battery back-up had been placed, as it could have been next to the electrical room; it allowed an area where the landscape was not used.

Chair Baltay commented that if implemented, it was a bulb-out pick-up area that was adjacent to the parking, which made it no longer next to the front entrance, and questioned if that would affect the multi-used pick-up area.

Boardmember Hirsch questioned what the possibility of multi-used pick-ups and waste collection storage would be.

Planner Raybould noted that the waste collection still needed to be brought to the street level even with the change implemented, and it would no longer be a centralized location but instead at the far end of the building; the staging area would not be eliminated.

Vice Chair Rosenberg questioned how the garbage would be collected from the basement to ground level.

Boardmember Hirsch indicated there was a lift proposed.

(Crosstalk)

Vice Chair Rosenberg stated that the basement was not extended past the setback in the front.

(Crosstalk)

Planner Gerhardt clarified that the waste had shoots that ran down the upper level, then stored in the basement, and Staff would manually have the bin brought up to the ramp to the staging area; the staging area was used due to the twenty-five foot from curb requirement, so a lift out of the garage was a good idea, but the need for a staging area would not be eliminated.

Boardmember Hirsch commented that the issue would be discussed further in the meeting, but it needed to be analyzed, and gave an example of waste issues that had been dealt with in New York. He suggested changing the retail area for easier access from the outside of the main entrance.

Chair Baltay mentioned there was merit in what Boardmember Hirsch had brought to attention and asked him to further explore his suggestions.

Boardmember Hirsch said what was scaled on the front of the building was a nice entry with casual seating area usage, but it conflicted aesthetically between the immense scale with double height of the front door and the scale of the interior of the building, and it would have been better to modulate the front with horizontal elements instead of a vertical to bring down the scale; the aesthetic had not been discussed as heavily due to many issues that had been resolved. He was also concerned about the access to the units in the rear, as the public wanted to take the shortest route through an open space; it was mentioned that the back lobby was not used, and if the waste collection site was moved, it allowed space in the back of the building for easier elevator accessibility. A proper through passageway needed from the front door to all units that allowed generous space for public access; some furniture should be considered for relocation as well. The tree placement in the lobby was a nice idea, as it allowed direct sunlight and responded well to ARB's recommendation on added light in the Courtyard. He felt the division between the white areas, recesses, and balconies had been well done, but the detail of the vertical glass strip was not representative of the character of the building; even though it gave limited privacy, he was uncomfortable with the detail of the vertical element aspect and had rather seen a glass installment like the balcony glazing facades.

Boardmember Adcock questioned if Boardmember Hirsch was referring to the metal panel on the side of the entry.

Boardmember Hirsch responded that was correct, and reiterated that if the rear elevation, storage, and distance was looked at the majority of the public would use the elevator in the front of the building; he commented that the retail store was also in the front with waste collection needed, so if more study had been applied and they redid the locations of waste storage, it improved the operations of the building significantly.

Boardmember Chen commented that there had been great improvement since the previous meeting and noticed the applicants had listened to the ARB's recommendations. The waste issue needed to be addressed along the busy street frontage, and although in agreeance with Boardmember Hirsch, she felt an open glassed enclosure was best; after the retreat with Zero Waste and Green Waste she thought they had come up with the best solution for the site plan and suggested to add another trash area located on the front of the building next to the elevator lobby. The sunlight issue and public facilities were improved in the Courtyard, but she suggested adding high windows to the bicycle room for natural lighting.

Boardmember Adcock stated concerns on the waste issue, as well as the hallway that led to the waste room being too narrow; the bent corners of the hallways were an issue for tenants if they moved large furniture to a unit. If the waste room was moved to the front of the building it loosened the constraint and helped the convenience of the tenants getting from one location to another. She referred to plan 4.4 on the special setback, it showed the basement parking boundary inboard on base, but on plan 4.1 it was not shown the same; 4.0 was front and back shown with the special setback being in line with the basement and was concerned about the bio-retention for the rear area due to plan 2.0 had shown the back area setting on the property line. The first floor of the basement showed the retention area along the backside of the building and was concerned on how the functionality worked being on top of the garage.

Chair Baltay asked Boardmember Adcock if her experience was what led her to the concerns on the engineering and design challenges.

Boardmember Adcock responded that it was more of a structural challenge as they needed to step down the first-floor slab by three or four feet to maintain the retention area, which was not aligned with the first-floor wall line.

Chair Baltay questioned whether they proceeded further under those conditions or if they wanted the applicant to return with the issues being resolved; agreed that it was a complicated issue and they had not put enough effort into aligning the basement design.

Boardmember Adcock commented that they needed to step up the structure to make it work.

Vice Chair Rosenberg said her appreciation on the design upgrades that had been made, but as leeway was allowed on the designs for applicants, she was concerned about the lattice pattern that had been proposed. As a minor issue she suggested adding windows to the bicycle room, and commended the applicant for the consideration of a move in and out room but the condensed corners as previously mentioned could cause issues. She did not mind the location of the trash room towards the back, if moved

to the front it would cause residents' complaints on smell in the main lobby; if trash was brought up the ramp from the basement, it would be problematic due to weight and it impeded traffic in and out of the building, and agreed with Boardmember Hirsch on it being moved, but to the Northeast corner with a platform lift by the fire pump area. The consideration the applicant had when looking at the neighbors on their waste collection was much appreciated and allowed pick-ups in the area to be run smoothly. She directed a question towards Staff and Board regarding the basement and asked if they were setting an unintended precedent that allowed this project to moved forward being outside the scope of the building; wanted more clarity on how it worked, as the secant wall could be up to twenty-four inches thick to the exterior perimeter to the fourteen- to sixteen-inch-thick walls. The basement level plan A2.0B, the bottom right portion, would be beyond the property length with the added secant wall, and encouraged them have the basement design reworked. She was concerned that the basement needed reworked to a notable extent, and questioned whether it was a condition of approval, or they wanted it to be brought back before the ARB.

Chair Baltay asked Staff and Board to refer to sheet A0.2 on a design issue with the façade. He showed concern for the building as it looked like a large box; the façade being 150 foot long with a continuous line that ran along the top and wanted to see modulation done to the building. The 788 San Antonio building next door had made changes at ARB request, and it was suggested to consider the same for this project. His opinion was to have the project approved at this hearing, and they needed to make change considerations for that to be possible; it was going to be a subcommittee that ended up changing the circulation design downstairs and would send for approval if conditions were met. The decks upstairs could not project into setbacks, if acknowledged it was the intention, ARB should ensure that it was met.

Planner Kallas clarified that it was the front special setback and not the side and rear, which projections were allowed by the underlying zoning.

Chair Baltay stated the consistency of interpretation of the codes were looked at, same for the open space areas. They needed to have a complete design for the courtyard planters, bio retention swells, and structure of the secant walls to go before a subcommittee; wanted stronger conditions for approval regarding the green wall in the courtyard, if a specific line item for how it would be maintained was not made, it would be a failure. The rear waste collection area had too many bends and was not functional if emergency crews needed to access the units; can be resolved during the building permit stage.

Planner Raybould inquired if Chair Baltay was referring to the rear area next to the elevator.

Chair Baltay said on sheet A2.1, on the right-hand side of the drawing, the back area had four ninety-degree bends that should be straightened. The basement projected into the setbacks was allowed under the PHZ zone approval but had not been notified to the public or community, and asked if anyone had questioned whether it was a code exception. Directed to Ms. Kallas, he asked if the list of zoning codes she had mentioned in the presentation were the exceptions allowed.

Planner Kallas replied that was correct, and this code had not been included in the list; gave an example as in single-family zoning districts basements cannot be projected beyond the footprint of the building, but commercial and multi-family zones do not have that as a requirement; they were focused on the special setback and needed to look closer at what was implied.

Boardmember Adcock questioned if basements were included within the setback or if it was allowed to go to the property line.

Planner Gerhardt responded there was no clear distinction in the code related to that specifically, so they used ARB findings that ensured sufficient perimeter landscaping.

Vice Chair Rosenberg asked if the twenty-four-inch-thick secant wall had to stay within the property line as it could not go beyond that.

Planner Raybould answered that was correct.

Boardmember Adcock inquired about the comparison table on special setback, and if clarification could be made on future projects that it only applied to above grade.

Boardmember Hirsch commented that he did not understand why the special setback was focused on the front side only and not the side and rears.

Planner Gerhardt responded it was a code implemented in the 1960's when the city had considered widening the streets; it was used now for bicycles and pedestrian walk paths.

Boardmember Adcock questioned if it applied to Public Utilities as well.

Planner Gerhardt stated that the special setback did not change how a property would be developed with utilities.

Boardmember Adcock asked if the intent was for future utility development not to be allowed with the basement having a special setback; they were constraining the setback on above grade but not the below grade.

Chair Baltay stated that if the first step to expanding the width of the public right-away they would not want construction there, and it prohibited from building a road.

Planner Gerhardt noted that this was a PHZ zone which allowed setbacks to be placed anywhere on the site plan within a certain degree; the commercial setbacks should not be focused on, but Staff was looking forward to ARB recommendations.

Vice Chair Rosenberg mentioned that the experience had with previous issues on setbacks, it had seemed to be an aesthetic issue more than a utility issue.

Chair Baltay stated in the 1960s that this road had been anticipated to be the San Antonio Expressway and needed an extra twenty-four foot on either side to allow that to happen and was not planned to be built soon.

Boardmember Hirsch commented on moving forward with this project and agreed with the Board on the explorations that had been discussed so far.

### **Motion**

Chair Baltay agreed and called for motion to approve, with the following conditions.

### **Motion to Approve Conditions**

1. No projections into the special setbacks above grade are allowed.
2. The private and common open space areas were to meet current zoning codes.
3. Added conditions that specifically addressed the maintenance on the green wall feature in the Courtyard.
4. The hallway adjacent to elevator two be revised to provide fewer bends in the hallway and functional space adjacent to the elevator and waste bin collection area.
5. A recommendation that the elevator use an alternative location for the waste bin collection area, how it was brought to the street staging area, and location of the street waste staging area.
6. The subcommittee was to return with a schematic foundation design that included considerations for planters, bioswales, and secant walls.
7. Have a comprehensive plan provided for the Courtyard that includes planters, furnishings, and pathways through the Courtyard.
8. The bicycle storage area needed clear story windows that provided additional light.

**MOTION:** Chair Baltay moved, seconded by Boardmember Chen, to approve the conditions.

**VOTE:** 5-0-0

Chair Baltay assigned Boardmember Adcock and Boardmember Hirsch as the ad hoc committee members.

**The ARB took a 10-minute break and resumed with all members present.**

### **Study Session**

3. Ad Hoc Committee Report: Objective Standards Phase 2 for Townhomes

Chair Baltay introduced the item and called for staff's presentation.

Boardmember Chen stated that based on the ad hoc committee's research from the site visit, there were numbers shown on the slide that needed ARB's feedback on solutions on questions they had, and whether it was reasonable in the findings.

Boardmember Hirsch presented the standards wished to be implemented by the ad hoc committee. The corner units were a main concern more so than the individual units in between and would have a unique

aspect at the end of the project. The minimum of a wraparound patio that was a lower element that penetrated the height limitations of the RM30, but did not exceed fifty foot in height, would be in a higher respect than the units in between. They projected that there be bay windows on the front and side, or both. Setback areas needed varied materials and colors from the major portions of the façade materials, with the balcony being extended a minimum of four feet from the face of the building and was six feet wide.

Vice Chair Rosenberg clarified if this were to have two or more of the following elevation treatments.

Boardmember Hirsch responded that was correct.

Boardmember Chen added that there would be photo examples shown.

Planner Raybould showed the slides with the projected photos.

Boardmember Chen commented that on slide number two, they had found the circulation was difficult to manage around as it was more of a community circulation, so it was required that the design of the townhome project needed to integrate the internal pedestrian, bicycle, and vehicle system in the surrounding area for connectivity; referring to the top view of the site plan, she said specific items such as the tandem parking, they had considered the best percentage that allowed the parking, and concluded it would be a maximum of forty percent of the unit would be required. The current code required a maximum of twenty percent, but the projects that came before the Board were close to fifty percent. A slide with an Arbor Real with a cul-de-sac arrangement for the parking entrance between the clusters were permitted and showed on the next slide a top view of the community area with the pedestrian walkways in between the units.

Boardmember Hirsch mentioned there was a continuous pedestrian walkway in between the cul-de-sacs for all units with a two-type tandem that met in the Courtyard.

Boardmember Chen said that the guest parking was also an important issue, and understood it was not required by code to provide guest parking, but functionally they thought it important on-site parking was provided, and suggested the guest parking either on or off-site would be provided to twenty percent of the units, and included at least one space for the medium sized delivery trucks or individual vehicles; if there were convenient street parking on the immediate perimeter streets, all guest parking shall be within the project site boundary, a minimum of fifty percent of the spaces must be located within the lei-by or parking stalls on the major street of the project, the remainder of the parking unless allowed to park on the adjacent street, and would be accommodated in the spaces no longer than 150 feet than the most remote unit. She addressed the next slide and pointed out the lie-by areas along the lower Fallen Leave Street, as well as being aligned equally with the side of the street.

Boardmember Hirsch referred to the slide with guest parking spaces and it was a cul-de-sac scheme in which there were many guest parking spaces against the major street on the outside, and with the perpendicular parking it solved the issue with parking access on the project. On the next slide it showed a perimeter of the one-way scheme around the project, and then a slide with three building typologies, he stated the ad hoc felt that a site of a certain size, and particularly Arbor Real, had the exact multiple prototypes, and on this project it would have units in one perimeter area be Type A, with A and B being

two different types of housing prototypes, and had a center Courtyard on a raised slab in the middle. This project was big enough to request three different housing typologies.

Boardmember Chen stated that in the recent projects reviewed, they found several of the projects were smaller in size than what is currently being discussed; and felt a minimum of two should be added.

Boardmember Hirsch commented that this project required the A units had parking below grade under the center Courtyard that made a difference in the construction of the project but followed the same scheme of entry and exit of the roadway, similar to the Mountain View circular rotation around the perimeter, only this project had it run through the site, with the exception of the A units.

Boardmember Chen mentioned they wanted the open space to provide a functional and useful space in the landscape area, so they recommended all town home projects provided a centrally located common space, or a linear public pedestrian pathway, equivalent to the minimum of five percent of grass property perimeter around the town homes; such areas must be exclusively used for pedestrians, and the private unit entrances or required front yards did not count towards the requirement. The common open space shall be a functional and useful community gathering place for rest and play, a minimum distance shall be twenty-five-feet by twenty-five-feet; previous projects had counted the open space as pedestrian walkways with chairs along the side, but with project they wanted to put a minimum dimension that allowed a functional space for the residents. The major private street included at least one street tree for every twenty-five-feet of linear feet.

Boardmember Hirsch noted that currently that was the objective standard in the code for street façade treatment of trees. The next slide showed the two symmetrical treatments of the trees with the entrance and exits, and with this being a larger project it was shown with three different prototypes of housing, street parking, and the open spaces; had exceeded the minimum proposed. The next photo image showed the Center Courtyard in the proposed plan, and commented on how balanced the open space had been, as the distance between the units was forty feet from one face of building to the other.

Boardmember Chen showed a wider pedestrian walkway with a carefully planned landscape between the building, but understood the risk related to the height of the buildings.

Boardmember Hirsch commented that it was unsure how that project had been arranged, whether private gardens or a mixed garden with both private and public, but it was a pleasant option that allowed light in and light out and nice colors had been used.

Boardmember Chen had an image of examples of the play, grilling, and activity areas in the open space.

Boardmember Hirsch referred to the Alma Court image that showed the landscaping hiding the mechanical and electrical street service boxes.

Boardmember Chen mentioned that the accent pavers shown in the pedestrian walkway for safety were also an option to be considered.

Boardmember Hirsch had a description of the privacy areas adjacent to the front doors of every project, it needed to be a certain size, and was landscaped in a specific way; images were shown of different projects currently being worked on and the different options for the outer doorways and landscaping. He

showed one of the projects he enjoyed that had a sizable number of units, the way it had been laid out, the number of units to parking capability, the central open space used, the street façade versus interior Courtyard façade.

Boardmember Chen stated on this project they wanted to specify what the recommended distance between the two end units, and based on the site measurements and functions they came to fifteen feet minimum was the appropriate number.

Boardmember Hirsch commented that was the access between the clusters of units.

Boardmember Chen referred to unit numbers twelve and thirteen to help clarify to Vice Chair Rosenberg.

Boardmember Hirsch gave reference to what had potential to be in the open spaces, but they were to be landscaped with a five-foot by five-foot by five-foot, a five-foot passage with five-foot of flex space. The end units were used for the electrical or utility closets related to the cluster of units themselves. The rhythm and pattern were to be the minimum length of any linear grouping of town house, and they figured one hundred and fifty feet as the average, entry elements and bay windows were not included and allowed the end units to be extended.

Boardmember Chen assumed there would be seven units that qualified under the one hundred and fifty feet required. All units had two car garages with a twenty-foot clearance, wall thickness, and an added electric room that was on each side, as to the one-hundred-and-fifty-foot number.

Boardmember Hirsch noted that the plan should not have exceeded the one hundred and fifty foot either as it would start to be too long and made getting from one side to the other more difficult. There were no more than three attached town houses allowed within a cluster of five, or four in a cluster of six. The units could repeat the same elevations, so there needed a variation within the elevations; the details of the end unit had a method of individualizing each of the grouped units.

Boardmember Chen stated that the base building color treatment must include at least two colors and two basic materials, if the face of the window trim elements and other façade defining trimming were four inches or larger and was used on more than seventy percent of the windows, than the trim was considered the second color, otherwise the second color choice was used as the significant element of the façade, such as a bay window or large formally defined area, and had a minimum of eight-feet by eight-feet. The exception to the regulation allowed a single color of each unit, if adjacent units were assorted colors; a maximum of six assorted color options were allowed.

(Images of assorted color schemes on town home projects used were shown)

Boardmember Adcock inquired if the stucco shown in the images were part of the two color and two material standards.

Boardmember Hirsch responded that it was.

(Continued to show images of color schemes of previous projects - Crosstalk)

Boardmember Hirsch had an image that showed the fifteen-foot space between the buildings that allowed mailboxes and trash enclosures to be evenly distributed between the clusters and should be located no greater than one-hundred- and fifty feet.

Boardmember Chen noted that the mailboxes were close to the unit buildings.

Boardmember Hirsch commented that the electrical service areas for vehicles were a part of the project as well.

Boardmember Chen stated that the next slide showed the eight categories with needed refinement on standards that was proposed, and questioned what the definition of a town home was. The Oak Court project and the community next to the JCC had a podium type construction with parking spaces underground and as such would it be considered a town home.

Boardmember Hirsch mentioned it was a different prototype in the respect and had a higher cost to be built, as to why town homes were constructed on grade most times.

Boardmember Adcock's thought was the older town homes, such as seen in Washington, D.C. or New York City, they did not have garages or underground parking, so if a unit did not have one, it would still be defined as such; it could be a podium construct or street parking only, but a garage did not define whether it was considered a townhome.

Boardmember Hirsch inquired how a common open space would be added as a requirement; either a properly fitted paseo or a central courtyard and felt it would be an innovative idea if the units were limited within the clusters but gave extra units if a common space were allowed.

Boardmember Chen said they would like the feedback from Staff whether if that standard implemented would be feasible as the State had allowances for these types of projects, and the intent was to limit the number of concessions requested.

Boardmember Hirsch noted that they were looking to the Board for feedback on what was presented.

Chair Baltay was impressed with the presentation and felt they had done a great job answering the questions, then proposed to move forward and bring questions and comments back to the Board and wanted the ad hoc committee to take notes, and had the objective to have a final document produced similar to what was proposed but with the added feedback included; he wanted to turn over to Staff unanimous support from the ARB that recommended the director processed the information in a form that could be brought before Council as an ordinance. He directed the question of what was considered a townhouse to Boardmember Adcock.

Boardmember Adcock stated that the typology of a townhouse was connected houses, and the parking and location aspect was related to the parking requirements for the site, which defined amount and where allowed; any stacked housing with a shared wall was considered a townhome.

Vice Chair Rosenberg commented that any stacked housing of two to three stories with continuous parties walls, and individual entrances; if the units had their own ingress and egress, and functioned as a singular unit, which was a key component in categorizing a townhome.

Boardmember Adcock asked if the units had their own private outdoor space or balcony was that required to be added in the definition of a townhome as well, or would it be the amount of the private space required.

Vice Chair Rosenberg referred to the examples shown of the townhomes without private spaces but had garages; it had been different from what was seen in New York, Washington D.C. as they used patios or backyards, and felt it should be added to the requirements to help separate whether there was a private backyard element or just allowed to be a common space.

Boardmember Chen responded that they had questioned what a town home was, as the JCC project had a backyard due to the parking being below the units.

Boardmember Hirsch mentioned the project had a less than twenty-foot backyard area which limited what the code allowed on the site and would not be considered a regular Rzone.

Boardmember Adcock clarified that yard was not the correct term, but a private open space, whether above grade such as a balcony or on grade as a patio. Most projects she had seen it was important to have a distinction between townhome and condominium or apartment by the addition of a singular enclosed private space.

Chair Baltay commented that an outdoor space requirement was not a requisite definition of a townhome, but felt it was good to have added; he made a list of four criteria that defined a building type typology of a townhome: The units were exclusively residential, they had to be vertically single stacked building type units with a minimum of two stories, needed at least two exterior walls that faced openly and were not adjacent to other buildings, and the unit needed to have a private entrance.

(Crosstalk-Planner Raybould pulled up the slide Chair Baltay had asked for)

Chair Baltay referred to Item C on the fifty-foot height limit was fine with the ARB, but the Planning Department may disagree as they did not want to write a code over the thirty-five-foot residential zone allowance. On Item F, it was questioned whether they had an objective standard defining balconies.

Planner Raybould responded there was a six-foot circle defined within the standards, but needed to ensure that was correct.

Chair Baltay stated they wanted to augment existing standards, so if there was one on balconies, they needed to ensure what was required, and asked if anyone had any changes or comments to Section 1.

Boardmember Chen inquired if Chair Baltay wanted to eliminate the standard or just the dimension of the standard.

Chair Baltay replied that the current standard on balconies needed verified, and then reference to it, unless there was no current standard implemented.

Planner Raybould mentioned there could be a balcony that did not meet a private open space, but still provided a façade modification as there may not have a six-foot area at the end of unit.

Chair Baltay questioned Boardmember Hirsch and Boardmember Chen if the intent were the balcony would be a modulation element on the design rather than the open space.

Boardmember Chen said that was correct and wanted to have the features added to corner units.

Boardmember Adcock asked if Item A showing the four-foot minimum on covered entry patios was supposed to be five feet.

Boardmember Hirsch commented that the open space requirements were not defined from a usage point, it was more of a requirement on setbacks and distance between buildings.

Chair Baltay inquired Planner Raybould on the current objective standard requirement for private and common open spaces.

Planner Raybould answered it needed to have a six-foot circle.

Planner Gerhardt stated that six feet was the objective standard, to which the size was contained within the regular zoning code, whether RM30 or otherwise, and differed from each zoning district.

Chair Baltay questioned what objective standard would be applied to balconies in townhouse projects that were awaiting objective approval.

Planner Raybould noted that in reference to the Multi-family Residential (RM30), the Construction Site (CS) and other zone districts such as Research, Office, and Limited Manufacturing (ROLM), where town home style designs were allowed, there was no standard on private versus common, it was just limited to 150 square feet per unit; some designs such as the Summerhill project had designed the open space as a common area with less private space, which was allowed in the code with ARB approval.

Planner Gerhardt replied that 150 feet was the standard for most districts, and in multi-family districts there was minimum of fifty square feet for private, and 150 for common.

Chair Baltay clarified that the requirement currently being looked at regarded the end units as a decorative piece; he suggested they note Item A with a comment saying it was in addition to already placed open space requirements that applied.

Boardmember Adcock asked if there was a minimum entry patio depth on town homes.

Planner Gerhardt responded that in the standards there were a few different versions of entry ways that could be used.

Planner Raybould commented that it depended on the type of entrance was used, they had different requirements for each option.

Chair Baltay asked Staff if they had reviewed the current objective standard on entry ways for townhomes; and if this applied to only the corner units, or the patios as well.

Boardmember Hirsch stated they had not, and the thought had been to apply the standard to each unit.

Chair Baltay indicated that it may not be applicable to corner units.

Boardmember Hirsch referred to a Menlo Park project that had shingled white trimmed entry patios.

Chair Baltay mentioned that if all entry patios had to be five feet, then Point A would have been reached regardless of being a corner unit.

Planner Gerhardt referred to the objective standards that defined stoops as being used for a maximum of two units, and the entry landing was a minimum of five foot in depth.

Chair Baltay said they needed to add a standard regarding townhome entries separate from the stoop.

(Crosstalk)

Chair Baltay stated that the standard on stoops was for the intent of row style town homes.

Boardmember Hirsch noted that in some projects with entry stoops, there were air conditioning units with the area that allowed only four feet in dimensions.

Vice Chair Rosenberg inclined that the five foot was consistent with the objective standard and should stay as such, but on corner units, it could be set to four feet as there was a different condition for it had the capacity to wrap around the corner of the building that allowed extra leeway.

(Crosstalk)

Chair Baltay asked Boardmember Chen if it were feasible to add definition to the wrapping around a building.

Boardmember Adcock clarified that it was a four-foot-deep minimum on wrap around entry ways, patios, or balconies that needed to be defined within the standard.

Chair Baltay moved to the second Item in question.

Boardmember Adcock stated that the question asked was too vague and needed to be clarified.

Boardmember Hirsch referred to the discussion on Bayshore the committee had had and had connected the importance of bicycle paths and changes in the area and wished to have it brought to attention.

Vice Chair Rosenberg suggested rewording the standard as every pedestrian, vehicular, and circulation needed to connect to each single unit.

Chair Baltay commented that the paths needed to connect to the outside the townhouse development as well, that gave access to the roads.

(Crosstalk)

Boardmember Adcock inquired if they were wanting a private or public bicycle path, as the development was not able to enforce a public pathway through the townhouse project site, but if a private path were created it would be equitable.

Vice Chair Rosenberg agreed, and asked if they were requiring a townhouse development had to have a bicycle path through the site, or if it was considered separate from the pedestrian path and felt there needed to be more clarity on what was being asked.

(Crosstalk)

Chair Baltay said the Bayshore project ARB had requested was integrated into the park, and they had succeeded in conjoining a connection.

Planner Raybould commented that on the Bayshore project, there had been many discussions around the connection issues regarding how many pathways to be connected and how much privacy was allowed before being brought to the ARB for review, and the community services division could not determine how much connectivity should be allowed or the potential for issues in the project further into construction. She noted that what was envisioned during the presentation were bicycle paths that would be connected to smaller townhome garages, which made the cul-de-sac a low vehicular activity area, and having an added bicycle path to the project was not ideal.

Boardmember Hirsch mentioned they focused on the aspect if the project was near an outer access area i.e. a park, it would be connected to the public area for easier access.

Chair Baltay responded that it was hard to enforce as an objective standard but could be considered a comment made to the designers; the next issue was tandem parking, and asked if the forty percent was too low.

Vice Chair Rosenberg commented that she approved forty percent.

Boardmember Adcock questioned if twenty percent was allowed, and if applicants were able to ask for waivers to reach the needed measurement, and what the difference was from being raised from twenty percent to forty percent.

Chair Baltay asked if the waivers were on low-income housing as well.

Planner Raybould replied no that it was only if applying for a state density bonus project; if a state density bonus was not being applied for, a waiver was not needed as the code had been met or it was a PHZ project.

Boardmember Adcock said the forty percent limitation helped projects that were not applying for the state density bonus, but any more than forty percent was unnecessary.

Vice Chair Rosenberg and Chair Baltay agreed on forty percent.

Chair Baltay moved to the third Item in question.

Vice Chair Rosenberg inquired Staff if everyone agreed on the cul-de-sac arrangement proposed, and if it was not currently allowed, but they were wanting to make it allowable.

Boardmember Chen stated that there was no code language on whether the cul-de-sac was allowed or not.

Planner Raybould commented there were no standards prohibiting a cul-de-sac design, and questioned if the end units were what the concern was.

Boardmember Adcock asked how the end units compared to the maximum seven units in a row, as it was a continual loop.

Vice Chair Rosenberg said it was a difference between where the structure and paving had been broken up into.

Boardmember Adcock mentioned that the plan view of the project looked to be more than seven units when it was wrapped around.

Chair Baltay stated that depending on the massing of the unit, whether it was seven in a line or a U-shape, but felt a cul-de-sac was necessary in this project.

Planner Raybould noted there were no standards on cul-de-sacs being prohibited.

Chair Baltay made the decision to have the issue removed and moved on to the fourth Item.

(Crosstalk off microphone)

Boardmember Adcock referred to the image on the slide of the townhomes with garages on the end units, and inquired if the cul-de-sac for the garage or unit was in question, and she had not seen this design choice previously as it blocked the area in terms of daylight and openness to the unit.

Chair Baltay moved to the guest parking issue that needed resolved.

Vice Chair Rosenberg questioned whether there needed to be a guest parking space, as she felt twenty percent was too high, and that residents would use it as a daily parking spot.

Chair Baltay inquired if twenty percent of the total number of parking spaces required was being requested.

Boardmember Adcock clarified that it was twenty percent of total number of units.

Planner Raybould noted that the previous code requirement was ten percent and Council had removed it to reduce requirements on housing to provide more affordable housing opportunities; many State laws had pushed to reduce restrictive parking requirements on housing developments, and Staff was uninclined to add more requirements related to the guest parking as it would go back on what had been removed by Council.

Planner Gerhardt added that they would not want to implement more requirements on parking but could add details to be the parking was permitted, as some were in garages, others could be added to the open surface lots.

Chair Baltay expressed his disagreement with Council's decision on parking allowances, and wanted to have the chance to give a recommendation on the twenty percent restriction as many projects were not given enough parking spaces for accommodation of guests.

Vice Chair Rosenberg countered that many State laws required new housing developments, and if a developer were required to use twenty percent of the site for surface parking, it took up a significant amount of the footprint of the land parcel available to utilize, and that could hinder building the units needed for the project. She questioned whether it was feasible to set the limit at twenty percent, as she felt that was high, or if they stayed at the ten percent per code, but agreed with Chair Baltay on going back to Council to ask why and what they needed to push for parking requirements.

Boardmember Adcock asked if they were to ask in lieu of the required per unit parking.

Chair Baltay stated that with previous projects, he experienced there was too limited parking and wanted to bring the issues to Council for recommendation on not reducing designated parking, and strongly agreed to have the twenty percent left as a recommendation for the project.

Planner Raybould asked if twenty percent was extra designated or undesignated parking spaces.

Chair Baltay responded undesignated or common parking spaces.

Vice Chair Rosenberg mentioned it may encourage developers to have a podium style design used that allowed more parking without the townhome footprint being impacted.

Boardmember Chen noted that there potentially were height restrictions applied to the building as it had been stacked upward.

Chair Baltay referred to the second paragraph regarding street parking and asked if it was available on this site, and was it accepted in the zoning codes that public parking counted towards the parking requirements.

Planner Raybould answered it was not counted towards any parking for the site if it happened to be public parking.

Chair Baltay inquired how many townhomes benefitted from adjacent street parking.

Boardmember Hirsch replied that a considerable number benefitted, such as Alma Court and Arbor Real, and the issue had been brought to the attention of the ad hoc committee by reviewing the examples shown in the presentation.

Planner Raybould said it was difficult to manage as conditions changed as bicycle or pedestrian pathways get added or removed which affected the parking spaces allowed.

Vice Chair Rosenberg agreed and thought the second paragraph should be removed.

Chair Baltay asked if the second sentence regarding fifty percent of the parking spaces needed to be on the major streets and the last sentence that stated every guest space was to be within 150 feet of the unit.

All members agreed to keep the two sentences.

Chair Baltay moved to discuss the building typology.

Vice Chair Rosenberg questioned what was done on a zero to half acre and two to three acre site regarding the requirement on one half acre and two acres, but above three acres that was required; she noted the 800 San Antonio was a 0.088 acre lot and if it were to have townhomes constructed, where would it be classified in the typology, and if it was a zero to one and a half acre would only two units be required to be constructed on the site and wanted clarity on the issue.

Boardmember Adcock added that there should be clarity on the definition of prototype, and asked if it was not about the plan layout, but more so the façade treatment.

Chair Baltay stated that it was written as a significant variation of internal planning.

Boardmember Adcock said there could be two to three different plan unit types, and the façade treatment and building massing would be included in the section regarding the two dissimilar materials used.

Chair Baltay mentioned the internal planning could not be regulated and it had to be on the form and appearance of the building from the outside due to the factors that were included in design.

Boardmember Adcock agreed and said on small townhome projects it would not be an issue if they found buyers interested in the idea.

Vice Chair Rosenberg commented that the goal for the regulation was more for larger townhome developments to have a variety of options as to not have repetitive colors, materials, and parking used.

Boardmember Adcock felt that it was not an ARB decision on whether the developers wanted to have similar schemes on the townhome units.

Boardmember Hirsch referred to the Arbor Real project and wanted Staff to look at the three prototypes in the larger developments, in smaller projects it did not make sense to have vast options.

Chair Baltay inquired how many acres the Arbor Real project was, and if they were to consider the number of acres or units they looked at.

Planner Raybould brought up the 2755 El Camino project on the corner of Page Mill and El Camino was a half-acre site and tried to think of two types of typologies on the small scale of a parcel.

Vice Chair Rosenberg thought of the ten-townhome project in Town and Country Villages parking lot, and questioned if two different units would be required, were the two end units counted as separate typologies because they looked different from each other, and felt the goal of the comment was important, as on smaller townhome unit projects having the freedom of options worked fine, but on larger scaled projects having all the same designs, it became an issue.

Chair Baltay questioned if it should start at an acre.

(Crosstalk)

Boardmember Adcock stated it should start at one and a half or two as the layout between the sites created different typologies with out it being forced; asked if by requesting variety was it to be on the bedroom sizes, or what was included within the prototype.

Chair Baltay brought up two recent town home project sites on Bayshore and the Fry's site, and both had a single prototype design that ARB had suggested being changed that was not moved forward as it was too far into the approval process, but if a regulation had been enforced it would have made a difference. He suggested it being defined by building form, exterior elevation treatment, and material variation; should be set above one acre, two above two acres, with three prototypes.

Planner Raybould commented that it was placed in the code.

Planner Gerhardt noted that she had it placed within the objective standards as it was a long-standing question with the ARB; the code 1824.50 talked about the types of housing diversity, and if under one

acre it was allowed one housing type, if one to two acres it had to be two housing types, and if over two acres it had to have three housing types.

Chair Baltay asked if there was a definition of housing types.

Planner Gerhardt said the definition of housing types were detached units versus attached townhouses or rowhouses, condominiums, apartments, and mixed-use units.

Chair Baltay stated that the ARB was concerned about townhomes variance and design as they had all looked more or less the same and asked if the code section 1840.50 could be amended and add that typologies must include a significant variation of building massing, unit sizes, height massing, and the number of units per structure.

{Crosstalk}

Boardmember Adcock mentioned the next item with regards to all townhomes must provide centrally located twenty-five by twenty-five-foot common green space or a linear public pedestrian path and questioned if they wanted to add a minimum width if a linear path.

Boardmember Hirsch replied that was correct.

Chair Baltay suggested a twenty-five-foot width as the requirement.

Boardmember Hirsch added that private areas were not to be included as they were open spaces.

Vice Chair Rosenberg agreed and said it was important as with the porch or patio areas being in the open space, the public could easily access the private area.

(Crosstalk)

Planner Gerhardt noted that in the objective standards on common open spaces needed to have a ten-foot circle diameter.

Chair Baltay responded that for the townhomes they requested up to a twenty-five-foot circle diameter.

Planner Raybould asked for clarification if the first paragraph said areas that were considered pedestrian pathways could not be used as a common open space as the examples that had been provided showed as such.

Boardmember Hirsch stated the ad hoc committee had chosen the dimensions from the first illustration that had been shown, as the common path was part of the central open space utilized by the public.

(Crosstalk: discussed the example image on what was considered common open space and what was questionable)

Planner Raybould stated she was still unsure of what was being asked.

Chair Baltay responded they were asking for five percent of the site area be used for common open space and private area spaces for the townhomes were not included with a twenty-five-foot circle minimum within the space; the private common open space was to be functional and usable as a community

gathering area for rest and play. He asked if the street tree requirements within the third paragraph were included in the objective standards.

Planner Gerhardt answered there were street trees every thirty feet.

(Crosstalk)

Planner Raybould mentioned that most townhome project sites had a tree placed between each unit.

(Crosstalk)

Boardmember Adcock inquired if the main street led into the development cul-de-sac driveways, would it be considered a private street that made the tree requirement be applied.

Planner Raybould commented that they had considered the number of units with private driveways serving under the code as what was defined as a private street, she believed it was four or more units.

Boardmember Adcock said that Lake Avenue had trees, but Tahoe Lane only had trees on one side of the street, and asked if that situation met the requirement.

Planner Raybould replied that the requirement had not been met unless trees were added between the finger type areas shown on the image.

Chair Baltay asked what the current objective standard was on private streets in housing developments regarding trees.

Planner Raybould answered they had not defined between private and public streets, and when looking at the townhomes they considered a requirement for all streets, but most projects she had seen provided trees in between the garages for the homes.

Chair Baltay asked for clarification if all streets were applied to the thirty-foot requirement.

Planner Raybould responded that all public and private streets were included in the objective standard.

(Crosstalk regarding the image that showed the location of trees along the street and whether it was to be twenty-five-feet or thirty-feet)

Planner Gerhardt read the objective standard saying sidewalks shall include at least one street tree withing six feet of the sidewalk for every thirty feet of linear feet of sidewalk length.

Boardmember Hirsch brought to attention the issue they had found on projects with parking on both sides of the street, which was usually considered to be private, had no shade or canopies provided by only having one tree along the street.

(Crosstalk)

Boardmember Adcock commented to get enough space for a three-foot planting area, which added six feet to the drive aisle requirement, and would cause a substantial impact on the project.

Boardmember Hirsch said it worked best with larger projects where a central street was affordable and was constructed like main street with a median placed.

Chair Baltay questioned whether the objective standard could be adjusted to clarify that townhome private roads were considered the same as the length of the sidewalks, and that street trees needed to be on one side of the private drive that allowed reduced dimensions of thirty to twenty-five feet.

(Crosstalk)

Chair Baltay changed the phrasing of the current code saying sidewalks to also include private streets without sidewalks within townhome developments.

Planner Gerhardt indicated the code needed to be amended to address the issue.

Chair Baltay asked if Staff and Board were okay with not adding a new standard, but have the current code clarified.

Boardmember Hirsch showed concern about it not being feasible.

Chair Baltay inquired about the current objective standard regarding accent paving.

Planner Gerhardt answered there were current access accent paving used in the crosswalks in the downtown area and along California Avenue, which is where they could be used on the project site and questioned whether ARB wanted special pavements for all the sidewalks on the site as well.

Vice Chair Rosenberg stated it was well placed at intersections of pedestrian and vehicular traffic areas.

Chair Baltay requested to move to the next Item as it did not pertain to strictly townhomes, but it could be suggested to Staff to implement tighter regulations on accent paving within the objective standard.

Boardmember Hirsch expressed concern on the tighter community areas being negatively affected by the lack of proper accent paving markings.

Boardmember Adcock questioned if they worded the requirement as pedestrian walkways were to be made with a different paving material versus vehicular.

(Crosstalk)

Boardmember Adcock asked Staff if there was an objective standard placed regarding the paving for crosswalks.

Planner Gerhardt responded there was not for crosswalks or walkways, the only one Staff had was for downtown and California Avenue.

(Crosstalk)

Chair Baltay suggested leaving it as pedestrian pathways shall be paved with a different material than the vehicular pathways and moved on to the Item about privacy.

All Board members agreed with what was proposed within the Item on privacy.

Boardmember Chen inquired if the previous slide shown needed to be addressed regarding the fifteen-foot distance between end units.

(Crosstalk)

Chair Baltay inquired when a U-shaped or L-shaped unit was constructed, how was the length measured and if there was a recommendation on how it was calculated.

Vice Chair Rosenberg stated that the maximum number of attached units of a common wall should not exceed seven units, no matter what the unit was shaped as.

Chair Baltay referred to a prototype of a long U-shaped building with five units on each side and one on the end not being allowed, and if Staff and Board were okay with it not being allowed.

Vice Chair Rosenberg gave an example of two or three units on either side with a large unit along the back, with a fifteen-foot break that led to another long linear building of units that allowed a cul-de-sac to run down the middle of the street, and felt it was effective on a townhome site.

All Board members agreed.

Chair Baltay moved to materiality, and questioned how materials, textures, and colors were to be defined.

Boardmember Adcock referred to the standard on which the base building color treatment had to include at least two-color schemes and two basic materials to be used, and felt it should be left as it was, as stucco had assorted colors and textures when applied.

Vice Chair Rosenberg commented on shingle siding and her concerns on whether it applied to the variety standard.

(Crosstalk)

Chair Baltay inquired if the last line of the paragraph referred to there being six colors or materials to choose from or would it all be one singular plain color.

(Crosstalk)

Planner Gerhardt asked if it was for six colors per building or per project; if it was per project, it limited the difference in between the buildings.

Chair Baltay responded it was per building.

(Crosstalk)

Chair Baltay moved to the Item on waste operations and asked the ad hoc committee if the 150-foot dimension was reasonable to request.

Boardmember Adcock inquired if the example showed the waste area being within 150 feet of the furthest unit.

(Crosstalk)

Boardmember Adcock commented that 150 feet limited the waste area but worked if applied to the mailboxes.

Chair Baltay questioned what an appropriate distance for the waste site was.

(Crosstalk)

All Board members agreed to a 250-foot distance from the unit to waste enclosure be applied.

Boardmember Chen mentioned the service vehicle parking and if they wanted to separate it into another category as the size was different compared to the regular guest parking.

Vice Chair Rosenberg stated that there should be at least one regulated parking spot for service vehicles.

Planner Gerhardt said there were standards placed on loading spaces for larger service vehicles; a taxi loading area had been added for projects over fifty units, and asked if there was more the ARB wanted to add.

Chair Baltay referred to the paragraph that allowed guest parking to include one space for a medium sized vehicle, and it was suggested that an additional space needed to be added on to the parking.

(Crosstalk)

Vice Chair Rosenberg agreed with the issue regarding the service vehicle parking was an operational issue and not a guest parking issue.

Chair Baltay asked for the current objective standard on roof decks on all building types.

Planner Gerhardt replied that roof decks down one level from the top had to be within the height limit of the Floor Area Ratio (FAR), as it was required to have a stairway and elevator to reach the top, and once implemented it led to an increase in height, if under the FAR and height limit there was no restriction.

Planner Raybould noted that under the new code changes were made so the stairway was allowed to exceed the height limit, even with the height limit being counted as well.

Vice Chair Rosenberg questioned if there was a fifty-foot height limit and if it were opted to have a one-, two-, or three-story house plus a roof deck and stairwell, within the FAR, would it be legal.

Planner Gerhardt answered if it met the height limit it would be legal.

Chair Baltay inquired if there was a privacy requirement in the objective standard for outdoor spaces above grade.

Planner Gerhardt said if it was counted as an open space then yes it had standards placed in the code; if an open space under the height limit it was allowed.

Vice Chair Rosenberg asked fellow Boardmembers if they wanted to encourage this type of design, and if so, how would they have it implemented; she felt it benefited the units and was a successful design as each rooftop terrace gave privacy to the individual unit but did not want to have the rooftop terraces near one another.

Chair Baltay commented that the public had expressed issues with the lack of privacy of roof decks between neighbors not living in the buildings, but felt it was a bigger issue than ARB had say on. The last

thought was on a point-based system to demonstrate compliance instead of a series of standards that needed to be met and was concerned it would be more work added to Staff.

Boardmember Adcock agreed that it would be an administrative hassle to have a point system figured out and established.

(Crosstalk)

Boardmember Hirsch stated that the intention was to have a more public common space included, and asked how it was to be enforced, such as a mandate.

Chair Baltay replied it had to be a tradeoff such as more tandem parking if more open space was allowed but did not see how it was going to be implemented in a practical way.

Boardmember Adcock noted that only a small percentage of projects would have the accounting applied as developers were able to utilize waivers.

Boardmember Hirsch said that it should be mandated by size of the project as developers took advantage of waivers.

Chair Baltay said the ARB recommended to the Planning Department they consider adopting a point-based approval system for objective standards.

(Crosstalk)

Boardmember Adcock asked for an example of how the point-based approval system would be implemented.

Chair Baltay answered that every time a standard was complied with, they received a point, and they needed to reach ten points all together to have met the standards.

Planner Gerhardt mentioned Staff had a unique way of what was to be complied with, and in some cases, there was a menu of options that allowed variation, and if a point system were created, it forced Staff to start over in the expected compliances.

(Crosstalk)

Vice Chair Rosenberg expressed her concern on creating a point system and agreed it was difficult to define a starting point and how it moved forward.

(Crosstalk)

Chair Baltay requested that the ad hoc committee members on this project made a final document draft from the notes and feedback, and returned it to Planner Raybould, and then have a final Board recommendation on what was to be done on town home standards and asked if all Boardmembers agreed to proceed as such.

Boardmember Chen asked if the final document was to be text only or have photos and images included as well.

Chair Baltay said Staff would be able to suggest what was to be included within the document as the ARB wanted to ensure there was a format on what was asked and recommended, which then gave Staff the ability to further prosecute the standards.

Vice Chair Rosenberg inquired if the final document could be agendized within the packet for the following meeting that allowed time for the Board to review and approve the items as written.

Planner Raybould answered it had to be if there was to be a vote on approval.

(Crosstalk)

Chair Baltay wanted the subcommittee to collaborate with Staff to determine the proper formal format of the final report, and have it placed on the agenda to be voted on approval or denial of the document, and recommended to the Planning Staff on how they were to move forward.

Planner Raybould noted that there would be video and minutes that would help to prepare the final document.

Chair Baltay thanked Boardmember Hirsch and Boardmember Chen for their work on this project and closed the Study Session.

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

Chair Baltay asked for Boardmember Hirsch's comments on a non-agendized item within a ten-minute time limit.

Boardmember Hirsch showed an illustration of photographs of what was to be discussed. He stated that the existing houses in the community and the drawings of the projects provided gave a lesson on to carefully reviewing the standards. The 12306 technical manual was a prime example of a detailed description of what the standards implemented. Too many specific rules appeared as personal preferences rather than recognized general principles, and therefore were not completely objective. The third comment was on the residential functional planning massing design and site planning was to be understood in the relation to all multiple residences on each specific site when lots were split, and the SB9 had not dealt with the issues such as privacy, vehicle access, and private open spaces, which made it difficult on lot splits. His final comment was that the changes to longstanding regulations should be avoided as they had been established and assessed, after research on multiple housing types and a drawn description had been done from the technical manual. On the handout Staff was given, page 4.4A was known as actually A.3 in the new description, it says that except for the Eichler's Palo Alto neighborhoods had diversity of styles, and frequently had porches that was not a standard for all projects, and if a majority of unique features on a single block, as consistent elements by themselves, it should not dictate the entire street; it was atypical of the Palo Alto community and was an excessive restriction placed on an owner or developer. He felt the driveway materials were too restrictive, used a photo of his home as an example, which had concrete that was disallowed; the example in the middle of the page depicted a brick bordered and concrete, which he wanted to see allowed. Garage locations had standards that the garage had to be

setback from the from the house and showed an example of a garage setting flush with the home that he felt looked appropriate and disagreed with the current standard. The roof heights and pitches standards were an important issue, as he thought they should maintain a normal daylight plane, and nothing else should be applied; to have angled roofs different at the angles, was not seen as reasonable, and when garage doors were to be represented the same as front doors of homes, showed a middle picture as an example that had a wood garage door, as it was a part of the form of the building and not the front door. He stated that the façade focal point was an unnecessary description, and with the examples given in illustration, the composition of the front of a building was what described the building. The window to wall detailing was more complicated than the description as it was limited and restricted to many dimensions of the windows; it had insufficient descriptions. The single-story building forms were the closest the government could require, 2.5A or B2, to build according to a pre-ordained housing plan, and eliminated the basic freedom inherent in Palo Alto's varied building styles. On B6, 5.4A, he suggested increasing the dimensions from the side yards of a balcony to twenty foot, to eliminate the need of solid balcony railings; the daylight plane clearances should be kept as they were as it helped the over all composition to the houses. The walkway separations on narrow sites or planning purposes only had an entry located on a driveway site that was separated by stones between concretes bads and led linear to the front door but had no room for planting areas to be added and felt it should be applied to all situations or eliminated as a standard. He wanted to keep the daylight plane and old studies done because it represented the unique styles and appropriation to Palo Alto and mentioned the limited number of roofing styles available.

Chair Baltay thanked Boardmember Hirsch for his comments and was impressed to see the strong concerns about the issues.

### **Adjournment**

Chair Baltay adjourned the meeting at 1:12 p.m.