



ARCHITECTURAL REVIEW BOARD MEETING  
DRAFT MINUTES: December 5, 2024  
Council Chamber & Zoom  
8:00 AM

**Call to Order / Roll Call**

The Architectural Review Board (ARB) of the City of Palo Alto met on December 5, 2024 in Council Chambers and virtual teleconference at 8:33 AM

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

Absent: None.

**Oral Communications**

None.

**Agenda Changes, Additions and Deletions**

None.

**City Official Reports**

1. Director's Report, Meeting Schedule, and Upcoming Agenda Items

Steven Switzer, Historic Planner/ARB Liaison, provided a slide presentation discussing upcoming meetings and pending ARB projects.

**Action Items**

2. PUBLIC HEARING / QUASI-JUDICIAL. 660 University Ave. [21PLN-00341]:Recommendation on Applicant's Request for Approval of a Planned Community/Planned Home Zoning (PC/PHZ) on Three Parcels (511 Byron St, 660 University Ave, and 680 University Ave/500 Middlefield Rd), Deconstruction of Existing Medical Office Buildings and Construction of a New Six-Story Mixed-Use Building with 66 Residential Rental Units and Approximately 9,100 sf of Office and a Two Level Below-Grade Parking Garage. Environmental Assessment: Environmental Impact Report Circulated for Public Review Beginning on April 2, 2024 and Ending on May 17, 2024. Zoning District: RM-20 (Multi-Family Residential). For More Information Contact the Project Planner, Emily Kallas, at [Emily.Kallas@CityofPaloAlto.org](mailto:Emily.Kallas@CityofPaloAlto.org).

Chair Rosenberg outlined the staff recommendations. She asked if any of the board members had visited the site or had any additional disclosures regarding the site or the project.

Boardmember Adcock, Vice Chair Chen, Chair Rosenberg, Boardmember Baltay and Boardmember Hirsch all affirmed having visited the site. There were no additional disclosures.

Emily Kallas, Senior Planner, provided a slide presentation about the project including a project overview, background/process, major changes from the version reviewed by the ARB in April, revised site plan, floor plan – third floor, floor plan – sixth floor, elevations compared to prior ARB meeting, primary elevation – University Avenue, interior side elevation, key considerations for ARB to discuss, height and daylight plane diagram, proposed open space, proposed parking, CEQA and the recommended motion.

Boardmember Hirsch queried if there had been consideration to the fact that there are so many zero bedroom units in the figuring of the parking requirement. He asked if the objective standards apply as they had been approved by the City. He asked if the parking description included the larger amount of office space requirements as well.

Ms. Kallas mentioned Attachment C on packet page 28 provided the comparison to the RM20 zoning requirements as well as a comparison to the prior version of the plans. Packet page 30 included a breakdown of the required and proposed parking. She believed that in cases where there is a parking reduction, the parking would be required to be uncoupled from the units. She explained the objective design standards did not apply to this project which is going through a fully discretionary design review process. The objective design standards may be considered when they look at how this project differs from what would be required for a project processed in a less discretionary manner. She stated the proposed number of parking spaces would include some allocated for residential and some allocated for office. The reduction in parking would be slightly different. More of a reduction was requested for office use compared to housing.

Jennifer Armer, Assistant Director, added there are some state laws that address whether reduced parking is coupled with the units. She thought how it would function was a good question for the applicant. In general, in the discussions they have had on recent projects, there often will be a reduction in the number of parking spaces with fewer bedrooms.

Boardmember Baltay asked if there was a description of what the alternative project would be and what the process would be if they elected to go with that sort of entitlement instead.

Ms. Kallas described the project as 88 units as opposed to 66 and they would be located where the building is currently stepped back. There would be a larger daylight plane protrusion as a part of that proposal. The height would be the same otherwise. The entitlement process would be streamlined but there would be at least one ARB hearing. All of the same environmental analysis would still apply. The process for that would be informed by the process the CEQA document would need to go through.

Director Armer added those were things that could change if that came forward as a formal application, as long as the size of the project in terms of floor area and number of units did not change by more than

20 percent so it would be hard to know how much different that alternative proposal would end up being if it moved forward.

Boardmember Adcock wanted to understand the zoning code requirement differences.

Director Armer replied the standard zoning requirements would be required rather than this planned development that was proposed. If they took a look at a project submitted under SB 330 using one of the state laws that would allow them to waive some of the other standards, that could include things like daylight plane, setbacks, parking and other requirements. It would depend on which of the state laws invoked whether they were using density bonus in which case they may use unlimited numbers of waivers as long as they provide some justification. It would mean that through that alternative process they could have larger exceptions to the regulations.

Boardmember Baltay asked if it would be permissible to get a waiver for the tree protection standards of the City under SB 330 or something similar. His understanding was that those environmental type issues were much more limiting.

Director Armer stated she would assume that would be permissible provided that was something that would prevent them from doing the proposed project. It would depend on which state law.

Caio Arellano, Chief Assistant Attorney, explained they were wading into a lot of the confusing complexities around how recent state housing laws had changed the way local agencies could review housing development projects. For the Builder's Remedy project that the applicant had submitted, there was a lot of uncertainty around the details in what that project would look like. There were a lot of ways the application could change as long as they maintain a certain number of affordable units and a certain ratio of residential to commercial square footage. They did not expect anything significant on those pieces. Different aspects of the project could change. The applicant opted to focus on the PC flavor of the project. If PC does not end up happening and they pursue the Builder's Remedy project, there would be very little discretion they could apply to the project. It was unclear under the law whether the City could use a discretionary environmental basis to deny a project. They could ask them to comply with their objective standards; however, the Builder's Remedy clearly stated that they did not need to comply with them and their basis for denying a project would be very limited.

Vice Chair Chen questioned if there were any updates on whether the street would be widened related to the special setback. She wanted to know if the City would require any special consideration for the structure calculations in the future for the basement garage.

Ms. Kallas answered there were not plans to widen the street. She explained this conversation often comes up because their code identifies the special setbacks as being potential future locations for either street widening or other transportation improvements. She stated they would look into whether the City would require special consideration for the structure calculations in the future for the basement garage.

Boardmember Adcock queried how stringent the square footage requirement was and if they could do without the commercial space.

Ms. Kallas explained the current multifamily land use designation did not discuss office use. It had been determined that a comprehensive plan amendment would be necessary to allow any type of office use in that land use designation. In this case, there was existing office on this site and other sites with frontage on Middlefield Road that were within the multifamily land use designation. In terms of this site in particular and likely other adjacent sites, she had not looked in detail at that. This property was in the flood zone. Their objective and subjective design standards encourage below grade parking. However, in order to provide below grade parking in a flood zone, certain FEMA requirements had to be met. That was where there would need to be a nonresidential component to this project. The square footage needed to be at least 25 percent of the total building floor area not including the parking garage. Any individual residential units were required to be above base flood elevation.

Boardmember Hirsch wanted to know of the floodplain extended to Byron Street.

Ms. Kallas answered all three existing parcels were identified as being in the flood zone in their parcel report.

Boyd Smith, Applicant, gave a slide presentation showing an overview of the project and changes being made.

Amanda Borden, Architect, gave a slide presentation showing the overall context plan, enlarged neighborhood plan, photos of the existing buildings, site plan of existing site, the proposed setbacks, updated renderings, renderings of expanded public art, proposed office deck, proposed ground floor common area plans, changes of the foundation wall in the parking garage as recommended, previous wall and balcony location on upper levels two through four that were shifted as requested and interior unit update at Byron, new fifth and sixth floor plans, updated studio and one and two bedroom unit plans, elevations, planted area, daylight plane, proposed five to six-foot tree area and additional exterior materials.

Paul Lettieri, Guzzardo Partnership, gave a slide presentation talking about refinements that had been made, proposed materials, plant palette, new roof deck, existing photos and a cross-section showing how the pedestal paving would sit on the asphalt and how planter pots would work.

## **PUBLIC COMMENT**

Christopher Ream (Dennis, Kay, Sophie, Joann), spoke on behalf of people living at the Hamilton. He provided a slide presentation outlining concerns about issues with the Coast Live Oak tree canopy, parking problems, size of parking spots, independent puzzle parking, the setback slashing through the fifth and sixth floor, the Middlefield setback and the balconies hanging over University Avenue.

Carol Gilbert (Rose, Franco) gave a slide presentation entitled "The TDM Dream" with concerns about transportation management, parking issues and limited width of Byron Street creating safety issues. She indicated the building and Byron Street should be reconfigured to handle the reduced parking. She asked the Board to decline the TDM plan. She did not think they had the data to support their plan.

Stephen Levy requested moving the project forward.

Amie Ashton, Executive Director of Palo Alto Forward, indicated her organization had submitted a letter as well as an attachment with over 100 pages of letters from residents supporting the project. Regarding parking, if the project was one block closer to Caltrain, it would be covered by AB 2097 and not subject to parking mandates. She supported the increased height. She urged providing a recommendation to the Planning Commission and City Council to move the project forward.

Corey Smith, Housing Action Coalition, expressed his organization's support of the project along with letter of support from 30 neighbors. He remarked it was critical to support this project and having it move forward.

Armando Murillo, representative of Local 405 of the Northern California Carpenter's Union, expressed concern that the developer had not chosen a responsible contractor for the project. He urged the Board to advocate for responsible practices that prioritize fair wages, good benefits and the economic stability of the workforce.

Noah Schneider, urban planning student at USC, supported the project and hoped for the Board to move it forward.

Robert Aguirre, spoke in representation of unhoused people of Santa Clara. He provided statistics about the burden of income spent on housing in Palo Alto that lead to homelessness or unacceptable living conditions. He thought the tree was important to keep. He was in favor of this project and hoped for more of the same.

Mr. Smith spoke about the comments regarding the tree. He indicated they were doing exactly what the City arborist had agreed they could do and they should trust the tree experts and let the process move ahead with the City's guidelines on how to handle the tree. They would be putting up a bond of 200 percent of the value of the tree. Regarding parking, he maintained it was an extremely walkable site. They would provide 78 stalls 26 of which were for office that could be used by residents in the evening hours. He noted they lost parking when the residents of the Hamilton insisted they move the drive ramp from Middlefield to Byron. They would also be losing parking by maneuvering the ramp to preserve the oak tree. He maintained the TDM plan was solid.

Boardmember Hirsch wanted information about the slope of the parking ramp and delivery and move in provisions.

Ms. Borden replied the slope was proposed as a speed ramp, 22 percent with 11 percent blend. There would be a 10-foot blend at the top and bottom and a 5-foot slope up before sloping down that was part of the flood protection requirements. There would be a flood gate at the top. The opportunities for deliveries included removing a street stall to provide a loading stall for both the trash pickup as well as other incidental loading and there would also be a trash room onsite to accommodate loading for the project. A rollup door would be provided requiring coordination with the leasing office on the ground floor. If needed, the loading for the site for delivery vehicles could be accommodated by the onsite trash room. In the street, there would be a reserved loading stall parallel to the curb within the street parking zone. They were in discussion with a residential management company helping to make sure they accommodate all the amenities. There would be a mail room and a concierge to accommodate larger deliveries to the units. Approaches for food delivery being considered were having them delivered to the ground floor and accommodated by the leasing office during the day and in the evening the tenants

would need to go down to the ground floor or provide information so the deliverer could get to the upper floors.

Vice Chair Chen had questions regarding the circulation for the office trash, the ground floor area, the entrance to the fitness center, explanation of parking levels, glazing and materials.

Ms. Borden indicated the office trash was one revised in the new proposal. The sixth floor office trash would be handled by a janitorial staff. It would go down through the elevator into the trash room between the fitness area and residential amenity area. All office trash would be taken care of with the smaller rolling bins staged on Middlefield. She agreed to look into the current trash service and proposed trash service schedule. The residential amenities were intended for only the residents. The fitness center was proposed to be used by the office and the residential tenants but that could be discussed. She referred to the ground floor plan indicating a door from the amenity space leading to the office lobby and from the exterior they could go out to the front door and down and up the ramps. On the lowest parking level, the P2 was where the independent stackers were and they were residential only. P1 level was office parking and was available to residents on nights and weekends. The accessible parking was also in that area. She described a building code requirement to have raised pedestrian pathways. She stated a shadow box had been incorporated to provide the future tenant with the most light and view as possible. They would work with the tenant to provide an interior buildout amenable to the exterior building design. She explained the simulated concrete panel was lighter weight and better for constructability.

Mr. Smith remarked opening the fitness center to the public had been considered but the strain on parking demand presented a challenge.

Chair Rosenberg pointed out there appeared to be an exterior route taking the elevators down, walking out the front doors down the sidewalk into the fitness center or walk down the hallway through the office lobby into the fitness center.

Boardmember Hirsch had questions about the concrete ramps on the front ground level elevation.

Ms. Borden remarked there would be a low concrete base wall with a railing above. It would have a poured in place low wall between the ramp and the sidewalk.

Boardmember Adcock asked about the timeline, the edge of the building and property line, the fence around the stairs to the garage on the Middlefield and Byron side, the planting outside the lounge and coffee bar, who the leasing office and Amazon mailboxes would benefit and minimizing the daylight plane impact.

Ms. Borden believed it would be a 15 to 18-month construction process. On the three street frontages, the face of the exterior wall was at the property line. Shoring would need to encroach within the frontage underneath the sidewalk. The ramp wall was shifted away from the interior lot lines. All shoring was on their private property. That addressed all conditions. She demonstrated where the foundation wall had been moved an additional five feet from where it was previously. The shoring shown in the hatched area was 26 inches wide. That was all outbound of the 30-foot for the main portion of the parking. The ramp walls on either side of the P1 level would have shoring within the 30-foot protection shown accommodated by the arborist report and would be done under the supervision of the arborist. Regarding the stairs to the garage on Middlefield and Byron, there would be a concrete wall from grade

up to the base flood elevation required by FEMA and there would be an open railing above that for sight line. The height of the railing would be 3 foot 6. The height of the base flood would be 1 foot 10 above grade. The planting outside the lounge and coffee bar was planted and would be maintained from either side or from the stair itself. The leasing office and Amazon mailboxes were intended to be private residential use. She indicated making the daylight plane skinnier would not comply with the 25 percent minimum nonresidential area required for the project to have below grade parking.

Vice Chair Chen wanted clarification of the floor to ceiling height.

Ms. Borden stated 7 foot 9 would be the head height of the doors at the primary residential levels. The final ceiling height would require coordination with MEP. The aim was to have an eight foot ceiling.

Chair Rosenberg wanted to know the precipice for changing from a four-story to six-story building.

Ms. Borden replied the only way they could incorporate the 24-foot setback and meet all other requirements was to add two floors to the building. The FEMA requirements would have been the same on the previous project.

Boardmember Adcock asked for clarification about the number of units.

Ms. Borden replied the number of units was a result of the quantity of units being lost from the setback plus the increase from the quantity of studios to have more one to two bedrooms.

Boardmember Baltay recalled discussing appointing an ad hoc committee for the project and wondered about that. He wanted to understand which materials and finishes on the exterior were previously approved by the ARB and which were new. He asked about the plans under the tree canopy and the trees being proposed. He asked staff why they were recommending to continue the project.

Ms. Borden indicated one of the notes on the materials was about the LRV value of the white paint on the siding and the transition of the siding.

Ms. Kallas clarified staff had reviewed the comments the applicant had responded to but they had not gone to an ad hoc meeting. In preparation for the Planning and Transportation Commission meeting, she had outlined how some of the ad hoc items had been responded to.

A slide was provided outlining the ad hoc committee assignments.

Mr. Lettieri pointed out where they would be retaining the asphalt paving under the tree canopy intended to minimize construction activity. He noted the rationale of planting the trees under the canopy was to meet the tree planting requirements for replacement. Cherry trees have worked before and the arbutus would grow in the shade. They were opening to changing the tree species.

Ms. Kallas indicated the main reasons staff were asking for a continuation was to allow the ARB an opportunity to provide comments and see the responses. If a recommendation was made for approval, the next step would be going to the Planning Commission. The other reason was that the proposed changes had not finished being reviewed under CEQA. Although they did not anticipate any significant new changes as a result of adding the two stories, they just wanted that review to be complete.

Chief Assistant Attorney Arellano explained they could move forward without having the final draft of the updated CEQA document. The decision on whether to accept that analysis would rest with the

Planning Commission and the Council. If there were concerns related to changes to the project that the ARB did want to wait and see how the CEQA analysis looked at those concerns, that consideration would cut in favor of continuing to another ARB hearing.

Boardmember Hirsch observed there had been no resolution of the discussion of the bike room in the basement. He felt the ramp slope was excessive so all of the bikes would be coming through the elevator resulting in a conflict with movement within the building. He thought it would be more important to have a bike room on the first floor. He thought having two lounge areas on the first floor was unnecessary. He suggested looking into having one lounge and a bike room on the first floor. He was bothered by the way the panels extended out beyond the vertical elements. He thought it was important to create a distinct relationship. He thought ad hoc should look into how they would intend to take care of the water on the decks and study the vertical stair enclosure. He mentioned having operable windows and a concern about balcony railing issues. He had not seen details of privacy panels between the railings. He thought the daylight plane cutting through two floors where the building was out to the perimeter on the south side should be showing within the drawings. He thought the vertical wall being concrete material was an anomaly on the face of the building. He suggested changing the art deal on that particular wall. He thought they could strengthen the top of the building at the cornice line instead of having it divided. He remarked the objective standards asked for a recess at some point in the perimeter of the building. It was used with the smaller entryways on the ground floor. He thought that would change their standards. He commented it was a successful building. He thought the tree issue was serious and hoped the arborist would watch it carefully. He noted they had warmer materials as was requested. Overall, he supported the building.

Boardmember Baltay was fine with the extra height of the building. He had no problem with the daylight plane against the residential office. He was fine with the Middlefield setback that was previously approved. He agreed with Boardmember Hirsch's comments regarding the interplay of the materials and elements on the façade; however, he thought they were originally approved and he would not want to force the architect to go back through that. He thought at least some portion of bicycle parking needed to be at grade and felt it should be addressed. He was concerned about the balconies near the tree and would prefer to not have balconies where the tree would be impacted. He wanted to see all other apartments have balconies 100 percent as required by code. His biggest concern with the proposed design was the height of the office space at the top and the proposal to have it be all glass on the façade. He thought it should be cut down a couple of feet and the roof cornice line needed to be emphasized a little stronger. He was concerned about the impact on birds with the glass. He wanted to see the glass vertically reduced and not consistently along the whole façade of the building. He felt the roof eave needed to be larger to cap the building. He strongly supported keeping the previously approved tree protection in place. He wanted to see the landscape architect consult with the City arborist to come up with a planting plan that would mitigate impact to the tree possibly finding a different place to put the replacement trees. He was in favor of finding a way to recommend approval of the project with a return to an ad hoc committee.

Chair Rosenberg admitted she was dismayed by the height at first but realized trade-offs had to be made in order to have the 24-foot setback along Middlefield. She was also dismayed that the unit increase was only three; however, noting how many increased from being studios to single bedrooms was favorable. She thought the tree would be impacted one way or the other and they would defer to the experts on that. She felt the applicant was being thoughtful and considerate with their design

choices and encouraged them to be thoughtful with their means and methods. She was not opposed to removing the balconies from those two units. She was pleasantly surprised with how much parking there was with this building. She was hopeful that this would be a walkable unit. She thought smaller footprint improved the site and landscaping. She talked about the benefits and drawbacks of the top floor office space. She thought there should be some consideration for timing of the overall large lighting on the top floor with the floor-to-ceiling glazing. She indicated the H plan needed work as the elevator going through made it uncomfortable. She wondered if the elevators in the entrance could be utilized better.

Vice Chair Chen agreed they should trust the City and the arborist's professional opinions regarding the tree. She thought the office on top solved some problems and the all glazing scheme would make the building lighter. She was okay with the building height. She appreciated the effort made with the special setback. She suggested the staff give clear direction on whether the applicant should take additional consideration on the structure support if any transportation improvements happen in the future.

Boardmember Adcock pointed out the 24-foot setback needed to be designed for future sidewalk/bike lane/parking potential uses. She mentioned the nine balconies facing the tree should not be there. She explained a reduction of 1000 square feet of office on the sixth floor would give back a majority of the daylight plane. She thought it set a bad precedent for not holding to the daylight plane requirements of the City. She was not a fan of fake materials and thought the board formed material going to the eave line should be the same as the space surrounding the public art. She observed a minor swap on the upper levels of where the trash chutes were versus where the door entered the trash room would provide more depth into the first floor trash room which would be used as potential deliveries.

Boardmember Baltay suggested recommending an imaginary daylight plane starting at 16 feet and going up.

Boardmember Adcock agreed if the clipping of the corner of the sixth floor went away and some of the sixth floor glass box remained.

Boardmember Hirsch did not think changing the profile of the building in this way was worth impacting the one-story building next door. He thought Planning should think about either raising the beginning of the daylight plane in buildings like this or allowing an encroachment. He was in favor of keeping the rear daylight plan with the exceptions being allowed here. He felt more strongly about having a bike room on the first floor than having additional commercial space.

Chair Rosenberg agreed with Boardmember Hirsch's comments that this was an extreme request and a big modification. She did not think the daylight plan or reduction in office space would make or break the project or set a negative precedent. She did not support that change.

Vice Chair Chen supported keeping the plan as it was.

Chair Rosenberg appointed Boardmember Hirsch and Vice Chair Chen to the ad hoc committee.

**MOTION:** Boardmember Baltay moved to recommend approval of this project with the following items returning to an ARB ad hoc committee for review and seconded by Chair Rosenberg:

1. Ensure the approved plans do not further increase activity in the TPZ than currently shown in the plans without arborist review. Remove balconies from within the oak tree canopy. Support Urban Forestry's COA for the 200 percent tree value bond.
2. Include the greater specification of all materials include complete material specifications and samples, the corner details, reduce the LRV level of the white paint finish to 83 or less.
3. Provide at least 25 percent of the long-term bicycle parking readily accessible at grade.
4. All residential units shall comply with the City's private open space requirements, excluding the units within the oak tree canopy.
5. Revise the tree planting plan to eliminate or relocate proposed new trees under the oak tree canopy, with review from the City's arborist.
6. Reduce the height and total transparent area of glazing on the sixth floor.
7. Review and revise the elevations to eliminate or mitigate co-planar situations with different building materials.

Add a condition of approval to:

1. Provide a shade/blind and lighting control plan for after-hours within the office uses as applied to similar previous projects.
2. Ensure the structure over the below grade garage within the setbacks can accommodate proposed planting and utilities, with at least 3 feet of soil depth.

**VOTE:** Motion carried 5-0

### **Study Session**

3. Study Session to Review Potential Amendments to the Regulations for the El Camino Real Focus Area in Title 18 (Zoning Ordinance) of the Palo Alto Municipal Code to Implement Program 3.4E of the Adopted 2023-2031 Housing Element. Environmental Assessment: On April 15, 2024, Council adopted Resolution No. 10155, approving an Addendum to the Comprehensive Plan Environmental Impact Report (EIR).

### **PUBLIC COMMENT**

Peter Giovannotto expressed support for the expanded study area. He was enthusiastic about the possibility of expanding it to include his family's two projects on 3606 and 3781 El Camino Real. He highlighted the importance of creating the right conditions for a housing development.

Chair Rosenberg requested making sure the public speaker's comments were noted in the upcoming report.

Mr. Switzer assured that the commentary would be included as a public comment.

Amie Ashton, Executive Director of Palo Alto Forward, remarked that staff flagged the issues they were looking at perfectly including the height transitions and step back requirements. She asked the Board to review the letter her organization sent.

Mr. Switzer commented the projects the first public speaker referenced were included on packet pages 12 and 13 in the list of pending projects.

**MOTION:** Chair Rosenberg moved to continue this agenda item to a date certain of December 19 and seconded by Vice Chair Chen.

**VOTE:** Motion carried 5-0

### **Approval of Minutes**

4. Draft Architectural Review Board Meeting Minutes for November 7, 2024

**MOTION:** Chair Rosenberg moved to approve the minutes as written and seconded by Vice Chair Chen.

**VOTE:** Motion carried 5-0

### **Board Member Questions, Comments, Announcements Or Future Meetings And Agendas**

Chair Rosenberg indicated they would be reviewing the El Camino Real focus group along with the ARB design awards in two weeks.

### **Adjournment**

Chair Rosenberg adjourned the meeting at 11:57 a.m.