



CITY OF  
**PALO  
ALTO**

**CITY OF PALO ALTO**  
**Architectural Review Board**  
**Regular Meeting**  
**Thursday, December 05, 2024**  
**8:30 AM**

<b>Agenda Item</b>
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4. Draft Architectural Review Board Meeting Minutes for November 7, 2024



## ARCHITECTURAL REVIEW BOARD MEETING

DRAFT MINUTES: November 7, 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 November 7, 2024 in Council Chambers and virtual teleconference at 8:32 a.m.

Present: Chair Kendra Rosenberg, Vice Chair Yingxi Chen, Board member Mousam Adcock, Board member Peter Baltay (arrived late 8:35 AM), Board member David Hirsch

Absent: None.

**Note: No audio was available until 10:21 into the meeting.**

### **Oral Communications**

None (see above).

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

None (see above).

### **City Official Reports**

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

A slide presentation was provided outlining the Director's Report, meeting schedule and upcoming agenda items. No audio was available for this portion of the video (see above).

### **Study Session**

2. STUDY SESSION. 3150 El Camino Real [24PLN-00231]: Request for Streamlined Housing Development Review to Allow Demolition of Two Existing Commercial Buildings and the Construction of a 368 unit Multi-Family Residential Apartment Building. The Project would be Located on a 110,030 sf Lot to be Created from Five Existing Parcels at 3128 and 3150-3160 El Camino Real. 74 Units Would be Deed Restricted to Serve Tenants at 50-80% of Area Median Income. Zone District: Commercial Service (CS). Environmental Assessment: The Project is Being Reviewed for an Exemption under CEQA Guidelines Section 15183 (In-Fill).

Garret Sauls, Principal Planner, provided a slide presentation about the 3150 El Camino Real Streamlined Housing Project. No audio was available at the beginning of the presentation. The audio picked up as he was discussing the new streamlined entitlement process, background/process of the application, a background/process of the El Camino Real focus area standards, aerial image of the project location, a

high level overview of the application, overview of the site plan, the east and west elevations, material schemes, key considerations and study session recommendation.

Gary Johnson, applicant, provided a description for the 3150 El Camino Real Residential project proposal.

Chris Lee, architect from Studio T-Square, provided a slide presentation discussing the site context, zoning compliance, urban design concept, streetscape renderings, rendering of aerial view from north-east, ground level site plan, floor plan of level B1 (B2 similar), level 3 (level 4-5 similar) and level 7, site sections, rendering of north-west view from El Camino Real, north elevation, south elevation, west elevation, east elevation and colors and material.

Paul Lettieri, landscape architect from Guzzardo Partnership, provided slides discussing the conceptual landscape plan and imagery.

### **PUBLIC COMMENT**

Steve Levy, economist, discussed the extensive direct engagement involved in the project and financial feasibility. He hoped for continued engagement. He indicated that the Board should remember that the applicant would need to be satisfied after negotiation that the project would make sense for him, her or their organization.

Rigo Gallardo, field representative for the Nor Cal Carpenter's Union Local 405 in the South Bay, remarked that the project could help meet the community's growing needs. He further indicated it would only succeed by being built by a responsible contractor who would prioritize responsible labor standards such as hiring apprentices from an accredited apprenticeship program and making sure the workforce has healthcare.

Amie Ashton, executive director of Palo Alto Forward, voiced support of her organization of this project.

Boardmember Adcock queried if the balconies and outdoor area on the first floor within the setback were compliant with the City's zoning requirements.

Principal Planner Sauls confirmed there were allowances for encroachments into that area. He recalled there to be a six-foot encroachment for balconies within those areas and it was ensured to conform to the standards.

Boardmember Hirsch asked if the application for Parmani Hotel was being held back. He wanted to know if there had been any study of the line of trees in the back of the site and if they hoped to retain them.

Principal Planner Sauls responded that project had expired from financial feasibility issues due to the pandemic. There were hopes of coming back to propose the same design in the future. He also noted the actual standards within the objective standards talk about adjacent buildings and it talks more about the existing context rather than the proposed context for these adjacent buildings. That is why there is not a scale or reference to that proposed project within this project in terms of how they are demonstrating compliance with that standard. He indicated there was an arborist's report within the plan set that identified the impacts of those trees and he believed they were looking to replace them in accordance with the Tree Technical Manual.

Mr. Lettieri added there was a row of fairly poor conditioned blue gums along the back side that were proposed to be removed for safety reasons. Replacement trees were shown on the plans. They were on the adjacent property and the owner shared the same opinion about the trees being a potential fall risk.

Boardmember Adcock queried how tall the fence was relative to the grading of the walkway area with the gate and fencing that wraps the three sides of the property on the back. She wanted to know if the gates on the end of the fence would be locked for resident use only.

Mr. Lettieri replied the fence was six feet tall. He confirmed the gates would be locked for resident use only.

Boardmember Baltay asked if some of the spaces on the main floor site plan could be converted to retail spaces in the future if the applicant wanted to convert them to that purpose. He questioned if it would be possible to condition the building now so it could be retail without having to go through a planning approval process. He wanted to know if it would be possible to condition this so those spaces could be retail in the future without receiving additional approvals if the Board so recommended.

Principal Planner Sauls confirmed that was a possibility. He did not believe a planning approval process would be required provided they would be able to demonstrate their compliance with the parking requirements for the site. He did not think the applicant's vision with the application was to have a commercial space within the building. He indicated from a process standpoint they would be required to get building permits from the building department. Having a condition on the project or not wouldn't necessarily preclude them from being able to do that in the future.

Chair Rosenberg questioned if the parking requirement would be necessary since they were centrally located to significant hubs of public transportation.

Vice Chair Chen queried if it would be possible to have tenant improvement to add more floor area if in the future it turned out to be retail space.

Principal Planner Sauls replied that if they were creating a second floor level, they would need to evaluate how that FAR would increase for the site.

Boardmember Hirsch asked for explanation as to how circulation would work between the lobby and the units in the distant areas. He thought it was confusing. He wondered if it would be possible to make a direct connection from the inside of the building. He made a suggestion that would be a more clear complete circulation. He wondered if it was reasonable for some of the balconies to be four to five feet from one another or if they could perhaps be alternated. He wondered about the sense of privacy. He suggested looking at all of them relative to each other to find some good schemes for creating privacy.

Mr. Lee explained the walls between the lobby and the leasing office would be more transparent so they can go through the lobby to leasing, co-working or fitness easily. They envisioned most of the east side residents would use the east or west side lobby. They could also spill out to the street from the co-working and fitness spaces. He indicated the floor could be studied with the interior designers to see if they could achieve any improvement. He explained that the exiting of the dead-end corridor prevented making it a complete circulation due to building code. He assured that they would continue to explore that. He stated they did alternate the balconies. He thought elevation wise it would look better not to repeat every 20 feet.

Boardmember Adcock thought the same applied where there were elevators down the page to the units on the page south.

Chair Rosenberg thought it looked like the balconies were all touching on floor level three on the south side façade. She wanted to know the intent would be for privacy screen between those. She asked if there would be a full height wall.

Mr. Lee explained that level three was different because they provided a second level step back so that specific level had a larger balcony. They could put planters in between them for privacy and they could incorporate a glass wall between them. The typical balconies were separated by 10 feet.

Boardmember Adcock queried what percentage had balconies. On the sixth floor where it said roof, she asked if it was balconies. She wanted to know the railing height. She suggested carrying the TPO roof outside of the metal perforated railing out a bit further.

Mr. Lee did not have the exact number but other than the studio, most of the one to three-bedrooms were intended to have balconies unless there was a circumstance where they want to create some special element. Mr. Lee said the sixth floor roof area was not balconies because it was a large step back that they want to fence off as just a roof. Part of the deck was balconies but not all. The railing height was 42 inches.

Chair Rosenberg asked for clarification on slide 8107 on floor plan level six whether it would be divided into three separate balconies or going to be a roof.

Mr. Lee indicated conceptually they wanted them to be balconies for the residents but they were still working on the detail and wanted to have some flexibility. They did not want the balcony to go all the way to the edge and they might have to do something to stop closer to the building line.

Boardmember Baltay wanted to know how the process was in interpreting the standards. He asked how many times they came to them with something that did not quite meet the standard. He asked what the architect's experience following the standards were. He asked if the additional drawings were difficult to do.

Principal Planner Sauls confirmed some of the things were hard to distill. They were currently envisioning working through clarifying some of it in the next coming months. He added it was helpful to be able to have communication between the staff and the applicants. He recalled they only came to them with the standard two or three times.

Mr. Lee responded it was not too difficult to check the boxes. He felt some of the standards were a bit onerous and could lead to a repetitive pattern. They tried very hard to comply to it while creating some more dynamic module to it. He thought 90 percent of them made sense. He thought the additional drawings helped them to understand internally.

Boardmember Hirsch mentioned that some of the references were to El Camino Real in the past rather than buildings coming up in the future. The references to vertical requirements seemed to be of little importance to this particular building and the way in which the horizontals actually work seemed to be more important to this building. He thought it was a feedback as they got into a building of this nature that the standards should be adjusted.

Principal Planner Sauls thought for large properties like this there was more space to play with putty. For smaller sites, there would likely be more challenges to conform with many of these standards.

Boardmember Baltay wanted to hear from staff how they managed getting them to come off of the Builder's Remedy project to something that was code compliant.

Principal Planner Sauls replied there were a lot of conversations between him and the applicant. There was a lot of interest from the applicant side to want to process an application that would meet their standards and they were at the same time developing the focus area standards. There was a lot of communication between staff, the director and the applicant on how those standards could be molded to try to encourage as most significant amount of development within this specific corridor as possible. He thought having the checklist and objective design standards made it more simple to be able to check the boxes. He stated it helped projects move through the pipeline a little faster to go to the study session rather than come to the Board two or three times.

Vice Chair Chen wanted explanation on the intent for having several loading areas on the site plan. She asked if the trash staging and Uber delivery area and the garage were gated. She observed there were a few parking spots that were only eight feet instead of eight feet two inches. She asked how many parking spaces would be located on A401, building section B. She wanted to know about the elevation change at several places on the site plan. She asked about the finish around the entry column. She wanted to know what material was intended for the column on sheet A331 of the main lobby at the west corner plaza.

Mr. Lee indicated the light blue area on the driveway was moving and loading. They worked with a traffic engineer to ensure a loading truck could safely back in and turn out. The moving truck would schedule a time to go there to load. That area was also for trash pickup. They had two trash chutes. All the trash would collect from the basement and go through the ramp into that zone during only specific times so the trash truck could come in front loaded and turn out. The pink area was for passenger drop off. They wanted the area on the right side of the sheet to be a loading area but Public Work and Transportation did not agree because the bike lane on El Camino Real would make backing out to the street difficult. They tried several times to make that a secondary loading from another lobby. Right now that driveway would only be for the transformer service. They designed a decorative roll up door for the trash staging and Uber delivery area for full security when not in service. On the basement plan, the first garage area was not gated. Those were for guest parking. They did have a gate past a certain point. The bike parking on the upper side could be accessed by both guests and residents. He described the gates at the trash staging and Uber delivery areas and the garage. He stated the lower level would be lower than eight feet two inches. All the accessible parking would be provided at B1, the first level. They tried to make all the corners have accessible clearance at eight foot two or above. He said there would probably be six parking spots at A401, building section B and they would not be accessible. He explained there was a smooth transition from east to west of the El Camino Real sidewalk with a roughly four feet high difference and a gentle slope throughout the curbside. There was a temporary ramp placed but the location was being worked on with the interior designer to mitigate the visual connection to be more transparent. They needed a ramp or lift in between some of the functions. He stated the intent was to incorporate some water feature along with the structural column and the landscape seating area.

Mr. Lettieri added there would be an artist involved with column located on sheet A331 of the main lobby at the west corner plaza. It would be solid and they hoped to have water come down the column to a pool.

Boardmember Adcock queried if the windows from the apartments were operable. She wanted to understand what would create the deep recesses on the front on the rendering on 410. She asked about architecture and materials of the balconies. She preferred they attempt to achieve the look with the clip-on balconies where the exterior material hides all of the edge structure. She observed in proportion to the overall elevation, the larger vertical seen on the rendering was better proportioned than what the detail would result in. She asked if the water would drain out the middle or dump out the side since they have stacked balconies. She wanted to ensure stacked drainage would be considered.

Mr. Lee replied every unit would have a portion of operable windows but they have not identified which portion would be operable. On the rendering on 410, he explained some of the shadow was created by a shadow device. There was a balcony in the middle with at least a six foot recess. He explained they would mix and match the material on the balconies to incorporate them into some of the objective design standard. When a deeper recess vertical break was called for, they used a certain type of balcony to be different than the other type to coherently kind of bring the purpose for recess area with a different type of balcony. He explained the detail was still being developed but he believed the rendering would be more of the design intent moving forward. He indicated the bottom balconies would likely be shift flow but the internal balconies would be through internal drain.

Principal Planner Sauls added the window may be slightly recessed about two to four inches but there was also a projecting panel element going beyond the façade creating a deeper visual.

Boardmember Hirsch inquired if it had been discussed with the Transportation people how they would stack delivery vehicles as they came in. He wanted to know if putting the main entry in the center between the protruding shapes onto El Camino had been considered.

Mr. Lee confirmed they worked with Transportation. They would increase the loading area quite a bit in order to accommodate all the activity. They will have a traffic engineer to put a template and work with trash management and their management team to put in an appropriate template to ensure all the loading and trash pickup could be managed. The management team would need a schedule to screen the activity. The trash pickup would be in the morning so at that time nobody would be scheduled to load. Moving tenants would need to obtain a timeframe to bring in a truck. There would be two loading bays and they felt that would be plenty. They would work with a signage consultant. He described the options considered for the entry and they consolidated them.

Principal Planner Sauls added the image showed a clear access point for any vehicles coming to drop off packages to the main lobby and toward the leasing area. They would be outside the lane of travel. People would only be going in or out along the long driveway area but loading vans or delivery vehicles would be pulling off to the side to deliver packages. He noted the objective standards did not want to highlight driveways. If the idea was to have a vehicle-centric concept, an entry could be created but it would highlight where cars come in rather than potentially where people are coming in. Most of the standards tried to push the entries off to the side to be minimized in terms of the architectural designs. From a pedestrian standpoint, the intent is to create an inviting space.

Chair Rosenberg observed if there was a retail space, the co-working element would be the ideal spot as it would be centralized on the building. She asked for clarity on the colors shown on the renderings and mentioned the red shown on the trellis above the columns and the deeper recessed cutouts where the balconies were. She asked if the façade going back into the balconies would be the red material and not the wood wrapping around.

Mr. Lee explained the material board that was submitted a year ago had been misplaced so they scrambled to bring some of the main material. They would supply the pain chips. He highlighted the vertical cultural stone element from the ground to the roof garden between the red and wood color.

Principal Planner Sauls indicated the renderings showed the recessed portion would be cardinal red and that could also be seen down along the diagonal cut-in to the building.

Vice Chair Chen wanted clarification on the lighter color being used.

Mr. Lee reiterated these were not the real actual colors. The rendering represented the metal panel on the top level, not the exact color. The club room and the left side of the unit intended to use some of the metal color.

Chair Rosenberg was overall pleased with the design. She thought the cohesion with the objective standards was successful. She appreciated the ins and outs of the building and the dynamic façade. She agreed that the lobby could be centrally located but she was fine with how it was angled. She appreciated the thoughtfulness to parking, bike parking, loading and unloading zones and the trash collection. She appreciated the landscape architect and thought it would be a dynamic project. She was personally not a fan of the red color. She agree there should be more thoughtfulness to the circulation between the main lobby and front corridor so attention should be paid to the possibility for a more cohesive circulation on the ground floor.

Boardmember Adcock thought the building was well designed and the intent from the renderings was clear. Her main recommendation comment was to follow through with the details that match the rendering. She thought the deep recess windows and the balconies in front made the building a three-dimensionally intriguing shape. She agreed the first floor circulation needed some work. She stressed making the balconies as equitable as possible. She did not mind the shared continuous balconies as long as there was some privacy partition between them.

Boardmember Hirsch described the elements he admired of the building and thought it was a prototype of something that could be considered for other buildings in the future. He hoped Planning would recognize the importance of those elements to the scale of the City. He thought all the articulation on the facades added to that. He felt the selection of materials and alternate faces of the building were well organized. He agreed the area being used for circulation needed much more work with the transportation engineer but aesthetically because it was being created as the main lobby. He suggested using enclosures to focus attention to the front instead of what goes on in the background with loading and unloading.

Vice Chair Chen appreciated the well thought out site plan. She indicated there were minor internal circulation issues that needed to be improved. She liked the different amenity spaces provided in different levels and the multiple roof terrace. She thought the materials were high quality and compatible with the scale of the building. She suggested considering the clear glazing being used for the

long term bike storage because there were other projects with concern about the security for bicycle storage. She was personally not a fan of the red vertical walls along the El Camino Way. She thought they competed with the angled massing elements. She liked the design overall.

Boardmember Baltay remarked it was an excellent project and everything should be done to approve it as fast as possible. He commented the site planning worked very well, the facades were well designed and the materials were high quality. The amenities and details would make it a good place to live. He suggested focusing on the details of the windows to get more depth on the installation, considering the suggestion made regarding the ground floor circulation and finding a way to make it so they could convert to retail without going through an approval process.

### **Action Items**

3. PUBLIC HEARING/QUASI-JUDICIAL: 70 Encina Avenue [24PLN-00095]: Consideration of an Application to Rezone the Subject Property and an Adjacent Vacant Parcel to Planned Community/Planned Home Zoning, to Demolish a Surface Parking lot, and to Construct a New Three-Story, 22,355 Square Foot Building with 10 Residential Condominium Units, Two of Which Would be Provided at Below Market Rate. Environmental Assessment: The City is Preparing an Exemption in Accordance with CEQA Guidelines Section 15183 (Comprehensive Plan Consistency). Zone District: CC (Community Commercial). For More Information Please Contact the Project Planner, Emily Kallas, at [Emily.Kallas@Cityofpaloalto.org](mailto:Emily.Kallas@Cityofpaloalto.org).

Boardmember Adcock, Vice Chair Chen, Boardmember Baltay and Boardmember Hirsch admitted to have visited the site.

Boardmember Adcock had met with the architects on the projects a couple of weeks before.

Vice Chair Chen met the architect on October 3 and the information was all covered in the package and drawing set.

Chair Rosenberg had met with the architect. She clarified each person met individually.

Boardmember Baltay met with the architect but did not learn anything not in public record.

Boardmember Hirsch talked with the architect and with Dean Rubinson whose company owns the shopping center.

Emily Kallas, Senior Planner, provided a slide presentation about the 70 Encina Avenue Planning Home Zoning Project including a background/process of the project, project location, project overview, site and floor plan, renderings compared to preliminary plans including west, south and eastern elevations, neighborhood renderings, key considerations, public comments from Ellis Partners and recommendations.

Boardmember Adcock queried if PCH applied to the zoning or if it was PC making its own zoning and if the zoning had been developed.

Claire Raybould, Interim Manager of Current Planning, replied it would be a PC application creating its own zoning. The CC development standards were provided for reference. The PC process would include coming to the Architectural Review Board for review of the development plan then they would

return to the Planning and Transportation Commission with a proposed ordinance that aligns with that development plan.

Boardmember Baltay recalled having seen the project twice before, once as a study session and that it was a five-story proposal at first. He observed this had been in the planning process for about two years.

Planner Kallas replied it was one time before for a preliminary Architecture Review Board which was a separate application prior to receiving this. The five-story proposal was a City Council pre-screening. She confirmed it had been in the planning process about two years.

Boardmember Adcock asked if that would make this meeting number one or two.

Planner Kallas explained as this was not a streamlined housing project, there would not formally be a limit in the number of meetings. In terms of the typical process, it would go to Council, PTC, ARB, ARB, PTC, Council but due to the redesigns between the initial Council meeting and the PTC meeting, the applicant chose to have a preliminary Architecture Review Board meeting.

Boardmember Hirsch inquired how the site was defined as unrelated to the parking lot and being developed separately.

Planner Kallas explained the property was not owned by the same owners who own the rest of the land that is leased to Town and Country for the shopping center. It was sold to the current property owner who was choosing to develop it. The parking for Town and Country did still meet the zoning parking requirements without these two parcels. A lot merger would be included as a part of the project.

Boardmember Adcock queried if the two lots were within the Town and Country development plan boundary. She presumed the other properties that were part of the parking lot could be sold individually in the future. She wanted to know how the housing element would allocate the number of potential development of the lots using the housing element umbrella.

Planner Kallas responded that Town and Country does not have a development plan. There was a master sign program and a master facade program which regulated mainly the appearance of the existing buildings and did not regulate future development. The zoning code and comprehensive plan did refer to the Town and Country Shopping Center as being bound by Encina Avenue, Embarcadero Road, El Camino Real and the Caltrain Right-Of-Way. However, they felt this project would need to be designed in a way that does not impact the operation of the shopping center.

Ms. Raybould thought theoretically they could be sold off separately but a number of the other parcels were owned by Town and Country and therefore they would have control over the use of those parcels. She explained the way that the housing element site allocation worked was assuming a mixed use project because that was what was allowed in the base zoning and also based on the zoning regulations. That was the capacity based on those restrictions under the PC ordinance and proposal. It could be higher, especially as it's not proposed as a mixed use project in which case they would need to rezone. The housing element site itself would be allowed to develop as fully residential but the other site not identified as a housing inventory site would have to comply with the mixed use requirements.

Boardmember Hirsch queried what happened to the parking that had been on this lot prior to it being separated.

Planner Kallas explained the property had already been taken out of the parking stock for Town and Country. There was a fence around the project. Those spaces were not counted towards Town and Country's parking requirements and there were enough parking spaces based on the zoning code.

Ed Storm, Storm Land Group, discussed a background of the project. He indicated they had only been opposed by Town and Country Shopping Center and he did not think they could ever satisfy their conditions. He stressed this was an opportunity to build the housing the City wants and was surprised how difficult it had been to get the support of the City. He hoped they would look to being partners in getting the housing built.

Jeff Galbraith, Hayes Group Architects, provided a slide presentation about the project to include the process/planning review timeline, comparison of preliminary and current proposed photos, front façade changes, rear façade changes, site façade changes, visibility from Town and Country, comments about vehicular access, electrical service/transformer location and window privacy, proposed plan changes – ground floor and front façade, turning radius studies – front and rear units, proposed plans – second and third floors and proposed plans – third floor window privacy changes.

#### **PUBLIC COMMENT**

Herb Borock discussed reasons he did not believe the item had been properly brought before the Board. He opined the only way the project could be elevated would be with proper environmental review.

Dean Rubinson, Director of Development for Ellis Partners, spoke about the various concerns about the impact of the project. He mentioned his organization having sent a letter from their council clarifying their official position on considerations and risks of future legal action regarding the project.

Randy Popp, critic hired by Ellis Partners to help them evaluate the project adjacent to the property of Town and Country Village, mentioned a letter he had sent that contained his concerns and was included in the packet. He discussed his various concerns. He hoped clear direction from the Board would help reinforce the need for changes to create a project that could be appreciated as a success.

Amie Ashton, executive director of Palo Alto Forward, spoke of her organization's support of the project and urged the Board to provide concise, productive comments to keep the project moving.

Mr. Galbraith appreciated all of the feedback received from the Board as well as from Town and Country and had been thoughtful about how to process those and figure out how to incorporate the solutions that address them. He mentioned the concerns about noise related to lack of setbacks and buffers and indicated that how the façade was constructed would make a difference. There are codes in place that dictate the noise levels that are acceptable within residential units. As part of the project moving forward, there would be acoustical studies that measure onsite noise. They would have consultants help inform them about how to develop those façades, how to specify glazing and so forth. He stated the issues were very manageable.

Chair Rosenberg asked for clarification from staff on the notes of noise complaint concerns by Town and Country. She queried if there would be triple pane glazing. She was confused why Town and Country Village was worried that their 4 AM productivity would negatively impact the tenants of the building. She asked the Town and Country representative if the concern was that complaints from the tenants would negatively impact how they were able to do business or might be restrictive. She asked how many

spaces of guest parking would be provided. She wanted to know if there was any consideration for deliveries and if there was potentially designated space on Encina that would be loading and unloading only.

Mr. Galbraith again explained an acoustical engineer would measure on-site noise levels. They would leave physical measuring devices in place that would produce a report looking at the proximity of the noise sources to the project and return to them with recommendations to meet the requirements. He reiterated that the project is designed so the exterior places are located around the central courtyard. He stated that the things that tend to be the biggest noise contributors are the train and truck traffic on El Camino Real. He did not see any objection to designating a space as loading and unloading along Encina Avenue if the City was open to it.

Mr. Rubinson remarked they knew if housing was put right next to them, there would be complaints. They were trying to highlight that there would be conflicts. It could be handled with better glazing or buffers. They were not concerned about them as tenants but as neighbors. The same related to parking. He stated that as guests come to the property, there would be no guest parking and they would park on their property and they would have to put violations on their cars and work with the City to resolve another conflict. They were trying to highlight for the ARB that parking would be a future conflict.

Planner Kallas replied that Palo Alto does not have a standard for guest parking. Parking is only based on the number of bedrooms per unit. This project would be within the AB 2097 boundaries that limit the ability to require any parking. She clarified the City required loading spaces for more than 50 housing units and this project was below that threshold. When a loading space is required, it is preferred to be onsite loading. They would likely not support converting and existing public parking space to a loading space that would restrict its current use as a regular parking space.

Ms. Raybould noted there is a bike path at the end of Encina and she thought they would want to ensure potential rights in that right-of-way would be preserved for future bike connections.

Boardmember Hirsch queried if this project would be going through an environmental quality review.

Planner Kallas confirmed that as noted in the staff report the project was currently under review. They anticipated preparing 15-183 exemption allowing for projects consistent with the comprehensive plan to be exempt from a CEQA review, such as an MND or EIR, when it meets other requirements and does not create a significant impact.

Boardmember Baltay inquired if there was any residential use adjacent to Town and Country that would be acceptable to Mr. Rubinson. He asked for clarification of Town and Country's ability to add housing in the future.

Mr. Rubinson thought they were suggesting that an appropriately designed residential project with appropriate scale, noise buffers and parking would be appropriate here.

Planner Kallas remarked any future development at Town and Country would need to meet the zoning code and comprehensive plan policies and would be treated like any other application. It would be regulated by floor area requirements, parking requirements, etc., unless it went through some type of rezoning. Comprehensive plan policies encouraged preservation of the existing retail use and shopping center.

Chair Rosenberg asked about the ownership of the two parcels highlighted on page 69. She mentioned a car wash in the corner that is not considered a part of Town and Country even though it was technically within the same island of land between the streets as they were defined and if its operation would be at odds with any of the uses of Town and Country.

Ms. Raybould answered all of the areas bounded by Encina, El Camino and Embarcadero are part of Town and Country but each parcel is looked at individually in terms of floor area, lot coverage, everything. Many of the parcels adjacent to this were owned by Town and Country, not just leased. These two parcels happened to have been in a long-term lease for many years but were no longer being leased. She clarified the car wash is theoretically part of Town and Country as defined by the zoning code and comprehensive plan. They did not opine that the use of the car wash would be at odds with any of the uses of Town and Country and she thought that was the argument that comes up in the letter from Ellis Partners that stated the residential use would be in conflict. They spoke to that in the main body of the staff report as well as Attachment D.

Boardmember Adcock inquired how this was different than housing above retail on University Avenue.

Planner Kallas thought that was a good point and could be a basis of discussion for the Board.

Ms. Raybould added that with respect to noise, there were building code requirements for interior residential units that had to be met. As the applicant considered the design of their own project, they would need to ensure that they were taking into account all the existing noise levels when making their determination of whether it met building code requirements for noise on the interior.

Boardmember Hirsch questioned if the qualified urban uses had been examined and if they felt they would pass that kind of criteria. He did not think a parking lot filled with cars was a qualified urban use. He mentioned the Coordinated Area Plan and did not opine this was appropriate. He was concerned that the environmental issues of the neighborhood were not conducive to housing.

Planner Kallas explained the CEQA definition of qualified urbanized use was any developed use. This property as a parking lot and the surrounding buildings would be considered an urban use.

Boardmember Adcock asked what density and size of housing Mr. Rubinson find appropriate.

Mr. Rubinson thought in terms of the parking impacts, any project should address the reality of parking behavior and not just the code requirements. If they were going to design their own project, they would put the amount of parking needed for the residents and guests in addition to maintaining retail parking. They have evolved in terms of residential use if it was instituted in an appropriate way. They believe the CEQA and zoning analyses were not appropriate and did not permit housing without a change in the comp plan, which specifically said Town and Country should not be converted to residential uses. With the appropriate zoning change, parking and buffers, he thought the scale could change along the area.

Chair Rosenberg inquired about the operational hours of Town and Country Village. She asked if overnight parking was allowed at Town and Country Village.

Mr. Rubinson understood at 4 AM the Palo Alto trash trucks arrive because they have deliveries that start at 6 or 7 AM. Staff arrives at 7 AM and they open to the public at 10 AM. Office tenants and people working at restaurants arrive earlier. He stated overnight parking was not allowed at Town and Country Village and if someone used their parking lot illegally they would be responsible for having them towed

as the City did not police the parking lot. He clarified they do not own any of the land. They have a 70 plus year ground lease on all of Town and Country Village except the two parcels. They had leased those on an annual basis.

Boardmember Adcock wanted clarification about the zoning violation with the fence.

Planner Kallas responded a fence currently surrounded the two lots. The initial fence had been put up without permission from the City. All fences on commercial properties required a minor staff level architectural review. After this was brought to their attention, it was ensured that they went through the process to get a permitted fence and that fence was currently in place.

Boardmember Baltay wanted clarification on Boardmember Hirsch's previous comments regarding the appropriateness of the site for housing.

Boardmember Hirsch pointed out that the fact that the property would be developed and could remain a parking lot and he did not feel the particular surrounding satisfied their comp plan requirements for environment for housing. He thought there should be comprehensive planning for the whole site to answer issues of the comp plan. He thought that this should be an overlay district allowing some variation on the zoning to allow a larger amount of housing without discussing the site planning of that housing. He opined this would interrupt the possibility of creating a uniform design for this entire site as a special overlay district.

Boardmember Adcock agreed it would be great if the entire Encina Avenue was developed as housing but that was not the project before them. To negatively comment on this project because he wanted more in the future did not make sense to her. If this project was developed and built and in the future the parcels on that street could be sold to other developers who could develop housing as long as the parking requirement per code was met.

Boardmember Hirsch stated just because the property happened to be a different kind of property than what was around it did not mean the City could not say they would prefer to have an organized, unified design concept for the whole site recognizing the shopping center, its entry and its design and create one significant design for the whole block. This property could allow for significantly greater density of housing than 10 units.

Boardmember Adcock pointed out that Town and Country would not support more density.

Chair Rosenberg opined that attempting to add higher density residential would exacerbate Town and Country's issues. She maintained it was outside their scope to come up with a cohesive plan to get the stretch of properties together. The question at hand was if the project being presented to them was an appropriate project. She pointed out the accessibility to amenities.

Boardmember Baltay wanted the building to step back more from Town and Country. He did not think the architect did a whole lot on the back to try to match Town and Country and clearly had not stepped it back but he was struck that what defined Town and Country was messy urban vitality and he thought this building would contribute to that.

Vice Chair Chen agreed with Boardmember Baltay's comments. She thought it was a good location for housing, an appropriate transition and could be a demonstration to result in future developments.

Boardmember Hirsch opined that the outdoor relationship was what brought life to the property. He was not opposing the project as a design. He thought the parking issue and the interior of it was difficult and needed five or six more widths to be a reasonable townhouse. He added unless there was an overall scheme for this site, all the rooms facing outward would face parking and was an unfriendly environment.

Boardmember Adcock pointed out the plan addressed that with the stairs on the perimeter for each of the units and the living areas face inward. She opined a two car garage was plenty for a two to three bedroom house. It was a small development with few cars and the width would not be a big impact. She thought it would be better to forego the tree at the end and get vine planting and wider garage doors.

Chair Rosenberg explained how she found the project to be introverted. She wished for more ingress and egress toward Town and Country. Based on the confinements of the site, she felt it was appropriate. She mentioned a block of the rear elevation that was the same height as the lower side slope of the sloped roofs and wondered why the back portion was not lowered to that height. She did not think it was fair to preclude any potential future development because they want adequate parking for it. There were different options for that. She would like for the City to provide more reassurance regarding the spillover to Town and Country. She suggested possibly selling parking passes for overnight parking. She thanked the applicant for responding to the Board's previous commentary. She appreciated the stair circulation being moved to the exterior and the activation of the front façade by having more windows facing the front that were less private.

Boardmember Adcock appreciated them responding to the Board's comments. She thought the layout of the fire access was thoughtful. She appreciated the overall design. She felt the side elevations were improved without the fence. She urged them to see if they could do a wider gate instead of the other door at the last two units in the back. She suggested putting restrictions on whoever buys the units that they would not be allowed to park next door. She supported moving forward.

Boardmember Baltay wondered why they should not vote on the project at that time.

Planner Kallas indicated that they typically wait until the CEQA analysis has been completed to ask for a formal recommendation. It had not been done thus they were asking for a continuation.

Boardmember Baltay supported continuing it in order to allow members of the public the opportunity to sit with the architect.

Chair Rosenberg commented she would appreciate a second look at the very last podium and seeing if the height could be brought down to be in alignment with the white portions of the building.

Ken Hayes, Hayes Group Architects, stated in the past they had projects that were moved along with a requirement to work out with staff if any revisions needed to be made. He asked if there was a way to say if CEQA was completed they could be affirmed and the staff could address any remaining comment.

Ms. Raybould answered the ARB cannot make a recommendation without considering the findings of the environmental analysis.

Chair Rosenberg requested staff speed the process as much as possible and that they have a truncated review in terms of noting that ARB did not have comments from this hearing when it comes back and that what was being reviewed at that time would be the CEQA analysis and anything pertinent to that.

**MOTION:** Chair Rosenberg moved to continue to a date uncertain as expediently as possible. It was seconded by Vice Chair Chen:

**VOTE:** Motion carried 5-0.

#### **Approval of Minutes**

##### 4. Draft Architectural Review Board Meeting Minutes for October 3, 2024

Vice Chair Chen requested an adjustment on packet page 117, paragraph 6 changing “6 feet high” to “60 feet high”.

Boardmember Hirsch mentioned packet page 113 and 122 and requested changing “female” to “person”.

Chair Rosenberg preferred to get the person’s name if possible.

Boardmember Baltay indicated that it was inappropriate to identify the sex when the person is unknown.

Boardmember Hirsch suggested using “unnamed person”.

Vice Chair Chen agreed they could rewatch and if it was one of the Board members they could fill it in and if not change it to “unnamed person”.

**MOTION:** Chair Rosenberg moved to approve Draft Architectural Review Board Meeting Minutes for October 3, 2024, with the mentioned adjustments, seconded by Vice Chair Chen.

**VOTE:** Motion carried 5-0.

##### 5. Draft Architectural Review Board Meeting Minutes for October 17, 2024

**MOTION:** Chair Rosenberg moved to approve Draft Architectural Review Board Meeting Minutes for October 17, 2024, as written, seconded by Boardmember Adcock.

**VOTE:** Motion carried 5-0.

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

Boardmember Baltay mentioned talking about the cell phone tower at the beginning of the meeting. He had made comments at the public City Council meeting. He stated they were all aware of the outcome of that.

Chair Rosenberg added this was partially to the work plan presented to City Council that was approved for the future year and the one item added was review of the cell phone tower so they were to add that to the work plan. She did not yet know how that was defined and in what capacity. It was added in hopes to see it in 2025. She wanted to review what was done previously by the ARB when they are received.

Boardmember Hirsch added they had worked diligently on the spacing of the items on the poles, the perimeter, the organization of the interconnections of pieces within it and the dimension from the

ground up to the base of anything that is put on the pole. He stated it would be useful to have that information to review.

**Adjournment**

Chair Rosenberg adjourned the meeting at 12:26 p.m.