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A P P E A R A N C E S:

Los Gatos Planning Commissioners:	Melanie Hanssen, Chair Jeffrey Barnett, Vice Chair Kylie Clark Kathryn Janoff Steve Raspe Reza Tavana Emily Thomas
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
Town Attorney:	Gabrielle Whelan
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3 P R O C E E D I N G S:

4 CHAIR HANSSEN: We can move on to the main item on
5 our agenda for this evening, which is Item 3, which is the
6 continuance of our review of the Draft Objective Standards,
7 I will ask Ms. Armer if you would like to make a Staff
8 Report or if one of the other Staff members would as well?
9

10 JENNIFER ARMER: Thank you, Chair. I will pass
11 that off to Mr. Safty to make the Staff Report.

12 RYAN SAFTY: Thank you. Before you tonight is the
13 continued review of the Draft Objective Standards
14 recommendation to the Town Council.

15 On June 22nd the Planning Commission reviewed the
16 first document and provided input to Staff on recommended
17 modifications.

18 Following that meeting, Staff and our consultant,
19 M-Group, considered the direction from the Planning
20 Commission and prepared a revised draft document.

21 On August 24th the Planning Commission received
22 public comment on the revised draft, including input from
23 the local architect community. The discussion was continued
24 to tonight's hearing to allow the architect community
25 additional time to provide written comments to be reviewed.

1 The written comments from the architects are provided as
2 Exhibit 16 with the Staff Report. Additional public
3 comments and Commissioner comments were also included with
4 that report.

5 Staff prepared written responses to the
6 architects' comments, which were included as Exhibit 19 of
7 yesterday's Addendum Report. The Addendum Report also
8 includes additional public comment provided as Exhibit 20.

9 Staff, along with our consultant, look forward to
10 the discussion this evening and are happy to answer any
11 questions. Thank you.

12
13 CHAIR HANSSEN: Do any Commissioners have
14 questions for Staff? I don't see anyone with any questions.

15 We have a number of comments that we received
16 from one of our Board members from the Housing Element
17 Advisory Board, also from the Vice Chair, from Ms.
18 Quintana, and then also the response to the architects'
19 comments. Staff, you had some particular items that you
20 wanted us to go over first?

21 JENNIFER ARMER: Thank you, Chair. I would
22 recommend that we do open the public hearing and hear
23 comments from the public, since there have been additional
24 materials provided, and then we can go through.

1 We have provided some Staff guidance and feedback
2 on the items that were provided by the architect community,
3 and so if there are items there that the Commission wishes
4 to include in their recommendation to Town Council we could
5 go through those. We did number them in the attachment that
6 includes Staff's responses, plus we did call out a few
7 particular items in the Addendum Report in addition to what
8 had been provided in your previous Staff Reports.

9
10 CHAIR HANSEN: I think that's a good suggestion.
11 This would be the verbal communications section for this
12 particular item, and I'd like to find out if any members of
13 the public would like to speak on this item, which is the
14 Draft Objective Standards?

15 JENNIFER ARMER: If anyone would like to speak on
16 this item, we'd invite you to raise your hand now. We'll
17 give them just a moment just in case anyone does wish to
18 speak. I am seeing a hand raised. All right, Ms. Quintana,
19 you may speak. You have up to three minutes.

20 LEE QUINTANA: Thank you. I think there are some
21 items that I may not have read already, but in any case I'd
22 like to speak on three different items that I did not cover
23 in my initial submission for the Addendum, and that covers
24 illustrations, private and common open space and
25 landscaping, and whether the one size fits all approach is

1 appropriate. I'm just going to be very brief, and if you
2 have any questions you can ask me, or I will submit
3 additional comments when I see the final draft that goes to
4 the Council.

5 As far as illustration goes, I know that the
6 architects say they're line drawings, however, the line
7 drawings provided in the draft standards are at some points
8 hard to understand by most people who aren't architects or
9 planners and they tend to appear to be favoring very boxy
10 construction.

11 I understand the difficulty with photos, however,
12 this is my compromise suggestion: The City of Palo Alto has
13 used line drawing, but the line drawings are limited to
14 illustrating only the standard that's being stated, not an
15 entire building, so that it's more neutral towards
16 architecture and mass and scale.

17 As far as photos go, I think they are really
18 helpful for the general public to understand, but I
19 understand the problem with them, so my suggestion is that
20 maybe there be a page that just has a collage of various
21 different buildings, not one for every standard, but a
22 group of buildings that Staff feels meets the intent of the
23 standards. So that's my comments on that.
24
25

1 On the private and public open space, I'm a
2 little confused there. If landscaping doesn't count for the
3 common space and there is landscaping in that space, how
4 does that work? I'm just confused.

5 Also, there seems to be a dichotomy of opinion
6 from the group of architects and the other architect who
7 commented on the size of private open space as well as
8 common open space, and it seems to me that maybe they're
9 talking about two different things. I think the architects
10 want more leeway to appeal to the high end of the housing
11 market, and I think the other architect may be actually
12 addressing his remarks to smaller units, which is the
13 intent of this whole process.

14 CHAIR HANSSEN: Ms. Quintana, Ms. Armer has her
15 hand up and I suspect it's because your three minutes are
16 up, but let me see if any Commissioners have questions for
17 you. I do want to thank you on behalf of the Commission for
18 submitting all the comments that you have already and
19 helping to participate in this process to move this
20 important item along. Do any Commissioners have questions
21 for Ms. Quintana? I think some of the things you're
22 bringing up are going to be discussed in any event, so we
23 appreciate anything you've told us so far, and please
24 continue to send in your comments to us as well.
25

1 Is there anyone else that would like to speak on
2 this item?

3 JENNIFER ARMER: If anyone else would like to
4 speak on this item, please raise your hand now. I don't see
5 any hands raised.

6 CHAIR HANSSEN: All right, so then I'm going to
7 close public comments, and this would be the time where the
8 Commission will discuss the items that have been brought up
9 so far as comments and try to get some resolution so that
10 we can make our recommendation to Town Council.
11

12 I thought that it might be helpful to start with
13 the Staff packet. They did provide some items that they
14 wanted us to discuss, and we did discuss some of these
15 before, but maybe we can close on them and hopefully use
16 them as a recommendation to forward this document along.

17 I'm going by the Staff Report where they list
18 Staff direction from the Planning Commission on the
19 following, and the first one is a comprehensive standalone
20 document. Staff's recommendation was in the past, and
21 continues to be, instead of going through the massive
22 effort that it would take to take all of the Objective
23 Standards in every document that we have in town and put
24 them in one, that instead to include a list of applicable
25 documents, and so that's what they would like to do. I

1 wanted to see if any Commissioners had any thoughts or
2 comments on this. Commissioner Raspe.

3 COMMISSIONER RASPE: Thank you, Chair. To me the
4 Town Staff's position seems eminently logical and I can't
5 think of a reason that we would want to attack it any
6 differently, so unless somebody feels differently I would
7 recommend to Town Council to follow Staff's recommendation
8 on this issue.

9
10 CHAIR HANSSEN: Thank you for the input. Anyone
11 else have any thoughts on that? That was my feeling as
12 well, that we had talked about this before, and also in our
13 preparatory meeting for this meeting we discussed it again,
14 and it would be a very long and complex process to do that,
15 especially with documents getting updated, so it's probably
16 best to have references to the other documents.

17 If no one has any objection to going in that
18 direction I'm going to say that we follow Staff's
19 recommendation on that, and I don't see anyone saying let's
20 not do that.

21 Item B is removal of the term "design" throughout
22 the document. The public comment requests that text
23 throughout be changed from "objective design standards" to
24 "objective standards," and no explanation was given. So
25

1 Staff, I'm going to ask, does that mean that since there is
2 no explanation you don't have a recommendation?

3 JENNIFER ARMER: Thank you, Chair. We would
4 recommend continuing with the document being named and
5 labeled as it currently is since we don't have a reason to
6 change and remove the word "design."

7 CHAIR HANSSEN: I personally looked at this, and
8 without an explanation of why it would make a big
9 difference in the document, and knowing that it would be a
10 lot of trouble to change it, my suggestion would be not to
11 do that. Are there any Commissioners that have any
12 comments? So then I will assume that that one is okay with
13 everyone.
14

15 Item C was decrease tree spacing. The public
16 comment requests that the spacing between trees within
17 parking lots be reduced. Right now the standard reads one
18 tree between every ten consecutive parking stalls when
19 there are more than 15 parking stalls, and the public
20 comment requests to reduce the number of spaces below to
21 ten, and Staff does not recommend this change. It was
22 included with consistency for the Town Code, which I assume
23 to mean that we would need to amend the Town Code as well.
24 Are there any comments on this item?
25

Commissioner Raspe.

1 COMMISSIONER RASPE: Thank you, Chair. I would
2 agree again with Staff on this one for a couple of reasons.
3 First being consistency throughout the Town documents, but
4 also for the supplemental reason that I think we're all
5 aware that water is becoming a bigger issue in California
6 as every day goes by, and so to the extent that we call for
7 less planting of trees perhaps, and maybe that's an issue
8 that we should keep in our minds as we plan our town
9 forward, so keeping the spacing at ten feet rather than
10 closer together I think makes sense for a variety of
11 reasons.
12

13 CHAIR HANSSEN: Thank you for that comment. Any
14 other comments from Commissioners on this item? If there
15 are no objections, I will just assume that we're going to
16 go with Staff's recommendations.

17 Let me just stop and ask Staff, do you need us to
18 vote on these, or is it okay to go with consensus?

19 JENNIFER ARMER: No, consensus is fine in my
20 opinion, but I will defer to the Town Attorney if she
21 thinks otherwise.

22 ATTORNEY WHELAN: I agree, and then the
23 Commission's decision will be reflected when you vote on
24 making your recommendation to the Town Council.
25

1 JENNIFER ARMER: And in particular, when the
2 recommendation is for a change that the Commission is not
3 making, then that's just fine; you're just not going to
4 make that additional change.

5 CHAIR HANSSEN: Thank you for the clarification.
6 We can move on to Item D, which is a format change for
7 B.4.3, and the comment requests that the format be changed
8 so it is consistent with the rest of the document.

9
10 The Draft Objective Standards contain a menu of
11 options of architectural solutions to achieve 16 points. We
12 discussed this at the Subcommittee level. Vice Chair
13 Barnett and I were on that Subcommittee and the Planning
14 Commission previous discussion and it was received with
15 support, but I believe the architects and maybe others
16 commented that it might be too confusing.

17 In the first submission from Staff they did take
18 some buildings in town and gave an example of how you can
19 meet the 16-point standard. We should at least decide
20 whether or not to go to a different approach or leave it
21 the way it is, and Staff let me just check that I am
22 characterizing this correctly in terms of the way you want
23 input.

24
25 RYAN SAFTY: That is correct. Thank you for the
question. One thing to clarify: the architect community

1 didn't have concerns with the format of it; they had more
2 concerns about the valuation and the different
3 architectural details listed within that list.

4 CHAIR HANSSEN: Then was it the public comment
5 that we got from someone else that said that the 16 point...

6 JENNIFER ARMER: That is correct, yes. Then there
7 is further discussion of the 4.3 in what we numbered Item
8 22 where we respond to the architects' comments.

9 CHAIR HANSSEN: We can come back to the
10 specificity of it when we discuss the architects' comments
11 then. The question on the table is whether or not we
12 abandon the 16-point system and try to go for something
13 else, so I'd like to get comments on that, and keeping in
14 mind that this was recommended previously by the
15 Subcommittee. Our previous discussion was that this was
16 fine to move forward with, but if there is some new
17 information or something that people would like to bring up
18 right now, let's do that.

19 Commissioner Janoff.

20 COMMISSIONER JANOFF: Thank you. I'm comfortable
21 with the format and look forward to discussing the
22 architects' concerns when we get to that portion of the
23 agenda, but I think it's a very helpful list, and the
24 illustrations that Staff provided were also very helpful,
25

1 and if those are intended to be continued in the draft that
2 goes forward, I think that's a good approach.

3 CHAIR HANSSEN: Very good. So if there are no
4 objections the proposal on the table is to leave the 16-
5 point system as is, and then there might be the potential
6 of modifying for clarity some of the actual things that are
7 scored for points, and we'll discuss that later.

8
9 Then we're going to return to the discussion
10 about privacy that we had at the last meeting, and Vice
11 Chair Barnett submitted some information from the Palo Alto
12 Objective Standards that were included with our August 24th
13 Addendum Report. The general consensus at the hearing was
14 not to increase privacy standards, however, Vice Chair
15 Barnett did submit additional comments to express concerns
16 that the standard remains subjective, and what it says is,
17 "Balconies facing Residential uses and abutting parcels are
18 allowed when the design is proven to prevent views to
19 Residential use," and the issue is whether or not this
20 could really be an Objective Standard, because somebody
21 would have to determine how it affected views to
22 Residential use and it's not a use that everyone would
23 agree on.

24
25 I think this would be a good time to discuss this
and see if we can come up with a direction that's

1 comfortable for the Commission for a recommendation, and
2 Vice Chair Barnett did submit some additional comments. He
3 has his hand up, so why don't you go ahead?

4 VICE CHAIR BARNETT: Thank you. I think my
5 submission is clear, but I did think of one other
6 possibility for us to handle it, which is to have no
7 standard at all with respect to privacy from balconies as
8 to adjacent residences and their lots, but submit that as a
9 possibility for consideration. Otherwise, I think we have
10 to not necessarily mirror what Palo Alto did, but follow
11 something that is an impact objective. Thank you.

13 CHAIR HANSSEN: Commissioner Janoff.

14 COMMISSIONER JANOFF: Thank you. Vice Chair
15 Barnett recommended that the Town Attorney weigh in as to
16 an opinion whether this particular standard is objective,
17 and so I'd like to hear from the Town Attorney.

18 ATTORNEY WHELAN: I do agree with Vice Chair
19 Barnett's comment. The State is interpreting the term
20 "Objective Standard" very, very narrowly. In my former
21 jurisdiction there was a requirement for step-backs, and
22 the court held that it was not sufficiently objective
23 because the city didn't specify how long the step-back was
24 supposed to be, so yes, to the extent that we can put
25 numbers on it or talk about the angle of the balcony, or

1 anything that will make it so that there's no argument that
2 it's not an Objective Standard, I think that will make it
3 more defensible.

4 COMMISSIONER JANOFF: I have a follow up, if I
5 may?

6 CHAIR HANSSEN: Yes.

7 COMMISSIONER JANOFF: I was looking at Vice Chair
8 Barnett's recommendations and I thought if in fact what we
9 have in the current draft is not considered to be
10 objective, as you state, then it seemed reasonable to me to
11 include the first couple of his points that within 30 feet
12 of residential windows, that's a specific number, and then
13 Item (i), so I thought those looked like reasonable things
14 to include.
15

16 Then I thought the balance of the parenthetical
17 items below the first point were a matter of how Staff
18 would review the data to determine whether the standard had
19 been met, so I didn't think that was necessary to include
20 in this document, but if the other Commissioners would like
21 to keep this item in the Draft Objectives, I think it's an
22 important one to include. We have a lot of discussion
23 around balconies and visibility, so I personally would like
24 to see it included, and I think Vice Chair Barnett's
25 sentence that talks about the 30 feet, and then the first

1 bullet underneath that, are reasonable to include as
2 specific objectives that are measurable.

3 CHAIR HANSSEN: Very good. Thank you for that,
4 Commissioner Janoff. Commissioner Raspe.

5 COMMISSIONER RASPE: Thank you, Chair. In
6 reviewing this again, I agree with Vice Chair Barnett's
7 point—and I think Staff supports it—that as currently
8 drafted it interjects a level of subjectiveness into it,
9 and so I think Commissioner Janoff suggested a reasonable
10 solution.

11
12 As I was looking at it, I had a simpler one, and
13 again, maybe the Town Attorney can weigh in if it helps,
14 but I think the problematic phrase seems to be, "The design
15 is proven to prevent use." If we maybe simplify that to
16 say, "When the design prevents use," doesn't that suddenly
17 become objective rather than subjective and solve the
18 problem, and maybe a simpler way to address the problem? I
19 just throw it out for consideration by the Commission.

20 CHAIR HANSSEN: I think it would be good for the
21 Town Attorney to weigh in on whether or not that would make
22 it more objective.

23 ATTORNEY WHELAN: Given how the State and the
24 courts are interpreting the term "objective," I would
25 recommend that the Town adopt something more specific than

1 "prevents use," because I do think an argument could be
2 made that that's in the eye of the beholder. Something
3 like, "is not visible from the balcony," can't be argued
4 about, it is not visible; that is objective. A standard
5 that there's only one way to apply is what will work in the
6 end. I hope that helps.

7 CHAIR HANSSEN: Yes, that helps. Commissioner
8 Tavana has a comment as well.

9 COMMISSIONER TAVANA: Thank you, Chair. As I
10 mentioned at the previous meeting discussing this topic, I
11 do think privacy is a very tricky subject, because I
12 believe it is inherently subjective in nature. I don't
13 think you could put it on paper and say this is privacy,
14 because to one person that's not private and to another
15 person that could be private.

16 I didn't think of this possibility, but I do like
17 Vice Chair Barnett's comment to maybe just remove the
18 section altogether. I think that would clarify it and it
19 could be on a case-by-case basis moving forward just to
20 keep it simple, because I do think when these projects do
21 come up it will crop up and be a point of contention in the
22 process.

23 CHAIR HANSSEN: Thank you for that, Commissioner
24 Tavana. Commissioner Thomas has a comment as well.

1 COMMISSIONER THOMAS: Thank you, Chair. I agree
2 that it is really difficult to make an Objective Standard
3 around privacy, because privacy is not inherently
4 objective. I agree with some of Commissioner Tavana's
5 sentiment that it is not something that we can maybe make
6 an Objective Standard to guarantee privacy, so therefore
7 should we put one in?

8 I also recognize that people in the Town value
9 privacy, and I know that that is something that is
10 important, and I think that we have been making our best
11 effort and I am willing to attempt to adopt something, but
12 I think that even if we adopt something that is specific,
13 like 30 feet, I guess that gives some sort of standard, but
14 I do think that there are still going to be people that
15 argue that that's not private enough for them, and for me
16 personally that is a major concern.

17 I know that in my short time here on the Planning
18 Commission we have had a lot of people come to us with a
19 lot of things that are related to privacy and privacy
20 concerns, and that's connected back to how safe people
21 feel, and I don't know if we can make an Objective Standard
22 that the outcome will be that people feel that they have
23 privacy and safety and feel safe because of that.
24
25

1 I am interested to hear what other Commissioners
2 think, but at this point in time I'm not sure that we can
3 come up with a standard that will be upheld in the courts
4 and that can guarantee some level of what people will
5 accept as being privacy.

6 CHAIR HANSSEN: Thank you for that, Commissioner
7 Thomas. Our consultant, Mr. Ford, has his camera on, so I'm
8 assuming that you are able to comment on this.

9 TOM FORD: Yes, thank you, Chair. I read Vice
10 Chair Barnett's comments three weeks ago and I also read
11 them this past weekend at the new submittal, and so I found
12 it very interesting both times I went and looked at that
13 specific Palo Alto ordinance. What I would recommend, and I
14 did this and I think it showed up in the Staff Addendum, is
15 to keep the standard B.4.1 but delete the sentence that has
16 the potentially subjective clause in it, so you would
17 delete "balcony spacing existing" all the way through
18 "prevent views to residential use." That's what I would
19 recommend.
20

21 Then if you wanted to still approach and look
22 into that Palo Alto ordinance, I found the little number 1
23 really confusing, trying to draw these different view
24 angles. One of them was at 45-degrees and one of them was
25 parallel to the floor of the balcony, I thought that was

1 really confusing. I even tried to draw it, and I went to
2 architecture school, and I couldn't figure out how to draw
3 it in section.

4 However, little number 3 in that lists a very
5 specific set of materials that you could demand be put on
6 the railing of a balcony, which because of the nature of
7 the material, whether it's opaque glass or perforated
8 metal, it would obstruct, or certainly defuse, views from
9 the balcony outward, so that might be a potential solution
10 you could consider and I just wanted to throw that in
11 there.
12

13 CHAIR HANSSEN: Let me just ask a clarifying
14 question before I go back to Commissioner Janoff. It sounds
15 like you're recommending that it could be more objective
16 simply by two stages of your recommendation. One was to
17 delete the sentence that was too subjective and keep the
18 standard, and then there's also the possibility of adopting
19 part of Palo Alto's that was objective enough.

20 TOM FORD: Correct, that's part of what Vice
21 Chair Barnett recommended three weeks ago and again for
22 this meeting tonight.

23 CHAIR HANSSEN: Got it. I'm going to go back to
24 Commissioner Janoff.
25

1 COMMISSIONER JANOFF: I like the compromise that
2 Mr. Ford is recommending, because I do think we want
3 something in here. If an architect says they can't figure
4 it out, then I suspect that that's problematic, although if
5 it's in Palo Alto's Objective Standards, then you would
6 think that if it weren't workable that they would have had
7 feedback and made a change.

8
9 So if the Town Attorney recommends that the
10 suggestion that Mr. Ford made is sufficiently objective,
11 then I would say fine, let's leave it in. If we still need
12 some numbers to support it, then the 30 feet is another
13 number that's pretty easily measured, at least from a
14 diagram of a proposed project, so looking forward to
15 hearing from the Town Attorney.

16 ATTORNEY WHELAN: What I would like to do is go
17 to B.4.11 in the draft, and if the Commission likes, they
18 could go on to the next topic while I look at how that
19 standard would read without the last sentence.

20 COMMISSIONER JANOFF: I think the sentence
21 recommended for deletion is the middle sentence. I think we
22 still want, "Balconies shall be without projections beyond
23 the building footprint."

24 ATTORNEY WHELAN: Okay, that is sufficiently
25 objective then.

1 COMMISSIONER JANOFF: Yes, I think it's the
2 middle sentence.

3 ATTORNEY WHELAN: Yes, that works.

4 JENNIFER ARMER: If I could jump in a moment, I
5 believe the reference to, "Balconies shall be without
6 projections beyond the building footprint" is meant to only
7 apply to balconies facing existing Residential uses on
8 abutting parcels, and so it may be if you want to keep that
9 meaning and have it not apply to the street-facing
10 balconies, then we would actually keep the first half of
11 the second sentence and then keep the last sentence.
12

13 CHAIR HANSSEN: It sounds like we have a proposal
14 on the table, and so the fundamental question, we have some
15 Commissioners on the side of wanting to delete this
16 entirely, because we could never reach the level of
17 objectiveness; but I'm hearing that we have kind of a
18 proposal that would take it to a better place, and so there
19 are many other Commissioners that also want to keep this
20 and try to improve it.

21 Commissioner Janoff.

22 COMMISSIONER JANOFF: Thank you. I just wanted to
23 comment on a portion of Commissioner Tavana's comment. If
24 we take this standard out, there won't be a case-by-case to
25 be able to be evaluated. This is going to be outside the

1 realm of the Town being able to make a decision. This whole
2 thing is intended for developers to just be able to boom,
3 this is what we've got, so if we take balconies out, we
4 don't have any say on balconies going forward if the
5 developer meets the criteria that puts them into this set
6 of Objective Standards, so I personally would recommend
7 keeping this in so we have some Objective Standard to be
8 able to have designers plan for, but I just wanted to make
9 that comment.

10
11 If we think that any topic, whether it's
12 balconies, windows, or anything, can be decided on a case-
13 by-case basis when a developer is coming through this
14 process, I think that's not what's going to happen, and
15 Staff could correct me if I'm wrong, but I just wanted to
16 make that point.

17 CHAIR HANSSEN: Thank you for that.

18 I'm going to weigh in and say that I feel like we
19 should try to keep it. What I'm hearing is our consultant
20 has some ideas about how to make this more objective. Our
21 Town Attorney agrees that we can make it more objective
22 with a few ideas, and so it may not be perfect, but I also
23 agree with Commissioner Janoff that if we take it off the
24 table completely, then we won't have it, and so I think we
25 should at least try to move forward and see if we can be

1 successful with this, especially since we know how
2 important views are to so many of our residents with new
3 construction.

4 Commissioner Thomas.

5 COMMISSIONER THOMAS: I completely agree and I
6 think that removing the part that is subjective is good,
7 and I do think that people care about this and balconies,
8 so I'm happy with keeping it in.

9
10 I do, however, want to make sure that if we take
11 out the middle sentence we're still clarifying that
12 balconies can't project beyond building footprints, only
13 the ones that are facing the existing Residential uses on
14 abutting parcels, right? We don't want it to say that we
15 can't have any projections beyond the building footprint?

16 ATTORNEY WHELAN: I'll jump in. If we take out
17 the middle sentence and it will say, "Balconies are allowed
18 on facades facing the street and those facades facing
19 existing non-Residential uses on abutting parcels. Such
20 balconies shall be without any projections beyond the
21 building footprint."

22 COMMISSIONER THOMAS: So we want to change that
23 "such balconies." We want to specify that it's the
24 abutting...the second...

25 ATTORNEY WHELAN: (Nods head yes.)

1 COMMISSIONER THOMAS: Okay. That's what I just
2 wanted to clarify and make sure that that would be changed.

3 ATTORNEY WHELAN: Yes, that's a good
4 clarification. So then it would say, "Balconies on facades
5 facing existing non-Residential uses on abutting parcels
6 shall be without any projections beyond the building
7 footprint."

8 COMMISSIONER THOMAS: Yes, so the words we're
9 actually taking out are "are allowed when," blah, blah,
10 blah, "such balconies." So it's just going to read
11 "abutting parcels shall be without." Okay, cool. I'm happy
12 with that.
13

14 CHAIR HANSSEN: Vice Chair Barnett.

15 VICE CHAIR BARNETT: I very much like Mr. Ford's
16 suggestion that we look into the materials that might be
17 opaque or somehow screening but not closed as the solution,
18 and I think the next critical issue would be the height of
19 the balcony railing together with them.

20 CHAIR HANSSEN: Commissioner Thomas.

21 COMMISSIONER THOMAS: I am wondering if Staff or
22 maybe Mr. Ford knows, are there standards for how high or
23 low the balcony railing has to be? I'm assuming that
24 there's like a safety..
25

1 JENNIFER ARMER: Correct. Building Code does have
2 requirements for how tall a balcony railing needs to be,
3 but I don't remember.

4 COMMISSIONER THOMAS: And does it have a maximum
5 too for being able to get out, or no?

6 JOEL PAULSON: Thank you, Commissioner Thomas. I
7 think what Ms. Armer was mentioning was there is a minimum.
8 Depending on what floor it's on it could be a fire issue if
9 that is an egress or if they have to get a ladder to it. I
10 don't know that we have that specificity now, but there is
11 definitely a minimum, and we can look into whether or not
12 there's a maximum if this is something the Commission is
13 interested in moving forward as part of their
14 recommendation, and we'll get together with the building
15 official and look into that prior to going to Town Council.

17 CHAIR HANSSEN: Just as a quick checkpoint, I'm
18 not sure where Commissioner Tavana is at the moment;
19 because he said basically take it out. Are there others
20 that would object to keeping this in if we can improve it
21 and make it more objective? Okay, so I think we should
22 start with that. Then we have the suggestion from Mr. Ford,
23 and Vice Chair Barnett concurred with that, and the Town
24 Attorney had weighed in as well, so it sounds to me like we
25 should take the range of suggestions that have been

1 submitted and see what is going to be the most objective
2 that we can stay with in this document.

3 I don't know if what I said makes sense, but as
4 far as moving forward I think we have a number of
5 suggestions that we can use to make it more objective, so I
6 would ask Staff, do you need specific direction on what to
7 look into from here, or can you take the collective input
8 that we have so far?

9
10 JENNIFER ARMER: Thank you, Chair. Mr. Safty,
11 would you like to take this first?

12 RYAN SAFTY: We'll see if we were about to say
13 the same thing. I was going to say I do think we have
14 enough information to move forward. We can work with the
15 Town's consultant and come up with some sort of additional
16 screening requirement on those balconies.

17 CHAIR HANSSEN: All right, I think that sounds
18 like a good resolution, and I think that the majority of
19 the Commission feels that this is worth pursuing but I
20 think most everyone agrees it needs to be more objective,
21 so I think that's a good way to move forward.

22 Then I will go on to Item 4, which is pictures.
23 Ms. Quintana did refer to the pictures, and also Housing
24 Element Board Member Mayer submitted a comment as well on
25 the subject. The current Draft Objective Standards contain

1 design illustrations to demonstrate the intent of the draft
2 standards. The general consensus at our last meeting on
3 August 24th was to include pictures of existing development
4 within the document for real world examples for some of the
5 complicated design techniques to make it more user-
6 friendly, and Staff is looking forward to additional
7 discussion or recommendation from the Planning Commission.
8

9 We did hear from Ms. Quintana tonight a
10 suggestion to do something similar to what Staff did in our
11 first Staff Report, which is to give examples of buildings
12 and whether or not they would meet our standards.

13 I'd like to see what Commissioners think about
14 the picture issue and where to go with it. Commissioner
15 Thomas.

16 COMMISSIONER THOMAS: Thank you, Chair Hanssen. I
17 would like to say that I know that we said that this
18 document is for the public and the public is going to be
19 looking at it, so everyone needs to be able to understand
20 it, but I think that ultimately the people that are going
21 to be using this document the most are going to be
22 architects, and so I was glad that we got the public
23 comment from Mr. Mayer, because I do think that the line
24 drawings are more helpful and offer more of a blank slate
25 with regard to creativity and aren't as prescriptive, but I

1 am curious to see if Staff thinks that they are able to
2 find examples where enough of the standards are met.

3 My other compromise would be when we had
4 examples. Maybe there could be examples at the end saying
5 like here is an existing building, here are the points that
6 they meant, and actually have a visual picture, and that
7 might be like of a real building and include actual photos
8 there instead of throughout the entire document, and have
9 it be labeled a little bit in that way. I'm curious to see
10 what other people think about that.

11
12 CHAIR HANSSEN: Thank you for that, Commissioner
13 Thomas. Commissioner Janoff has her hand up.

14 COMMISSIONER JANOFF: Thank you. I was an
15 advocate of including illustrations, not necessarily
16 throughout but just in general, but having heard from the
17 architects, the group of architects didn't say much except
18 what they did in the initial set of comments last meeting
19 where they didn't like the line drawings, but given the
20 remarks from Mr. Mayer, I think it's a good point.

21 I do agree with Commissioner Thomas. This really
22 is a document that's for the design team and the architects
23 more than it is a homeowner; it's not the Residential
24 Design Guidelines, for instance.
25

1 Having said that, a question for Staff. I'm in
2 favor of keeping the line drawings as is, and maybe not
3 including illustrations throughout. But in our last draft
4 Section B, that includes the evaluation of existing
5 developments, and my question is, is that intended to be
6 included as part of the design standards for illustration,
7 or is that just for the Planning Commission?

8 RYAN SAFTY: Thank you for the question. That was
9 initially intended just for the Planning Commission. There
10 were Commissioners that had specific questions on if these
11 could actually be implemented in the real world, so those
12 were examples on how they could. That being said, we're
13 happy to do whatever the Planning Commission recommends.

14 COMMISSIONER JANOFF: I ask because it was a nice
15 small compilation of some reasonably well designed
16 buildings in town, and so I think it's a reasonable thing
17 to include. It sort of satisfies both itches. It gives you
18 some illustrations of how structures are meeting the
19 requirements, but it doesn't muddy up the document Section
20 A, so I would be in favor of including B for illustrative
21 purposes, and keeping line drawings in the balance of the
22 section.
23

24 CHAIR HANSSEN: Thank you for that. My thinking
25 on this after reading all the comments and hearing the

1 additional feedback, although I think that the target
2 market for this is architects that are going to be
3 designing these buildings, I also think that our public is
4 a very close watchdog on a lot of these projects, and since
5 they're going to be some of the bigger ones, I think just
6 for the benefit of public transparency it wouldn't be a bad
7 idea to include some generalized pictures as discussed,
8 versus one on every standard, for the benefit of the people
9 in the public that might happen to go look at this document
10 and are like what is the Town doing to make sure that we're
11 taken care of? And it would probably be more illustrative
12 to them to have photos, and I would just keep it fairly
13 general, as we were discussing.

15 So that's what my thoughts are on it, but I'd
16 like to hear what others think as well. Commissioner Raspe.

17 COMMISSIONER RASPE: Thank you, Chair. I think
18 I'm of the view largely in accord with Commissioner Janoff
19 in that it's my sense, and the architects who opined, that
20 the line drawings should be the primary reference tool in
21 the document, but I see that there is some added benefit to
22 the public and maybe for some clarifying in having pictures
23 as you indicate, Chair.

24 So the notion of having the line drawings the
25 predominant feature throughout the document, and perhaps an

1 appendix or closing section that has some prominent
2 approved features that the Town has signed off on in the
3 past, and then perhaps some language somewhere in the
4 document—because we wouldn't want to muddy the waters—that
5 essentially says the line drawings are the rule and that
6 the photos are there for illustrative purpose only, and it
7 wouldn't overrule or somehow overwrite our other written
8 rules. Something along those lines I think maybe satisfies
9 both camps.

10
11 CHAIR HANSSEN: I think that makes a lot of
12 sense. Other comments? Vice Chair Barnett.

13 VICE CHAIR BARNETT: I support Commissioner
14 Raspe's idea, but I wanted to bounce off the Town Attorney
15 whether she thinks that inserting photos in the Objective
16 Standards would create a problem, because the photos are
17 not in and of themselves objective?

18 ATTORNEY WHELAN: No, I don't think that would
19 pose a problem, because the photos are intended to depict
20 what is described in the wording, so I think that would be
21 fine.

22 CHAIR HANSSEN: I like the comments by
23 Commissioner Janoff and Commissioner Raspe, and I think we
24 should proceed in that way and only use photos as a
25

1 generalized thing and be very clear that the line drawings
2 are the Objective Standard.

3 Any other thoughts or comments, or any objections
4 to going in that direction? Commissioner Thomas.

5 COMMISSIONER THOMAS: I would just like some
6 clarification from Commissioners Janoff and Raspe about—I
7 know Commissioner Raspe said this—do you feel like this is
8 an appendix at the end, because that's how I feel it should
9 be, like given as different examples. If you need further
10 details on what this looks like in real life, go to this
11 appendix at the end. Is that what you're thinking,
12 Commissioner Janoff?
13

14 COMMISSIONER JANOFF: Yes, essentially we've got
15 that section which reads as an appendix now as
16 illustrations of how the standards have been met, and I
17 think the clarifying language that Commissioner Raspe is
18 suggesting is a good idea to include just to note that
19 these are examples and they may or may not meet other
20 criteria, so we don't confuse anyone in saying these must
21 be followed this way, but I agree that this could serve as
22 a type of appendix that Commissioner Raspe is recommending.
23

24 CHAIR HANSSEN: If that answers your question,
25 Commissioner Thomas, are you good with the proposal? All
right, so I think we're good to move off of this. That was

1 the generalized questions that were in the Staff Report, so
2 I was going to go to the Addendum, because the Staff did
3 comment on Housing Element Advisory Board Member Mayer's
4 comments as well as the architects' comments.

5 I'm pulling up the Addendum right now, and there
6 were ten items that Staff wanted the Planning Commission to
7 discuss further, and I just want to ask a clarifying
8 question of Staff that you responded to, and I know you
9 worked very hard on your response.

10
11 You responded to everything, and a lot of the
12 things that were in the architects' document were in fact
13 questions that needed clarification as opposed to
14 recommended changes, so I'm assuming that as long as we
15 answer the question that you had, like Comment 9, 10, 11,
16 12 and so on, those are the things that you wanted us to
17 have further discussion, and then we could ask the
18 Commission if they felt like the rest of your answers or
19 suggestions about whether to do or not do were good, and
20 maybe do that as a group, or do you want us to discuss all
21 of them?

22 RYAN SAFTY: Thank you for the question. Yes,
23 that's exactly how we intended this to be. If we could go
24 through, give recommendations on the individual comments in
25 the Addendum Report, and then if there was something in the

1 items that weren't covered in the Addendum where Staff felt
2 pretty confident about that any of the Planning
3 Commissioners disagree with, please let us know.

4 CHAIR HANSSEN: That sounds good. I'm going to go
5 by Comment 9, and just to refresh everyone's memory, it
6 relates to the continuous streetscape requirement in
7 A.11.1, which requires development in a Community Growth
8 District to place at least 75% of the ground floor within
9 5' of street-facing property lines. The comment was about
10 whether or not it applies to only the building or the
11 entire length of the property line, and the draft standard
12 is currently were it to apply only to the proposed
13 buildings. I'm assuming that the discussion that Staff
14 wants us to have is whether that is what we intended?

16 RYAN SAFTY: Exactly

17 JENNIFER ARMER: Or if additional clarification
18 is needed.

19 CHAIR HANSSEN: Okay, since people were asking
20 the question. Commissioner Thomas.

21 COMMISSIONER THOMAS: I'm sorry, can you repeat
22 which section of the draft it is so I can scroll up to it?

23 CHAIR HANSSEN: A.11.1.

24 COMMISSIONER THOMAS: Okay, thank you.

1 CHAIR HANSSEN: I know Commissioner Janoff and I
2 were on the General Plan Committee, and you were as well,
3 Commissioner Thomas. I think this got started during the
4 discussion of the Community Growth Districts that we had
5 and wanting to not have the parking lot in front and the
6 building behind, which is kind of the old version of how we
7 do these kind of developments, and we wanted to basically
8 bring the street forward to the buildings in place and
9 stuff, so I guess the question would be whether there's a
10 reason to do something else besides the building, or if
11 there is something else to consider?
12

13 Vice Chair Barnett.

14 VICE CHAIR BARNETT: My thought on this is that
15 the last sentence of the draft standard is currently worded
16 only applies to the proposed buildings. I think that's how
17 it should be written. Thank you.

18 CHAIR HANSSEN: Commissioner Thomas.

19 COMMISSIONER THOMAS: I agree.

20 CHAIR HANSSEN: I don't know how you would do it
21 any other way, because what they're asking to do is build a
22 building, so I think that's probably the clearest, most
23 objective thing that we can do. Any other thoughts? I think
24 as long as it's clear that it applies to the proposed
25 building we can leave it to Staff whether or not you think

1 that we should make the language clearer in the standard,
2 but that is clearly the intent.

3 Comment 10 questions why Section A.11.2 has a
4 maximum percentage for site amenities in front of the front
5 façade. The maximum percentage was originally included to
6 ensure visibility to the ground floor uses, however, in the
7 case of restaurant uses it might be overly restrictive, and
8 so the standard could be modified to include a minimum but
9 no maximum. So it sounds like that might be the proposal,
10 which is to take away the maximum.

11 Commissioner Janoff.

12 COMMISSIONER JANOFF: Agreed. I thought that was
13 an excellent point.
14

15 CHAIR HANSSEN: It made sense to me as well.
16 Other comments on Comment 10? I'm going to assume that
17 since there are no other comments that we all agree.

18 Comment 12 questions how the arcade in B.1.1d and
19 the recessed building entry B.1.1c standards could be
20 incorporated into the same building. The Planning
21 Commission could consider removing the full height of the
22 façade requirement from B.1.1c or removing the arcade
23 option from B.1.1d in its entirety to remedy his concern.
24 Any thoughts?

25 Vice Chair Barnett.

1 VICE CHAIR BARNETT: I'm interested in whether
2 the Staff had a position on this, but to me it seems like
3 the full length of the façade is a standard that we don't
4 want to lose.

5 CHAIR HANSSEN: Staff, do you have a comment?

6 RYAN SAFTY: Yes, certainly. Thank you. Staff's
7 initial recommendation was that it does seem like that
8 would be the cleanest resolution, and that way we're still
9 holding onto the arcade standard.

10 CHAIR HANSSEN: Okay, so that sounds like the
11 easiest way to go, and Vice Chair Barnett has made that
12 recommendation. Other Commissioners have any other thoughts
13 on that? The proposal is to remove the language "full
14 height of the façade" from B.1.1c to solve the problem.
15 Sounds like we're good to go.

16 Comment 13, also related to the arcade action in
17 B.1.1d, states that longer buildings would look monotonous
18 with the continuous arcade. The arcade option could either
19 be removed or a limit to the required arcade length could
20 be added. That's on Comment 13.

21 Commissioner Tavana.

22 COMMISSIONER TAVANA: Thank you, Chair. In
23 general I think a limit would make the most sense to me. I
24
25

1 don't know what that limit would be necessarily, but I
2 don't think we should remove it altogether.

3 CHAIR HANSSEN: Thank you for that, and I'm
4 pretty darned sure when we were on the Subcommittee we
5 spent lots and lots of time on how to make sure that we
6 didn't have big blank walls of buildings that were without
7 architectural detail, so that is why there are so many of
8 these things in the document right now.

9 Commissioner Raspe.

10 COMMISSIONER RASPE: Thank you, Chair. I agree
11 with Commissioner Tavana. I think we should retain the
12 arcade design feature, and I don't have a specific figure
13 in mind either. It seems to me though that the notion
14 should be that the arcade should predominate the front, it
15 should be the predominant design feature, and so I'll just
16 throw out as a point for discussion, perhaps it should
17 cover 75% of the frontage, or some percentage greater than
18 50%, so it becomes the predominant design feature of the
19 building.

20 CHAIR HANSSEN: Thank you for that input. We have
21 a comment from Mr. Safty.

22 RYAN SAFTY: Thank you. Sorry for interjecting. I
23 just wanted to point out that the architects did provide
24 specific numbers for that if the Commission is struggling
25

1 to come up with exactly how to define that; there was a
2 recommendation made by the architects.

3 CHAIR HANSSEN: Could you tell it to us, just
4 because there are so many documents in play?

5 RYAN SAFTY: Of course. The suggestion was when
6 over 80' or 100' long a two-third arcade approach could
7 apply, so if we want to go with clean numbers, over 100',
8 then two-thirds of that façade needs to have arcades.

9 CHAIR HANSSEN: And if it were less than 80' to
10 100', what would it be then?

11 RYAN SAFTY: If it were less, then it would be a
12 continuous arcade.

13 CHAIR HANSSEN: It would be continuous across the
14 entire versus not the whole thing, but two-thirds. Okay.
15 Commissioner Janoff.

16 COMMISSIONER JANOFF: I was going to point to the
17 same recommendation from the architects, but I wonder, Mr.
18 Safty, why we would go with the upper number of 100' when
19 an 80' long building might read pretty long and the
20 architects put that range in there. I'm just thinking over
21 80' might be better than over 100', but I would defer to
22 Staff and the architects. This is really a design
23 aesthetic, so I would choose one number, but whatever you
24 think is the better design number.
25

1 RYAN SAFTY: Thank you. I actually would defer to
2 Mr. Ford, our consultant, since he is more familiar with
3 these. I just happen to choose the cleaner number as an
4 example.

5 CHAIR HANSSEN: And Mr. Ford has his camera on,
6 so please go ahead.

7 TOM FORD: Thank you, Chair. I'm also thinking of
8 specifically the Los Gatos context and maybe the typical
9 frontage link that you'll be seeing, so I would go with the
10 smaller number of 80', or maybe even less, and put that for
11 the parameter where you make a jump.

12 Therefore, if a frontage is longer than 80', then
13 two-thirds of that frontage needs to have an arcade in
14 order to qualify for this point system, and if it's less
15 than 80' you might consider something less than 100' but
16 more than two-thirds, because I think if you look at the
17 architects' full submittal they discuss the arcade quite a
18 bit and how imposing it upon the whole frontage could tend
19 to be kind of cumbersome, so I think we could come up with
20 one standard for less than 80' and a different percentage
21 for over 80'.

22 CHAIR HANSSEN: Neither of which would be 100'?

23 TOM FORD: That's what I'm suggesting, but you
24 may disagree with me.
25

1 CHAIR HANSSEN: No, I just wanted to make sure I
2 understood your suggestion. Commissioner Tavana.

3 COMMISSIONER TAVANA: Thank you. In general I do
4 think that any continuous arcade would be monotonous
5 inherently. Maybe we could adopt a two-thirds approach
6 across the board, because if it's 50', 60', whatever, I
7 still think it would be monotonous, so I think two-thirds
8 in general, no matter how long it may be, would be a good
9 approach to consider.

10 CHAIR HANSSEN: Thank you for that. Other
11 thoughts on this? Commissioner Janoff.

12 COMMISSIONER JANOFF: Do we have any buildings
13 with arcades in town? I can't think of one. Staff, do we
14 have any examples? I'm thinking, to Commissioner Tavana's
15 point, that that's an interesting concept, but if it's a
16 very small building, if it's only 40'-50' wide, then having
17 an arcade not across the entirety of it might look odd.

18 I think this is really something that I
19 personally would defer to the architects on a team and go
20 with that. But if there's an example in town that shows
21 like a truncated arcade across the front of the building,
22 I'd like to know if we have one.

23 CHAIR HANSSEN: I'm going to go back to Mr. Ford,
24 and then to Commissioner Thomas.

1 TOM FORD: Thank you, and following on what
2 Commissioner Janoff is talking about, it could be that you
3 don't actually see this try to be implemented that often,
4 because if you think of an infill situation, putting an
5 arcade on front of a building arcade on front of a
6 building, it's really going to be impacted by what is on
7 either side, because it's basically an interior sidewalk,
8 so what's the point of having an interior sidewalk if you
9 run into the wall at the adjacent building?
10

11 Arcades tend to happen in a situation where it's
12 more of a comprehensive development, the way the town
13 developed, let's say, Old Sacramento, New Orleans, things
14 like that, so I don't think you're going to be seeing it
15 that often, but I think by keeping the amount of the façade
16 that's covered by the arcade it will help with the infill
17 situation if it is implemented.

18 CHAIR HANSSEN: Thank you for that. Commissioner
19 Thomas.

20 COMMISSIONER THOMAS: The two examples that I can
21 think of are one, the King's Court Shopping Center. Isn't
22 there an arcade across in front of the bank and all of
23 that, and part of that area? It's not architecturally
24 beautiful, but that's an arcade. And then two, the post
25 office downtown.

1 But I do agree that it would be helpful to put a
2 maximum in just because these are Objective Standards, but
3 I also agree that we're not the experts to decide that, so
4 I'm very happy to defer to Staff to talk to our consultants
5 and go with whatever maximum visually makes sense,
6 especially because this is probably not going to be
7 utilized very often, like Mr. Ford just said.

8 CHAIR HANSSEN: I'm going to say that it sounds
9 reasonable to have a standard, as recommended by the
10 consultants, to have less of the façade if it's of a
11 certain distance, and then more of the façade in terms of
12 percentage if it's less than a certain distance.

14 I completely agree with the other Commissioners
15 that we're not in a position as Planning Commissioners to
16 really be able to judge that the best way, so I would like
17 to maybe give direction to Staff that let's go down the
18 path of having different standards for different lengths,
19 but keep it simple and have the number assigned to it and
20 take the input of the architect community to come up with
21 the right number. Does that sound reasonable? All right, so
22 let's do that.

23 Vice Chair Barnett.

24 VICE CHAIR BARNETT: My understanding is that
25 we're trying to finalize this Objective Standards tonight,

1 so my idea would be to refer this issue to the Council with
2 any input that might be provided by Staff after the
3 meeting.

4 CHAIR HANSSEN: Right. Maybe my suggestion was
5 not clear enough, but it was that we would go ahead with
6 that approach and that the number would be filled in
7 somewhere in the near future by Staff with input from
8 people that have more expertise, so I think we're going to
9 keep it with that.

10
11 Then we can go on to Comment 14, which is
12 requesting an additional section be added to deal with
13 corner lots, and although it does not currently exist, this
14 could be developed in the future, and I think what Staff
15 was saying in a nice way is it would be a lot of trouble to
16 add that in, and since we're so far behind schedule that
17 that might be a nice add-on at a later point, but it could
18 hold up the document. Am I characterizing that correctly,
19 Staff?

20 JENNIFER ARMER: Yes, that's correct.

21 CHAIR HANSSEN: So Commissioners, are there
22 thoughts about whether or not it's important to have that
23 in this version of the document? Commissioner Raspe.

24 COMMISSIONER RASPE: Thanks, Chair. I agree with
25 Staff. At some point I would like to see this incorporated

1 into the document, but given where we are in the process,
2 let's proceed without it for now.

3 As an additional note, I think corner lot
4 developments are probably going to be the minority of
5 developments we see. It will be largely more infill type
6 projects, and so it probably is going to be the least
7 impactful section, so let's proceed without it for now, but
8 with a notation that we'd like to see it developed on the
9 next round if possible.

10
11 CHAIR HANSSEN: Very good, thank you for that.
12 Commissioner Janoff.

13 COMMISSIONER JANOFF: I agree. There is a
14 specific bullet point from the architects that say we
15 should have a section on corners, but it struck me that it
16 was a follow-on to the previous bullet where they were
17 going on about what happens if this and that and the other
18 and then now that we're talking about corners, let's go
19 there, so I didn't get the sense that that was the same
20 level of importance, and so I would agree, let's stay the
21 course on what we have, and if it looks like we need more
22 specificity on corners, if things are going crazy on all of
23 these great developments that are going to come our way,
24 then take another look at making something more specific
25 then.

1 CHAIR HANSSEN: Very good, thank you for that. So
2 I think we're going to go with that recommendation that we
3 should try to add that in a future version of the document,
4 but not hold up the progress of this document.

5 The next one is Comments 18 and 19 that are
6 related to the belly band option in B.4.1d. Based on the
7 reasoning provided, Commissioners can consider removing
8 this option, because there are multiple documents out
9 there, and maybe not everyone has them all up at the same
10 time, that wanted us to remove the belly bank option
11 entirely, or I thought I saw something there about reducing
12 the size of it. Can you maybe give us some clarification
13 about what specifically the architects were looking for?
14

15 RYAN SAFTY: Certainly. The first one, Comment
16 18, basically is belly bands don't always work, especially
17 not a continuous belly band, especially if you have pop-
18 outs, recesses, pilasters, and what not.

19 The second, Comment 19, was specifically about
20 the width or the height of the belly band, pointing out
21 that we require ten and Palo Alto requires four.

22 CHAIR HANSSEN: So that's about that from the
23 Commission. Commissioner Janoff.

24 COMMISSIONER JANOFF: I would remove it.

25 CHAIR HANSSEN: The B.4.1d?

1 COMMISSIONER JANOFF: Yes.

2 CHAIR HANSSEN: Commissioner Raspe.

3 COMMISSIONER RASPE: Yes, I agree. I don't find
4 the belly band a particularly effective device for breaking
5 up a façade, and going to a smaller belly band seems to me
6 to even exacerbate the problem, so I would agree, I would
7 (inaudible).

8 CHAIR HANSSEN: Any other thoughts, or a
9 different direction? Otherwise, we are going to recommend
10 removing it. Sounds like we are agreed.

11
12 So then we can move on to Comment 23, which
13 questions how B.4.3 would be applied. For example, if a
14 single bay window would be sufficient to qualify for the
15 points listed. Staff can either add greater specificity for
16 certain items, or remove this requirement, and they are
17 looking for direction from the Planning Commission.

18 Commissioner Janoff, and then Vice Chair Barnett.

19 COMMISSIONER JANOFF: This was an interesting
20 comment. I can't imagine an architect coming forward with a
21 mish-mash of balconies and no balconies. That just seemed
22 to me to be taking the point a little bit too far, but if
23 Staff has a way to insert language that talks about the—I
24 can't remember the exact term—integrity of design or
25 something, which is completely not objective, so that won't

1 work, but if there is some language that could be inserted
2 that would clarify what they're talking about in terms of a
3 whole bunch of different elements just to rack up points,
4 I'm not sure how that could be done, but what they propose
5 could happen sort of like gaming the point system. I guess
6 it could happen, but how do we make sure it doesn't?

7 CHAIR HANSSEN: Mr. Ford, could you comment on
8 that? You helped us develop this thing, and I think you've
9 had experience with other jurisdictions. What are your
10 thoughts on this particular issue?

11 TOM FORD: Thank you, Chair. If the Commission
12 prefers to keep this B.4.3 I think it's possible to go in
13 and add greater specificity. I read the architects'
14 comments and I thought that's interesting, somebody put one
15 Juliet balcony, so therefore they get the points. I don't
16 know if anyone has packet page 225, you see page B.4.3,
17 each of those lines would probably get longer, because we
18 would add some specificity, and I wouldn't say Juliets on
19 100% of the windows. Let the designer have a little bit of
20 flexibility and maybe pull out a massing piece, so you
21 might say Juliets applied to 40% of the fenestration, or
22 60% or something, and you might say one chimney is enough,
23 and you might say a certain number of balconies. So I think
24
25

1 we can provide greater specificity if you want to keep
2 B.4.3.

3 CHAIR HANSSEN: I think we already discussed that
4 we wanted to keep B.4.3, but we have several Commissioners
5 with their hands up. Vice Chair Barnett, and then
6 Commissioner Tavana, and then Commissioner Clark.

7 VICE CHAIR BARNETT: Thank you, Chair. I share
8 exactly Mr. Ford's thinking. I think that the architects
9 may have overstated the possibility and made it a
10 ridiculous hypothesis, but nevertheless there's a lot of
11 room for clarification that I think should be made before
12 this is sent to the Council, or in the process of
13 submitting it to the Council that we have further
14 specification. Thank you.

15 CHAIR HANSSEN: Thank you for that. Commissioner
16 Tavana.

17 COMMISSIONER TAVANA: Thank you. I agree with
18 Vice Chair Barnett in the sense that any specificity could
19 help, but in the examples given there was a single bay
20 window, but in the Objective Standards—I don't know if this
21 matters or not—it clearly states bay windows, not just one,
22 so it is plural and a lot of these are plural, and that
23 would alleviate some of the issues, but adding specificity
24 definitely would help.
25

1 CHAIR HANSSEN: Thank you. Commissioner Clark.

2 COMMISSIONER CLARK: Thank you. Sorry I haven't
3 been participating more. I'm very under the weather, but
4 I've been appreciating all of the comments and I promised I
5 would say something if I disagreed with any decisions that
6 were being made.

7 For this one I definitely agree that I want to
8 see it kept in, and I think having the minimum of 16 points
9 needed would hopefully keep people from going too crazy,
10 like gaming it and trying to add as many features as
11 possible and stuff, but I do think that it would be a
12 problem if someone decided to get their points using like
13 the three point ones or something, because it would become
14 pretty clunky, so I agree first that we need more
15 specificity.

17 Then I was thinking, I don't know if there's a
18 way to say get at least this many points from these ones or
19 something, like making sure that they use at least one of
20 the eight point ones or something, but we might want to do
21 something like that just to make sure that nobody just uses
22 all of the three pointers and gets some really clunky
23 looking design.

24 CHAIR HANSSEN: Great. I think that's a good
25 suggestion. Staff, I think what I'm hearing is that more

1 specificity would be good, that we like the system, and
2 just to maybe try to put a little bit more specificity in
3 to help avoid gaming the system. I think Commissioner Clark
4 had an idea about maybe you have to use some of this versus
5 a bunch of the lower point things, or something like that.
6 Is that enough for you guys to go on?

7
8 RYAN SAFTY: I believe so. I'll defer to Mr.
9 Ford, since you're going to be the one helping us with
10 this.

11 TOM FORD: Yes, that's great input.

12 CHAIR HANSSEN: Okay, great. Comment 24 suggests
13 that the illustration of pilasters should be removed. The
14 illustration was a specific request from a previous
15 hearing, but it could be removed.

16 Commissioner Janoff.

17 COMMISSIONER JANOFF: There are two different
18 figures that include pilasters, and I think the
19 illustration that is being objected to is 4.5, which is on
20 page 26 of 29, and I agree that pilasters in this
21 particular example would be highly unlikely, so it seems to
22 be a highly unlikely design element to have in there, and
23 it doesn't particularly illustrate the change in materials
24 concept that this item is speaking to, so I think in this
25

1 case I would be in favor of removing the pilasters in this
2 particular illustration.

3 But on page 16 of 29, whichever section that is,
4 there's an illustration that includes them on that line
5 drawing, and those should be kept, so just to clarify which
6 drawing we're talking about.

7 CHAIR HANSSEN: Thank you for bringing that up.
8 So there are two illustrations and you're saying keep the
9 one and not the other. That sounds like a very good
10 recommendation. Other comments from Commissioners? Mr.
11 Ford.
12

13 TOM FORD: Thank you. Also, just so you're not
14 surprised later by taking out the pilasters from Figure
15 B.4.5, I think we will also help you by making an edit to
16 the text of Standard 4.5, "Changes in building materials
17 shall occur at inside corners." I think what we'll do is
18 we'll delete the reference in the text standard about
19 architectural features. I think that's what led us astray
20 on this issue.

21 CHAIR HANSSEN: So it sounds like this problem is
22 solved. The last one that we were asked for input on was
23 Comment 27 suggesting that rather than prohibiting rooftop
24 and upper floor terraces and decks that they could be
25 allowed, given certain controls.

1 Commissioner Janoff.

2 COMMISSIONER JANOFF: I strongly agree with this
3 recommendation. It seems like we might want to be using
4 rooftops of these buildings for gathering spaces. It's done
5 all over, including having green rooftops or green gardens
6 or green space, or that could be the common space. It could
7 be used really creatively and beautifully, so I would
8 recommend looking at this one to change it and include that
9 as a potential feature perhaps.
10

11 CHAIR HANSSEN: That's great. Commissioner
12 Thomas.

13 COMMISSIONER THOMAS: I agree Commissioner with
14 Janoff's comments, and I also thought that rooftops are an
15 opportunity to create additional green space, especially
16 since green space can sometimes be lost when going to
17 higher density housing, and I know that's something we
18 don't want to do for the Town.

19 I think that the intent of this is to ensure
20 privacy, and I think there are ways that we can still make
21 sure that there is privacy on rooftops, even if they are
22 accessible to people and used as part of the built space,
23 and I think that it's a good opportunity, so I'm supportive
24 of it too.
25

CHAIR HANSSEN: Great. Vice Chair Barnett.

1 VICE CHAIR BARNETT: I've seen rooftop spaces be
2 used for social gatherings and barbeques and whatnot, and I
3 think it's an excellent amenity for people in high-rise
4 developments that don't have a lot of space to meet; they
5 can have parties out there and whatnot.

6 I've also seen it used as private deck space for
7 the owners who are adjacent. This is a little unusual, but
8 there was a parapet wall and there were units that faced
9 the roof, and they were able to divide it into exclusive
10 use areas, so I think in short the idea of setbacks for
11 privacy makes sense, but also the utility of using the
12 space is important to retain in the Objective Standards.

13 CHAIR HANSSEN: Great. I think that's a good
14 suggestion. Any other comments on this? It sounds like we
15 should definitely keep this, and there were some
16 suggestions of how to make it clearer and have more
17 control. Anything else you need from us on this particular
18 one, Staff? Ms. Armer.

19 JENNIFER ARMER: Thank you, Chair. I would
20 suggest if the Planning Commission has any direction on
21 particular things, for example, setback from the edge of
22 the building, that you would support as those additional
23 privacy controls that that discussion would be helpful in
24
25

1 guiding Staff in drafting something to take to Town
2 Council.

3 CHAIR HANSSEN: Got it. Looks like we have a
4 couple hands up. Commissioner Janoff.

5 VICE CHAIR BARNETT: Thank you. The architects
6 did recommend a setback, and they also talk about a
7 daylight plane. I don't know what the daylight plane might
8 be. I haven't heard that term, so I don't know what that
9 is, but presumably it's some sort of a sight line, but they
10 do offer the concept of setback and I think there should be
11 a setback, unless somehow it's a completely green space
12 right at the edge where you could plant the setback, but I
13 would make sure that the gathering space for individuals
14 would be inside a setback.
15

16 CHAIR HANSSEN: Sounds good. Commissioner Thomas.

17 COMMISSIONER THOMAS: I agree. I feel like
18 hopefully we can find a standard setback that exists
19 somewhere else that we know is appropriate. I also am happy
20 to say—I think this is still objective—but it either needs
21 to be a setback or there needs to be some sort of
22 screening. Like one setback if you can see out, and another
23 setback if you can't see out, because I feel like the
24 setback is only necessary for the privacy or for safety
25 purposes, but if there is some sort of screening, I don't

1 know what is considered a rooftop, if there's a specific
2 wall, but I'm assuming it's the top of the building that's
3 open to the sky, so I'm curious to know what Commissioners
4 think of that.

5 CHAIR HANSSEN: Other comments? Commissioner
6 Raspe.

7 COMMISSIONER RASPE: I also thought about
8 screening, and my concern with that is depending on the
9 design and style. Unless the screening is also set back it
10 can add to the massing of the building, especially if it's
11 going to be a 6' barrier, for instance. We're adding 6' of
12 height to our building, so unless it's set back
13 significantly from the existing frontage of the building or
14 it's somehow distinguished in material, my concern would be
15 that adding a lot of shielding would overly complicate
16 things.

17
18 That being said, I fully support a rooftop
19 situation and I think setback is probably the preferred
20 method of doing it, with maybe a secondary lower shielding
21 if that's the only solution possible.

22 CHAIR HANSSEN: I think that's a good suggestion
23 as well. Staff, what more can we do to help on this?

24 JENNIFER ARMER: Thank you, Chair. I think based
25 on the direction that we've heard from the Commission this

1 evening we will develop a recommendation for a setback from
2 the edge of the roof for buildings that abut Single-Family
3 zoning districts on the side of the building that abuts
4 them, and provide that as a recommendation on your behalf
5 to Town Council.

6 CHAIR HANSSEN: That sounds good. Vice Chair
7 Barnett.

8 VICE CHAIR BARNETT: Yes, thank you. In Item 27
9 in the architects' comments when the Staff responds to the
10 architects they say, "Wouldn't it be more appropriate to
11 have a setback to rooftop decks and balconies?" and I
12 wasn't sure what rooftop balconies would be. Maybe that
13 could be clarified or removed.

14 CHAIR HANSSEN: Is that in the document now? No,
15 that's in the comments for the architects, right?

16 VICE CHAIR BARNETT: You're correct; it's in the
17 comments from the architects.

18 JENNIFER ARMER: Through the Chair, when we're
19 looking at 4.10 it references rooftop and upper floor
20 terraces and decks, so not balconies.

21 CHAIR HANSSEN: So then we have the information
22 we need in terms of controls, because we don't have a
23 conflict basically because a rooftop balcony would be kind
24 of strange. Are we good on Comment 27? Okay.

1 I'll just continue to go through the Addendum,
2 which was very helpful, by the way, Staff, that you went
3 through all the comments and gave us some feedback on that,
4 and it helps make our discussion more efficient.

5 You also brought out your comments on the
6 submission from Mr. Mayer from the Housing Element Board,
7 and who is also an architect, and I don't think we need to
8 discuss the first one he brought up about real world photo
9 examples, because we already discussed that earlier.

10 But he did have some other specific suggestions,
11 one of which was that the parking structure entry gate
12 setback be reduced to under 25', and he did go into detail
13 about with a dense kind of building trying to create a 25'
14 setback would be an awfully big ask for them to do that.
15 Staff, you want us to comment about whether we should
16 include that or not? You didn't recommend one way or the
17 other.
18

19 JENNIFER ARMER: I'll start, and then Mr. Safty
20 may have something to add. With any of these where a change
21 is being recommended we called out if we had a significant
22 concern, but would be looking to see if the Commission
23 supports making the change. In this case we do want to have
24 some setback so that we avoid queuing in the street, and
25 often the gate for a parking garage is actually set back

1 farther within the building façade, so it doesn't mean that
2 the front wall of the building needs to be set back. Mr.
3 Safty, did you have anything else add on that one?

4 RYAN SAFTY: You basically said what I was about
5 to. The one thing I would add is the only thing we do have
6 in the Town Code right now is it requires 18' from any sort
7 of vehicle gate to the edge of the street, so if the
8 Planning Commission does want to reduce below 25' I would
9 recommend ensuring that we still do have the 18'.
10

11 CHAIR HANSSEN: So that we don't just remove the
12 requirement entirely. Commissioner Raspe.

13 COMMISSIONER RASPE: Thank you, Chair. I would
14 argue against removing this section. I think it is
15 important for pedestrian safety to avoid a situation where
16 we have queuing. It seems to me that ideally maybe what you
17 want is whatever the length of two cars is, because
18 essentially that's going to be a most common scenario, I
19 think, where you would run into problems, so if that's 18',
20 that's 18', if it's 20', it's 20'. I don't know what that
21 number is, but it seems to me whatever the length of two
22 average cars would be is probably be adequate for our
23 purposes.
24

25 CHAIR HANSSEN: Thank you for that. Commissioner
Janoff, and Commissioner Thomas.

1 COMMISSIONER JANOFF: Thank you. I agree we
2 shouldn't remove this section amended to be much less than
3 25'. I would go back to the architects and ask what much
4 less looks like. It may be that the 18' is also untenable.
5 I don't know, so I would say keep it, but see if you can
6 get some input from the architects specifically regarding
7 these kinds of structures.

8 CHAIR HANSSEN: You mean in addition to Mr.
9 Mayer?

10 COMMISSIONER JANOFF: Yes. Well, go back to Mr.
11 Mayer. He's making the comment and he's asking for a
12 significant reduction, and he seems to be speaking from
13 experience. We could guess at this number, we could go with
14 the 18', but that might still not be workable, so my
15 suggestion is to go back to the architects and see if we
16 can find something, keeping in mind that what we're trying
17 to do is keep these things objective, but also we want
18 these buildings to be built, so if we put too many
19 constraints that makes just breaking ground not workable,
20 then we've sort of killed something from the outset, so I'd
21 look to get some input from the experts on this one.

22 CHAIR HANSSEN: That sounds reasonable, and what
23 I'm hearing loud and clear though is that we don't want to
24
25

1 remove this, but let's see what Commissioner Thomas has to
2 say.

3 COMMISSIONER THOMAS: I agree that we do not want
4 to remove this for the safety concerns, but however I do
5 want to ensure that we are highly, highly encouraging below
6 ground parking, because we know that that is a huge
7 priority for us to achieve some of our higher density
8 projects that we want. I know that it also makes it more
9 expensive for developers, but I think that we need to make
10 sure that we're not putting a number on here that is not
11 possible.
12

13 When we say a minimum of 25' between the gate and
14 the back of the sidewalk, we are saying the length? It's
15 not like a bird's eye view, right? It's the length of the
16 actual driveway has to be 25' so that could curve or turn,
17 correct, Staff?

18 JENNIFER ARMER: (Nods head yes.)

19 COMMISSIONER THOMAS: Okay. I do know there are
20 gates that exist like this out here; most parking garages
21 with below ground parking have the gate below... I don't
22 know, I guess my question is 25' doesn't seem that
23 unreasonable to me, but obviously I'm not an architect, but
24 if I'm thinking about like how far is the distance if we
25 were to put a gate at the bottom of some of the park... I

1 guess all of our below ground parking in town doesn't have
2 a top, I don't know. I was trying to think of in downtown.
3 We want to encourage below ground parking, so we need to
4 make sure that the number that is chosen is specific, so
5 its objective, but it also ensures that we can still get a
6 lot of below ground parking.

7 CHAIR HANSSEN: So what I'm hearing is we want to
8 keep this requirement in here, but we don't feel like we
9 have enough expertise to specify. I did hear from Staff
10 that we have already a requirement for 18', so can Staff
11 check with some of the architects to see if this really is
12 a big problem and that that would necessitate it being less
13 than even 18', because I don't think that any of us have
14 enough (inaudible) of experience with this particular
15 requirement. Is that enough direction?

17 JENNIFER ARMER: Thank you, Chair. Yes, I think
18 we can proceed with that. In order to give the Planning
19 Commission a little more context, our current standard for
20 parking, if you have a two-car garage you're going to be
21 required to do 20'x20' clear on the inside, so that's 20'
22 deep for each of the two cars. If you're looking at the
23 distance from the face of a garage, even if the required
24 building setback is less, then we require the 18', but in
25 many cases the front setback that governs the distance to a

1 garage is actually 25', so this isn't inconsistent with a
2 lot of the other circumstances where you have enough space
3 for a car to park in the front of a garage and not be
4 overlapping with the sidewalk.

5 CHAIR HANSSEN: And also it was my understanding
6 when we were going through this whole process as the
7 Subcommittee before the document was drafted that our
8 consultant's had substantial experience working with many
9 jurisdictions on this stuff, so we were relying pretty
10 heavily on them to work with our Staff to come up with the
11 right numbers for this step, so I guess what I'm hearing is
12 it's probably worth checking with some people, but we don't
13 want to wholesale remove things that were recommended.
14

15 Mr. Ford.

16 TOM FORD: Thank you. Yes, you're correct. We can
17 look into this further.

18 CHAIR HANSSEN: All right, great. So let's go on.
19 The next one was similar. It was about vehicular entry
20 gates, and there's a 6' height limit for those, and he
21 wanted those to be increased, because he was talking about
22 parking situations and that it wasn't going to be high
23 enough.
24

25 Commissioner Janoff.

1 COMMISSIONER JANOFF: Thank you. He makes a good
2 point, but I think we can correct the concept by inserting,
3 "Vehicular entry gates and pedestrian entry gates located
4 in perimeter fencing shall have a maximum of 6'." I think
5 that's what we're talking about. We're not talking about
6 entrances that are in a building face, right?

7 CHAIR HANSSEN: Right.

8 COMMISSIONER JANOFF: It's in the fencing or in
9 some sort of perimeter barrier.
10

11 CHAIR HANSSEN: That sounds reasonable.

12 COMMISSIONER JANOFF: I certainly wouldn't want
13 to increase it to 8' across the board, because then you
14 wind up with 8' fences at the perimeter, right? So I think
15 that would solve the problem.

16 CHAIR HANSSEN: I like that suggestion. Any other
17 thoughts on this one? All right, let's see, we don't have
18 too much more to go through.

19 Their public comment question whether landscapers
20 can count toward landscaping requirements in Standard
21 A.10.1a and whether 20% is too high, 20% being that 20% of
22 the total square footage has to be landscaped and whether
23 or not landscapers could count for that, because it might
24 be too much.
25

1 Commissioner Janoff, and then Commissioner
2 Thomas.

3 COMMISSIONER JANOFF: I think based on our
4 previous conversation we should allow landscaped rooftops
5 to be counted, but not everybody is going to do a
6 landscaped roof, so if that 20% still seems high then there
7 should be an if/then term included so it will be such-and-
8 such a percent unless there's a rooftop and the rooftop can
9 count toward that percent, but yes, I think that that
10 number...
11

12 And maybe it should be arranged that the
13 following point has to do with how large balconies or
14 common space or community recreation space are, and there's
15 a recommendation that it would be a certain size for a
16 certain size building, and a certain size for certain other
17 size buildings, so I think maybe this is another one where
18 there could be a range if the landscaped space at 20% seems
19 onerous, but definitely count rooftop.

20 CHAIR HANSSEN: I know his concern was that the
21 landscaping requirement being that high could defer High-
22 Density housing.

23 Commissioner Thomas.

24 COMMISSIONER THOMAS: I agree that we should
25 definitely count landscaped roofs toward the 20%, so I

1 think that should be added. I also know that people value
2 green space in town and are afraid of really High-Density
3 housing, so I can see maybe why this 20% was initially
4 chosen as the number, but I'm happy to hear what other
5 cities have decided to do, because I'm open to reducing.

6 CHAIR HANSSEN: You started going in the
7 direction that I wanted to make sure we reminded ourselves
8 of, that this document is intended to comply with certain
9 laws that have been handed down by the State of California
10 and that it's separate and aside from the discretionary
11 approval process that we already have, and so there's
12 always the possibility where they bring in a project and
13 they want to take advantage of the streamlined processing
14 procedure and they decide that it doesn't work for them
15 they can still go through the discretionary process that we
16 have. This is just to take advantage of the streamlined
17 process.
18

19 I know that when we heard the North Forty and the
20 North Forty Specific Plan had a 30% open space requirement
21 and 20% had to be green—I think the numbers might be wrong,
22 off by that—but that was a big deal for everyone, and they
23 did find a way to meet it, and so I think we'd have to
24 think long and hard about taking that off the table,
25 because we're basically taking away the discretionary

1 approval process with this document and we want to make
2 sure that it turns out the way that we're hoping for.

3 Commissioner Janoff.

4 COMMISSIONER JANOFF: I just wanted to make a
5 clarification that the landscaped rooftop could count
6 toward the 20% as long as it's accessible by all residents.
7 It can't be like a private rooftop garden for the
8 penthouses, right?

9 CHAIR HANSSEN: Yes.

10 COMMISSIONER JANOFF: So make sure that that's
11 also included.

12 CHAIR HANSSEN: Maybe I didn't read this thing
13 right, but I thought that the landscaper thing was kind of
14 like the lesser of the two issues, that 20% was the issue
15 and that it might be too high and prevent High-Density
16 housing, but I think we've already heard from a couple of
17 Commissioners that we know that our residents are really
18 concerned about that, so I think it would be a hard ask to
19 take it down below 20%.

20 Commissioner Thomas.

21 COMMISSIONER THOMAS: I guess I do have a
22 clarification, but I do agree that this should be
23 accessible to everyone, but the current way it's written,
24
25

1 is landscaped area considered like all 20% of that has to
2 be accessible to all residents?

3 CHAIR HANSSEN: Question for Staff.

4 RYAN SAFTY: Give me one second just to triple
5 check.

6 JOEL PAULSON: I can go ahead and jump in.
7 Commissioner Janoff's comments, I think, were specific to
8 the rooftop deck and that the residents of that community
9 had access to that, not just the penthouses, for instance,
10 so it's an amenity for those folks, not an amenity for the
11 entire public, so it's just for that specific site, and
12 it's not specified in there, so that's something that we'll
13 look at adding specificity.
14

15 COMMISSIONER THOMAS: Because it just says right
16 now, "A minimum of 20% of the site area shall be
17 landscaped," but that doesn't have to be that whole 20%.
18 The way it's written right now it does not have to be
19 accessible to everyone, because this is like a completely
20 separate thing from the 60% of the community space shall be
21 open to the sky, etc.? I'm just trying to interpret the
22 rule.
23

24 CHAIR HANSSEN: Mr. Safty, you had your hand up.
25 I'm going to ask you before I go back to the other
Commissioners.

1 RYAN SAFTY: Thank you, I'll try to take a stab
2 at answering that. Just a reminder, all of those three
3 areas, the landscaped area, community open space, and
4 recreation open space, they're all calculated separately.
5 Previously there was mentioned about using, let's say, a
6 rooftop deck towards the landscaping requirement, and,
7 let's say, a community open space requirement. As the
8 document is written right now, you would not be able to use
9 them both. Landscaping is really just intended to add
10 greenery to the site; that's how it was drafted.

11
12 CHAIR HANSSEN: Ms. Armer.

13 JENNIFER ARMER: I wanted to add the suggestion
14 that under Key Terms at the beginning of the document we
15 have a definition of landscaping, and so considering if
16 there are details that should be added to that definition
17 of landscaping is probably where this would be, whether
18 landscaping could potentially include a rooftop deck if
19 accessible to all residents, or similar language.

20 CHAIR HANSSEN: That makes a lot of sense, and
21 I'm glad Commissioner Janoff brought that up, because not
22 that super High-Density housing could have penthouses, but
23 you wouldn't want it to be private, because that kind of
24 defeats the purpose of what we're trying to accomplish.
25

1 Let's see, several Commissioners have their hands
2 up. Commissioner Janoff, and then Vice Chair Barnett, and
3 then Commissioner Thomas.

4 COMMISSIONER JANOFF: Just a quick clarification.
5 The 20% doesn't need to be contiguous land, right? They can
6 count pockets and so on, right? My comment about
7 residential access to a rooftop would be like let's make
8 sure if that's the only 20% set aside that everybody has
9 access to it, but if it's in fact in addition to a bunch of
10 other little pockets, then it counts as an aggregate, if
11 that's clear?
12

13 RYAN SAFTY: Yes, the landscaped areas can be in
14 multiple different locations, for example, shrubbery along
15 a walkway. The point I want to clarify one more time, the
16 idea of a rooftop deck with landscaping, let's say Camino
17 Garden, the would count towards the community recreation
18 space, which then would not count towards landscaping
19 unless we removed the term saying that they are calculated
20 mutually exclusive from each other.

21 COMMISSIONER JANOFF: Through the Chair, if we
22 could just think about that a little bit more critically as
23 you go through in your mind how those might be in conflict,
24 when we could create some really beautiful community space
25 that is partially land... Just think about whether that is

1 asking too much, and I'd say depending upon the design, and
2 of course that's subjective, it should count as the same.
3 It shouldn't be counted separately.

4 CHAIR HANSSEN: Do other Commissioners have
5 thoughts? Vice Chair Barnett.

6 VICE CHAIR BARNETT: Yes, thank you, Chair. Ms.
7 Armer brought up the landscaping definition under Key
8 Terms, and I'm happy with the 20%, but I am concerned about
9 landscaping as it's described in the Key Terms because of
10 the drought situation and the need to conserve water, and
11 it seems to primarily, if not exclusively, require
12 greenery, so I think that's something that we ought to look
13 at as part of the whole picture.

15 CHAIR HANSSEN: Commissioner Thomas, and then
16 Commissioner Tavana.

17 COMMISSIONER THOMAS: I agree that we do need to
18 be conscious about the water use, and I also think that we
19 need some clarification and need to rethink the differences
20 between the landscaped private recreation space and
21 community recreation space. I do think that if something
22 qualifies separately as landscaped and it also could serve
23 as a community recreation space, for example, a communal
24 garden, I would be happy with that being able to be counted
25 in both spaces.

1 I think that being able to double dip in that
2 area is going to provide for more creativity from an
3 architecture standpoint and more creativity with the use of
4 space, so I'm happy with that being able to be double
5 dipped, and then I think that also allows for more
6 flexibility with respect to the 20% doesn't just have to be
7 like green for looking at, it could be usable space also,
8 which I think is the more important part, and also like
9 drought... It can just be more usable space that we benefit
10 more from than just like existing, so I do think that that
11 is a change that we should definitely consider.

13 I also don't think that the way that we have it
14 written right now, landscaped space all needs to be
15 publicly accessible, but again, if it's counting as both
16 community recreation space and landscaped space, then it
17 should be, if that makes sense.

18 My last thing is that if a rooftop is going to be
19 used either for community recreation space, or I guess as
20 landscape space, if we're counting at 20% minimum, I guess
21 my question is right now it says 20% of the site area. The
22 rooftop basically should be like free bonus area? It
23 shouldn't be considered in the total area, it's not
24 additional area, if that makes sense? I don't know how we
25 consider that though then in the 20%, because we're not

1 mandating that anyone put anything on the rooftop. Do other
2 people understand how we could create conflict? No, okay.

3 So if we are requiring a minimum 20% of the site
4 that should be landscaped, and then we say you can use the
5 rooftop for that, we need to decide if we are counting then
6 does the rooftop count to the total area that we are
7 considering? Like is it our denominator, or not? I think it
8 should be not ever included in the denominator; it's just
9 like an optional bonus area that you could use and utilize.
10

11 CHAIR HANSSEN: Ms. Armer, and then Commissioner
12 Janoff.

13 JENNIFER ARMER: Thank you. Just to help with the
14 clarification of what Commissioner Thomas was trying to
15 describe, I think one question is when we talk about 20% of
16 the site area, whether that is being understood as the open
17 parts of the site versus the site area as a whole before
18 it's been developed. So if you're saying 20% of the site
19 area, then that is of the entire property before it is
20 developed, and so some of that 20% could be on the roof.

21 CHAIR HANSSEN: Commissioner Janoff.

22 COMMISSIONER JANOFF: My assumption is that the
23 20% is of the whole site before anything is built, right?
24 Then build your building as large or as small you can, and
25 you've got 20% remaining on the ground, and then take that

1 amount and apply that to the roof instead. So you
2 (inaudible) can make a bigger building and use your
3 rooftop, but it is the whole site and then the developer
4 gets to decide whether they're going to keep ground-level
5 green space community or whatever, or rooftop, or a
6 combination.

7 CHAIR HANSSEN: There are a lot of people that
8 aren't happy with the North Forty, but I particularly did
9 like the open space requirement in the North Forty Specific
10 Plan, and so my thoughts were that I wouldn't want all that
11 stuff to be counted separately. I kind of like the North
12 Forty Specific Plan, because it had the idea that you had a
13 number of different ways to get at open space and then it
14 was up to the creativity of those, and then there was a
15 minimum for green open space, so you knew there would be
16 some of that, it wouldn't just all be hardscape pathways or
17 things like that.

18 Commissioner Tavana.

19 COMMISSIONER TAVANA: Thank you, Chair. My
20 concern would be just seeing hardscape, as a person walking
21 by the property, being developed if we were to count the
22 20% save for the landscaped roof, so I would like to see it
23 as written, 20% of the area shall be landscaped with the
24
25

1 roof not counting toward total percentage, my personal
2 opinion.

3 CHAIR HANSSEN: I'm trying to decide where we are
4 on this one. There is a lot of really good input.

5 Mr. Ford, and then I'll go to Commissioner
6 Janoff.

7 TOM FORD: Thank you. You could do something
8 where you still have the 20% of the site needs to be
9 landscaping, and then allow a certain percentage of the
10 community recreation space to contribute to that, because
11 if someone has a really nice roof deck they've probably
12 built a larger footprint to do that, so you wouldn't want
13 to penalize them by saying you still have to have your 20%
14 site coverage of landscaping. You might want to allow them
15 to use some of that community recreation space up on the
16 roof towards their landscaping requirement.

17
18 Back to an earlier—I think Vice Chair Barnett
19 might have mentioned this—we can put lawn farther down the
20 list, but also whether someone comes in a discretionary
21 process or a ministerial process, they're still going to
22 have to meet C-3 requirements for water use and how their
23 irrigation plan is using water, so there are certain
24 requirements that they're going to... They can't just put in
25 a lawn over 20% of the site and water it, so that's already

1 going to be restricted and that's going to lead them
2 towards native plantings, drought tolerant plantings and
3 such for that 20% landscaping.

4 CHAIR HANSSEN: Thank you for that. Commissioner
5 Janoff.

6 COMMISSIONER JANOFF: Thank you, and I think Mr.
7 Ford's suggestion is an excellent one. It speaks to being
8 able to count the rooftop as quality space for residents
9 without completely losing some form of landscaping or
10 greenery to Commissioner Tavana's point, so whatever
11 percentage that might be, I would say Staff can figure that
12 out, but at least retain a portion of green space at
13 pedestrian level.
14

15 CHAIR HANSSEN: Commissioner Tavana.

16 COMMISSIONER TAVANA: Thank you. Yes, I do really
17 appreciate Mr. Ford's comment, so if I were to throw a
18 percentage out there, I would say no more than 5% to be
19 counted towards the 20% if they do have a living or a
20 rooftop landscaped.

21 CHAIR HANSSEN: I think that is a good idea to
22 put out there, and so I'm going to ask Staff if you have
23 enough to go on with this.

24 Commissioner Thomas.
25

1 COMMISSIONER THOMAS: I would like to add,
2 because I know that I made multiple comments and we went
3 really in on one of them, but I just wanted to also see if
4 we agreed that we should be able to double count, like
5 overlap landscape space with community recreation space,
6 because I think that those can be counted in the same way,
7 and Staff, you can clarify if that would create too much
8 confusion.

9
10 CHAIR HANSSEN: I had the same question, but that
11 made a lot of sense to me and that's where I was going with
12 my comments.

13 RYAN SAFTY: Thank you, that was actually
14 something I was just thinking about as well. It would make
15 perfect sense, for example, if they put in a grassed
16 volleyball court, why not be able to count that both
17 towards landscaping and community recreation space? Mr.
18 Ford, I don't see an issue with that in terms of drafting
19 the standards, but I'll defer to you if you see any red
20 flags.

21 TOM FORD: Yes, thank you. As Commissioner Thomas
22 was saying that I was putting on my devil's advocate hat,
23 and I think you just want to be careful. Most architects
24 and landscape architects have a really hard job making that
25 number meet when they're trying to do their site plan, so a

1 lot of the landscaping tends to look really beautiful, but
2 it's 10 square feet there and 20 square feet here and 100
3 square feet there, so you have to make sure that if you're
4 going to double count it that it's actually usable as a
5 community recreation space. So again, it might be a maximum
6 percentage or something that could be double counted, but
7 I'd be care to allow all of landscaping to be counted,
8 because it may not be usable in the sense of a recreation
9 space.
10

11 CHAIR HANSSEN: So, Commissioner Thomas, given
12 what he just said, does that change how you feel about it?

13 COMMISSIONER THOMAS: Yes, I think that I do
14 agree that we want to be careful. We don't want this
15 community recreation space to be like a little tiny couple
16 of square feet here and there. I don't know if this is too
17 specific as far as Objective Standards go, or if we can be
18 specific enough, but maybe the space has to be designated
19 for a specific use, like a volleyball court, or a play
20 area, or a barbequing picnic site, or community garden,
21 something that I would assume that a Planned Development
22 would have a specific use for. I don't know if that's legal
23 or allowed or we can write that into Objective Standards,
24 but that would be a way that I would see a way around the
25 issue of just divving into that everywhere.

1 CHAIR HANSSEN: Mr. Safty, and then Mr. Ford.

2 RYAN SAFTY: Thank you. I'd like just to chime
3 in. We actually are covered on that already. In Section
4 8.10.1c there is a requirement, the minimum dimensions of
5 community recreation space, and that's each individual
6 community recreation space used to come up with a total has
7 to be 10'x6', so there's not going to be little pockets
8 that people are using towards that.

9
10 Additionally, there are allowances for
11 landscaping within the community recreation space, so based
12 on the suggestions I'm hearing I do think that it would be
13 a fairly simple fix for Staff.

14 CHAIR HANSSEN: To combine those? Yes. You are
15 dovetailing into the last comment that you called out from
16 him, which was the size of the community recreation space
17 to be reduced or based on the overall size of the property.

18 But I'll go to Mr. Ford.

19 TOM FORD: Thank you. I was just going to follow
20 on Mr. Safty in responding to Commissioner Thomas. In order
21 to stay objective I would try to stay away from a laundry
22 list of what qualifies as community recreation space and
23 instead try to stick with a metric of a minimum percentage,
24 maximum percentage, something like that that is just easy
25 for the developer to put on their drawing and it's easy for

1 the Staff member to verify when they see it and just stay
2 with the metric, if possible.

3 CHAIR HANSSEN: To that point, I'm going to ask
4 the question, because that's the other comment that we have
5 to discuss from this. The 60 square feet was "huge," I
6 think was the word that was used in the comment, if you're
7 talking about certain size properties, so is it better to
8 do a percent or, say something like 10'x6'?

9 Commissioner Thomas.

10 COMMISSIONER THOMAS: I think that the comment
11 was about the private space, and we were just discussing
12 the community recreation space.

13 CHAIR HANSSEN: Fair enough. But I think even
14 with that he was just saying what we had in there was too
15 high.

16 COMMISSIONER THOMAS: Yes, for that next part, it
17 was, yes.

18 CHAIR HANSSEN: But we should close on the
19 landscaping. What I heard though is that because we already
20 have protections in there about it being large enough that
21 we could go down the path of combining the community
22 recreation space and landscaping in terms of meeting the
23 overall requirement. Yes? Okay, all right, good.

1 I think I heard that most of the Commissioners
2 think that's okay and we just don't want too high of a
3 percentage of a landscaped roof per Commissioner Tavana's
4 comment to be considered meeting that requirement.

5 But Commissioner Janoff still has another
6 comment.

7 COMMISSIONER JANOFF: Is this horse dead yet? Mr.
8 Mayer raises a couple of other good points and they're
9 related to the private balcony as well as the con space
10 having to do with it being a percentage. He doesn't say
11 this, but it may make sense to do a percentage or a minimum
12 for certain sizes or certain size of a community.
13

14 As I say often, they're the experts in this area
15 and we want living space, we want recreational space, we
16 want landscaping space that makes sense, but if a 6'x10' is
17 a gigantic balcony for a Multi-Family unit, then let's
18 listen to the architects and bring it down, but maybe we're
19 bringing it down only for the smaller units he says, on the
20 community space just flipping back and forth. Maybe we want
21 a different standard for a small building unit, say 10-12
22 units versus one that has 20 or more units, so I think sort
23 of a sliding scale makes sense, and whether that's
24 different sizes or different percentages, I would leave it
25 up to Staff and Mr. Ford to come up with those numbers, but

1 I think there's some reasonability in having something
2 that's differently sized depending upon the size of the
3 overall project.

4 CHAIR HANSSEN: Sounds good. Commissioner Thomas,
5 and then Commissioner Raspe.

6 COMMISSIONER THOMAS: I'll let Commissioner Raspe
7 go first, because I agree with Commissioner Janoff's
8 comments and my question is to do with something else.

9 CHAIR HANSSEN: Okay. Commissioner Raspe.

10 COMMISSIONER RASPE: Thank you, Chair. I just
11 wanted to follow up on Commissioner Janoff's point, and
12 specifically on the size of projects and the notion of
13 community recreation space.

14 I know during our discussions during the General
15 Plan we put a lot of emphasis on missing middle housing,
16 and it seems to me that those are precisely the type of
17 project where if we force a large either percentage or
18 square footage requirement of community space we're going
19 to lose the opportunity to put adequate housing in those
20 spaces, so I would encourage Staff to come up with a
21 minimum number of units before a threshold community space
22 requirement is implemented. I don't know if it's 24 units,
23 I don't know what that number is. Again, as Commissioner
24 Janoff has indicated several times now, you guys are the
25

1 experts and we'll look to you, but I think that notion
2 makes sense to me.

3 CHAIR HANSSEN: Very good. Commissioner Thomas.

4 COMMISSIONER THOMAS: I would like some
5 clarification, because I thought Commissioner Janoff was
6 just talking about... Are you talking fully about community
7 recreation space, or were you specifically talking about
8 the private recreation space?

9 COMMISSIONER JANOFF: I was speaking to both.

10 COMMISSIONER THOMAS: To both, okay.

11 COMMISSIONER JANOFF: When the architect says
12 6'x10' is a gigantic balcony for a Multi-Family unit, you
13 kind of want to listen to that.

14 COMMISSIONER THOMAS: Yes, but then I just heard
15 Commissioner Raspe mentioning more about community
16 recreation space, not necessarily the private recreation
17 space. I understand that you're raising issues with both,
18 but I just wanted clarification on that.

19 COMMISSIONER JANOFF: My thinking was, through
20 the Chair, that if we had a notion of smaller for smaller
21 and larger for larger in both private and community
22 recreation space, that makes sense to me. But what those
23 percentages or square footages might be, I'm not even going
24
25

1 to go there, but I think it may make sense to have two
2 different numbers.

3 CHAIR HANSSEN: I like your suggestion of a
4 sliding scale, because I think that when you have higher
5 density properties you're not going to have the luxury of
6 this much space, but you want to make sure there's a
7 minimum, but that minimum might not be the same one that
8 you have for a single-family home of course.

9
10 I don't know if Staff is comfortable going with
11 that kind of feedback, because I don't think we have the
12 ability to put numbers out there for this right now. And
13 how much trouble would it be to have a sliding scale?

14 JENNIFER ARMER: Thank you, Chair. I'll start by
15 saying just a reminder that this really is going to be
16 applying to larger developments, not so much the missing
17 middle developments. In most cases it really is going to be
18 people who are coming in under one of those special state
19 laws, and so we do, as Mr. Ford has mentioned, want to try
20 to keep these straightforward and not too complicated.

21 We can look at reducing or modifying some of
22 these numbers if that is the will of the Planning
23 Commission. We've started with these particular
24 requirements, for example, the private recreation space.
25 That is based on what we currently have in Town Code, but,

1 for example, for some of these larger developments, or if
2 it was different sized units or more units, if the
3 Commission felt that having a different threshold based on
4 one of those criteria, I think we could look into it.

5 I might check in with Mr. Ford to see if he had
6 additional questions or clarification that might help us in
7 that endeavor.

8 CHAIR HANSSEN: Mr. Ford.

9
10 TOM FORD: Thank you, Chair. No, I don't. I would
11 take my lead from you folks partly because I'm willing to
12 come up with new numbers, but you guys are the folks that
13 are going to have to be willing to update your Zoning Code,
14 because as I understand it, I think your Zoning Ordinance
15 is already pretty clear about the minimum size of a
16 balcony, so I don't have a problem with changing that.

17 But also, if you have a two-bedroom unit in an
18 eight-unit building, or two-bedroom unit in a 30-unit
19 building, what's the difference? Shouldn't it be the same
20 balcony? It's a two-bedroom unit. So I don't know if the
21 controlling metric would be the development size, the unit
22 count, or as the architects pointed out in their letter, a
23 studio might have a certain size of balcony, a one-bedroom
24 might have a certain size. I don't want to create Zoning
25

1 Code work for the Town Staff have to go back and have to
2 back pedal, but I'm perfectly willing to look at it.

3 CHAIR HANSSEN: Gosh, there are a lot of ways you
4 can look at this. It could be that our Zoning Code is not
5 thinking about Multi-Family, but on the other hand going in
6 and modifying the Zoning Code is going to be a whole other
7 process, and we do have that situation where this is for
8 specific kinds of projects, so with that in mind hopefully
9 we can come up with a resolution.

10
11 Several Commissioners have comments. Commissioner
12 Thomas, Commissioner Janoff, and Commissioner Tavana.

13 COMMISSIONER THOMAS: I agree with Mr. Ford that
14 it should be based on the square footage of the unit versus
15 the number of overall units with regard to a sliding scale.
16 If we do that I completely defer to Staff about updating
17 our Zoning Code.

18 My last comment is really a question, through the
19 Chair if it's allowed, to Commissioner Tavana. I'm just
20 wondering about your feeling about recreation space. Is it
21 the same with regard to the landscape space or do you feel
22 like recreation space, all of it, could be on the rooftop
23 if it's allowed, if it's community space for everyone?

24 CHAIR HANSSEN: You know what? Even though
25 Commissioner Janoff had her hand up, I'll go to

1 Commissioner Tavana just so he can answer your question,
2 and if he has an additional comment, and then I'll go back
3 to Commissioner Janoff.

4 COMMISSIONER TAVANA: Thank you, Chair. To answer
5 your question, Commissioner Thomas, no, I personally think
6 it should be separated for a variety of reasons, but just
7 on this space I don't see them being the same. I see
8 landscaping as landscaping, and I do see recreation space
9 being separated, so that's my personal point of view.
10

11 I want to just chime in here. With all due
12 respect, I disagree with Mr. Mayer and his approach to his
13 comments and the section for the private recreation space
14 and the community recreation space. I have no issue with
15 the way it's currently proposed in the Draft Objective
16 Standards, and I'd be willing to support it tonight if
17 that's the direction we want to go.

18 CHAIR HANSSEN: Sounds good. Commissioner Janoff.

19 COMMISSIONER JANOFF: I think someone made a
20 comment earlier that most of the Town Code is really
21 written around residential or low-slung buildings of one or
22 maybe two stories, so we're talking about a whole different
23 category of structure than we're used to planning around,
24 so I wanted to make a couple of comments.
25

1 When we talk about private recreation space, in
2 my mind there's a difference between ground level
3 recreation space and balcony recreation space, and there
4 could be a different size standard for those.

5 Number two, regarding a different size balcony
6 for different sized units, if you think about what that
7 would look like on the outside looking at the building, I
8 think you'd be disappointed when you had a whole bunch of
9 tiny little balconies for your small units and then bigger
10 balconies. It could look visually confusing if you do it
11 that way, so I don't know that that's the best approach.
12 When you look at buildings that are multi-story, the
13 balconies are all pretty much the same size. That's just
14 the way it looks when you're looking at the building, and I
15 would let the architects define that, but give a minimum,
16 and maybe 6'x10' is too large, maybe it's smaller; I don't
17 know what that number is.

18 Then the same thing for community recreation.
19 We've been thinking pretty conventionally about ground
20 level gathering spaces, and so these concepts of using the
21 rooftop and other areas, it could be big, it could be much
22 larger than 200 square feet if we're going to the rooftops.
23

24 I think the architects have given us a lot to
25 think about, but given all our comments I think we have to

1 think about making two different kinds of standards. We
2 don't say in here that this is limited to structures that
3 are proposed to be 20 units or more, we don't say that this
4 doesn't apply to a missing middle situation, so if we do
5 intend to have different standards for different types,
6 then we should probably define those.

7 I know that that's more work than Staff might
8 want, but the recreational space, the landscape space, the
9 community gathering space, those are really important
10 features, but they're hard to get in if you don't have the
11 space and you're trying to create as many units as
12 possible. It's really kind of a tough problem, but again,
13 thinking about what we can do to encourage architects and
14 developers to make those possible without too many
15 encumbrances, and keeping the green space for landscaping,
16 and counting the private space differently.

18 There might also be something in here. I hate to
19 complicate things further, but if a development is within X
20 number of feet or miles, a half mile, of a community park,
21 an established park, maybe you can count or deduct some of
22 your community recreation space if you are next to a park.
23 There could be some creative ways to make this work for
24 developers as well as the community that they're building
25 for.

1 CHAIR HANSSEN: I'm going to be the devil's
2 advocate though and say that I don't want to load up Staff
3 or our consultants with too many things. This is important,
4 but on the other hand, my understanding, and we had this
5 discussion with Staff in our pre-meeting, is because the
6 architects came right out with this only applies to these
7 kinds of projects and not the kind that we do, and that was
8 verified to be the case in talking with Staff that this is
9 for specific projects that come under specific laws from
10 the State of California, I would be a little bit reluctant
11 to start to make it more complicated. Maybe the one thing
12 that might be worth pursuing is deciding if the balcony
13 size of 10'x6' is too much, but I think it would be a
14 slippery slope towards finishing this thing to add in a lot
15 of complexity.
16

17 I'll go back to you, Commissioner Janoff.

18 COMMISSIONER JANOFF: I agree, and I do agree
19 with Commissioner Tavana. If it were to remain as written I
20 would personally be comfortable with it, but I'd also
21 suggest just an easy check might be the Palo Alto code Vice
22 Chair Barnett has referred many times. Just do a quick
23 check of communities that are building multi-story or
24 multi-residential units, look and see what their standards
25 are and choose that number, and if it's 6'x10', yay, we got

1 it right, and if it's smaller or a minimum or a percentage,
2 maybe that's a better way to go. But I'm sure that there
3 are specific numbers, and I'm not suggesting we make a
4 research project out of this, but get a reasonable number
5 that other municipalities are using. Santa Clara is
6 building a ton of high-rise buildings. I'm not saying
7 they're all beautiful, but they probably have a minimum
8 balcony standard, for instance, or a minimum private space.
9 Just see what they have, and if it's the same as what we
10 have, leave ours as is.

11
12 CHAIR HANSSEN: I think that sounds like a good
13 thing, so maybe just a sanity check to make sure that we're
14 not overstepping this thing based on having our standards
15 built around single-family homes.

16 Vice Chair Barnett.

17 VICE CHAIR BARNETT: Thank you. I need some
18 clarification. This is on page 209 of the package where it
19 talks about the size of the private open space. So we know
20 that the deck dimension is 10'x6', but then it goes down to
21 subparagraph (ii) and it says that, "The above dwelling
22 units above the ground floor shall have 120 square feet,"
23 so I'm not sure how to compare the 120 and the 160, and I
24 know I'm missing something here.

25 CHAIR HANSSEN: Can you take that one, Staff?

1 JENNIFER ARMER: Sure, thank you. There are
2 minimum dimensions trying to make sure that the size of the
3 balcony is a usable space rather than, say, something that
4 is only 2' deep and really long. Then you have the overall
5 size, so if you're on the ground floor, as Commissioner
6 Janoff was suggesting, it is a 200 square foot size
7 requirement, whereas if it's above it's a different
8 requirement, it's only 120 square feet, but that 120 square
9 feet needs to be laid out in a way that you have at least a
10 10'x6' dimension. It will be bigger than that because
11 that's only 60 of the 120 square feet. Did that help to
12 clarify? You've got a certain amount of area that's
13 required, and then also the dimensions need to be at least
14 10'x6' so that it is a usable space.

16 CHAIR HANSSEN: Does that answer your question,
17 Vice Chair Barnett?

18 VICE CHAIR BARNETT: Yes, thank you for the
19 clarification.

20 CHAIR HANSSEN: Commissioner Janoff.

21 COMMISSIONER JANOFF: Thanks for bringing us to
22 this particular page, Vice Chair Barnett. Maybe this is
23 where the problem lies, because an above ground unit with
24 a, let's say, 10'x12' square foot balcony is huge, and
25 maybe that should be the 6'x10' rather than 120 square

1 feet. I'm thinking about what a 6'x10' balcony, or a 120
2 square foot balcony, might look like. That's huge. That's
3 really, really big for a balcony, even though you're only
4 required to have 10'x6'.

5 CHAIR HANSSEN: That's as big as a lot of
6 people's bedrooms in their homes.

7 COMMISSIONER JANOFF: Yes, so maybe what we
8 should do is reduce that 120 square feet and just restate
9 the 6'x10', or just say 60 square feet. I like the
10 dimensions because, you're right, Ms. Armer, you wouldn't
11 want it 2'x20' long. Well, then you're looking like a
12 really fat belly band, so that wouldn't work. But yes, I
13 think that could be part of the problem.

14 CHAIR HANSSEN: Mr. Ford has his hand up.

15 TOM FORD: Another way to look at that and how
16 (ii) is, basically what you're seeing there is there are
17 two balconies, so a unit has two balconies. Maybe it has
18 one that's off the living room and one that's off one of
19 the bedrooms; that's a potential way to do it too. You
20 don't have to have one big, huge balcony; you could have
21 two, so long as each of them is a minimum size.

22 CHAIR HANSSEN: Director Paulson.

23 JOEL PAULSON: Thank you, Chair. Obviously we're
24 hearing a lot of good conversation around a number of
25

1 topics. I think ultimately what you heard from the
2 architects was the 200 square feet for a ground floor might
3 be too big, and so you have this dimension versus square
4 foot conversation that could be addressed, as Mr. Ford
5 mentioned, in a number of different ways. We can look at
6 other opportunities for how that is expressed in the
7 Objective Standards and come up with two or three different
8 options for the Council to consider should this move
9 forward today.

10
11 In addition to that, there's been a lot of
12 conversation around community space and landscape space.
13 Can one count for both? Are they exclusive? Should we
14 exclude rooftop decks? I think we can kind of get our arms
15 around all those varied topics and see if we can come up
16 with some other options for consideration, whether that's,
17 again, additional consideration from the Commission or
18 additional consideration from the Town Council, in addition
19 to reaching out to both architects groups that we heard
20 from, as well the HEAB member who is also an architect, to
21 get their further input on what they've heard tonight,
22 because I know at least two of them are in the audience, so
23 they've been hearing a lot of this conversation as well,
24 and so they will probably have additional thoughts once
25 this moves forward to Council.

1 CHAIR HANSSEN: I think what I'm hearing, and I'm
2 going to give this direction to the Planning Commission, is
3 that we don't want to continue this again. From our last
4 meeting, we have been working on this for well over a year.
5 We needed to have this thing done months and months ago and
6 we don't, and so I'm reluctant to do anything where the
7 Staff would have to come back to us.

8 On the devil's advocate side of that, we don't
9 want to dump a pile of stuff on our Town Council either,
10 because they expect us to ferret the stuff out and make a
11 good recommendation to them.

12 But I do think that it would make sense to at
13 least have a sanity check on the size of the balconies
14 relative to other jurisdiction's standards to make sure
15 that we're on target, or check with the architects, because
16 I think the Commission doesn't have the right number for
17 you. That's got to come from architects and others.

18 Does that sound like a way we can go forward?
19 Because what I heard is there are a couple of things we may
20 need to look into, or think we gave some feedback on the
21 comments.

22 Ms. Armer.

23 JENNIFER ARMER: Thank you, Chair. I just was
24 going to take what you were saying and clarify how it would
25

1 likely be presented to Town Council to show that it isn't
2 just leaving it up to them, but that it would be providing
3 the language that is there as well as the different issues
4 that were considered and discussed by the Planning
5 Commission as important topics for consideration by the
6 Town Council. I think it could be presented to them in a
7 way that this was identified as an issue that the Planning
8 Commission recommended they consider closely with several
9 options based on other examples or additional feedback from
10 the architect community.
11

12 CHAIR HANSSEN: That sounds okay with me. How
13 does the rest of the Commission feel? Vice Chair Barnett.

14 VICE CHAIR BARNETT: I would put an addition to
15 Ms. Armer's comments, and that is before it's presented to
16 Council that the Staff and consultants be involved in this
17 process of producing other alternatives for recommendations
18 so that the same discussion doesn't occur at the Council
19 level.

20 CHAIR HANSSEN: So that we're not like spinning
21 our wheels. Let's go ahead and move on.

22 Staff had a comment on Exhibit 20, which was
23 relative to the other public comments, and it says the
24 public comment in Exhibit 20 also expresses support with
25 the information provided in Exhibits 16, 17, and 18, and

1 additional suggestions through the Purpose and
2 Applicability section. The bottom line is Staff is
3 supportive of these recommendations and can incorporate
4 them when forwarding the revised document to Town Council.

5 I did look at the additional comments and I
6 thought that they were reasonable, and since I'm hearing
7 Staff thinks it's okay I feel like we don't need to go
8 through those comments specifically, but let me throw it
9 out if any Commissioners want to discuss any of the other
10 public comments, and I'm going to come back to the
11 architects' comments after this question.
12

13 Commissioner Janoff.

14 COMMISSIONER JANOFF: I'm very comfortable with
15 following Staff's recommendations for this set of concerns.

16 CHAIR HANSSEN: Good. I feel the same way. All
17 right.

18 On the architects' comments, they had quite a
19 number of comments, and later on in the Addendum Staff did
20 go through every single one of those comments and gave
21 feedback. As mentioned earlier, a lot of the architects'
22 comments were in fact questions asking for clarification
23 from the document. Staff answered all of those questions.
24 There were also some recommendations they made that they
25 didn't feel like they needed specific feedback from the

1 Planning Commission, so my suggestion would be that unless
2 any Commissioners have any objection to that approach that
3 we just adopt Staff's recommendation and say that yes,
4 you've answered the questions and any of those minor
5 changes that they didn't need our feedback on, we don't
6 need to discuss them.

7 But I want to put it out for Commissioners if
8 there's anything else in the Addendum that Staff commented
9 on relative to the architects' comments since we did
10 continue this meeting primarily because of their input. Is
11 there anything else that the Commissioners feel that we
12 need to discuss? Good, I'm not hearing that. And like I
13 said, I read through everything that Staff wrote and I
14 thought it was fine, but I want to make sure that we had a
15 chance to comment.

17 But it is almost 10:00 o'clock, so I wanted to
18 see if we couldn't wrap this up soon.

19 The only other comments were the additional ones
20 that came from Ms. Quintana tonight in public comments, but
21 I think most of the stuff she covered were things that
22 we've been talking about tonight, so if that's the case,
23 then can I get a motion from a Commissioner to recommend
24 the Draft Objective Standards to Town Council with all of
25 the changes and recommendations we've made tonight?

1 Commissioner Janoff.

2 COMMISSIONER JANOFF: I move to forward the Draft
3 Objective Standards to Town Council given the additions and
4 changes that the Planning Commission has recommended to
5 Staff this evening.

6 CHAIR HANSSEN: Sounds good. Is there a second?
7 Commissioner Tavana.

8 COMMISSIONER TAVANA: I second the motion.

9 CHAIR HANSSEN: Very good. I think we had a very
10 good discussion and I wanted to make a special point of
11 saying that I appreciate all the great comments and
12 feedback that have come from every member of this
13 Commission.
14

15 I will go ahead and call the question, and I'll
16 start with Commissioner Tavana.

17 COMMISSIONER TAVANA: Yes.

18 CHAIR HANSSEN: Commissioner Thomas.

19 COMMISSIONER THOMAS: Yes.

20 CHAIR HANSSEN: Commissioner Raspe.

21 COMMISSIONER RASPE: Yes.

22 CHAIR HANSSEN: Commissioner Janoff.

23 COMMISSIONER JANOFF: Yes.

24 CHAIR HANSSEN: Commissioner Clark.

25 COMMISSIONER CLARK: Yes.

1 CHAIR HANSSEN: Vice Chair Barnett.

2 VICE CHAIR BARNETT: Yes, but I thought Ms.
3 Quintana had a good point about the organization section
4 where it said, "The following objective design standards
5 are organized," and I think we're dealing with more than
6 design standards. I think she has a good point on that.
7 It's just a suggestion from me, otherwise I do agree with
8 the proposed motion.

9 CHAIR HANSSEN: I think that Staff said that they
10 concurred with her comments on that front and that's part
11 of our recommendation. Did I miss something? That was what
12 was in Exhibit 20, and Staff said we're supportive of these
13 recommendations and can incorporate them when forwarding
14 the revised document to Town Council. So to me I thought
15 that was included.

17 VICE CHAIR BARNETT: Thank you.

18 CHAIR HANSSEN: All right, so you're a Yes then?

19 VICE CHAIR BARNETT: Yes.

20 CHAIR HANSSEN: And I vote yes as well, so it
21 passes unanimously, and I will ask Staff for clarification.
22 There are no appeal rights for this issue, because it's a
23 recommendation?

24 JENNIFER ARMER: That is correct.
25

1 CHAIR HANSSEN: So thank you everyone for the
2 great discussion on this item.

3 (END)

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