



Staff Report

STATUS REPORT – EMMETT HOUSE – 1000 O’NEILL AVENUE

Honorable Chair and Board Members:

Summary

This report serves as an update to the Redevelopment Agency on the current status of the Emmett House project at 1000 O’Neill Avenue.

The project includes a renovation to the interior to create two dwelling units. Numerous entitlements were approved by the Planning Commission & City Council/Redevelopment Agency to accommodate the relocation and rehabilitation of the Emmett House, including a Conceptual Development Plan, Conditional Use Permit to establish a Detailed Development Plan, Parcel Map, Design Review, Tree Removal Permit, Grading Plan and Certificate of Appropriateness.

On May 20, 2008, the Planning Commission approved a Design Review Permit for the property, albeit subject to several conditions – 1) Landscaping, 2) final tree placement, 3) final colors/ materials, and 4) gate detailing were required to return to the Planning Commission for final review and approval. A Planning Commission subcommittee was formed to more efficiently review the outstanding items and provide a final recommendation to the full Planning Commission.

On July 8, 2008, the Redevelopment Agency Board voted to retain ownership of the Emmett House property and the two units, and renting the units to income-qualified tenants. On November 18, 2008, the Planning Commission reviewed and approved the outstanding items described above.

No action is required by the Agency; this report is informational on past actions and next steps for the project.

Background/Previous Actions

Emmett House is a locally-designated historic landmark, owned by the Redevelopment Agency and purchased through the Agency’s Low-to-Moderate Income housing funds. The house was moved in January 2008 from its prior location near the southwest corner of Ralston Avenue and El Camino Real to its current location on a vacant parcel owned by the Redevelopment Agency at 1000 O’Neill Avenue. The following summary describes the project evolution through the Planning Commission/City Council/Redevelopment Agency review process:

July 15, 1990 – The San Mateo County Historical Association conducted a Historic Resources Inventory on the Emmett House at 843 Ralston Avenue.

November 1992 – The City Council approves the Historical Landmark status of the Emmett House pursuant to the City’s Historical Preservation Ordinance.

1994 – The Redevelopment Agency purchased the vacant lot at the northwest corner of 6th and O’Neill Avenues. The purchase was funded entirely with RDA Housing funds, resulting in the site being limited to development to 100% affordable housing.

September 1998 – The Redevelopment Agency purchased the Emmett House and site near the southwest corner of Ralston and El Camino Real using a mix of Housing and General Redevelopment Funds. Again, use of Housing Funds for the purchase of the structure obligates development of the Emmett House for affordable housing.

March 1999 – The Redevelopment Agency approves a process for public input on the future use, location and improvement for the Emmett House. The process included public meetings, a list of alternatives, cost estimates, and Planning Commission hearings.

1999-2002 – Discussions and meetings occur between the community, the Planning Commission and Redevelopment Agency concerning the future of the Emmett House.

February 2002 – the Redevelopment Agency directs staff to prepare a plan to relocate the Emmett House to the lot at 6th and O’Neill Avenues. The plan was to include development of affordable units within the house, reconstruction of the exterior porch and widow’s walk, and completing other site improvements necessary to meet applicable Building and Zoning Codes.

November 2002 – the Redevelopment Agency authorizes a contract with Garavaglia Architecture to develop plans and an estimate for relocation and remodel of the Emmett House.

2003 – Staff obtained construction estimate, a survey and a soils/geology report for the relocation and remodel project. A Request of Proposals was also prepared and circulated, but no satisfactory bid was received.

June 2004 – The Redevelopment Agency authorized the preparation of a pro forma analysis of Emmett House relocation and remodel project. The pro forma provided information on a number of issues raised by the project, including affordability, ownership, third party financing and revenue split.

November 2004 – The Redevelopment Agency provides feedback and direction to Staff regarding the findings of the pro forma and a preferred alternative: a two-unit, below-market rate development. Although there was discussion of a for-sale versus a rental development, there was no specific direction from the Board on that issue.

March 2006 – Project review commences on the two-unit alternative. Staff retains the services of Garavaglia Architecture to commence plans for site development.

November 2006 – A draft Initial Study and Mitigated Negative Declaration is circulated and sent to the State Clearinghouse for review. No comments received in challenge of the environmental findings.

December 2006 – The Planning Commission reviews the initial development plans during a Study Session. Commissioners recommend such changes as shifting of the house at an angle towards the corner of Sixth Avenue and O’Neill Avenue, reorienting the driveway for access from Sixth Avenue and the reduction of the proposed four-car garage to a two-car garage. Other comments include incorporating a public-serving use on the ground floor.

February 2007 – The Redevelopment Agency provides feedback to staff regarding the community-serving use versus the two-unit residential only uses. Direction to staff was to move forward with consideration of the two-unit residential use, but to incorporate the substantive suggestions from the Planning Commission.

April 3, 2007 – The Planning Commission heard from the City’s consulting geotechnical engineer, David Schrier from Cotton Shires. Mr. Schrier reported on the high risk to creekbank erosion with placing the proposed driveway along the creek. The Commission determined that the preferred alternatives would place the driveway away from the creekbank. The Planning Commission continued discussion of the site layout until a subsequent Planning Commission meeting and directed staff to evaluate and provide a comparative analysis of three alternative site plans.

May 15, 2007 – The Planning Commission voted to recommend a site layout with the Emmett House fronting O’Neill Avenue, with the detached garage also fronting parallel to the O’Neill street frontage. More importantly, the Planning Commission recommended Redevelopment Agency and City Council approval of the Conceptual Development Plan (CDP), Rezoning to Planned Development, and adoption of the Mitigated Negative Declaration. The Planning Commission voted to continue consideration of the Certificate of Appropriateness to relocate a historic structure, until such time as the site development plans were also provided to the Commission for review.

May 29, 2007 – The Redevelopment Agency adopted a resolution certifying the Mitigated Negative Declaration, while the City Council adopted an ordinance approving the Conceptual Development Plan (CDP) and Rezoning of the subject site to Planned Development (PD). The Agency’s discussion also included direction to staff to preserve the two protected trees along the Sixth Avenue right-of-way, to design the frontage to maintain its more-rural character and to protect the eucalyptus trees within the Sixth Avenue right-of-way, if possible.

It was later verified that the Emmett House could not be relocated using the Sixth Avenue route if the eucalyptus trees remain. An alternative route, along El Camino Real, would be less desirable and would cost additional time and money due to existing traffic signals, overhead utility lines and required Caltrans approvals.

July 3, 2007 - The Planning Commission voted to recommend the vacation of excess right-of-way along Sixth and O’Neill Avenues to the Redevelopment Agency. During the Commission’s deliberation, there was resistance to recommending approval of the vacation in the area of the underground culvert, as it was proposed to be conveyed back to the City as a “utility easement”. The Planning Commission wanted the City Council to consider revisiting the vacation in the utility easement area, because the City may need the right-of-way for parking at some time in the future.

August 14, 2007 – The City Council approved the vacation of right-of-way along Sixth and O’Neill Avenues as proposed.

September 4, 2007 – The Planning Commission voted to approve a Conditional Use Permit to establish a Detailed Development Plan (DDP), a Tree Removal Permit, a Certificate of Appropriateness, Grading Plan and a Parcel Map (Lot Merger) to allow the relocation of the Emmett House from the donor site at 843 Ralston Avenue.

During the September 4, 2007 Planning Commission meeting, the Commission provided comments regarding the following:

- Internal floor plans/flow – Commission concerns highlighted that the presented floor plans indicated that the proposed unit bedrooms and kitchens for the units were small, and the public rooms (dining/living) were large – the Commission recommended practical modifications be considered to improve the layout/marketability of the units.
- Appropriate fencing for downtown area
- Sidewalk configuration at Sixth and O’Neill

January 22, 2008 – The Emmett House is relocated to the 1000 O’Neill property. During the preparation of the house for the move, the relocation contractor removed the second-floor rear (“pop-out”) addition. The removal of this room, a former kitchen area, was not authorized. According to the project architect and architectural historian, the room had viable historic value because the addition was greater than 50 years old.

Utilization of the rear addition, and the reconstruction of this floor area after its unauthorized removal, was always part of the project. This pop-out area (and the associated aggregate floor area) was also consistently defined as part of the CDP reviewed and approved by the Planning Commission & City Council/Redevelopment Agency, and DDP reviewed and approved by the Planning Commission. The reconstruction of the addition, including creating floor area on the ground floor below the addition, is consistent with the Secretary of the Interior’s standards for historic structure rehabilitation.

May 20, 2008 – The Planning Commission considered the Design Review Permit to rehabilitate the Emmett House. The interior floor plans were discussed at that time. The Commission directed the design team to refine the floor plans to create more viable room sizes and to improve internal circulation. This direction also included consideration of three-bedroom units.

While the Planning Commission approved the Design Review Permit, there were significant items that were required to return to the Planning Commission as conditions of approval. Those items included:

- Final Landscaping Plan
- Exterior Colors
- Final Tree Placement
- Gate Details

The plans were revised to incorporate changes requested by the Planning Commission, such as the redesign of the floor plans to reduce inefficient space and to increase better circulation. Final decisions, however, by the Planning Commission on the floor plans and landscaping were postponed until the Redevelopment Agency Board determined the final disposition of the Emmett House.

July 8, 2008 – The Redevelopment Agency Board considered the options for disposition of the Emmett House. The options provided to the Board included renting or selling the units to income-qualified parties; the Board unanimously voted to retain ownership of the land and the building and renting out the two units.

Mid-July 2008 to Present - In order to expedite discussion of the remaining design items under consideration by the Planning Commission identified at the May 20, 2008 meeting, a subcommittee consisting of two Planning Commissioners was formed. The structure of the Subcommittee allowed an open dialogue with staff and the design team to efficiently address the outstanding issues and to provide a final set of plans to the full Planning Commission for review and final approval.

The Subcommittee met on October 24, 2008 and November 5, 2008. During that time, a three-bedroom floor plan concept that utilized the reconstructed rear addition for a bedroom on each floor was drafted. The final floor plans considered and approved by the Planning Commission included three bedrooms. The bedrooms (one on each floor) on the rear addition would not exceed the size of the original rear addition that was removed.

Next Steps

Unless directed otherwise by the Agency, the City will proceed on schedule via completion of working drawings and beginning of the bid process which is tentatively scheduled for mid-January 2009. Bid opening and contract award for the project is anticipated in February 2009, with remodeling & construction beginning in March/April 2009. Completion of all improvements is slated for late Spring 2010.

General Plan/Vision Statement

Review of this informational item is consistent with the General Plan and Vision Statements.

Fiscal Impact

The property would generate ongoing rental revenue for the Agency. While rents would be considered below-market rate, the Agency would retain control of the property and would ensure adequate property maintenance in perpetuity. Three-bedroom units would generate more rental revenue than two-bedroom units.

Public Contact

This matter was placed on the agenda and posted as required by the California Government Code.

Recommendation

Provide direction to staff to continue forward with completion of project construction drawings and bid process.

Alternatives

Return the project to staff or Planning Commission for further study based upon direction conferred by the Agency.

Attachments

1. November 18, 2008 Planning Commission Staff Report and Resolution Approving Landscaping Plans, Color Scheme, Fencing, Gate and Lighting Details
2. Full-size plans (Agency Board Members only)
3.
 - a. Photo of Fence Samples
 - b. Color Schemes
 - c. Lighting cut sheets

(Attachment 3 - On file with the Community Development Department – Available for Distribution to the Agency Board Members Upon Request)

Respectfully submitted,

Andrea Ouse, AICP
Consulting Planner

Carlos de Melo
Community Development
Director

Jack Crist
Executive Director

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ATTACHMENT 1

November 18, 2008 Planning Commission Staff Report



CITY OF BELMONT MEMORANDUM

To: Planning Commission

Via: Carlos de Melo, Community Development Director

From: Andrea Ouse, AICP, Consulting Planner

Subject: November 18, 2008 Planning Commission Meeting – Agenda Item 6A
Review of Final Landscape/Color Scheme/Fencing/Gate/Lighting Detail Plans
Emmett House – 1000 O’Neill Avenue

SUMMARY/BACKGROUND

The Belmont Planning Commission approved the Design Review Permit for Rehabilitation of a Historic Landmark (Emmett House) at their May 20, 2008 meeting. At that meeting, a number of issues were discussed. While the Planning Commission approved the Design Review Permit, there were significant items that were required to return to the Planning Commission as conditions of approval. Those items included:

- Final Landscaping Plan
- Exterior Colors
- Final Fence Materials
- Gate Details

The Planning Commission expressed many individual concerns regarding design aspects, such as landscaping and final colors. A subcommittee consisting of two Planning Commissioners was formed to allow a focused and open-ended discussion of the outstanding items. The Emmett House Subcommittee consisted of Planning Commission Chair Parsons and Commission Vice-Chair Jacki Horton. Other items, such as the final floor plans, lighting and additional storage areas were presented to the Subcommittee for further discussion and refinement. The Subcommittee was able to provide feedback to the design team to effectively and efficiently offer solutions to the outstanding design review issues identified by the full Planning Commission. The recommendations of the Subcommittee are presented to the full Commission for consideration.

ANALYSIS

The Emmett House Subcommittee met on October 22, 2008 and November 5, 2008. The Subcommittee reviewed the following items, to address the full Commission’s concerns.

Floor Plans

In response to general comments from the Commission regarding the layout of the two-bedroom units, the architect has prepared a three-bedroom concept for each unit. The concept would construct a master bedroom at the rear of the structure. The architect has also included typical furniture on the floor plans to give a sense of flow and to illustrate space considerations. The Subcommittee reviewed and supported the final floor plans, with three bedrooms and two bathrooms, as presented to the full Commission.

Landscaping Plan/Final Tree Placement

Since the Planning Commission meeting in May 2008, the Redevelopment Agency Board determined the use of the Emmett House shall be two units of below-market-rate rental housing. The City would retain ownership of the land and the structure and thus would maintain all improvements. In addition to the Planning Commission discussion at the May 20, 2008 meeting about the landscaping, the Redevelopment Agency Board’s decision has informed the latest iteration of the landscaping plan.

The Commission expressed a desire for the Emmett House landscaping scheme to be low in its water demand, while being cognizant of the historic nature of the house itself. While all plants benefit from some level of maintenance, there are certainly some species that require less maintenance than others.

The adopted Planning Commission minutes identified specific comments made regarding the Emmett House landscape scheme. The proposed revisions to the landscape plan were suggested by the Subcommittee to respond to the Planning Commission’s concerns:

- Add three California Live Oaks (*Quercus agrifolia*) to the site, including at least two located along the creek;
- Additional trees along the frontage (but not oaks);
- Planting additional trees to mitigate the height of the building;
- More foundation planting and focusing planting around the entrances that would be found around a house of the original Emmett House era;
- Simplify shrub and groundcover planting along the inside of the fence along Sixth Avenue and turning the corner on to O’Neill Avenue, up to the Tulip Tree (*Liriodendron tulipifera*).
- Reduce areas of shrubs and increase areas of groundcover on the northeast side of the house and on the creek side of the garage.

The Subcommittee reviewed the revised landscaping plan and supported the proposed solutions to items specifically identified by the Planning Commission. An oval lawn area was included at the corner of Sixth and O’Neill – behind perimeter fencing - to provide an additional active area for tenants of the Emmett House rental units.

Exterior Colors

The Planning Commission discussed various concepts regarding the color scheme of the structures. Since the last Planning Commission meeting, the architect has evaluated samples of the Emmett House walls, siding and trim, recording the paint colors found as applied over time. The previous colors of the Emmett House ranged from brick red, green, dark slate grey, various shades of tan, and lighter grey (the current color). Photos showing the layers of color were reviewed by the Subcommittee.

The architect has prepared two color schemes for the Commission. Color Scheme 1 was previously submitted to the Commission for review and consideration. Color Scheme 1 features a yellow-tan body color, brown earth tones for the front porch deck, olive green tones for the trim and a brick red/rust sash color. Actual paint chips coordinated by each scheme are included in the Commission’s packet.

After discussion at the Subcommittee meetings, Color Scheme 2 was developed. The accent colors of Color Scheme 2 are similar to Color Scheme 1, but are deeper in tone. Color Scheme 2 features a brownish-tan body color that will provide a more subtle color than the body color proposed with Color Scheme 1. The paint colors approved by the Commission will be tested on the Emmett House prior to final application.

Gate Details

The architect provided the Subcommittee with two options for the galvanized metal wire fencing grid and for the gate detail. The fence grids proposed were a 2”x4” and a 4”x4”; the Subcommittee supported the 2”x4” option.

Two gate details were proposed to the Subcommittee. One detail proposed a flat top and the other features an arched top. The Subcommittee preferred the arched gate top. The gate and fence details are noted on Sheet A-8.10 of the Commission plan set.

Lighting Details

The architect has provided cut sheets that represent styles of exterior and interior lighting proposed (see Attachment 4). The following is a summary of the proposed lighting details and locations; the model names listed below coincide with the cut sheets:

- Pearl - pendant mount at entry points to first floor at porch
- Sabin - surface mount evenly spaced at porch
- Cape Sebastian - wall mount at two exterior rear deck doors, on front of garage
- TA350 with gooseneck (GBR A1) - wall mount for exterior area lighting; at rear end of porch on addition (bathroom) wall, on rear of garage, on west side of house
- Jefferson - interior surface mount general room lighting

Additional Storage Areas

The Planning Commission had a brief discussion at the May 20th meeting about additional consideration for storage, particularly of garden equipment and trash receptacles. The Subcommittee reviewed revised plans that included additional specific storage areas, at the rear of the Emmett House (adjacent to the crawl space) and behind the garage spaces. The garage floor plans, found on Sheet A-2.30 of the Commission plan set, contain overhead cabinet space for storage and expanded individual storage and trash/recycle areas behind the garage.

CONCLUSION AND RECOMMENDATION

Staff recommends the Planning Commission approve the landscaping plans, color scheme, fencing, gate and lighting details, and final color scheme as proposed.

Alternative

1. Refer back to staff for additional information.

Attachments:

1. Resolution Approving Landscaping Plans, Color Scheme, Fencing, Gate and Lighting Details
2. Staff Report & Planning Commission Meeting Minutes – May 20, 2008
3. Photo of Fence Samples
4. Color Scheme 1 (originals to Commission only)
5. Color Scheme 2a (originals to Commission only)
6. Lighting cut sheets (6)
7. Full-size plans (Commission only)

RESOLUTION NO. 2008-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A FINAL LANDSCAPING PLAN, COLOR SCHEME, FENCING, GATE AND LIGHTING
DETAILS FOR THE PROPERTY LOCATED AT 1000 O'NEILL AVENUE (APPL. 2006-0090)

WHEREAS, the City of Belmont seeks approval of a final Landscape, Color Scheme, Fencing, Gate and Lighting Plan in conjunction with the previous Design Review approval for the rehabilitation of the Emmett House at 1000 O'Neill Avenue; and,

WHEREAS, the on May 29, 2007 the City Council adopted a Mitigated Negative Declaration pursuant to the California Environmental Quality Act; and,

WHEREAS a public meeting was held on November 18, 2008, at which meeting the Commission considered public testimony and a staff memorandum on the matter and,

WHEREAS, the Planning Commission hereby adopts the staff memorandum dated November 18, 2008 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds that approval of the final landscape, color scheme, fencing, gate and lighting details is subject to the addition of the following Conditions of Approval:

- *Final colors and screen landscaping, as well as quantity of plant materials, shall be reviewed and approved by the Planning Division prior to issuance of building permits.*
- *The backflow preventer and post-indicator valve shall be located along the building, and shall be a vertical riser installation. Final location and screening measures shall be reviewed and approved by the Planning Division prior to the issuance of building permits.*

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the final Landscaping Plan, Color Scheme, Fencing, Gate and Lighting Details for the Design Review (Appl. 2006-0090) entitlement granted for 1000 O'Neill Avenue as proposed.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on November 18, 2008 by the following vote:

AYES,
COMMISSIONERS: _____

NOES,
COMMISSIONERS: _____

ABSENT,
COMMISSIONERS: _____

ABSTAIN,
COMMISSIONERS: _____

RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

MEETING OF MAY 20, 2008

AGENDA ITEM NO.



Application I.D.: 06-0090

Application Type: Design Review

Location: 1000 O'Neill Avenue

Applicant/Owner: City of Belmont

APN: 045-261-010

Existing Zoning: PD (Planned Development)

General/Specific Plan Designation: RL (Low-Density Residential)
Downtown Specific Plan

Environmental Determination: Mitigated Negative Declaration

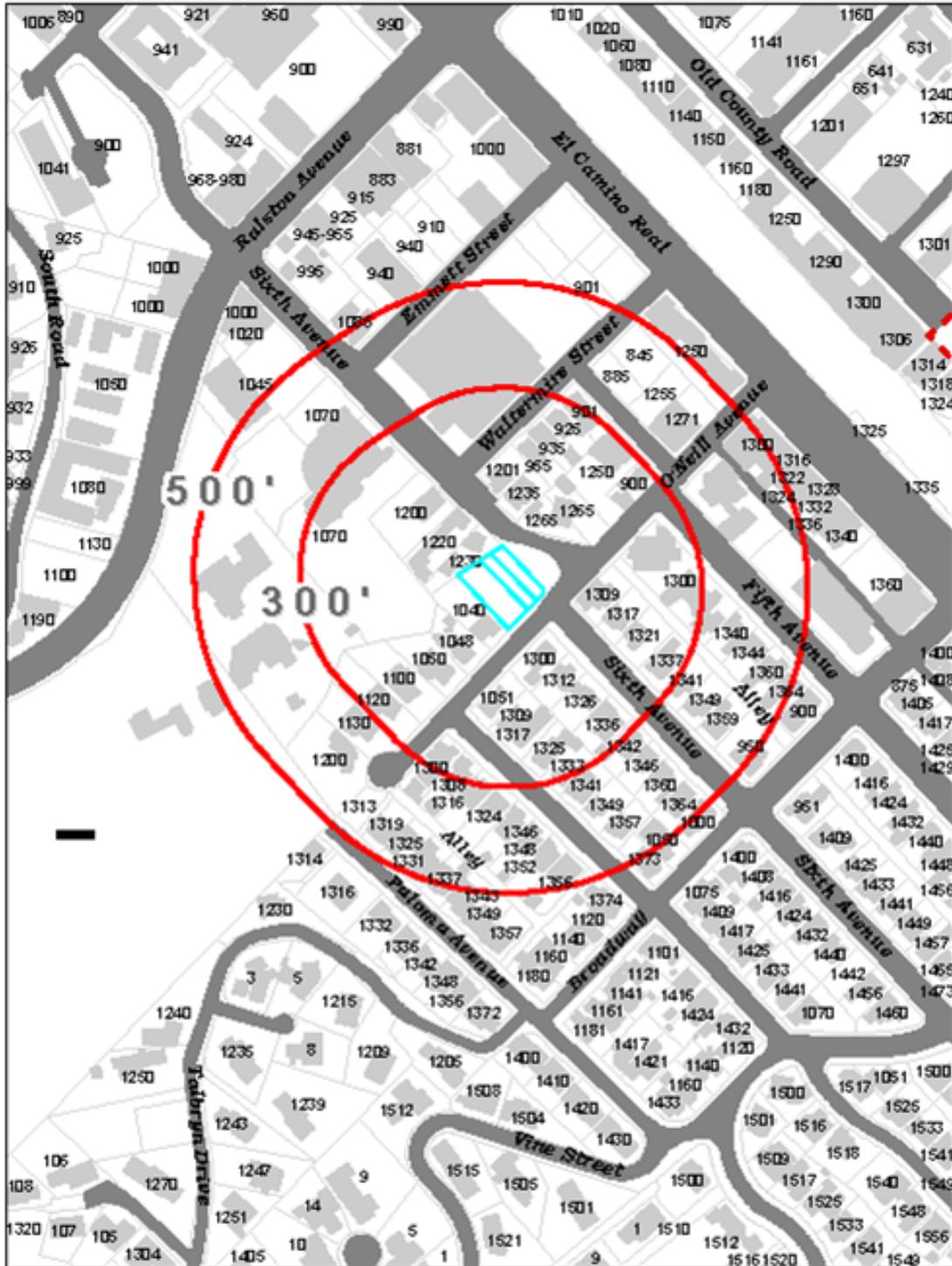
PROJECT DESCRIPTION

In January 2008, the City of Belmont relocated an existing building (the Emmett House) from a site located at 843 Ralston Avenue (APN 045-182-230) to 1000 O'Neill Avenue (APN: 045-261-010) at the northwest corner of Sixth and O'Neill Avenues. The Emmett House is a two-story wood-framed residence originally constructed in about 1885 by Walter Alfred Emmett, who is recognized as one of Belmont's significant historical figures.

Prior to the relocation, the receiver site was prepared with a poured concrete foundation. The project will involve substantial architectural renovation to the building to convert it to two living units, installation of landscaping and site improvements and construction of a two-car detached garage. The renovation of the Emmett House will be consistent with historical photo documentation of the structure in the early 1900's, as well as meeting current code requirements. The Belmont Redevelopment Agency owns the site.

The General Plan/Downtown Specific Plan (DTSP) designates the project site as Low-Density Residential (RL) and is zoned Planned Development (PD). The project necessitated a Rezoning of the property to a Planned Development District (PD) via establishment of a Conceptual Development Plan (CDP). Discussion of the steps/requirements associated with establishing a PD District is discussed further in this report.

300/500 FOOT RADIUS MAP (Receiver Site)



A Lot Merger, Tree Removal Permit, Use Permit to establish the Detailed Development Plan, Design Review, Certificate of Appropriateness were required prior to the relocation of the Emmett House were approved by the Planning Commission on September 4, 2007. A Mitigated Negative Declaration was required and adopted by the Redevelopment Agency on May 29, 2007 in compliance with the California Environmental Quality Act (CEQA).

RECOMMENDATION

Staff recommends the Planning Commission take the following actions:¹

1. Adopt a Resolution approving the Design Review Permit.

The City Council will, at a later date, consider acceptance of easements for conservation and utility purposes. In addition, the Redevelopment Agency will consider the future disposition of the Emmett House units, including whether the units will be rented or sold for condominium ownership.

GENERAL/SPECIFIC PLAN & ZONING CODE DESIGNATION

The Belmont General Plan and Downtown Specific Plan (DTSP) currently designate the project site as C/R, Mixed Commercial/Residential. The DTSP is an adopted section of the General Plan. A review of the applicable General Plan/DTSP goals/policies is discussed further in the report. The subject site is zoned Planned Development (PD); a review of the applicable Zoning Code sections is discussed further in the report.

SITE CONDITIONS

The approximately 17,860 square foot project receptor site, previously consisting of three parcels and portions of City rights-of-way along O'Neill and Sixth Avenues were combined into one property through a Lot Line Adjustment; the project site is located in a residential area of Belmont near commercial areas and the Belmont Civic Center. The site is southwest of the "Village Center" area that includes retail/office commercial uses. Residential uses are concentrated to the south and west. A mix of commercial, office and residential uses are located to the east of the site and Belmont Creek is located from the center to the rear of the property. Views of the project site are primarily available from Sixth and O'Neill Avenues. The project site provides pedestrian access to Sixth Avenue to the east and O'Neill Avenue to the south, and, although Belmont Creek runs through a significant portion of the property, no public pedestrian access is formalized.

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

PRIOR ACTIONS

Planning/Redevelopment Agency/City Council actions:

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rate development. Although there was discussion of a for-sale versus a rental development, there was no specific direction from the Board on that issue.

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If was later verified that the Emmett House could not be relocated using the Sixth Avenue route if the eucalyptus trees remain. An alternative route, along El Camino Real, would be less desirable and would cost additional time and money due to existing traffic signals, overhead utility lines and required Caltrans approvals.

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January 22, 2008 – Emmett House is relocated to the 1000 O'Neill property.

The Planning Commission is now reviewing the remaining entitlement: A Design Review Permit.

During the September 4, 2007 Planning Commission meeting, the Commissioners provided comments regarding the following:

- Internal floor plans/flow
- Appropriate fencing for downtown area
- Sidewalk configuration at Sixth and O'Neill

The latest plans submitted have incorporated changes requested by the Planning Commission, such as the redesign of the floor plans to reduce wasted space and to increase better circulation. The design of the perimeter fencing is segmented in eight-foot lengths with a wood frame and woven wire (see Attachment VIII). In addition, the sidewalk configuration of Sixth and O'Neill is provided on the project plans.

ENVIRONMENTAL DETERMINATION – CEQA STATUS

The Emmett House project is subject to environmental review under the provisions of the California Environmental Quality Act (CEQA). An Initial Study was prepared for the project. Although the Initial Study identified potentially significant impacts in the areas of land use, biological resources, aesthetics, cultural resources, hazardous materials and water quality, there

will not be a significant effect in this instance because mitigation measures required will reduce the effects to less-than-significant levels. An in-depth paleontological and archeological study was conducted on the site, due to a documented archeological site in the vicinity of the receiver site. That study found no prehistoric artifacts or evidence on the site. Based on the Initial Study, a Mitigated Negative Declaration was prepared and sent to the State Clearinghouse for review between November 20 and December 21, 2006.

The City Council adopted the Mitigated Negative Declaration at their meeting on May 29, 2007.

NEIGHBORHOOD OUTREACH STRATEGY

Throughout the consideration of the Emmett House by the City of Belmont, numerous public meetings were held at the Planning Commission and Redevelopment Agency level. On November 9th 2004, December 9th 2004, March 8, 2005 and July 12, 2005, community meetings were held to discuss the various iterations of the Emmett House project. There have been no recent written inquiries about the project received by City staff. The objectives of the neighborhood outreach strategy have been met.

PROJECT ANALYSIS

Summary of Building Characteristics

The ground floor consists of entry stairs, a proposed porch wrapping around two elevations and a two-bedroom residential unit. The total square footage is 3,898 including the decks and enclosed porch, with 1,588 square feet of residential floor area on the ground floor (not including the 776 sf deck/porch). The second floor contains a single two-bedroom residential unit that is 1,492 square feet in size with a 42 square foot exterior deck. The remaining area is used for mechanical use, utility and access areas. The proposed detached garage is 608 square feet in size.

Exterior Building Materials/Colors & Design

The rehabilitated Emmett House will include the provision of architectural features that will be similar to the historic design of the residence. The existing front porch will be replaced with a wrap-around porch that will be clad in wood siding to match the original. The porch would be wrapped with a new wrought iron guardrail extension. A new wrought iron cresting, or "widow's walk", is proposed to cap the existing flat roof. The existing composition shingle roof would be repaired as needed with Elk composition roof in an "Antique Slate" color. The architectural style is consistent with the Historic Architectural Theme Zone of the ATTP/DTSP and the rehabilitation of the historic Emmett House is consistent with the preservation goals of the DTSP and the General Plan. Architectural features include: wood siding, double-hung windows, decks on both the ground floor and second floor, and wood stairways and window frames.

The color scheme submitted for Planning Commission consideration would feature a variety of

earth tones to highlight the building. The body color is proposed as a golden/mustard color in a muted tone. The window trim color is olive in tone, providing a dramatic contrast yet remaining complementary. Finally the window sash color is a darker terra-cotta tone, which will also provide contrast with the window trim and body color, but will be act as an accent color and will not overpower the other parts of the Emmett House (see Attachment VII – proposed color scheme).

Trees/Landscaping

The proposed landscape plan provides approximately 8,123 square feet, or approximately 26% of the site area, for landscaping that exceeds the required 15%. Initially, four protected trees, two Coast Live Oaks, a boxelder and a Canary Island Palm were proposed for removal. However, after consulting with the landscape architect, the Director of Public Works and the City Arborist, and subsequent discussion with the Planning Commission, only one protected tree would require removal for development of the Emmett House receiver site. After revising the site plan to minimize removal of protected trees, the City Arborist has re-evaluated the project. The City Arborist has determined that one regulated tree would be removed as part of the project development – a 9.2-inch diameter boxelder (*Acer negundo*) in “very poor” condition in the location of the new driveway and garage. A Coast Live Oak (*Quercus agrifolia*), identified as Tree #4, located near the creekbank, was in “very poor” condition (see Attachments V and VI – Arborist Report and Note #1). The City Arborist reported that this specimen may be removed if it poses an imminent threat to the stability of the creekbank, to property, or to the safety of persons in the area. It is yet undetermined whether Tree #4 will be removed.

The protected trees along the Sixth Avenue pavement, a Coast Live Oak and a Canary Island Palm, both in good condition, were not proposed for removal. During the relocation of the Emmett House, the crown of the Coast Live Oak was raised by pruning to allow the house to clear the trees. According to the City Arborist, the tree is now in poor overall condition as a result of pruning on both the north and south sides of the canopy. In the estimation of the City Arborist in a follow-up report (see Attachment VI), the oak may not be worth saving and suggests removal and replacement with one or more 24” box size specimens of one or more oak species. The removal and replacement shall be consistent with the City Arborist’s recommendations. Staff recommends that three, 24” box size oaks be planted in key locations on the property.

The site, along the Sixth Avenue frontage, features a meandering walkway, constructed on pervious material such as decomposed granite and will avoid the root systems of the trees as recommended by the City Arborist; the walkway will be located to the west of the trees. Currently, along the Sixth Avenue frontage, the asphalt pavement ends at or near the same grade of the adjacent grade. This situation is not optimal for directing stormwater flows to the City’s stormdrain system, and does not provide proper protection for pedestrians from vehicles. The proposed project includes replacing a portion of the existing pavement and replacing it with a new overlay and a rolled gutter along the Sixth Avenue frontage. Providing a rolled gutter will not only facilitate stormwater drainage, but will improve the integrity of the roadway. Standard curb, gutter and sidewalk will be installed near the intersection of Sixth and O’Neill and will

extend along the O'Neill frontage. A City-standard, 21-foot wide driveway will be installed to lead to the detached garage.

No parking will be allowed on the west side of Sixth Avenue. The reduction in street width from the original proposal will put the proposed curb line in the approximate location of the existing edge of pavement in the area of the protected trees.

The landscaping concept focuses on development of a combination of private and more publicly-oriented open spaces. The proposal includes 75 (1-gallon) daylilies lining the street frontages in front of a perimeter fence (see Attachment IX – Project Plans). The private open space area, located between the house and garage, includes a low-maintenance, drought-tolerant dwarf fescue lawn and a detached patio area near the creekbank. Tree species planted throughout the site include five 24-inch box Western Redbud (*Cercis Occidentalis*), three 24-inch box lavender Crape Myrtle (*Lagerstroemia 'Lipan'*) and three 36-inch box Tulip Trees (*Liriodendron Tulipifera*). In total, 321 shrubs species are proposed throughout the site. The publicly-oriented open space, along the street frontages will combine shrubs and groundcover with a combination of orderly and random plant placement. Hardscape includes the use of permeable paving to create the two on-grade patio areas, decomposed granite for the Sixth Avenue walkway and as a walkway leading from the trash bin areas to the front of the garage, and stepping stones leading from patio areas to the front of the house. Boston Ivy is proposed along the western property line adjacent to the garage. The landscaping concept provides extensive plant materials and enhances the street appearance of the Emmett House as well as the private open space areas, maximizing the useability of the site.

PROJECT CRITERIA AND ADOPTED PD STANDARDS

Criteria	Adopted Planned Development Standards
Lot Area	17,860 sf
Slope	0 %
Floor Area	3,898sf including decks and porch
FAR	.22
Residential Density	7 Dwelling Units/Acre
Parking	1 garage space per unit, plus one paved open parking space per unit = 2-car garage plus 2-car driveway
Setbacks:	
Front - O’Neill Ave	16’-8”
Rear – North: Belmont Creek	Approx. 55 feet
Interior Side -	7 feet (to garage); Approx. 61’ to residence
Corner Side	Approx. 25 feet
Height	38 feet
Landscape	Approx. 8,123 sf

GENERAL PLAN CONFORMANCE

The Belmont General Plan designates the project site as Residential-Low Density (RL). The proposed rehabilitation of the Emmett House does not change the intended land use of the site as contemplated in the City’s policy documents.

In determining the appropriateness of the requested Design Review Permit, the central issue is consistency with the General Plan. To determine that consistency, applicable goals and policies of the Belmont General Plan must be considered in light of this proposal.

Downtown Specific Plan - Land Use Element

5.3.2 Land Use Objectives

5.3.2.5 Low Density Residential Objective:

Preserve the character of established low-density residential neighborhoods in the southwestern portion of the downtown.

The project would provide a below-market rate, two-unit residential use through the rehabilitation of the historic Emmett House and providing a detached two-car garage for use by the tenants. In addition, the public will benefit through the provision of a creekside trail and passive recreation area. Based upon the detailed development plans approved by the Planning Commission, the proposed design would be consistent with the Downtown Specific Plan Low-Density Residential Objectives as well as consistent with the approved Detailed Development Plan.

The proposed project would support the City's General Plan objective to preserve the community's historical resources, stimulate redevelopment efforts by promoting new construction on vacant lands in the downtown, and address the growing housing needs within the downtown specifically, and the Bay Area in general through the provision of two below-market rate residential units within walking distance of major commercial uses and mass transit facilities.

5.8 Low Density Residential Policies

5.8.1 Location Policy. The Low Density Residential District shall apply to those parcels located on the block between Fifth and Sixth Avenues south of O'Neill Avenue, the large parcel located at the western terminus of O'Neill Avenue adjacent to Twin Pines Park, and the small parcels located at the corner of South Road and Hill Street in the northwest corner of the Planning Area, as shown on the Land Use Plan, Figure 3.3.

5.8.3 Development Intensity Policy. Residential development shall be permitted up to an intensity of 8 units per net acre (5,000 square foot lot minimum). One dwelling unit shall be permitted on each lot.

5.8.4 Minimum Lot Size Policy. The minimum lot size shall be consistent with existing parcel sizes within this District.

5.8.5 Setback Requirement Policy. Building setbacks of 15 foot front yard, 6 foot side yard, and 20 foot rear yard shall be provided and maintained to ensure privacy for residential units.

5.8.7 Building Height Policy. The maximum building height shall be 2 stories.

The proposed residential project would be located on northwest corner of the O'Neill and Sixth Avenue intersection, consistent with the provisions of Policy 5.8.1. Furthermore, the project proposes residential land uses that comply with the intention, direction, and spirit of Policies 5.8.3. Using the Policy's standard of a maximum residential density of 8 units per gross acre, the proposed project's two residential units would be consistent with the residential density prescribed by the Policy.

The proposed residential development meets DTSP Low Density Residential Objective 5.3.2.5 in that it would further the preservation of character in the established neighborhood and would further preserve and rehabilitate the historic Emmett House in an area with a mix of existing uses. The project, and other projects in the area, may further stimulate redevelopment efforts and address the growing housing needs within the City at a location southwest of the Village Center.

Policy 5.8.7 provides clear direction for building height limitations in Low Density Residential districts. The project's two-story structure would comply with the policy's provision for a maximum permissible height of two stories for residential buildings in the Downtown Specific Plan Area.

DESIGN REVIEW

The proposed rehabilitation of the historic Emmett House is required to meet the Design Review Principles in Section 13.5.3 of the City of Belmont Zoning Ordinance. The following is an analysis of those standards.

- a) *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed rehabilitation of the Emmett House includes the provision a wrap-around porch on the first floor, indicative of the historic character of the structure. The site is 17,860 square feet in size, much larger than other residential lots in the vicinity. The two-story Emmett House, at a maximum height of 40 feet, is of appropriate mass and proportion on the relatively large lot. Other historic residential structures, some that have been converted into office or service uses, are in the vicinity of the site, strengthening the historic context of the neighborhood. The use of materials during the architectural rehabilitation will be similar to the existing materials, including the replacement of wood siding as needed and roofing materials.

Overall, the site layout and configuration of the lot provides appropriate scale, proportion, and use of materials that are compatible with the existing character of the neighborhood.

- b) *Review of proposed exterior color and material application with relationship to adjacent architectural of natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The project includes a significant change in the color scheme of the Emmett House. The existing colors are a blue-grey used as the body color and white as a trim color. The proposed colors are earth tones, with the main body color in a golden color, an olive color trim, and a terra-cotta color used as an accent color for the window sashes. This color scheme is appropriate for its surroundings, including the building's proximity to Belmont Creek, Twin Pines Park and other natural features. In addition, the earth-tone color scheme is consistent with other residences and structures in the vicinity of the development site.

- c) *Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

The fencing proposed to surround the perimeter of the Emmett House property is consistent in design to fencing found on historic photographs of the Emmett House. The fencing design (see Attachment VIII - Fence Detail) features 4x4 posts with a shaped top, wooden framing and vinyl-coated 2x4 grid welded wire. The plant list around the property perimeter includes flowering species such as daylilies and Rugosa Roses (*Rosa Rugosa*) with grasses such as Blue Oat Grass (*Helictotrichon sempervirens*). Many of the tree and shrub species are flowering and will provide visual interest, while groundcovers will provide play areas and will also prevent erosion. The enhancement of the site through landscaping features softens the massing of structures on the site; perimeter fencing and the landscaping scheme effectively softens the site in a manner that is in harmony with the established character of the neighborhood.

- d) *Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

No signage is proposed.

- e) *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The siting of the Emmett House allows the structure to maintain the maximum amount of historic viability when evaluating alternative locations using the Criteria Consideration B (Moved Properties) of *National Register Bulletin 15*. Prior to its relocation, the historic evaluation of this siting alternative under the California Environmental Quality Act (CEQA), conducted by the City's historic preservation consultant, Garavaglia Architecture, determined that any impacts can be mitigated to a less-than-significant level as adopted in the Mitigated Negative Declaration. With the Emmett House parallel to O'Neill Avenue; it provides an appropriate entryway into the Village Center neighborhood and maximizes the building's harmony with most other structures in the area.

The landscaping plan provides open spaces that are private and those that are more publicly visible. The significant publicly-viewed open spaces promote visual harmony with the natural surrounding and provide a positive visual entrance to the Village Center and downtown Belmont. Staff believes the proposed site layout is in character with the neighborhood and enhances the project site and immediate mix of uses in this transitional neighborhood.

- f) *Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

The proposed circulation system for pedestrians and vehicles is safe and will provide an alternative material walkway along the Sixth Avenue frontage. Reasonable accommodation is made for proposed pedestrian walkway areas surrounding the site. The construction of a rolled curb along the Sixth Avenue frontage and the continuation of a standard curb along O'Neill Avenue will provide additional safety for those using non-vehicular forms of transportation. In addition, a new pedestrian ramp will be installed at the intersection of Sixth and O'Neill Avenues.

- g) *Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

The proposed landscape plan for the site significantly improves the existing site, where there is currently no formal landscaping. The landscaping plan had proposed to retain two protected trees, the only ones evaluated in "good" condition by the City Arborist. As discussed previously,

one of the protected trees, a Coast Live Oak, was damaged during the relocation of the Emmett House. A reevaluation of the specimen by the City Arborist found that the tree is now in poor health and may have to be removed. If the tree is to be removed, it should be replaced with one or more 24" box size specimens of one or more oak species (see Attachment VI).

The landscaping plan includes the planting of 321 shrubs in a variety of sizes, from 1 gallon to 15-gallon specimens. In addition, 11 trees would be planted in addition to those that remain on site. One protected tree, evaluated as a "very poor" specimen, was removed prior to the Emmett House relocation. The irrigation plan includes a combination of spray and drip irrigation. Open patio areas are proposed as permeable paving, to encourage percolation of stormwater. The perimeter fencing, including along the creekbank, is rustic in design, with wooden framing and vinyl-coated wire providing a more transparent option than a wooden slat fence or other alternative (see Attachment VIII). Protection measures as recommended by the City Arborist for on-site protected trees to be retained are included as conditions of project approval.

The Emmett House building improvements, site layout and landscaping design is generally consistent with the Design Review Ordinance Principles (Section 13.5.3) of the Zoning Ordinance. Staff believes the proposal conforms to all required standards and is generally compatible with neighboring properties.

CONCLUSION AND RECOMMENDATION

Based on the foregoing analysis, staff recommends approval of the Design Review Permit for the Emmett House rehabilitation subject to the conditions of approval as specified in Attachment III.

ACTION ALTERNATIVES

1. Continue the project and direct staff to redesign the proposed Emmett House development site and related improvements.
2. Deny the Design Review Permit application. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. 500 Foot Radius Map of receiver site (See Page 2 of report)
- II. Resolution approving the Design Review Permit
- III. Conditions of Approval
- IV. City Arborist Report – October 27, 2006
- V. City Arborist Note #1 – April 25, 2007
- VI. City Arborist Follow-up – February 21, 2008
- VII. Proposed Color Scheme
- VIII. Fence Detail
- IX. Project plans and materials (Commission Only)

STAFF REPORT
RE: 1000 O'Neill Avenue
May 20, 2008
Page 26

Respectfully submitted,

Andrea Ouse, AICP
Consulting Planner

Carlos de Melo
Community Development Director

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RESOLUTION NO. 2008-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A DESIGN REVIEW PERMIT FOR THE REHABILITATION OF A
DESIGNATED HISTORIC LANDMARK (EMMETT HOUSE) AT 1000 O'NEILL AVENUE
(APPL. NO. 06-0090)

WHEREAS, the City of Belmont seeks approval of a Design Review Permit for the rehabilitation of the Emmett House at 1000 O'Neill Avenue; and,

WHEREAS, on May 29, 2007 the City Council adopted a Mitigated Negative Declaration pursuant to the California Environmental Quality Act; and,

WHEREAS, on May 20, 2008, the Planning Commission, following notification in the prescribed manner, conducted a public hearing, at which hearing the Commission considered public testimony and a staff report on the aforementioned requested entitlement; and,

WHEREAS, the Planning Commission hereby adopts the staff report dated May 20, 2008 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission has considered the request for a Design Review Permit for the proposed relocation and rehabilitation of the Emmett House and finds that it meets required principles as set forth in Section 13.5.3 of the Zoning Ordinance as follows:

The proposed rehabilitation of the historic Emmett House is required to meet the Design Review Principles in Section 13.5.3 of the City of Belmont Zoning Ordinance. The following is an analysis of those standards.

- a) *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed rehabilitation of the Emmett House includes the provision a wrap-around porch on the first floor, indicative of the historic character of the structure. The site is 17,860 square feet in size, much larger than other residential lots in the vicinity. The two-story Emmett House, at a maximum height of 40 feet, is of appropriate mass and proportion on the relatively large lot. Other historic residential structures, some that have been converted into office or service uses, are in the vicinity of the site, strengthening the historic context of the neighborhood. The use of materials during the architectural rehabilitation will be similar to the existing materials, including the replacement of wood siding as needed and roofing materials.

Overall, the site layout and configuration of the lot provides appropriate scale, proportion, and use of materials that are compatible with the existing character of the neighborhood.

- b) *Review of proposed exterior color and material application with relationship to adjacent architectural of natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The project includes a significant change in the color scheme of the Emmett House. The existing colors are a blue-grey used as the body color and white as a trim color. The

proposed colors are earth tones, with the main body color in a golden color, an olive color trim, and a terra-cotta color used as an accent color for the window sashes. This color scheme is appropriate for its surroundings, including the building's proximity to Belmont Creek, Twin Pines Park and other natural features. In addition, the earth-tone color scheme is consistent with other residences and structures in the vicinity of the development site.

- c) *Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

The fencing proposed to surround the perimeter of the Emmett House property is consistent in design to fencing found on historic photographs of the Emmett House. The fencing design (see Attachment VIII - Fence Detail) features 4x4 posts with a shaped top, wooden framing and vinyl-coated 2x4 grid welded wire. The plant list around the property perimeter includes flowering species such as daylilies and Rugosa Roses (*Rosa Rugosa*) with grasses such as Blue Oat Grass (*Helictotrichon sempervirens*). Many of the tree and shrub species are flowering and will provide visual interest, while groundcovers will provide play areas and will also prevent erosion. The enhancement of the site through landscaping features softens the massing of structures on the site; perimeter fencing and the landscaping scheme effectively softens the site in a manner that is in harmony with the established character of the neighborhood.

- d) *Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

No signage is proposed.

- h) *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The siting of the Emmett House allows the structure to maintain the maximum amount of historic viability when evaluating alternative locations using the Criteria Consideration B (Moved Properties) of National Register Bulletin 15. Prior to its relocation, the historic evaluation of this siting alternative under the California Environmental Quality Act (CEQA), conducted by the City's historic preservation consultant, Garavaglia Architecture, determined that any impacts can be mitigated to a less-than-significant level as adopted in the Mitigated Negative Declaration. With the Emmett House parallel to O'Neill Avenue; it provides an appropriate entryway into the Village Center neighborhood and maximizes the building's harmony with most other structures in the area.

The landscaping plan provides open spaces that are private and those that are more publicly visible. The significant publicly-viewed open spaces promote visual harmony with the natural surrounding and provide a positive visual entrance to the Village Center and downtown Belmont. The Planning Commission believes the proposed site layout is in character with the neighborhood and enhances the project site and immediate mix of uses in this transitional neighborhood.

- i) *Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

The proposed circulation system for pedestrians and vehicles is safe and will provide an alternative material walkway along the Sixth Avenue frontage. Reasonable accommodation is made for proposed pedestrian walkway areas surrounding the site. The construction of a rolled curb along the Sixth Avenue frontage and the continuation of a standard curb along O'Neill Avenue will provide additional safety for those using non-vehicular forms of transportation. In addition, a new pedestrian ramp will be installed at the intersection of Sixth and O'Neill Avenues.

- j) *Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

The proposed landscape plan for the site significantly improves the existing site, where there is currently no formal landscaping. The landscaping plan had proposed to retain two protected trees, the only ones evaluated in "good" condition by the City Arborist. As discussed previously, one of the protected trees, a Coast Live Oak, was damaged during the relocation of the Emmett House. A reevaluation of the specimen by the City Arborist found that the tree is now in poor health and may have to be removed. If the tree is to be removed, it should be replaced with one or more 24" box size specimens of one or more oak species.

The landscaping plan includes the planting of 321 shrubs in a variety of sizes, from 1 gallon to 15-gallon specimens. In addition, 11 trees would be planted in addition to those that remain on site. One protected tree, evaluated as a "very poor" specimen, was removed prior to the Emmett House relocation. The irrigation plan includes a combination of spray and drip irrigation. Open patio areas are proposed as permeable paving, to encourage percolation of stormwater. The perimeter fencing, including along the creekbank, is rustic in design, with wooden framing and vinyl-coated wire providing a more transparent option than a wooden slat fence or other alternative (see Attachment VIII). Protection measures as recommended by the City Arborist for on-site protected trees to be retained are included as conditions of project approval.

The Emmett House building improvements, site layout and landscaping design is generally consistent with the Design Review Ordinance Principles (Section 13.5.3) of the Zoning Ordinance. The Planning Commission believes the proposal conforms to all required standards and is generally compatible with neighboring properties.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Design Review Permit to rehabilitate the Emmett House at 1000 O'Neill Avenue, subject to the conditions attached as Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on May 20, 2008 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL DESIGN REVIEW PERMIT FOR REHABILITATION OF THE EMMETT HOUSE AT 1000 O'NEILL AVENUE (APPL. NO.2006-0090)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. The development and continued use of the property shall be in conformance with submitted plans reviewed by the Planning Commission at their meeting of May 20, 2008. Minor modifications to the plans shall be reviewed and may be approved by the Community Development Director.
2. Each of the Conditions of Approval is separately enforced, and if one of the Conditions of Approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.
3. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

City Arborist

The following recommendations must be included as "tree protection notes" in the final stamped building set of plans (assuming Tree #4 (Coast Live Oak) is to be retained as a protected size native oak in very poor overall condition):

Prior to issuing a permit for grubbing, demolition, tree removal, grading, or construction, the following must occur:

1. **WOOD CHIPS:** Acquire a free load of woody tree chips (not bark chips or leaf chips) from a tree care company and lay a 5-inch thick layer over the area from the trunks of **Tree #4** out to the tree protection zone (TPZ) chain link fence line. Pull chips out approximately two-feet away from the trunks so that moisture will not build up on the trunks.
2. **IRRIGATION:** Apply 150-200 gallons of water twice monthly to the TPZ fenceline of oak #4 if directly to do so by the contract city arborist. Application can be via soaker hose, water truck, on site water tank/spray apparatus, etc.

Contractor shall verify use of irrigation water by documenting in a written journal the time and date of each irrigation event, and the duration that water was applied.

If no on-site water source is available, then utilize a tow-behind or stationary on-site water tank as noted above. City Arborist will adjust rate of application according to soil moisture readings obtained during the monthly tree protection inspections.

3. TREE PROTECTION FENCING:

- a. Chain link fencing must be erected as per the arborist's direction at least 10-15 linear feet out from the trunk edges of **Tree (Oak) #4**. The areas between the tree trunks and this fence perimeter shall be known as the root protection zone or tree protection zone ("RPZ" or "TPZ").
- b. Fencing material used for all protective fences as per above must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no farther than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.
- c. Compliance inspections will occur (1) at the time of fence erection and buffer and irrigation installation, (2) during construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has been received a final signoff letter from the city arborist. Permit approval will not occur until after the first inspection has been performed and the protection measures approved by the city arborist.
- d. The protective fencing must not be temporarily moved during construction, unless as noted in this section. No materials, excavated soil, liquids, or substances are to be placed or dumped, even temporarily, inside the TPZ/RPZ.
- e. Palm #1 will need to be fenced off with chain link at least 10-15 feet out from trunk, and provided with wood chip mulch per the City Arborist's original recommendations such that a root protection area is established.
- f. If **Tree #2 (Coast Live Oak)** is removed, the replacement shall include a minimum of three 24-inch box size specimens of one or more oak species (e.g. cork oak *Quercus suber*, etc.).
- g. The TPZ fencing shall have one sign affixed at eye level for every 10-linear feet of fencing, minimum 8X11 size each, plastic laminated or otherwise waterproofed, stating :

TREE PROTECTION FENCE
DO NOT ALTER OR REMOVE
CALL CITY ARBORIST 48-HRS ADVANCE
(650) 697-0990

4. STAGING AND ACCESS ROUTES: Contractors shall be prohibited from accessing, storing materials in, or otherwise utilizing any areas north or west of the TPZ/RPZ fenceline as shown on the tree map scan. Any encroachment into this area (i.e. movement or opening of the TPZ/RPZ fenceline) shall be considered a violation of the Belmont tree ordinance, and monetary fines shall apply as per City Arborist evaluation.
5. TREE MAINTENANCE:
 - a. Hire an ISA-Certified Arborist to perform crown cleaning on **Tree #4** (Oak) to remove deadwood and old pruning stubs as per ANSI A300 standards.
6. FERTILIZATION: Retain a qualified tree care company to apply a slow release tree fertilizer with greater than 50% WIN via soil injection to the TPZ area around **Tree #2 (Oak)**.
7. INVOICE: Contractor shall supply City Arborist with a written or faxed invoice from the project tree care company upon request, stating that the above outlined work was performed by, or under direct supervision of an ISA Certified Arborist before commencement of site grubbing/grading/excavation. See tree vendor list below for suggested contractors.
8. LANDSCAPE PLAN GENERAL NOTES (if applicable):
 - a) Any new tree plantings and associated irrigation systems may be subject to inspection by the contract city arborist at or before the final project signoff inspection.
 - b) PVC irrigation piping shall be installed at distances greater than 15-20 linear feet from the trunks of existing site trees.
 - c) All pop-up sprinkler head spray must be directed AWAY from trees such that water never contacts the trunk of any new or existing tree.
 - d) Over-grade drip emitter and/or poly tubing and bubblers shall be utilized for all permanent irrigation of proposed plantings within the existing driplines of site trees as shown on the tree map scan.
 - e) Plantings shall be installed using the pit method and NOT the trenching method.
9. ARBORIST INSPECTION FEE: The applicant shall pay a tree inspection fee of **\$1,300** at the Permit Center, payable to the City of Belmont prior to permit issuance and prior to

the initial tree protection inspection meeting on site to cover inspections and signoff letters by the city arborist throughout the life of the project (\$1,000 arborist fee plus 30% administration fee).

Call the contract City Arborist at (650) 697-0990 to schedule the initial tree protection confirmation inspection which **MUST** occur prior to any demolition, tree removal, grubbing, grading, excavation, or construction on site.

10. **TREE DAMAGE MITIGATION FEES:** If any site plan activity encroaches within the initially erected TPZ area (i.e. within the canopy dripline of oak #4), then the applicant shall pay the following damage fees at the Permit Center where building staff will route all fees to the Parks Department's Tree Planting and Establishment Fund (see Master Fee Schedule 2007-08 for more details):

Oak #4: 2006 removal fee (\$4,000) X (50-100%).

11. **TREE REMOVAL FEES:** The applicant shall pay **\$6,500** for removal of **trees #1, 2, and #3**. Payment shall be made at the Permit Center. Staff shall route fees to the TPEF as noted in item #10 above.
12. **MITIGATION PLANTINGS:** At the planning commission's discretion, the applicant may be required to install up to three (3) 24" box size trees (commission may specify native oaks, etc.) as mitigation for removal of protected size oak Tree #2. If this site planting requirement cannot be met, the in-lieu fee is **\$400** per mitigation tree, or **\$1,200** to waive a requirement to plant three trees.
13. **BLUE GUM EUCALYPTUS ISSUES:** As noted in the summary section of the report,
- i. The blue gums need to be assessed in detail by a private consulting arborist to determine risks of failure (non regulated trees cannot be assessed by the City).
 - ii. The creek bank soil stability issue may need to be assessed by a geotechnical engineer in relation to existing exposed blue gum root systems.
 - iii. Damage to the root systems of these trees may cause destabilization of the trees, resulting in potentially high risk to life or property.
 - iv. Pruning known as end weight reduction pruning and crown reduction can potentially lower risks of failure, although there is no such thing as a "100% safe" tree. No risks can be entirely eliminated, and there will always be some risk of partial or catastrophic failure as long as the trees are standing.
 - v. Removal of (and possibly pruning of) trees in California Department of Fish and Game designated "riparian corridors" is governed by that agency. Tree removal permits would probably be required to be obtained from the CDFG through a

lengthy process before removal of one or more blue gum specimens at this creek bank could be performed.

14. UTILITY TRENCHING: All trenching for any reason such as underground installation of TV, phone, gas, electric, French drain, area drain, downspout drain, sewer, water, etc. lines shall be prohibited within the chain link fenced TPZs as drawn by the city arborist on the tree protection map scan.
15. PLAN SET REVIEW: The city arborist shall be given access to the final set of plans to determine if there will be tree/site plan conflicts due to irrigation trenching, planting, landscape electrical conduit trenching, grading, drainage line trenching, etc. (as of the date of writing, these items have not been reviewed).

Because blue gum eucalyptus root systems will also be affected by the site plan, the situation may require that further tree protection fencing, wood chips, irrigation, etc. be established over the root zones of those non-regulated trees (**see item #11 above regarding blue gum risk issues**).

16. EMERGENCY TREE ISSUES: Call the contract city arborist if there is a question concerning trees or tree protection at this site. (650) 697-0990.
17. ADDITIONAL MITIGATION MEASURES: The city arborist reserves the right but not the duty to require that additional tree protection, maintenance, or mitigation measures be installed or performed at any time up to final approval/occupancy.
18. Tree Protection During Project: Utilize standard 5-6 ft high chain link hung on 2 inch diameter 8 ft long iron posts pounded 24 inches into the ground at 6 foot spacing. Fencing must be erected as close to the east side of the proposed pathway as possible so that the area to the east of the path is protected in total as an open soil root zone. Provide temporary irrigation along the chain link fenceline if directed by the city arborist.
19. Landscaping: Do not perform any landscaping within the canopy dripline of the oak. Allow the entire area under the canopy to remain as-is. Add 4-inches thickness of coarse woody wood chips (not bark chips or shredded redwood bark) to the area under the canopy. Pull chips out 24-inches away from the trunk edge. Do not irrigate. Do not install plantings.
20. Adopt the pathway route as sketched by the architect/landscape architect in 'sketch1'. Increase the distance between path edge and oak trunk to greater than 10 linear feet on the west side of the oak, and at least 15-20 linear feet or more from the trunk on the south side of the oak where the meander bends back toward 6th Avenue.
21. Pathway:

- a. Build path as a 'no dig' project over existing grade with no compaction of existing root zone area (scrape off organics prior to considering the ground elevation to be 'grade').
- b. Do not install base rock.
- c. Lay DG as a 4 inch thick '**Stabilized DG**' product (pre-mixed) over the existing grade, and tamp with whacker or roller. Use geotextile fabric layers and/or other materials as applicable per landscape architect's specs.
- d. Use header boards (wood, plastic lumber, etc.) to be dug into grade no deeper than 2 inches below existing soil grade. This minimal depth shall be considered 'no dig'.

20. Pruning:

- a. Prune the oak to gain head clearance for pedestrian use of the DG walkway prior to installation of the walk.
- b. Call City Arborist 650-697-0990 prior to this work so that pruning work will be monitored.
- c. All pruning must be performed by an ISA Certified Arborist, and must conform to the latest version of ANSI A300 Standards for Tree Care Operations, Tree, Shrub, and Woody Plant Maintenance.
- d. Maximum percentage of live canopy to be removed for walkway head clearance shall be 20-25% of the existing live wood and foliage from the oak.

21. Root Crown Excavation:

Retain a qualified tree care company to remove approximately 6-12 inches or more of fill soil which is covering the natural, flaring root crown of the oak specimen. Use only dull, rounded hand tools.

22. Grading:

Note that the entire graded building pad at this site appears to be loose fill soil installed above original, natural soil grade. Therefore, carefully regrade the areas outside the canopy driplines of the oak and palm trees such that water naturally drains AWAY from the trees.

Certification of Approved Final Conditions:

Carlos de Melo, Community Development Director

Date

May 20, 2008 Planning Commission Adopted Minutes

5D. PUBLIC HEARING – 1000 O’Neill Avenue

To consider a request for a Design Review Permit to rehabilitate of the historic Emmett House at the northwest corner of O’Neill and Sixth Avenue and to consider site improvements, including construction of a two-car detached garage and site landscaping. The Emmett House was relocated from 843 Ralston Avenue.

Current Zoning: (PD) Planned Development

APN: 045-261-010, 020, & 030; CEQA Status: Mitigated Negative Declaration

APPLICANT/OWNER: City of Belmont

PROJECT PLANNER: Andrea Ouse, 650-333-3973

CP Ouse summarized the Staff Report, recommending approval of the Design Review permit and adoption of the draft resolution attached. She added that a memorandum answering questions raised by three of the Commissioners earlier that day had been distributed to Commissioners.

CP Ouse answered questions from Commissioners as follows:

- The Canary Island Palm tree is staying
- The vinyl-coated chain-link fence is proposed to be black. Commissioner Frautschi noted that the Downtown Specific Plan (DTSP) stated that “no chain link or rough wood appearance fencing shall be permitted.” He stated that they need to look at galvanized, or wood or some kind of other solution.
- Commissioner Frautschi asked if it would be possible to add a small sign that said “The Emmett House Established in 1885 and Reestablished in 2008.” CP Ouse thought it was a great idea but referred the suggestion to the historic architect.
- It was her understanding that the intention is that the antique color roofing material would be patched in as necessary.
- Referred Chair Parsons’ question to the architect about why the proposed color is inconsistent with what they thought was on there originally.
- Chair Parsons asked if the proposed landscape architecture is consistent with what would have been around the house at that time. CP Oust replied that it is not, and the consulting architect concurred. She added that from the historic photographs it appeared that the Emmett house had fruit trees and perhaps a garden, and was more utilitarian than decorative.
- Commissioner Frautschi commented that Walter Levinson’s Arborist Report stated that “none of the author’s arborist recommendations for this portion of the site were performed prior to commencement of the resident’s relocation work” and that they did not follow his directions. He asked who is managing this project and why that directive of City Council and the Planning Commission was not carried out. CP Oust responded that the Project Manager is currently the Public Works Director, and she concurred that the recommendations had been clear, and that the contractor had been made aware of the shortcomings in not following the recommendations of the arborist. Staff will continue to monitor the situation and hopefully avoid any non-compliant issues in the future.
- Commissioner Frautschi wondered if funds are coming from redevelopment funds or from Public Works budget. CDD de Melo interjected that the issue has been brought to the

attention of the City Manager's office and that they are going to be working closely with the contractor and the City arborist, and will schedule a meeting to get them engaged and prepare a contract to have them monitor the on-site protected trees as well as the other recommendations.

Mike Garavalia, preservation architect and project lead for the architectural and engineering work, addressed the Commission, referring to the historic photograph of the building. He pointed out that the wire fence was historic. The one they chose it not a chain link fence but is a 2x4-inch grid. The black vinyl is optional. He believed that a galvanized wire fence would be historically accurate and could be changed without any problem. The Day Lily landscaping is intended to create a layering in front of the fence and would break the view of the fence in half. The earliest paint colors seem to be a white, possibly white wash or primary color, next layer is grayish and then a barn red. They do not have trim colors analyzed but the historic photographs tend to show variations on the grayish or beige theme. The house is large so they do not want to get it too white as it will tend to glow; their intent is to make sure that whatever color is finalized is adjusted for the site and the light conditions. The palette is a traditional palette for a building of that era and they are open to modifying the color scheme. The roof is fairly new and in generally good condition. Responding to Chair Parsons' question, he stated that he believed the original house had a double front door and they tried to use the detailing that would be appropriate for that era of building. Responding to Commissioner Mercer, he stated that he could almost guarantee that the original roof was wood shingles, and that asphalt shingles is a material that is essentially sacrificial – it is acceptable to use an asphalt shingle. They would not mind having the wood roof; fire departments don't like them but State building code would allow them. They were handling this as an affordable way to conserve on funds.

Chair Parsons opened the Public Hearing.

Denny Lawhern, representing the Belmont Historical Society and a Belmont resident, urged the Commission to move on in their professional review of this item – he has been working on the project for nearly 10 years. He thinks it will be a great project. The proposed color scheme is rather bold for him. The original fencing was a wire type and he was not sure how much they would be compromising the historic presentation if they used wood or something else, and the same with the landscaping. He pointed out that the original building was one story and the porch and fence was added on. He urged the Commission to move ahead in some manner and asked that staff fast track getting it back on the foundation since an earthquake would bring it down.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 7/0 by voice vote.

Chair Parsons noted that the Resolution does not talk about the interior layout and asked if they are basically approving the site plan. CDD de Melo responded that, while typically an interior layout would not fall within the purview of Design Review, the City welcomes comments from the Commission. He added that the City still has not rendered a decision on whether the units will be for sale or rent. He recommended that the Commission proceed with the Design Review entitlement and, if they preferred, reserve discussion about the interior layout as part of the more

global discussion relative to the disposition of the units themselves. He did not believe that the Design Review entitlement is directly linked to why the foundation has not been bridged with the building

For clarification, Vice Chair Horton asked what they are approving at this meeting. CDD de Melo responded that substantial edits to the interior layout of the units that would change window design, door design, pop outs, or if they wanted to completely flip the unit layout, would raise concerns about the integrity of this Design Review. Vice Chair Horton said she did not think that any of the Commissioners believed that any modification whatsoever to the exterior was within their purview. Mr. Garavalia stated that all the windows are essentially in the historic location and are not being modified, and that they will not be double paned but will comply with Title 24. Vice Chair Horton stated that her comments had more to do with the interior layout – the partition locations and components. She was not sure that they could find buyers because it has a 5'-wide master bath and no double sinks in the master bath, for instance; if they are going to invest the money they should do it so that there is actually something there that makes a property appealing to a buyer, maybe even to a renter.

Chair Parsons commented that he did not believe the City had taken a serious look at the layout of the interior. He could vote for the exterior of the building and maybe the landscape architecture the way it is, but could not approve of the interior layouts of the buildings because he did not think they would be saleable in today's market the way they are.

CDD de Melo commented that if the City were to have maintenance responsibility for the lands, it would be a logical link then to not sell the units because it would be difficult to ask someone to buy a unit but then not have maintenance responsibility for the land. He asked if there would be less concern about the interior layout of the units if the City were to move along the lines of these being two apartment units. Chair Parson stated that he felt that they were awfully far down the road to not have made up their minds on what they are going to do with the property. If the City is going to maintain the landscaping it is going to be highly intense for the City and he did not believe any City maintenance people have even looked at the plan. He also wondered if it is a landscape that would have been around this house when this house was a residence – he felt there probably would have been a lot more lawn, some plants up against the foundation and maybe along the fence, and perhaps a garden and fruit trees. It seemed to him that the City has to make a decision soon as to what they are going to do; it does impact their decision, particularly regarding the landscaping. He also felt that the color needed to be restudied.

Commissioners commented as follows:

Vice Chair Horton:

- The Oak tree is still viable and should be left alone. Perhaps could plant something else.
- The paint color is too strong and needs to be toned down to make it look smaller. The house is big and bulky and white makes it look bigger.
- There are some places in the interior where they can move things around. Living rooms and dining rooms are massive, kitchen and master bathrooms are too small. Suggested maybe renaming the bedrooms. Closets need to be labeled.

- The proposed landscaping will take an immense amount of maintenance. Deer will eat the Day Lilies. The landscaping is lovely but she did not believe City staff could actually maintain it; the City has park lands and wild lands rather than a designed landscape.

Commissioner Mercer:

- The problem is that the house has an identity crisis – is it a country house or city house? She thought it should be a country house since it was built in what was country. Attempts are being made to edge it into a city house with wrought iron fences, fancy little Day Lily landscaping and colors that that one would see on Alamo Square in San Francisco. She liked the galvanized steel fence – that’s the country house fence, and the lighter, much quieter color. The landscaping needs to have some very large native Oaks or Redwoods that would have been on the lot when they built this house, the landscaping needs to be much simplified, and suggested the use of decomposed granite for paths, driveways, perhaps a sitting area with a bench. She believed that in terms of its location, its historical origin and the viability of maintaining it, they need to keep the humble feeling of a country house. She understood that very little lawn would save water and mowing, but the variety of plants would be hard to maintain. It could be simplified to some rather attractive looking but more native plantings and a couple of focal pieces by the entryway.
- The house looks rather box like on this lot and needs some tall trees to mitigate the square effect of it sitting down there at the end of the street – something to really help soften it into the surroundings. Would like to see the Palm and the Oak remain, possibly Oaks or Redwoods in the front that look a little more native and will grow tall and soften the boxy corners and the height of the house.
- Thought the grays colors were good or perhaps pale yellows, but not the ones proposed – to her they are French provincial and she sees them in the South of France but not in the woods of Belmont.

Commissioner Frautschi:

- Concurred with most of what Commissioner Mercer said.
- Should not remove the Oak tree that is damaged or the one at the back of the lot that is mentioned in the report.
- The stand of Eucalyptus trees that were at the back of the lot need to be replaced with some trees in the area near the street that will eventually soften the whole thing again.
- Would like the landscape architect to meet with the environmental sustainability teacher at Notre Dame High School regarding plantings by the creek. She has a list of plants that they are currently growing and cultivating that are just perfect for creek banks.
- Agreed that the City could not maintain the landscape plan as proposed. Whatever is done in the landscaping, they need to condition a maintenance agreement, at least for the publicly used spaces. If it is not maintained the original intent is not kept.
- Asked that the original picture of the Emmett House be returned to the screen. Pointed out that there were huge trees that softened the house. None of the things that the landscape architect has suggested will mitigate the height of the building. The landscape was very, very simple—shrubs with a little lawn. In that era they didn’t have lawns, they had what were called “stick yards” where it was just dirt and brush, and then they had flower beds. Something more simple would be better.

- The mustard color reminded him of a very bad wedding cake. He said he is partial to creams and grays. He liked the color it is now, and added that whatever color they choose he hopes it is not the one proposed.
- Agreed that it is more of a country house and felt the landscape plan is too fancy for a plain building.
- The interior has some real issues – a kitchen that is microscopic and bathrooms that you walk through closets to get to.
- They will need to have some sort of landscape maintenance agreement and some sort of understanding that whatever color the house is painted it will stay that color in perpetuity or it will have to come back for some kind of review.
- Did not particularly like the fencing. He would rather see hedges or escallonia or something similar.
- Re-stated his hope for a sign that says “Emmett House Established 1885, Reestablished in 2008.”
- Could not support the color or the landscape without larger trees, at least in the O’Neill area.
- City should reserve the right to have that 3/1 replacement if the Oak trees fail.
- Whoever manages this project needs to manage the project. Walter Levinson prepared several reports at \$1300 each and all of the instructions were very clear on what the Planning Commission and City Council wanted, and then Public Works did not administer the project. If they can’t do that, the Redevelopment Agency needs to find someone who can.

Commissioner McKenzie:

- Agreed that the landscaping should be simplified. Not concerned that the City could not maintain the landscaping – they are capable of hiring landscape gardeners. It does not have to be City staff that is managing the property day to day.
- The vinyl clad fencing is anything but period representative; it is cheap looking and not the image with which they want to surround this house.
- Concerned about patching and filling the roof. The roofing material is a large part of the design element that one sees on this house and he did not believe they should compromise design to look for ways to save some money on roofing materials.
- Felt they were at impasse on discussing the interior design, and that the project should be continued until the Redevelopment Agency and City Council make decisions about the intended use of this house. They can then contract an architect to design an interior that is consistent with the intended marketable use of the property.

Commissioner Reed:

- Recommended that the house get placed on its foundation as soon as possible, regardless of what the Commission does. He agreed that it would be terrible if a simple earthquake toppled the entire historic project. As long as the Commission was not holding up getting the house on its foundation, the more detailed design issues could be continued.

- Regarding the fence material proposed, he recommended that wood or wrought iron may be a better choice than wire as they were from that time period. He felt the paint colors chosen were garish.

Commissioner Mayer:

- Confirmed with CDD de Melo that placing the house on its foundation could proceed even if the Commission continued the project.
- Liked the idea of simplifying the landscaping to something that meshes a lot more closely with what is on the historical photograph.
- Felt that if the Oak tree that is proposed to be taken out is kept, the Canary Island Palm has to be moved because he did not think the two of them could stay close together.

CDD de Melo recommended that the Commission limit its decision to the Design Review entitlement, noting that the interior layout decisions will be made by the RDA after they determine the sale vs. rental issue.

Chair Parsons reviewed the Design Review Principles of Section 13.5.3 as listed in the draft Resolution, noting as follows:

- They do not propose any changes in windows or doors. Regarding the massing of the buildings, whether the units are sold or rented, he suggested the addition of a place for storage of maintenance equipment, perhaps by “poking” the back corners of the garages out so there is more space in the garages.
- He believed they all agreed that they need more larger trees to mitigate the height of the building.
- They have concerns about the roof materials.
- Exterior color has created a problem and is something that needs to come back to the Commission. He suggested that perhaps the architect’s color consultant could make some alternative suggestions, adding that there is not anything that bright on that scale in the neighborhood.
- He believed they all had a problem with the fence, and suggested that the wrought iron trim that is used at the top of the building and on the garage be considered as an alternative for the fence.
- He thought they had a general consensus that hedges and screen plantings would need to come back to the Commission; they need to be more in tune with the character of the house, probably more foundation planting and focus planting around the entrances that would be around a house of that era and easier to maintain. He suggested meeting with Public Works and Parks & Recreation maintenance people to determine their thinking on that issue.

Vice Chair Horton stated that she believes some Commissioners think the fence as proposed is ok. She asked for a show of hands of who would go for the current design but galvanized instead of vinyl coated. This was agreed to by the majority of Commissioners by a show of hands. Chair Parsons added that he would like to see a gate detail.

Responding to Commissioner Mercer's question, staff confirmed that there is an enclosure to hold garbage cans at the back of the garage.

The sign proposed by Commissioner Frautschi would be considered a plaque rather than a sign.

CDD de Melo suggested that they postpone a decision on the roofing material until they have some measure of a budget for the project. Vice Chair Horton suggested that they cannot take one thing out of context – they have to look at budget considerations for the whole project. She added that new roofing material would be low on her list.

Commissioner Mercer stated that she resented looking at one or two elements at a time without it being wrapped into a whole since there may be budget trade-offs.

Kathy Garrett, landscape architect, asked for clarification of the issue of tree height, noting that the building height when finished will be 36' and the top of the roof of the porch will be 18-19'. She pointed out that the trees in the photograph are not as tall as the house, and the two proposed Oak trees will be taller than the house at maturity. She said they could certainly plant more and questioned whether the Oak trees are required or not. Regarding the question of maintenance, she said that this plan was a result of meeting with maintenance staff and what they felt they could maintain. Whether it would be hired or in-house had no been determined. The priorities used for developing the scheme were low maintenance, low water use, historical appropriateness, usability by the tenants, including privacy of that corner which is now more exposed than it was in its previous location yet with a degree of corner visibility for motorists, no trees over the culvert because there is a utility under there, and environmental sensitivity along the creek. They were trying to diminish the amount of lawn and place it strategically in the most usable location, and the ground cover areas, which are low maintenance once established, were intended to play this role with a lot lower water use and much lower maintenance.

Responding to a question from Chair Parsons, Mr. Garavalia stated that he had met early on with Craig Ewing, and Ray Davis had provided limited review. He added that a project going over this long a period of time is obviously difficult to maintain momentum and clarity.

CDD de Melo suggested that they hold discussions regarding maintenance liability with Parks and Recreation and Public Works maintenance staffs. Chair Parsons concurred, expressing doubts that City staff is capable of taking care of it and if anybody would take care of it if it were sold.

Ms. Garrett asked for clarification as to the desired amount of canopy in the air and still had a question about the Oaks. Chair Parsons stated his personal feeling that he would like to see a couple of Oaks in the back along the creek, if feasible, but he did not necessarily want another street tree. A few more trees on front would not hurt. He liked the way they did the entrance but wanted to see what the gate will look like.

Responding to Commissioner Mercer, Ms. Garrett stated that the tulip tree is deciduous. Commissioner Mercer thought that would not do anything to soften the bulk when coming

down 6th Avenue. Ms. Garrett added that the trees that are shown will be greater than the height of the house at maturity and she wondered if that was the intention the Commission was trying to convey. The proposal shows the trees at about 2/3 of their size at maturity.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Design Review Permit for Rehabilitation of a Designated Historic Landmark (Emmett House) at 1000 O’Neill Avenue (Appl. No. 06-0090), with the request that the following items be returned to the Commission for review: 1) proposed exterior color and material application; 2) revised landscape plan with the detail of a gate following review by internal City departments; 3) revisions to accommodate storage of maintenance equipment; and 4) the fencing as proposed substituting galvanized metal mesh for the vinyl coating.

Ayes Horton, Mayer, Mercer, McKenzie, Frautschi, Reed, Parsons
Noes: None

Motion passed 7/0

Chair Parsons announced that this item may be appealed to the City Council within 10 calendar days.

Chair Parsons added his very strong recommendation that several Commissioners meet with somebody on the City staff and maybe the RDA to discuss financial aspects of this project before any interior design is finalized. CDD de Melo stated that he will schedule a meeting with the Finance Director.

Chair Parsons requested that quick action be taken to correct what is going on with the maintenance of the trees that exist on the site. CDD de Melo responded that he had been addressing that issue the day of the meeting and would follow through.