



Historic Resources Board

Staff Report (ID # 8697)

Report Type: Action Items **Meeting Date:** 12/14/2017

Summary Title: 755 Hamilton Avenue Study Session

Title: STUDY SESSION: 755 Hamilton Avenue: Request for Study Session Review of an Individual Review application for a 1,088 square foot second story addition to an existing 2,536 square foot single story home. Zone District: R-1 (Single Family Residential). Environmental Assessment: Pending

From: Hillary Gitelman

Recommendation

Staff recommends that the Historic Resources Board (HRB) take the following action(s):

- Review the plans submitted to date with the Individual Review application for consistency with the Secretary of the Interior's Standards for Rehabilitation (Standards); and
- Provide informal direction to the property owner regarding any revisions to the project plans that would result in a project having greater consistency with the Standards.

Background

The property is listed in the State's database as a National Register Eligible resource. Integrity of the home must be retained to remain eligible for listing on the National Register of Historic Places. Relevant aspects include retaining original material (like multpaned windows and masonry), design, workmanship and feeling. The City's historic preservation planner reviewed the project pursuant to the California Environmental Quality Act (CEQA) and believes there may be a potential impact from the proposed changes; staff is therefore referring this proposal to the HRB pursuant to the "Group B" review process. (see Attachment D)

IR Application

The IR application, filed August 25, 2017, is a request to add a 1,088 square foot second story addition to the existing 1,855 sf ground floor of a single-family residential home. The applicant also requests Public Works Engineering (PWE) approval of an exception from the requirements for flood zone construction; approval of the PWE flood zone variance would allow an existing basement to continue to be located in the flood zone, despite major changes to the structure. It

appears a Home Improvement Exception (HIE) would need to be requested to allow for an approximately six (6) inch vertical extension of the existing street side building wall that encroaches into the required sixteen foot street side yard setback. The plans indicate a nine (9) foot floor to ceiling height on the ground floor and an eight foot (8) floor to ceiling height on the proposed second floor.

The applicant has also indicated they will demolish the existing 766 sf detached garage and construct a new 506.8 sf two car detached garage in the rear yard setback. The reduced square footage of the garage allows for more floor area to be allocated for the site to allow for a larger proposed second story. Additionally, exterior changes along existing legal non-conforming building walls may be subject to the valuation process as described in Palo Alto Municipal Code (PAMC) Section 18.70.100.b. Staff received a public comment from the resident at 536 Fulton citing concerns about the size and construction impacts. The comment is included as an attachment in this report.

Historic Resource

The existing 3-bedroom home was surveyed during the City's last historic survey update, 1997-2000. The survey form is provided as Attachment A to this report. The form describes the home as an 'archetypal example of the California Bungalow of the 1920's'; one-story, wood-framed, stucco-clad, low-pitch, multiple-gabled roof, apparently based on a pattern book design from that era. The property is listed as an historical resource in the California Historical Resources Information System (CHRIS) maintained by the State Office of Historic Preservation. It was formally determined eligible for the National Register of Historic Places by the Palo Alto Historical Survey Update, 1997-2000.

The filed discretionary development application is subject to environmental review under the California Environmental Quality Act (CEQA) for potential impacts to a historical resource, since 755 Hamilton Avenue has a historical status under the State of California's environmental regulations, implemented by the City. The Historic Resources and Permit Review Requirements (Attachment D) reviewed by the HRB in October 2016, provide guidance to staff and applicants regarding the process for historic resources.

Project Information

Owner:	Hui Tan
Architect:	Martin Bernstein
Representative:	Martin Bernstein
Legal Counsel:	NA

Property Information

Address:	755 Hamilton Avenue
Neighborhood:	Crescent Park
Lot Dimensions & Area:	Corner lot; 60' x 150' with total area of 9,000 s.f.
Flood Zone:	AH45.2

Housing Inventory Site:	NA
Located w/in a Plume:	NA
Protected/Heritage Trees:	Yes, in City Planter strip
Historic Resource(s):	National Register Eligible (among 165 such properties filed with OPH)
Existing Improvement(s):	1770 s.f. 2-story home; 756 s.f. 2-car garage; built 1918
Existing Land Use(s):	Single Family Residential
Aerial View of Property:	



Source: Palo Alto's Geographic Information System

Recent Pre-Application History

The applicant and new property owners began meeting with the City in June 2017 regarding the flood zone designation and exceptions available to allow basement retention. The applicant's approach was to retain the historic resource to qualify for a variance from flood zone requirements for basements. Staff met with the applicant to review preliminary designs.

Post Application Submittal and Suggested Approaches

Staff provided comments regarding the design reflected in the August 25th plans, specifically noting lack of compliance with (a) the Zoning Code and Individual Review Guidelines, and (b) the Standards. The review documents are attached as Attachments B and C, respectively. Staff then met with the applicant to suggest exploration of three design approaches, to meet the intent of the IR Guidelines:

- (1) Create a hyphen to connect the existing building to a new structure,
- (2) Abut the addition to the existing building at the back, and overlap the upper floor over a portion of the existing house, so the extension looks more like a wing addition, but still somewhat integrated, or
- (3) Narrow and shift the upper floor to maintain more of the first floor roof as seen from the street, while limiting the width of the second floor gable facing Forest, along with not raising the first

floor roof. The IR Guidelines call for a balanced and integrated design, and the Standards call for distinction between the existing historic construction and the new construction.

Recent Submittal

The applicant recently submitted revised plans for the second floor addition. Staff determined the best course was to visit the HRB to discuss the potential impact to a historic resource. This process is outlined in the historic review bulletin the HRB recommended in September 2016. The increased first floor height, new windows on the primary facades and a large, somewhat more compatible second story addition are significant changes that staff believes are inconsistent with the Standards. Staff now seeks the HRB's advice.

Discussion

In evaluating applications, the HRB shall consider the architectural style, design, arrangement, texture, materials and color, and any other pertinent factors. The prime concern should be the exterior appearance of the building site. The proposed alterations should not adversely affect the exterior architectural characteristics nor the historical, architectural or aesthetic value of the building and its site; or the relationship of the building, in terms of harmony and appropriateness, with its surroundings, including neighborhood structures.¹ In 1987, the City Council adopted the Secretary of the Interior's Standards for Rehabilitation for use by the HRB. The Standards promote historic preservation best practices that help to protect our nation's irreplaceable cultural resources.

Analysis

The plans on file are currently incomplete as described in the Notice of Incomplete (NOI, Attachment E). The project plans submitted by the applicant are included as Attachment F. The following table includes staff's analysis of the initial plans for consistency with the Standards. In summary, staff finds that the project is not consistent with the Standards because it would result in the alteration and removal of materials, features, and architectural elements that characterize the existing historic structures, and the addition of new elements that are not compatible with the historic property, such that the significance and integrity of a historical resource would be impaired.

Standards for Rehabilitation	Staff Analysis
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.	<div><input checked="" type="checkbox"/> Consistent</div> <div><input type="checkbox"/> Not consistent</div> <div><input type="checkbox"/> Not applicable</div> <div><u>Explanation:</u> The residence will continue to be single family.</div>

¹ Section 16.49.050 (b) (2).

Standards for Rehabilitation	Staff Analysis
<p>2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.</p>	<p> <input type="checkbox"/> Consistent <input checked="" type="checkbox"/> Not consistent <input type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> The project would remove existing historic materials and architectural features that characterize the property including original windows and would add a large second floor addition to a historically one-story home. The cumulative effects of the changes will negatively impact the historic resource, resulting in a loss of integrity.</p>
<p>3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.</p>	<p> <input type="checkbox"/> Consistent <input checked="" type="checkbox"/> Not consistent <input type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> The project would change the existing architectural character of the historic structure by adding a large second-story addition and other architectural elements. The second floor addition needs to be appropriately scaled so as to not create a false sense of historical development.</p>
<p>4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.</p>	<p> <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Not consistent <input type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> There appear to be no changes that have acquired their own significance.</p>
<p>5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.</p>	<p> <input type="checkbox"/> Consistent <input checked="" type="checkbox"/> Not consistent <input type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> First floor modifications include changing the number, location, size and glazing pattern of windows, removing original windows on the west and north facades.</p>

Standards for Rehabilitation	Staff Analysis
	While these facades are secondary, the cumulative impact of all changes needs to be taken into consideration.
<p>6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.</p>	<p> <input type="checkbox"/> Consistent <input type="checkbox"/> Not consistent <input checked="" type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> There is no indication that existing historic materials or features are deteriorated.</p>
<p>7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.</p>	<p> <input type="checkbox"/> Consistent <input type="checkbox"/> Not consistent <input checked="" type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> There is no indication that such treatments are proposed or expected to be needed.</p>
<p>8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.</p>	<p> <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Not consistent <input type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> There are no known archeological resources on the site. If archeological resources are discovered, the applicant would be required to comply with all applicable federal and State regulations pertaining to archeological resources.</p>
<p>9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the</p>	<p> <input type="checkbox"/> Consistent <input checked="" type="checkbox"/> Not consistent <input type="checkbox"/> Not applicable </p> <p><u>Explanation:</u> The size and scale of the new second floor addition is out of proportion in relation to the historic building, thus</p>

Standards for Rehabilitation	Staff Analysis
historic integrity of the property and its environment.	<p>diminishing the historic character;</p> <p>The addition appears to duplicate the exact form, material, style and detailing of the historic building so that the new work appears to be part of the historic building (can be avoided by detailing differentiation);</p> <p>The new garage would be compatible with and submissive to the main house.</p>
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.	<p><input type="checkbox"/> Consistent</p> <p><input checked="" type="checkbox"/> Not consistent</p> <p><input type="checkbox"/> Not applicable</p> <p><u>Explanation:</u> The proposed project could have a permanent impact on the essential form and integrity of the existing historic residence, especially with the proposed increase in wall height.</p>

Next Steps

Following the conclusion of the HRB session on December 14, 2017, the applicant may choose to submit a complete plan set for Individual Review or revised the plans to be consistent with the HRB's recommendations. The applicant may also choose to submit a Home Improvement Exception application.

Report Author & Contact Information

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(650) 329-2336
amy.french@cityofpaloalto.org

HRB² Liaison & Contact Information

Amy French, AICP, Chief Planning Official
(650) 329-2336
amy.french@cityofpaloalto.org

Attachments:

- Attachment A: State of California DPR Form 755 Hamilton (PDF)
- Attachment B: Historic Comments 755 Hamilton 17PLN-00314 (PDF)
- Attachment C: 755 Hamilton-IR-Eval (DOCX)
- Attachment D: Historic Resources Review Info Bulletin 10.13.16 (PDF)
- Attachment E: 755 Hamilton NOI (PDF)
- Attachment F: Project Plans (DOCX)
- Attachment G: Public Comment 536 Fulton Street (PDF)

² Emails may be sent directly to the HRB using the following address: hrb@cityofpaloalto.org

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 3S

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 5

*Resource Name or #: (Assigned by recorder) 755 Hamilton Ave

P1. Other Identifier: 755 Hamilton Ave

P2. Location: ☐ Not for Publication ☒ Unrestricted *a: County Santa Clara
and (P2c, P2e, and P2b or P2d. Attach Location Map as necessary.)
*b. USGS 7.5' Quad Palo Alto, CA Date 1991 T ____; R ____; ____ of ____ of Sec ____; ____ B.M.
c. Address 755 Hamilton Ave City Palo Alto Zip 94301
d. UTM: (Give more than one for large and/or linear resources) Zone ____; ____ mE/ ____ mN
*e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) APN 003 02 033

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The house at 755 Hamilton is an archetypal example of the California Bungalow of the 1920s. It is a one-story, wood-frame structure clad in stucco and covered by a low pitched roof with numerous gables. Although it does not come directly from Wilson's bungalow book published in the 1920s, the house is similar in plan and appearance to several houses in that book and appears to be based on a pattern book design. In 1949, the Tax Assessor identified a living room, dining room, three bedrooms, two baths, a kitchen, and a service porch. The living room is at the south corner, entered directly off the porch and identified on the exterior by the brick chimney on the southwest side. The dining room with its glazed wall and trellis is behind the living room and probably forms an interconnected space with it. The kitchen would be in the rear at the west corner. The three bedrooms are located along the northwest side of the house.

Principal stylistic features of the house are its projecting front porch with tapered columns, its overhanging eaves with exposed rafters and (fake) beams, its multiple gables, its dining room bay window, and its tapered brick chimney.

*P3b Resource Attributes: (List attributes and codes) HP2 Single family property

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (isolates, etc.)

P5a Photo or Drawing (Photo required for buildings, structures, and objects.)

P5b. Description of Photo:
(View, date, accession #) _____
755 Hamilton Ave; view northwest;
09/14/99; by B. Vahey; roll BRV-80,
neg #5

*P6. Date Constructed/Age and
Source: ☒ Historic
☐ Prehistoric ☐ Both
ca. 1920; City Directory

*P7. Owner and Address:
Alfred Werry Jr.
755 Hamilton Ave Palo Alto CA
94301

*P8. Recorded by: (Name,
affiliation, and address)
Michael Corbett, Dames & Moore
221 Main Street, Suite 600
San Francisco, CA 94105

*P9. Date Recorded:
March 23, 2000

*P10. Survey Type: (Describe)
Intensive

P11. Report Citation*: (Cite survey
report and other sources, or enter "none".) Palo Alto Historic Survey Update (Corbett and Bradley for Dames & Moore, 2000)

*Attachments: ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other (List) _____

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 5

*NRHP Status Code 3S

*Resource Name or # (Assigned by recorder) 755 Hamilton Ave

B1. Historic Name: _____

B2. Common Name: _____

B3. Original Use: _____ B4. Present Use: Single family property

*B5. Architectural Style: California Bungalow

*B6. Construction History: (Construction date, alterations, and date of alterations)
ca. 1920: Built (*City Directory*)
1922: Garage built

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: _____ Original Location: _____

*B8. Related Features: _____

B9a. Architect: _____ b. Builder: unknown

*B10. Significance: Theme B: Ralph Beal, C: California Bungalow Area Palo Alto

Period of Significance 1920-1934 Property Type Residential Applicable Criteria B and C
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

History

Site: The lot numbered 755 Hamilton had not been subdivided by the "Map of the City of Palo Alto" prepared about 1916. It does appear, however, on the *Map of the City of Palo Alto* of 1921 with the same borders it has to this day.

Structure: The *Palo Alto City Directory* first lists 755 Hamilton in the edition of 1920-1921 at which time the house there was occupied by Ralph R. and Merle Beal. Later editions of the *City Directory* identified Mr. and Mrs. Beal as the owners of their residence. One candidate for builder of the bungalow is Mrs. Beal's father, the Palo Alto contractor George G. Bertsche. The *Palo Alto Times* printed a building permit notice, on 3 October 1922, for a garage. The Sanborn map of 1924 shows house and garage and they remain unchanged on the map's update of 1949. Since 1922 the one-car garage has been replaced by a four-car garage.

Use: According to the record in the *Palo Alto City Directory*, Ralph Beal and his wife Merle Bertsche Beal were the first occupants and probably the first owners of 755 Hamilton. Beal worked for the Federal Telegraph Company from 1912 to 1926. He was based in Palo Alto except during World War I when he was resident engineer in Washington D.C. for the company. According to Ward Winslow (p. 204), Beal and two others "worked out the theory of the great arcs that Federal Telegraph

See continuation sheet

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References: _____

See continuation sheet.

B13. Remarks: _____

*B14. Evaluator: Michael Corbett

Date of Evaluation: March 23, 2000

(This space reserved for official comments)

(Sketch map with north arrow required)

CONTINUATION SHEET

Page 3 of 5

Resource Identifier: 755 Hamilton Ave

Recorded by Michael Corbett/Steve Hardy (history)

*Date March 23, 2000 ☒ Continuation ☐ Update

History (continued)

subsequently built to become the backbone of U.S. Navy communication during World War I." After the war, he returned to Palo Alto as chief engineer of the company and built the house at 755 Hamilton. He had left Palo Alto for New York in 1934 when he transferred by RCA. According to the *Palo Alto Times*, Beal was "an outstanding leader in radio research and television. . . He was considered an authority on radio research, including radar, the electron microscope, television, and the radio spectrum." The *Stanford Alumni Review* published, in March 1947, an obituary for Mr. Beal that said that during World War II, he directed development of RCA Laboratories and directed the work done there on television, microwaves, radar, the electron microscope, radio relays, and related research. He "worked closely with the government on many secret projects and was a member of the Microwave Committee of the Office of Scientific Research and Development." In 1934, Beal sold his house for \$5,500 to Alfred and Frederica Werry, owner of the Alfred E. Werry Electrical Shop at 303 University. Mr. Werry lived in the house until his death in 1995 at the age of 106 years.

Evaluation

This house, at 755 Hamilton, appears eligible for the NRHP under criteria B and C at the local level of significance. The period of significance is from 1920, when it was built, to 1934, when Ralph Beal sold it.

Under criterion B, it was the home of a leader in the early electronics industry in Palo Alto, who made significant contributions to American military technology in World War I and World War II.

Under criterion C, it is an archetypal example of a California bungalow of the 1920s.

References

California Office of Historic Preservation. *Instructions for Nominating Historical Resources to the California Register of Historic Resources*. Sacramento, CA. August 1997.

Map of the City of Palo Alto. ca. 1916, 1921.

Miller, Guy, editor. *Palo Alto Community Book*.

Palo Alto City Directory. 1920-1950.

Palo Alto Historic Survey Update. Property File.

Palo Alto Times. 3 October 1922, 25 January 1947, 18 August 1954.

San Jose Mercury News. 25 February 1995.

Sanborn Map Company. *Insurance Maps of Palo Alto*. New York: 1924.

Sanborn Map Company. *Insurance Maps of Palo Alto*. New York: 1924; revisions to 1949.

Stanford Alumni Review. March 1947.

Santa Clara County. Tax Assessor. Assessment Record. 1949, 1951, 1964, 1967.

United States Department of the Interior, National Park Service. *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*.

CONTINUATION SHEET

Page 4 of 5

Resource Identifier: 755 Hamilton Ave

Recorded by Michael Corbett

*Date March 23, 2000

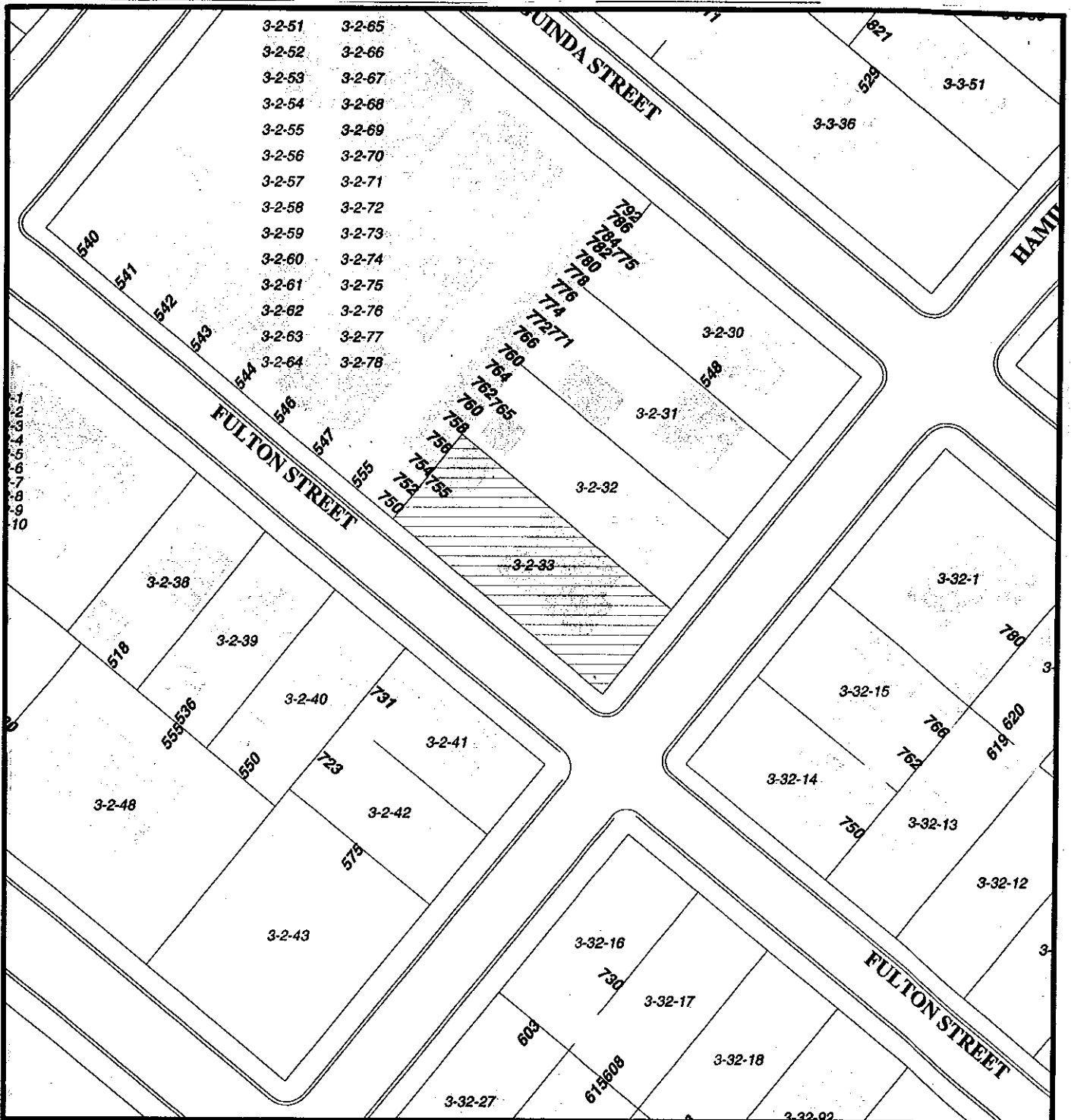
☒ Continuation

☐ Update

References (continued)

Wilson, Henry L. *California Bungalows of the Twenties*. Originally Published as *A Short Sketch of the Evolution of the Bungalow: From its Primitive Crudeness to its Present State of Artistic Beauty and Cozy Convenience*. Los Angeles: Henry L. Wilson, n.d. New York: Dover Publications, 1993.

Winslow, Ward and the Palo Alto Historical Association. *Palo Alto: A Centennial History*. Palo Alto: Palo Alto Historical Association, 1993.



The City of
Palo Alto



755 Hamilton Ave
003-02-033

This map is a
product of the
City of Palo Alto GIS





Development Review - Department Comments

City Department: Planning - Historic Preservation

Staff Contact: Emily Vance, Historic Preservation Planner
(650) 617-3125
emily.vance@cityofpaloalto.org

Date: 9/13/2017

Project Address/File #: 755 Hamilton Ave/ 17PLN-00314

The house at 755 Hamilton, built around 1920, is an archetypal example of the California Bungalow and principal stylistic features of the house are its projecting front porch with tapered columns, overhanging eaves with exposed rafters and (fake) beams, multiple gables, bay window and tapered brick chimney. The original 1922 garage was replaced with a four-car garage in 1950. It is historically known as the Beal House as Ralph R. and Merle Beal were the first occupants. Ralph Beal was a leader in the early electronics industry in Palo Alto and made significant contributions to American military technology in World War I and II. The home has been found eligible for the National Register of Historic Places under criteria B (people) and C (architecture) and eligible for the California Register of Historical Resources due to NR eligibility.

Due to the NR and CA eligibility, the project is subject to review for potential impacts to a historical resource pursuant to the California Environmental Quality Act (CEQA). According to CEQA, properties identified in an historical resource survey are presumed to be historically or culturally significant unless the preponderance of the evidence demonstrates that a property is not historically or culturally significant. Also according to CEQA, a project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties would not have a significant adverse impact on a resource. Additionally, City of Palo Alto Accessory Dwelling Unit Regulations (effective June 8, 2017) state that for properties considered a historic resource, compliance with the appropriate Secretary of the Interior's Standards shall be required.

The conversion of the garage, which was built outside the period of significance and possesses no historic or architectural merit of its own, complies with the Standards in that no historic material that characterizes the property is removed or destroyed, the multipaned windows are complimentary yet submissive to the features on the main building and the new ADU work is compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.

However, the work on the main residence is not considered minor and, based on review of the current submittal, does not appear to be consistent with the Standards as stated below. To be clear, modifications and a second story can be appropriate (Craftsman homes are typically one or one-and-one-half-stories but two-story examples occur in every subtype) but the cumulative effects of the changes will negatively impact the integrity of the historic resource:

- The size and scale of the new second floor addition is out of proportion in relation to the historic building, thus diminishing the historic character;
- The addition appears to duplicate the exact form, material, style and detailing of the historic building so that the new work appears to be part of the historic building (can be avoided by detailing differentiation);
- The addition is not set far back from the wall plane and is exposed and prominent from all views;
- First floor modifications include changing the number, location, size and glazing pattern of windows, removing original windows and adding conjectural multipaned windows (with entirely new fenestrations on primary facades), resulting in diminished historic character;
- Masonry features (chimney), which are important in defining the overall historic character of the building, are radically changed, resulting in a loss historic integrity.

Integrity of the home needs to be retained in order to remain eligible for listing on the National Register of Historic Places. Relevant aspects include retaining original material (like multipaned windows and masonry), design, workmanship and feeling. Historic Resources Board review is recommended.

A. The following comments are required to be addressed prior to Planning entitlement approval:

1. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize the historic property shall be preserved.
2. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. How the new work on the main house is differentiated from the old needs to appear on plans (simplified brackets, different material, etc.). New work on ADU is appropriate.
3. Current plans only depict south and east elevations. Plans need to show all elevations.

B. The following comments are required to be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc. These comments are provided as a courtesy and are not required to be addressed prior to the Planning entitlement approval:

4. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
5. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.



Development Review - Department Comments

City Department: Planning

Staff Contact: Arnold Mammarella (Consulting Architect)
510-763-4332
arnold@mammarellaarchitecture.com

Date: 9/25/2017

Project Address/File #: 755 Hamilton Avenue 17PLN-00314

INDIVIDUAL REVIEW GUIDELINES — GENERAL INFORMATION:

The Individual Review Guidelines are broadly intended to preserve the unique character of existing individual Palo Alto neighborhoods and maintain privacy between adjacent properties. **There are five specific guidelines that must be met for a project to be approved. Each guideline has an approval criterion as well as “key points” that staff reviews the proposal against. Illustrations are also provided to provide visual clarification of intent and examples of situations, which would or would not meet the guideline.** For additional information about the goals and requirements of the guidelines, the property owner and designer are directed to review the updated Palo Alto Single-Family Individual Review Guidelines booklet dated June 10, 2005.

Please note that neighbors may comment at any time during an open application.

INDIVIDUAL REVIEW GUIDELINES — EVALUATION

Staff has reviewed the proposed plans filed on August 25, 2017 for alterations to a single story home with a second floor addition and a detached garage/accessory structure for compliance with the IR Guidelines. This evaluation focuses on the five IR guidelines, although it is noted that the project requires historic review as the existing home was deemed NRHP eligible in 1998. Additional comments follow.

Site and Neighborhood Context Information

The property is a corner lot at the north side of the Fulton Street, Hamilton Avenue intersection. It is 60 feet wide facing Hamilton Avenue by 150 feet deep facing Fulton Street. It is bounded on the east/right side by lots of similar size with mostly two-story homes along Hamilton Avenue. Directly across the street on the Hamilton side (750 Hamilton Ave.) is a one-story home. Diagonally across the intersection and directly across the street on the Fulton side (731 Hamilton Ave.) are two story homes. Nearby homes are generally traditionally styled with period styles from the early 1900's. Directly behind the

property is a multi-family development. Note: IR Guidelines do not evaluate privacy considerations of multifamily property.

Presently the subject lot has a one-story Craftsman/California Bungalow home with a detached garage. The particularly noteworthy features of the home include:

- The house has a low-slung profile on the street due to its wide simple gables with 3:12 pitch, first floor being set uncharacteristically close to grade (12 inches or less), broad-low porch opening on the Hamilton side, low roof edge between the gables on the Fulton side, and deep eave and rake overhangs.
- There are two entry walks, porches. One from each street side, although the primary entrance is on narrow frontage on the Hamilton Avenue side.
- The deep fascia/oversized end rafters with distinctive end shaping supported by large wood knee braces.
- Cottage Style windows with square grids.
- Distinctive brick chimney facing Fulton Street.

Addition Summary:

The addition/alteration includes the following major features:

- The height of the principle roof at the first floor including the rakes/eaves/ridges facing the Hamilton Avenue (excluding the porch) and Fulton Street would be raised about 1.5 feet. It appears the wall plate height of the first floor would be raised 1 foot (from 9 to 10 feet) and the second floor framing would be set on top of the wall plates raising the eave height additionally about 6 inches depending on the framing detail.
- A second floor with a simple gable roof would be added. It would be centered on the first floor gables as seen from the Fulton Street side and set back from the first floor on the rear elevation and Hamilton Avenue side.
- A small cross gable over the second floor deck facing Fulton Street would be centered on the patio below, and the low roof that bridges the two gables would be eliminated.
- The brick chimney would be extended in height, although it is not clear on the drawing the material of the extended portion of the chimney. It is also not clear that the fireplace is wood-burning, but this is suggested by the height of the chimney.
- Windows on the first floor appear to be changed out. The general appearance would be similar except the taller proportions of the windows and the facades. The second floor windows appear to match the first floor windows. Specific information on materials and detailing were not provided.
- The eaves and rakes appear to be similar in dimensions and detailing with the existing house as does the stucco texture although notes to this effect were not provided.

G1 — Basic Site Planning: Placement of Driveway, Garage, and House

Approval Criterion: The driveway, garage, and house shall be placed and configured to reinforce the neighborhood's existing site patterns (i.e. Building footprint, configuration and location, setbacks, and

yard areas) and the garage and driveway shall be subordinate to the house, landscaping and pedestrian entry as seen from the street.

[Guideline Key Points: 1. Minimize the driveway's presence and paving; 2. Locate the garage to be subordinate to the house; 3. Configure the house footprint to fit the neighborhood pattern; 4. Create landscaped open spaces between homes; 5. Locate the upper floor back from the front facade and/or away from side lot lines when next to one-story homes; and 6. Do not place the second floor so that it emphasizes the garage.]

Comments: Presently the project has two curb cuts on the Fulton Street side with one curb cut accessing the parking court and garage and the second in the yard area forward of the garage at the garage's sidewall. While most of the site planning is not changing from the existing conditions, the accessory structure has been changed to front the garage door onto the street and the project is a large remodel addition. Typically two curb cuts are not permitted along a street frontage. And per this guideline driveway presence and paving should be minimized as viewed from the street.

In this case if the goal is to access the garage directly from the street with the remodel with a street facing garage door than the second curb cut-driveway should be eliminated in favor of landscaping. Alternatively if the existing garage access point and parking court were maintained the curb cut forward of the garage could be removed as well as the driveway and landscape provided. Additionally, the garage which looks to be two 2-car garages but each two car garage would not meet present zoning could be maintained as a nonconforming conditions for two cars if accessed off the parking court. If this were the case than it might be beneficial to locate the ADU facing the street where it could benefit from a landscaped patio area.

G2 — Neighborhood Compatibility for Height, Mass, and Scale

Approval Criterion: *The scale (perceived size), mass (bulk or volume) and height (vertical profile) of a new house or upper story addition shall be consistent with the existing neighborhood pattern with special attention to adapting to the height and massing of adjacent homes.*

[Guideline Key Points: 1. Do not overwhelm an adjacent one-story home; 2. Do not accentuate mass and scale with high first floor level relative to grade, tall wall planes, etc.; 3. Minimize height offsets to adjacent neighbors' roof edges, including adjacent one-story roof edges; 4. Place floor area within roof forms to mitigate mass and scale; 5. Locate smaller forms forward of larger forms to manage perceived height; and 6. Use roof volume rather than wall plate height to achieve interior volume.]

Comments: The overall height, mass, and scale of the proposed house with addition would be generally consistent with the existing neighborhood pattern of mostly two-story houses. Setting the upper floor back/in from the first floor walls helps mitigate mass and scale.

G3 — Resolution of Architectural Form, Massing, and Rooflines

Approval Criterion: *The architectural form and massing shall be carefully crafted to reduce visual mass*

and distinguish the house's architectural lines or style. Roof profiles shall enhance the form, scale, and proportion of primary and secondary house volumes, while rendering garage and entry forms subordinate in mass and scale to principal building forms. Upper floor additions shall also be balanced and integrated with the existing building.

[Guideline Key Points: 1. Adjust floor plans to work for building form; 2. Use the vocabulary of a particular style to compose forms and rooflines; 3. Avoid awkwardly placed additions; 4. Use a few well-proportioned masses to avoid a cluttered appearance of too many elements; and 5. Adjust roof layouts, ridge orientations, eave lines, etc. to reduce mass and enhance form.]

Comments: Form and massing of rooflines is looked at somewhat differently with the IR guidelines that with the historic review criteria. A primary concern is that the resulting forms with the addition are integrated and balanced. Here as in under guideline four there is not priority placed on differentiating old and new. There are also concerns about form, scale and proportion as well as crafting the massing to reduce visual mass and distinguish the home's architectural lines.

While overall, the massing retains Craftsman/California Bungalow inspired architecture the proportions have changed and mass and scale are more amplified with the addition where they could have been crafted to reduce visual mass. Specifically,

- Raising the roofline of the existing house about 1.5 feet depletes the first story's rooflines of their horizontal profile and makes the front porch seem less integrated. While taller room heights on the first floor may be desirable it impacts the massing considerably and adds bulk and mass to the house. Raising the roof at the first floor also creates possible zoning issues of increasing the height of nonconforming elements (walls or eaves in setbacks). This should be verified with planning staff as to whether this is permitted under zoning or requires additional permits such as an HIE. The recommendation is to retain the existing roof height at the first floor and adjust the detailing of structural members to support the second floor without altering the first floor roofline.
- The chimney extension is quite tall and awkward to the building massing. Maintaining the existing chimney and converting the fireplace to a gas fireplace is recommended.
- How the balcony off bedroom 2's closet sits on the roof below looks rather tentative. It's not clear if the framing is integrated or the balcony abuts the roof etc. This should be clarified. As an alternative a bay window could be used with adjustments to the design of the closet and bath 5. If a bay window were used the roof over the bay window could not be the gable unless the bay window were counted towards floor area as the roof over the bay window cannot exceed the height of the adjacent roof unless the bay window is counted as floor area.

G4 — Visual Character of Street Facing Facades and Entries

Approval Criterion: *Publicly viewed facades shall be composed with a clear and cohesive architectural expression (i.e. The composition and articulation of walls, fenestration, and eave lines), and include visual focal point(s) and supportive use of materials and detailing. Entries shall be consistent with the existing neighborhood pattern and integrated with the home in composition, scale and design character.*

The carport or garage and garage door shall be consistent with the selected architectural style of the home.

[Guideline Key Points: 1. Compose facades to have a unified/cohesive character; 2. Use stylistically consistent windows and proportion and adequate spacing between focal points; 3. Add visual character with architecturally distinctive eaves, window patterns and materials; 4. Do not use monumental entries/ relate entry type and scale to neighborhood patterns; and 5. Design garage openings and door panels to be modest in scale and architecturally consistent with the home.]

Comments: Generally the design of facades, materials and detailing are moving in the right direction except the taller windows with the extra subdivision below the transom seem out of sync with the architectural style. These could be proportioned to be a taller cottage style window without the extra sash or kept at the existing height with the recommended retention of the existing roofline.

Also, the garage door material needs to be noted and the door panel design refined so that it reflects the building architecture as required by this guideline. A stained wood door reflecting detailing of the entry door or a painted wood door related to the window design are options. It could match the windows for a pattern of glazing at the upper panel and lower panels should have a less horizontal presentation. The door should have stile and rail construction and not be molded metal or fiberglass door if it faces the street.

Notes or details should be provided indicating that eaves and windows/window trim match the existing.

G5 — Placement of Second-Story Windows and Decks for Privacy

Approval Criterion: *The size, placement and orientation of second story windows and decks shall limit direct sight lines into windows and patios located at the rear and sides of adjacent properties in close proximity.*

[Guideline Key Points: 1. Gather information on neighbors' privacy sensitive windows, patios, yards; 2. Mitigate privacy impacts with obscure glazing, high sill windows, permanent architectural screens or by relocating/reorienting windows; 3. Avoid windowless/unarticulated building walls, especially where visible from the street; and 4. Limit upper story deck size and locate decks to result in minimal loss of privacy to side or rear facing property.]

Comments: It appears that the wide side-facing window at bedroom 3 would look into the neighbor's yard and possibly into the neighbor's wide first floor window along the driveway or the second floor window. The landscape does not appear tall enough to screen views. Obscure glazing could be used for the lower portion of the window for mitigation. Note: show both first and second floor windows on the neighbor's facing wall on the privacy diagram.

The window at the stair could also be an issue, as the neighbor appears to have windows on the first floor along the driveway side that would be impacted from views downward from occupants on the stair. This could also be mitigated with obscure glazing.



Historic Resources & Permit Review Requirements



- Historic resources enrich the quality of life in Palo Alto. They include buildings, structures, sites, and areas of historical, architectural, and cultural significance. The Planning Department groups historic resources according to the development application review procedures that apply. Some development projects involving historic resources are subject to review under the City's Historic Preservation Ordinance (Municipal Code Chapter 16.49) and/or the California Environmental Quality Act (CEQA), as explained further below and on the reverse page.
- For information on a specific property, please review a Parcel Report for the subject property, available at the City's website at <http://www.cityofpaloalto.org/gov/depts/pln/parcel.asp>, or request a Parcel Report from City staff at: Development Services, 285 Hamilton Avenue; (650) 329-2496; planner@cityofpaloalto.org.

What is a "Group A" Historic Resource?

A "Group A" historic resource is an existing property that is listed in the Palo Alto Historic Inventory, and which is subject to Historic Resources Board (HRB) review under the City's Historic Preservation Ordinance. A "Group A" resource may also be subject to CEQA review as explained on the reverse page. "Group A" resources include historic properties that are **one or more of the following**:

- Listed in the City's Inventory as Historic Category 1-2; or
- Listed in the City's Inventory as Historic Category 3-4 and located in the Downtown Area; or
- Located in one of the City's locally designated historic districts, Professorville or Ramona Street.

What is a "Group B" Historic Resource?

A "Group B" historic resource is an existing property that was previously designated or formally evaluated, and which may be subject to CEQA review as explained on the reverse page. "Group B" resources are subject to HRB review if CEQA review indicates that a resource may be impacted. "Group B" resources include historic properties that are **one or more of the following**:

- Listed in the City's Inventory as Historic Category 3-4 and located outside of the Downtown Area and local historic districts; or
- Listed in the National Register of Historic Places (NR) or the California Register of Historical Resources (CR); or
- Listed in the Palo Alto Historic Survey Update (Dames & Moore, 1997-2000) as NR-eligible or CR-eligible; or
- Previously determined CR-eligible through a development application review procedure.

When Does a Property Require Evaluation as a Historic Resource?

A property that has not yet been evaluated or designated may qualify as a historic resource for the purposes of CEQA review. In the case of a development application being filed for certain properties which have not yet been evaluated or designated, a Historic Resource Evaluation (HRE) report to determine CR-eligibility may be required in order to complete a CEQA review. The City of Palo Alto may require an HRE report to be completed for an existing property if the property **meets all of the following conditions**:

- A "discretionary" development application proposes demolition, new construction, new addition, or other substantial exterior alterations; and
- The existing development on the property is more than 45 years old; and
- The existing property is not a single-family residence in a Single-Family Residential zone. (A single-family residence in any non-Single Family Residential zone, or a non-single family residence in any zone, is subject.)

See the reverse page for application review procedures.

**APPLICATION REVIEW PROCEDURES FOR HISTORIC RESOURCES
AND PROPERTIES THAT REQUIRE HISTORIC RESOURCE EVALUATION**

HISTORIC PRESERVATION ORDINANCE (PAMC 16.49) REVIEW PROCEDURES	CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW PROCEDURES
<p style="text-align: center;">“GROUP A” HISTORIC RESOURCES</p> <p style="text-align: center;"><i>See the reverse page for explanation of properties that qualify as “Group A” Historic Resources.</i></p>	
<p>Route any permit applications for exterior changes (including ministerial) to the Historic Resources Planner.</p> <ul style="list-style-type: none"> ➤ The Planner reviews the application for consistency with the Secretary of the Interior’s Standards for Rehabilitation* (“Standards”) and the Historic Preservation Ordinance. ➤ If the project is inconsistent with the Standards, or it exceeds the scope of a “minor exterior alteration” according to the Historic Preservation Ordinance, the Planner refers the application to the HRB. 	<p>Route discretionary development applications** for exterior changes to the Historic Resources Planner.</p> <ul style="list-style-type: none"> ➤ The Planner reviews the application for consistency with the Secretary of the Interior’s Standards for Rehabilitation* and potential impacts to a historic resource per CEQA. ➤ If CEQA analysis indicates that there may be a potential impact to a historic resource, the Planner refers the application to the HRB.
<p style="text-align: center;">“GROUP B” HISTORIC RESOURCES</p> <p style="text-align: center;"><i>See the reverse page for explanation of properties that qualify as “Group B” Historic Resources.</i></p>	
<p>Not subject to the review procedures in the City’s Historic Preservation Ordinance.</p> <p>(Only “Group A” properties are subject to review under the Historic Preservation Ordinance. For more information, see PAMC 16.49.050.)</p>	<p>Route discretionary development applications** for exterior changes to the Historic Resources Planner.</p> <ul style="list-style-type: none"> ➤ The Planner reviews the application for consistency with the Secretary of the Interior’s Standards for Rehabilitation* and potential impacts to a historic resource per CEQA. ➤ If CEQA analysis indicates that there may be a potential impact to a historic resource, the Planner refers the application to the HRB.
<p style="text-align: center;">PROPERTIES THAT REQUIRE EVALUATION AS HISTORIC RESOURCES</p> <p style="text-align: center;"><i>See the reverse page for explanation of when a property requires evaluation as a historic resource.</i></p>	
<p>Not subject to the review procedures in the City’s Historic Preservation Ordinance.</p> <p>(Only “Group A” properties are subject to review under the Historic Preservation Ordinance. For more information, see PAMC 16.49.050.)</p>	<p>Route discretionary development applications** for demolition, new construction, addition, or substantial exterior alterations to the Historic Resources Planner.</p> <ul style="list-style-type: none"> ➤ The Planner determines if a Historic Resource Evaluation (HRE) report is required in order to conduct and complete CEQA review. If a property is found to be eligible for the California Register of Historical Places, it is reviewed as a “Group B” historic resource.

*The Secretary of the Interior’s Standards for Rehabilitation are found on the National Park Service’s website at:

<https://www.nps.gov/tps/standards/rehabilitation.htm>.

**Discretionary development applications include: Architectural Review; Design Enhancement Exception; Home Improvement Exception; Neighborhood Preservation Exception; Single Family Individual Review; Site and Design Review; Variance.



CITY OF
**PALO
ALTO**

PLANNING & COMMUNITY ENVIRONMENT

250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
650.329.2441

September 19, 2017

Martin Bernstein
P.O. Box 1739
Palo Alto, CA 94302
Email: martinberstein617@gmail.com

RE: 755 Hamilton; Single Family Individual Review; 17PLN-00314

Thank you for submitting your Individual Review, Historic Review, and Variance application for a second story addition to an existing single story home in the R-1 zoning district. The application was reviewed to ensure conformance with applicable Zoning regulations and the City's Individual Review Guidelines.

The signed application was submitted on August 25, 2017 for review by Planning Staff, but cannot be deemed complete at this time. A revised set of plans incorporating the following information and requirements must be submitted for review:

A. PROJECT DATA and VICINITY MAP –

- Note if project site in a Special Flood Hazard Area.
 - (1) If Yes, project must be discussed with Public Works Dept. **prior** to application submittal. A Base Flood Elevation (BFE) and elevation of the lowest floor of the proposed structure shall be provided.

B. NEIGHBORHOOD CONTEXT

- Neighborhood privacy diagram - Show proposed 2nd floor plan including windows and major on-site vegetation. For all adjacent sites show major vegetation, building footprints, windows (indicate size and location), and patios within 40 feet of the property lines. Provide info on site plan or as a separate diagram.

C. SITE PLAN

- Fences/walls on the site (note fence height and material). Indicate if existing fence to remain or be replaced.
- Dimension both driveway widths
- Dimension all required and proposed setbacks including any special setbacks and contextual front setback (if contextual setback is greater than standard setbacks)
 - i) Include dimension for street side yard and accessory structure (side and rear)
- Show all adjacent building footprints including patios, windows and landscaping within 25 feet of the property (can be done on privacy diagram)
- Label outdoor mechanical equipment
- Topographic elevation of the first floor level and spot elevations of existing and finished grade around property to determine daylight plane compliance and adjacent to building footprint for height measurement.

D. TOPOGRAPHIC SURVEY AND GRADING & DRAINAGE PLAN

- Topographic survey prepared by a qualified surveyor illustrating the legal boundaries, dimensions of all property lines, easements, right-of-way, trails, public utilities and utility poles, location of all existing improvements/structures, setback of existing improvements/ structures, tree trunks, tree species (if possible) and accurate depiction of tree canopies/drip line along with spot elevations across the site, including designated spot elevations from where the building height and daylight planes will be measured.
 - i) Topo Survey should be stamped by licensed surveyor who prepared the document.
- If located within a Special Flood Hazard Area, provide the Base Flood Elevation (BFE) and the elevation of the lowest floor of the proposed structure.
- Submit any pending FEMA applications or approved documents for Letter of Map Amendment (LOMA) or Conditional Letter of Map Revision based on Fill (CLOMR-F).

E. GREEN BUILDING (GB) PROGRAM SHEET

- The appropriate GB application shall be completed, **signed**, and included as a sheet in the plan set.

F. TREE PROTECTION PLAN SHEET

- Completed [T-1 sheet](#) filled out and **signed** by the property owner or applicant.

G. FLOOR PLANS

- Show interior dimensions for garage

H. BUILDING ELEVATIONS

- Elevations of all sides of all buildings, including accessory structures and street facing fences/walls.
- Indicate existing grade and finished floor elevation for existing structure and dimension overall height for existing elevation
- Daylight planes and average grade elevation
 - i) Include left side daylight plane on front elevation
 - ii) Include daylight plane for accessory structure. Note that accessory structure daylight plane is different for accessory structures.
- Note on plans indicating the daylight plane grade reference point. The note shall state: "Grade for the purpose of establishing daylight plane shall be an average of the grade at the midpoint of the building and grade at the closet point on the adjacent lot."
- Grade elevation from where the maximum height is measured and finished floor elevation
- Show window operation and label height of any obscured glazing
- Label height of window sills above second floor finished floor for side
- Note material and finish for roofing, siding, windows, entry and garage doors, trim, railing, chimney, eaves, etc.

I. ROOF PLANS

- Show roof pitches and dimension overhang depths
- Provide a detail for all eaves that are proposed beyond a required setback or daylight plane.

J. SECTIONS (Two sections minimum)

- Provide an additional longitudinal cross section for the proposed house.
-

- Indicate roof pitch, floor to floor heights, topographic height of first floor, floor to grade heights, plate heights at upper levels, attic, stairs, cathedral ceilings, outlines of building eaves and rakes (separate details may need to be provided for eaves/rakes), etc.

The following comments are required to be incorporated into a revised plan set prior to Planning entitlement approval:

ZONING REVIEW:

1) Cover Sheet/ Site Plan

- a. The 175 sf ADU floor area bonus cannot be counted towards the total floor area for the site. The extra 175 square foot bonus is only allowed for sites that are already built out to the max floor area, and would exceed the maximum floor area with the addition of a new ADU. In this case, the square footage for the ADU is existing (within accessory garage), the site is not built out to its max 3,450 sf, and therefore would not qualify for the FAR exception. Please revise floor area accordingly, so that the max floor area does not exceed 3,450 sf.

iii. FAR. When the development of a new one-story accessory dwelling unit on a parcel with an existing single family residence would result in the parcel exceeding the maximum floor area, an additional 175 square feet of floor area above the maximum amount of floor area otherwise permitted by the underlying zoning district shall be allowed. This additional area shall be permitted only to accommodate the development of the accessory dwelling unit.

- b. Within the project data breakdown, please separate the garage floor area from the proposed ADU since the ADU is new.
- c. Roof eaves are permitted to encroach up to 2' in required side yard setbacks. Please include a dimension for proposed roof eaves. It appears they are slightly over the 2' max encroachment as proposed.
- d. Include dimension from property line for street facing balcony.
- e. Please include calculation which shows the area of the accessory structure that is within the rear yard. As required by Section 18.12.060, accessory structure in setbacks shall not occupy an area exceeding fifty percent of the required rear yard. Additionally, the length of the garage on the Site Plan does not dimension to 36'-2" as shown on the floor plan. Please review and revise where applicable.

2) Streetscape Elevations

- a. The height of homes included in the streetscape needs to be revised for accuracy. Staff confirmed the home at 771 Hamilton is 25 feet in height. Please confirm other heights.

3) Floor Plan

- a. The first floor data on the floor area plan on Sheet A3.3 totals to 1,727.82, but you indicate 1,770 for the total first floor square footage. Please review and revise.
- b. Will there be any new walls on first floor or is the patio enclosure the only portion being demolished? Include wall legend for first floor plan if there are more walls to be removed and or new walls to be built (including areas where windows are being removed).
- c. Include wall legend for new walls, existing walls, and demolished walls in accessory structure.
- d. Indicate where windows are New and/or Existing on the Ground floor of the main house.

- e. Since the street side yard setback is legal non-conforming at 15.8' (where 16 feet is required) and work is proposed which will modify that wall potentially to a degree that the noncomplying wall cannot realistically be maintained in its existing condition, a valuation process may be required to determine if the proposed work can occur per the Code Section referenced below.

Per Section 18.70.100(b), When the damage or destruction of a noncomplying facility affects a portion of the facility that constituted or contributed to the noncompliance, any replacement or reconstruction to such damaged portion shall be accomplished in such manner as not to reinstate the noncompliance or degree of noncompliance caused by the destroyed or damaged portion of the facility, and otherwise in full compliance with this title; however, if the cost to replace or reconstruct the noncomplying portion of the facility to its previous configuration does not exceed fifty percent of the total cost to replace or reconstruct the facility in conformance with this subsection, then the damaged noncomplying portion may be replaced or reconstructed to its previous configuration. In no event shall such replacement or construction create, cause, or increase any noncompliance with the requirements of this title.

Thus, the options moving forward would be...

- a) Provide a valuation (by a licensed contractor) for the cost to replace/reconstruct the noncomplying portion of the home to its previous noncomplying configuration. That valuation must demonstrate that it does not exceed fifty (50) percent of the total cost to move the wall and bring the structure into compliance with the current zoning standard (i.e. 16' street side yard setback). Using simplified numbers for example purposes, if it cost \$1,000 to move the entire wall to bring the portion of the home into compliance, the cost to modify the wall structure (add/modify windows, supporting framework, structural support, labor, et cetera) must not exceed \$500. This valuation will be reviewed and requires approval by the City's Chief Building Official. If approved, a condition of approval would be put in place requiring field inspections to ensure any additional alteration, demolition or construction to the existing noncomplying project area (outside of the approved work) has been done.
 - b) Revise the design and scope-of-work to bring the structure into conformance (i.e. move the wall out of the setback) with current municipal code of 16' street side yard setback.
 - c) Maintain the existing conditions of the structure.
- f. Per Section 18.54.020, the required interior dimensions for a two car garage are 20' x 20'. This area shall be free and clear of any obstructions such as washing machines, water heaters, mechanical equipment, etc. On the proposed floor plan the depth of the garage dimensions to appx 17'-6" up to the water heater and washer/dryer. This is too short for the required 20' x 20' required interior dimensions. The width requirement also needs to be 20'. Please include a width dimension as well to demonstrate compliance.

4) Elevations

- a. In addition, to providing additional elevations (and daylight plane) for the accessory structure, please provide additional detail on material changes, roof changes, etc for the accessory structure (on all sides). If the structure does not meet the daylight plane requirement, there may be issues with the extent of work permitted on the structure given its nonconformity.

K. For your information: Impact Fees and other ADU requirements Per Section 18.42.040 and effective on June 8, 2017 and applicable to this project.

- New ADUs require the payment of development impact fees at time of building permit issuance. The estimated cost for the fees are approximately **\$9,500**. Prior to any future planning entitlement, a final estimate will be given to the applicant.
- Sale of Units: The Accessory dwelling unit shall not be sold separately from the primary residence.
- Short term rentals. The accessory dwelling unit shall not be rented for periods of less than 30 days.
- Number of Units Allowed: Only one accessory dwelling unit or junior accessory dwelling unit may be located on any residentially zoned lot.
- Existing Development: A single-family dwelling shall exist on the lot or shall be constructed on the lot in conjunction with the construction of the accessory dwelling unit.
- Occupancy: The owner of a parcel proposed for accessory dwelling use shall occupy as a principal residence either the primary dwelling or the accessory dwelling, unless both the primary dwelling and the accessory dwelling are rented to the same tenant and such tenant is prohibited from sub-leasing the primary dwelling or the accessory dwelling.
- Prior to issuance of a building permit for the accessory dwelling unit, the owner shall record a deed restriction in a form approved by the city that: includes a prohibition on the sale of the accessory dwelling unit separate from the sale of the single-family residence; requires owner-occupancy consistent with subsection (a)(9)E. above; does not permit short-term rentals; and restricts the size and attributes of the accessory dwelling unit to those that conform with this section.
- Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.
- Street Address Required: Street addresses shall be assigned to all accessory dwellings to assist in emergency response.

INDIVIDUAL REVIEW GUIDELINES: comments forthcoming

DEPARTMENT COMMENTS

Attached are memorandum(s) from other departments/ divisions and outside agencies as indicated below. These comments are preliminary and are intended to notify you about potential requirements for development. As required, comments contained in the attached memos shall be incorporated into the revised plan sets. Concerns about any of these issues should be brought to my attention so that I can coordinate with appropriate City staff on your behalf.

- Public Works Engineering – see attached conditions
- Urban Forestry Division – see attached conditions
- Historic – comments attached

TIMELINE

The Current Planning Division has a goal of processing Individual Review applications within four months of submittal. In order to meet this processing goal, we request that revised plans be submitted to the 5th floor of City Hall within 14-21 days of receiving this letter. Please submit one (1) full-size set, two (2) reduced set of plans, an electronic copy for review, and a letter describing the changes that have been made to address staff's comments. If you have any questions, please contact me at 650-329-2662 or by email at

haleigh.king@cityofpaloalto.org.

PUBLIC COMMENTS

The public comment period ended 21 days after a notice regarding the application for Single Family Individual Review was posted on your property. However, public comments may be received at anytime during the application process. The City has received comment letters from one (1) nearby property owner at this time (see attachment).

Please note that this letter does not constitute a final staff review of your application submittal. Additional comments may arise following the receipt of plans and/or materials requested in this letter.

Sincerely,

/s/

Haleigh King
Associate Planner

Attachment F

Project Plans

Hardcopies of project plans are provided to the Planning and Community Environment Director. These plans are available to the public by visiting the Planning and Community Environmental Department on the 5th floor of City Hall at 250 Hamilton Avenue.

Directions to review Project plans online:

1. Go to: <https://palalto.buildingeye.com/planning>
2. Search for "755 Hamilton" and open the record by clicking on the green dot
3. Review the record details and open the "more details" option
4. Use the "Records Info" drop down menu and select "Attachments"
5. Open the attachment named "**Revised Plans_11.30.17_Combined**"

King, Haleigh

From: Nounou T <nounout@gmail.com>
Sent: Wednesday, September 06, 2017 11:30 AM
To: King, Haleigh
Subject: 755 Hamilton

Dear Planning Committee

I vehemently oppose the construction project being considered for 755 Hamilton. To allow for an additional 2000 square foot second story in addition to the already 2000 square foot addition to the original 1800 sq ft home and basement. This is a huge project that is bound to take years to complete, given the comparison remodels on Hamilton (811, 830 Hamilton, and 619 and 625 Fulton, all within 200 feet of our homes)

This beautiful house has been on this block since 1918, that is 100 years!!! The proposed project is yet another original home in Crescent Park, being made into a mega mansion. As an example, 811 Hamilton, on the adjacent block. The original house was torn down, re- built into a mega mansion, sold for nearly 10 million dollars and has been VACANT for the past 2 years.

The noise, the pollution and the construction of such a massive project will NO DOUBT place on undue burden on me and my neighbors on Fulton Street.

Please please reconsider before allowing this project.

Nounou Taleghani
536 Fulton Street