



MEETING OF MAY 2, 2006

AGENDA ITEM NO. 6B

Application I.D.: 2006-0015

Application Type: Single Family Design Review

Location: 902 Chevy Street

Applicant: Ann Lok Lee

Owner: Philip Lau and Quina Chang

APN: 044-324-070

Zoning: R-1C – Single Family Residential

General Plan Designation: RL – Low Density Residential

Environmental Determination: Categorically Exempt, Section 15301, Class 1(e)(2)(a& b)

PROJECT DESCRIPTION

The applicant has requested Single Family Design Review approval to construct an 895 square foot ground floor addition to an existing 1,851 square foot single family residence resulting in a total of 2,746 square feet that is below the zoning district permitted 3,500 square feet for this site.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution¹.

ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence (and proposed addition thereon) is a permitted use in the designated R-1C, Single Family Residential zoning district, and is conforming to the General Plan designation RL, Low Density Residential.

PRIOR ACTIONS

The subject property was established as part of the Belburn Village subdivision in 1927. The existing house was built in 1948. There have been no prior planning actions on this property.

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.

STAFF REPORT

RE: 902 Chevy Street - #PA2006-0015

May 2, 2006

Page 2

500 FOOT RADIUS MAP

SITE CONDITIONS

The subject property is located in a neighborhood of one and two-story single-family homes with a mixture of stucco and wood exterior finishes. The slope of the 6,696 square foot lot is level. The lot is developed with a single-story house with a detached two-car garage.

The site includes a well-maintained mature lawn in front and a lawn in poor condition in the rear yard, concrete walkways in the front and rear and a concrete pad in the rear yard. There is one protected 30” diameter redwood tree in the rear yard and a 46” diameter acacia tree at the rear property line that is not a protected tree. Another redwood tree is situated on the adjacent property to the north and overhangs the subject property. More discussion follows in the Project Analysis regarding protection measures during construction for these trees.

PROJECT ANALYSIS

Existing Dwelling Floor Area/Layout

The 1,851 square foot residence consists of a living room, dining room, kitchen with breakfast nook, three bedrooms, one bathroom, a utility room, a small basement and a detached two-car garage with interior dimensions of 18’6” by 19’.

Proposed Modifications

The proposed 895 square foot addition and remodel to the existing ground floor consists of:

- o Removal of bedroom #3 and dining room and redesign area as a family room
- o Remodel of kitchen and expansion of area to include a new dining room
- o Two new bedrooms
- o Two new bathrooms
- o No changes to existing garage

Dwelling Floor Area Summary		
Square Footage		Existing Layout/Proposed Additions
<u>Existing First Floor:</u> 1,851 sq. ft.		<u>Existing First Floor:</u> Living and dining rooms, kitchen with breakfast nook, three bedrooms, one bathroom, utility room, basement, and detached two-car garage.
<u>New First Floor Expansion:</u> 895 sq. ft.		<u>Proposed First Floor Expansion:</u> Entry area, two new bedrooms, two new bathrooms, family room, redesign of dining room, removal of bedroom
Total	2,746 sq. ft.	

Exterior Materials/Colors

The proposed addition would have a wood siding exterior finish and an asphalt composition shingle roof to match existing. The new addition would take advantage of natural light with a skylight in the master bathroom and sliding glass doors flanked by tall stationary windows in the hallway and master bedroom.

The color palette embodies earth tones: medium beige for the wood siding finish, dark gray/green for the roof and off-white window and door trim. The building colors and materials are illustrated on the attached sample sheet (See Attachment VI).

Landscaping and Groundwork

The subject property has mature existing grass lawn areas and flowering shrubs in the front and side yards that are in good condition, and no changes are proposed for these areas. The rear yard contains a less maintained lawn and a concrete pad that would be removed for the new construction. The existing driveway would be cut back slightly to allow for the new dining room addition and new flower bed. A new pea gravel walkway would be installed between the existing driveway and the new addition.

A 30" protected redwood tree (Tree #1) rated in "fair" condition is situated approximately 7' (as measured to the edge of the trunk) from the proposed new foundation footprint of the rear addition. The City Arborist (see Arborist Report, Attachment V) recommends tree protection measures during construction. Should this tree be removed, mitigation plantings and a tree removal fee would be required. Staff has included City Arborist recommendations in the Conditions of Approval (Attachment III).

Another 36" protected redwood tree (Tree #2) rated in "poor" condition is situated on the adjacent property to the north and overhangs the subject property, but this tree would not be impacted by the proposed construction. However, the Arborist report recommends no landscape planting or irrigation trenching within 25' of the trunks of either of the redwood trees. Staff has included these recommendations in the Conditions of Approval (Attachment III).

A third large 46" acacia tree (unregulated and not assessed by the City Arborist) is situated on the rear property line close to Tree #1. This species is not protected or regulated within the City of Belmont. However, due to the overcrowding of Tree #1 by the acacia, the arborist report recommends pruning the southside scaffold branches of the acacia tree to allow more light and room for the redwood tree.

The proposed construction would occur on flat, already developed surface and would require minimal grading. No changes are proposed for the front yard, existing driveway, and garage.

PROJECT DATA

Criteria	Existing	Proposed	Required or Max. Allowed
Lot Size	6,696 sq. ft.	No Change	No Change
Slope	0%	No Change	No Change
FAR	0.276	0.410	0.533
Square Footage	1,851	2,746 sq. ft.	3,452 sq. ft. + 48 sq. ft. <u>floor area reserve*</u> 3,500 sq. ft.
Parking	Two-car garage (18'6" x 19') Two uncovered	Two-car garage (18'6" x 19') Two uncovered	Two-car garage (17' x 18')* Two uncovered
Setbacks:			
Front (east)	27 ft.	No change	NA**
Side (north)	8 ft.	No change	6 ft.
Side (south)	5 ft.	5 ft.	5 ft.***
Rear (west)	36 ft. 6 in.	17 ft.	15 ft.
Driveway length	100 ft.	No change	18 ft.
Height	15 ft.	15 ft.	28 ft.

*Existing two-car garages with an interior dimension of 17'x18' may remain a legal nonconforming two-car garage per the provisions of BZO Section 8.3.1(e).

**As the proposed addition does not encroach upon the existing front yard setback on Chevy Street, the provisions of BZO Section 9.7.4(a) were not evaluated.

** Proposed additions may continue existing non-conforming side yard setback per BZO Section 9.6.3.

GENERAL PLAN CONFORMANCE

The proposed new single-family residence does not change the intended land use of the site. The residence is in conformance with the low-density residential general plan designation.

ZONING CONFORMANCE

1. The existing two-car garage has an interior dimension of 18'6" by 19' (352 square feet) and is non-conforming to the current zoning standard of 20' by 20' (400 square feet). However, this garage was built in 1948 prior to the adoption of the Belmont Zoning Ordinance and may continue as a legal non-conforming garage per the provisions of BZO Section 8 as follows:

8.3.1(e) MINIMUM GARAGE DIMENSION

A garage containing two parking spaces shall have an inside dimension of not less than 20 feet by 20 feet; however, any garage constructed prior to the effective date of this ordinance having a minimum interior dimension of 17 feet in width by 18 feet in depth shall be considered a legal nonconforming two-car garage for purposes of this Ordinance. Any such dwelling with a 17'x18' legal nonconforming garage may continue

its nonconformity provided the square footage necessary to establish a 20'x20' garage be reserved from the maximum permitted dwelling floor area for a future garage upgrade.

Given the existing 352 square foot interior area, the applicant is required to reserve 48 square feet for a future garage upgrade, resulting in a total maximum square footage not to exceed 3,452 square feet (including the expanded house and non-expanded existing garage). The applicant proposes a total square footage of 2,746 square feet that is below the requirement.

2. The existing south side yard setback of 5 feet is non-conforming (6 feet required), and the proposed addition would continue the existing non-conforming setback of 5 feet but would not increase the discrepancy. The following section of the BZO allows the continuance of a non-conforming setback:

9.6.3 ALTERATIONS AND ADDITIONS TO NONCONFORMING STRUCTURES

No nonconforming structure shall be moved, altered, enlarged or reconstructed so as to increase the discrepancy between existing conditions and the standards of coverage, front yard, side yards, rear yard, height of structures or distances between structures prescribed in the regulations for the district in which the structure is located.

- (a) *For the purpose of additions in an R-1A, B or C District, continuation of a setback that was legal at the time of the adoption of Ordinance No. 360 shall not be considered an increase in the discrepancy.*

The proposed additions and site improvements meet all other setback, height, FAR, and permitted use regulations of the R-1C zoning district.

NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and letter attached to this report. The property owner reported sending a letter with plans to 50 neighbors within 300 feet of their house on February 13, 2006 informing them of the project and inviting them to view plans at the site on February 25, 2006. The applicant reports that two neighbors showed up and no negative comments were received. Staff has not received any public comments regarding this project as of the writing of this report. The applicant appears to have achieved the outreach strategy tasks.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed addition to the single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15301, Class 1 (e) (2)(a & b):

“Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if:

- (A) *The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
- (B) *The area in which the project is located is not environmentally sensitive*

The proposed residential addition meets the above requirements for CEQA exemption.

SINGLE FAMILY DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for the review of single-family residential projects (Section 13A.5(A-H)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative.

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed expansion would occur at the rear of the house and is designed to be consistent with the design and character of the existing single story house and established character of the neighborhood. The existing residence is situated on a non-ridge, level lot, and the proposed addition would not disrupt any public views as assessed from Chevy Street. Staff believes this finding can be made in the affirmative.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

The proposed addition would occur at the rear of the house and would maintain a single story profile that is designed to match the architectural style of the existing house, which is not massive or bulky in appearance. The applicant has proposed an addition that would be minimally visible from the street. Additionally, maintaining a single story profile is compatible with the majority of the homes along Chevy Street, which are also single story structures.

Grading/Hardscape

The proposed construction would occur on a flat developed portion of the site and would require minimal grading. While some existing hardscape would be removed (the concrete pad and a portion of the driveway), the proposed expansion in the rear yard would not substantially increase the overall hardscape of the site. The proposed site plan limits the additional hardscape to only the essential requirements for the building footprint, driveway and required walkways. The new walkway in the rear would consist of pervious pea gravel and no additional patios or unnecessary impervious surfaces are proposed.

Tree Removal

The site contains one protected redwood tree, which would not be removed for the proposed construction. However, the proposed expansion would encroach beneath the drip line, which could result in damage to the health of the tree. The applicant will be required to implement tree protection measures, not plant lawn or install irrigation near within 25' of the redwood tree on the site or the redwood tree immediately adjacent to the property line on the north side of the site, and to prune back the large acacia tree situated between the two redwood trees, as recommended by the City Arborist. Additionally, the Planning Commission may require the applicant to install tree mitigation plantings and pay a tree removal fee as recommended by the City Arborist should this tree (#1) be removed as a result of the proposed construction. Staff has included tree protection measures and mitigation measures should the tree be removed as a condition of approval.

Although the hardscape would have a moderate increase by the proposed addition to the house, the proposed single story profile is optimal to the overall bulk and massing for the site and compatibility with the established character of the neighborhood. All tree protection measures as recommended by the City Arborist have been incorporated into the proposed construction plan. All four factors (building bulk, grading, hardscape and tree removal) appear to be appropriately balanced to achieve a complementary balance for the project. Staff believes this finding can be made in the affirmative.

C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

The driveway is of adequate width, length and slope to provide a safe backup space and to park two cars. The pedestrian walkways are level and sufficiently surfaced to provide safe access to the house. Staff believes this finding can be made in the affirmative.

D. *All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

The proposed construction would occur on a portion of the lot that is level and already developed, and only minimal grading would be required for the proposed construction. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. Staff believes this finding can be made in the affirmative.

E. *All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

A small portion of the existing driveway would be removed to incorporate a new flowerbed adjacent to the proposed addition. No other changes to any existing support features are proposed for the new construction. A new walkway would be covered with a pervious surface (pea gravel) and is appropriately situated between the new addition and the driveway to provide easy access

to the rear yard. Staff believes the site improvement features are well integrated into the overall project design and this finding can be made in the affirmative.

F. The landscape plan incorporates:

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site contains existing mature landscaping including shrubs, lawn areas and one protected tree. Another protected redwood tree is located immediately adjacent to the site on the north side and overhangs the subject property. The proposed site/landscape plan would maintain the existing landscaping in the front and side yards. As recommended by the City Arborist, no landscaping or irrigation would be added within 25 feet of the large redwood tree in the rear yard or the redwood tree in the neighboring yard. A new flowerbed would be added adjacent to the new dining room. The new walkway in the rear would be surfaced with pea gravel, which is permeable. Staff recommends the applicant implement all City Arborist recommended tree protection measures to preserve the health of the protected redwood trees on the site. Should any protected trees be removed, mitigation plantings and removal fees would be required. Staff has included all tree protection measures as conditions of project approval. Staff believes this finding can be made in the affirmative.

G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

A temporary encroachment permit as administered and reviewed by the Public Works Department will be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. Staff believes this finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the analysis and required findings, staff recommends approval of the Single-Family Design Review application with the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Deny the Single Family Design Review. 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 project site (incorporated as Page 2 of report)
- II. Resolution approving the Single Family Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Arborist Report dated April 17, 2006
- VI. Applicant's plans, materials board, and photos (Commission only)

Respectfully submitted,

Tricia Schimpp, Contract Planner

Carlos de Melo
Community Development Director

Cc: Applicant/Owners

PLEASE NOTE:

Attachments IV, V and VI are not included as part of this document – please contact the Community Development Department at (650) 595-7417 for further information on these attachment

RESOLUTION NO. 2006-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT

APPROVING SINGLE FAMILY DESIGN REVIEW

902 CHEVY STREET (APPL. NO. 2006-0015)

WHEREAS, Philip Lau and Quina Chang, property owners, requests Single Family Design Review approval to construct an 895 square foot ground floor addition to an existing 1,851 square foot single family residence resulting in a total of 2,746 square feet that is below the zoning district permitted 3,500 square feet for this site; and,

WHEREAS, a public hearing was duly noticed, held on May 2, 2006, and closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301, and,

WHEREAS, the Planning Commission hereby adopts the staff report dated May 2, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required Single Family Design Review Findings, Section 13A.5 (A-H), are made in the affirmative as follows:

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed expansion would occur at the rear of the house and is designed to be consistent with the design and character of the existing single story house and established character of the neighborhood. The existing residence is situated on a non-ridge, level lot, and the proposed addition would not disrupt any public views as assessed from Chevy Street. This finding is affirmed.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

The proposed addition would occur at the rear of the house and would maintain a single story profile that is designed to match the architectural style of the existing house, which is not massive or bulky in appearance. The applicant has proposed an addition that would be minimally visible from the street. Additionally, maintaining a single story profile is compatible with the majority of the homes along Chevy Street, which are also single story structures.

Grading/Hardscape

The proposed construction would occur on a flat developed portion of the site and would require minimal grading. While some existing hardscape would be removed (the concrete pad and a portion of the driveway), the proposed expansion in the rear yard would not substantially increase the overall hardscape of the site. The proposed site plan limits the additional hardscape to only the essential requirements for the building footprint, driveway and required walkways. The new walkway in the rear would consist of pervious pea gravel and no additional patios or unnecessary impervious surfaces are proposed.

Tree Removal

The site contains one protected redwood tree, which would not be removed for the proposed construction. However, the proposed expansion would encroach beneath the drip line, which could result in damage to the health of the tree. The applicant will be required to implement tree protection measures, not plant lawn or install irrigation near within 25' of the redwood tree on the site or the redwood tree immediately adjacent to the property line on the north side of the site, and to prune back the large acacia tree situated between the two redwood trees, as recommended by the City Arborist. Additionally, the Planning Commission may require the applicant to install tree mitigation plantings and pay a tree removal fee as recommended by the City Arborist should this tree be removed as a result of the proposed construction. Tree protection measures and mitigation measures are included should the tree be removed as a conditions of approval.

Although the hardscape would have a moderate increase by the proposed addition to the house, the proposed single story profile is optimal to overall bulk and massing for the site and compatibility with the established character of the neighborhood. All tree protection measures as recommended by the City Arborist have been incorporated into the proposed construction plan. All four factors (building bulk, grading, hardscape and tree removal) appear to be appropriately balanced to achieve a complementary balance for the project. This finding is affirmed.

C. All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structure.

The driveway is of adequate width, length and slope to provide a safe backup space and to park two cars. The pedestrian walkways are level and sufficiently surfaced to provide safe access to the house. This finding is affirmed.

D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation. .

The proposed construction would occur on a portion of the lot that is level and already developed, and only minimal grading would be required for the proposed construction. There are

no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. This finding is affirmed.

E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.

A small portion of the existing driveway would be removed to incorporate a new flowerbed adjacent to the proposed addition. No other changes to any existing support features are proposed for the new construction. A new walkway would be covered with a pervious surface (pea gravel) and is appropriately situated between the new addition and the driveway to provide easy access to the rear yard. The Commission believes the site improvement features are well integrated into the overall project design. This finding is affirmed.

F. The landscape plan incorporates:

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site contains existing mature landscaping including shrubs, lawn areas and one protected tree. Another protected redwood tree is located immediately adjacent to the site on the north side and overhangs the subject property. The proposed site/landscape plan would maintain the existing landscaping in the front and side yards. As recommended by the City Arborist, no landscaping or irrigation would be added within 25 feet of the large redwood tree in the rear yard or the redwood tree in the neighboring yard. A new flowerbed would be added adjacent to the new dining room. The new walkway in the rear would be surfaced with pea gravel, which is permeable. All City Arborist recommended tree protection measures to preserve the health of the protected redwood trees on the site are included as conditions of approval. Should any protected trees be removed, mitigation plantings and removal fees would be required. This finding is affirmed.

G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards. .

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

A temporary encroachment permit as administered and reviewed by the Public Works Department will be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. This finding is affirmed.

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 Single Family Design Review to construct an 895 square foot ground floor addition to an existing 1,851 square foot single family residence resulting in a total of 2,746 square feet at 902 Chevy Street, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on May 2, 2006 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
SINGLE FAMILY DESIGN REVIEW
902 CHEVY STREET (APPL. NO.2006-0015)

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. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0015 and date-stamped April 24, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.

5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
6. Tree #1, a protected redwood, shall be protected during construction. However, if the tree is removed, three mitigation trees shall be planted on the site and a tree removal fee shall be imposed.
7. Prior to issuing a permit for grubbing, demolition, grading, or construction, the following shall occur:
 - a. **TRUNK BUFFER:** Wrap the trunk of redwood #1 with at least 8 – 10 layers of orange plastic fencing between zero and eight feet above grade so that the layers total 5 inches thickness over the wood. Stand wood pieces vertically (ex. 2"x4"x8') side-by-side around the entire circumference of the trunk over this plastic so that a continuous wood surface is created over the orange plastic as instructed in the City Arborist Report dated April 17, 2006.
 - b. **FERTILIZATION:** Applicant shall hire a qualified tree care company to soil inject a single application of high quality balanced slow release tree fertilizer (ex. Doggett 32-7-7 Injecto-Feed with humates and zeolites) within the canopy driplines of redwood #1 and #2 before tree protection fencing, wood chip mulching, and silt fencing are installed. Applicant shall provide City Arborist with a receipt verifying that this fertilization has been performed.
 - c. **MULCH:** Allow the existing mulch of shredded redwood bark to remain on the soil surface over the entire west side of the property within the TPZs.
 - d. **TREE PROTECTION FENCING:** Chain link fencing must be erected as per the scanned tree map included in the City Arborist Report at approximately 4-feet out from tree #1 on the east side, and extending northwest to the sewer cleanout area. Fencing shall continue to be erected across the zone between the southwest corner of the garage, and directly over to the west property boundary fence (i.e. 20 linear feet out from tree #2 base of trunk). 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).
 - e. Fencing material used for all protective fences 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.
 - f. Compliance inspections will occur (1) at the time of fence erection and buffer 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.

- g. 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 RPZs/TPZs.
- h. The TPZ fencing shall have one sign affixed at eye level on each of the tree sides of fencing, minimum 8X11" size, plastic laminated or otherwise waterproofed, stating:

<p>TREE PROTECTION FENCE DO NOT ALTER OR REMOVE CALL CITY ARBORIST 48-HRS ADVANCE (650) 698-0990</p>
--

- i. **IRRIGATION:** Before demolition, install a rubber soaker hose to an existing active hose bib, snaking around the inside of the TPZ chain link fencing perimeters around trees #1 and #2. Affix the soaker hose to a garden hose and active hose bib. Turn on the system at full pressure for a single period of at least 6 – 8 hours, once every two weeks, beginning at the excavation/grading period until the first significant rains of winter. This irrigation shall be monitored by the contract City Arborist and adjusted according to soil moisture reading obtained by using a Lincoln Soil Moisture Probe.

Alternatively, the applicant can utilize a water truck to supply 200 – 300 gallons of water per tree on a single day, twice a month, to redwoods # 1 and #2 or as directed by the City Arborist during regular monthly construction monitoring days. Contractor shall verify use of irrigation water by documenting in a written journal the time and ate of each irrigation event, and the duration that water was applied.
- j. **SILT FENCING:** Install TENAX brand or 36-inch high silt fencing with built-in wooden stakes to the east side of the TPZ fencing perimeter. Install as per package instructions, digging in the entire lower edge of the silt fence so that it is secure. Affix the upper edge of the silt fence material to the chain link fence using UV-resistant zipties and/or wires approximately every 3 linear feet.
- k. **SOIL BUFFER:** A 12-inch thick layer of coarse wood chip mulch shall be placed over a single layer of synthetic weed barrier fabric pinned down on the soil surface between the west side of the building footprint and the tree #1 chain link TPZ.
- l. **ARBORIST INSPECTION FEE:** The applicant shall pay a tree inspection fee of \$1,300 payable to the City of Belmont at the Permit Center desk prior to permit issuance to cover inspections and signoff letters by the City Arborist throughout the life of the project.
- m. **GROUNDWORK:** Landscape and irrigation plans shall be eliminated between zero and 25 linear feet out from the trunk edges of trees #1 and #2. All downspout drains, French drains, utility lines, storm drains, landscape electrical wire

conduits, and any other items requiring trenching shall be routed to outside (east of) the chain link TPZs for trees #1 and #2.

n. PRUNING:

- All pruning shall be performed only by or under direct supervision of an ISA-certified arborist and shall conform to specifications described in the ANSI-A300 “standards for tree care operations”.
- No further pruning on trees #1 and #2 shall occur other than removal of selected scaffold limbs on the east side of tree #1 to clear the proposed finish roof area.
- The blackwood acacia may or may not be pruned back to clear existing large diameter scaffold limbs and main stems to reduce interference with redwood #1.

o. ROOT SEVERING:

- If woody roots emanating from redwood #1 or #2, measuring greater than 1 inch in diameter are encountered during any site activity, the roots shall be immediately (same day) severed using an A/C sawzall, professional pruning saw, lopper, chain saw, or electrician’s cable cutter. Call the City Arborist immediately at (650) 697-0990 to arrange a root inspection and digital photograph documentation.
- Roots shall be cut at right angles to the root growth direction, cutting cleanly and carefully all the way back to the soil face without shattering the root tissue behind the soil face.
- Roots shall be backfilled within 48 hours using parent soil, and thoroughly irrigated.
- If backfilling is delayed past 48 hours, then contractors shall wrap exposed roots in three layers of soaking wet, muddy burlap.

Building Division

- 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.
1. Plans shall conform with approved project plans.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.

1. The applicant or a designated representative shall obtain all of the required building permits for the project.
2. The height of the residence shall not exceed 28 feet.
3. The construction activities shall comply with the City Noise Ordinance, and the applicant shall post hours of operation and phone numbers for noise complaints.
4. Provide space for recycling containers.
5. Provide list of construction and demolition recycling service providers.
6. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.
7. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
8. The applicant shall investigate opportunities for salvaging material for reuse.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS 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.
 1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs of preconstruction condition are advised.
 2. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
 3. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
 1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way,

- easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
2. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
 3. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
- After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
2. The property owner/applicant shall apply for and obtain an administrative permanent encroachment agreement from the Department of Public Works, for placement of non-standard materials (i.e. brick pavers) within the public right-of-way.
 3. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
 4. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
 5. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
 6. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These include, but are not limited to, the following:
 - a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.

- d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i. Limit construction access routes and stabilize designated access points.
 - j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
8. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.
9. The haul route for the project is allowed from Ralston Avenue. A10 wheeler truck shall be used. Material shall be stored on site. No material shall be stored on City right-of-way.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

PLANNING COMMISSION STAFF REPORT

RE: 902 Chevy Street PA #2006-0015

May 2, 2006

Page 22

Certification of Approved Final Conditions:

Carlos de Melo, Director of Community Development

Date

902 CHEVY STREET – NEIGHBORHOOD OUTREACH SUMMARY

The neighbors for 902 Chevy, Belmont, were notified by letter, mailed on Feb 16, 06.

Attached is a copy of the letter, attachments and:

- (50) neighbors were notified (list attached)
- Noticing Map (identifies the neighbors within the 300' radius from 902 Chevy)

The neighbor meeting was held at 902 Chevy on Feb 25, from 10 to Noon. Only (2) neighbors visited that day, residence from 900 & 904 Chevy.

We reviewed the proposed expansion with them and received only kind support for the project.

Ann Lok Lee

Feb 13, 2006

Neighborhood Notification
Belmont, CA

Re: Remodeling & Expansion of 902 Chevy, Belmont CA

Dear Neighbor:

This letter is to inform you that we are seeking permit approval with the City of Belmont to remodel and expand our residence at 902 Chevy, Belmont.

The attached is the proposed plan for the expansion work which includes the addition of a new master bedroom, master bath and a family room.

We planned to be available at the Chevy residence, Saturday, February 25 between 10am to Noon. Please stop by with your questions and we'll collect feedback on our project.

Thank you,

Phillip Lau & Quina Chang
902 Chevy Street
Belmont, CA
(650) 571-8883