

MEETING OF JULY 18, 2006

AGENDA ITEM NO. 6A



Application I.D.: 2006-0051
Application Type: Single Family Design Review
Location: 2723 St. James Road
Applicant: Patricia Pollock
Owner: Karen Kwan
APN: 045-413-110
Zoning: R-1A – 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 887 square foot second story addition to the existing 2,172 square foot single family residence for a total of 3,059 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 is a permitted use in the designated R-1A, 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 Hallmark Subdivision, Unit No. 3 in 1967. The existing house was built in 1968. 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.

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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 subject property is developed with a one story single family dwelling on a flat portion of the lot. Site improvements include fencing on the side and rear yards, a paved driveway, front and rear paved patios, paved walkways on both side yards, a small metal outdoor utility shed, vine covered trellis areas in the left and rear yards, and mature and healthy landscaping including trees, shrubs and flowering plants that will remain.

The lot has an average slope of approximately 7% which is mostly flat with an upslope occurring at the rear of the site. The rear property line abuts an open space area, Crystal Springs, which contains a row of tall pine trees adjacent to the rear fence. There are no protected trees on the site.

PROJECT ANALYSIS

Existing Dwelling Floor Area/Layout

The 2,172 square foot residence consists of an entry foyer, living/dining room with fireplace, kitchen, family room, three bedrooms, two bathrooms, and a 489 square foot two-car garage with 19.5' x 21' clear open parking area.

Proposed First Floor Modifications

The proposed remodel to the existing ground floor consists of:

- o Adding a new covered patio to the front entrance.
- o Adding a utility sink inside the garage but maintaining the 19.5' X 21' clear open parking area.
- o Remodeling the living area to consist of an entryway, living room with fireplace, dining room, kitchen with solar tube skylights, family room, study with skylights, one-half bathroom, pantry, laundry room, and stairway to the new second floor.

Proposed Second Floor

The proposed 887 square foot new second floor consists of:

- o Three bedrooms (front bedroom with balcony)
- o Two bathrooms
- o Stairwell

Dwelling Floor Area Summary	
Square Footage	Existing Layout
Existing First Floor: 2,172 sq. ft.	<u>Existing First Floor:</u> Entry foyer, living/dining room, kitchen, family room, three bedrooms, two bathrooms, 2-car garage.
Square Footage	Modifications/Proposed Additions

<p>New Second Floor: 887 sq. ft.</p>	<p><u>Modified First Floor:</u> Covered entry porch, living room, dining room, kitchen, family room, study, one-half bathroom, pantry, laundry room, stairway to new second floor.</p> <p><u>Proposed Second Floor:</u> Three bedrooms, two bathrooms and stairwell</p>
<p>Total 3,059 sq. ft.</p>	

Exterior Materials/Colors

The proposed dwelling would have a stucco texture exterior finish with an asphalt composition shingle roof. Architectural design features include: a covered front portico entry with open sides, offset and stepped back second story addition, upper front bedroom balcony, and natural lighting features including skylights, solar tubes, and tall vertical windows. A metal railing is proposed for the balcony. The windows would be set back with a wrapped stucco finish and lower wood trim. The color palette embodies earth tones: light beige for the stucco finish, medium brown roof, and off-white window and door trim. The building colors and materials are illustrated on the attached sample sheet (See Attachment V).

Landscaping and Groundwork

The subject property has existing mature landscaping consisting of small to medium trees and shrubs in the front yard, a rose garden in the rear yard, mature shrubs and a vine covered trellis in the left side yard and a landscape border with mature shrubs and vines in the right side yard. The front and rear yards have permeable landscape stone coverings as well as concrete patio areas. The side and rear yards are fenced. There are no protected trees on the site.

Site improvements include the removal of a brick wall in the front yard, removal of a free-standing trellis structure in the rear yard, and removal of a small metal utility shed in the right side yard. All existing landscaping would remain except for a 3” diameter Italian cypress in the front yard. No additional landscaping materials or site improvements are proposed for the site.

No significant grading would be required for the proposed construction as the new second story addition would occur over the existing building footprint. Minimal excavation, nine cubic yards, would be required for the foundation upgrade to the existing house.

PROJECT DATA

Criteria	Existing	Proposed	Required or Max. Allowed
Lot Size	8,596 sq. ft.	No Change	9,600 sq. ft.*
Slope	7%	No Change	No Change
FAR	0.253	0.356	0.533
Square Footage	2,172 sq. ft.	3,059 sq. ft.	3,500 sq. ft.
Parking	Two-car garage (19.5' x 21') ** Two uncovered	No Change	Two-car garage (20' x 20') ** Two uncovered
Setbacks:			
Front (east)	25 ft. 6 in.	No Change	NA***
Right Side (west)	6 ft. 9 in.	No Change	7 ft. 3 in.****
Left Side (east)	12 ft. 8 in.	No Change	7 ft. 3 in.
Rear (south)	38 ft.	No Change	20 ft.
Driveway length	25 ft. 6 in.	No Change	18 ft.
Height	16 ft.	23 ft.	28 ft.

* Existing nonconforming lots may be utilized for permitted uses per BZO Sections 3.4 and 9.3.

** An existing 17' x 18' inside dimension two-car garage may be permitted per BZO Section 8.3.1(e).

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

**** No additions are proposed along the portion of the dwelling in west side yard which maintains a non-conforming setback. The addition will maintain a 12'9" setback from the western property line.

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

The following sections of the BZO address elements of the existing site/dwelling and proposed addition:

1. The existing 8,596 square foot lot is nonconforming (9,600 square feet required). However, the proposed addition is conforming to all other requirements of the BZO. The proposed addition/site improvements would not diminish the size of the existing lot, and the proposed addition/site improvements are permitted uses within the R-1A district. The nonconforming lot and proposed construction is consistent with the following sections of the BZO:

3.4 CONFORMITY REQUIRED

... No building shall hereafter be erected, constructed, relocated or structurally altered to have a greater height, proportion of coverage, or smaller yards, or open space about than permissible under the limitations set forth herein for the district in which such building is located. No yard, open space, or off-street parking space, or loading space existing or provided hereafter about any building shall be reduced below the minimum requirements hereinafter set forth ... No lot held under one ownership at the effective

date of this Ordinance shall be reduced in dimension or area in relation to any building thereon so as to be smaller than required by this Ordinance; and if already less, the dimension or area of such lot shall not be further reduced.

9.3 LOTS OF RECORD

Any single lot or parcel of land, which was of record and a legal lot at the time of adoption of this Ordinance, but does not meet the requirements of the district in which it is located for minimum lot width and area, may be utilized for a Permitted Use, if all other requirements of this Ordinance are met.

2. The existing 19.5 foot by 21 foot two-car garage is nonconforming (20' x 20' required) but is considered a legal nonconforming garage per the BZO 8.3.1(e) which requires a reservation of floor area for future garage upgrades to establish a 20' x 20' standard garage (in this case 400 sf (standard) – 390 sf (existing garage) = 10 sf of floor area reserve). Thus, the site is allowed a maximum of 3,500 sf – 10 sf = 3,490 sf until such time as the garage is expanded to a 20' x 20' inside dimension. The project proposes 3,059 sf for the site, thus meeting the BZO standard 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 April 21, 2005 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' x 18' legal nonconforming garage may continue its nonconformity provided the square footage necessary to establish a 20' x 20' garage be reserved from the maximum permitted dwelling floor area for a future garage upgrade.

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

NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and letter attached to this report. The applicant reported sending a letter to 31 neighbors within 300 feet of their house on June 27, 2006 informing them of the project and inviting them to an informational meeting at the site on July 6, 2006. The applicant reports that 15 people attended the meeting 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 neighborhood 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 residence 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 existing residence is situated in a neighborhood of single and two-story homes with stucco and wood siding exterior finishes and of similar contemporary architectural style. The proposed second story addition is compatible in style and color palette with the established character of the neighborhood. However, homes on St. James Road typically have upper front balconies with a wood railing design. While the proposed metal railing would be consistent with the contemporary style of the existing house, it would not be consistent with the established material of other upper balconies along St. James Road. Thus, staff recommends a condition of project approval to redesign the front upper balcony railing to incorporate a wood or stucco finish rather than the proposed metal finish.

The subject property abuts the Crystal Springs Open Space at the rear of the property which contains a row of tall mature pine trees that provide a green backdrop to the house as viewed from St. James Road. The proposed second story addition has a sloping roofline of minimal height (23') and is offset to west side of the ground floor layout, occupying approximately one-half of the overall width of the existing house. There are no hillside or ridgeline views behind the subject property, and the proposed addition would not significantly block the view of the tall pine trees or the open space as seen from St. James Road or from houses across the street from the subject property. Staff believes the proposed addition is designed to minimize public view loss, and, with a change in front upper bedroom balcony railing materials from metal to wood or stucco as a condition of project approval, is consistent with the existing character of the neighborhood. 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 project would increase the bulk of the existing building with a second story addition. The applicant has provided 3-D illustrations of the proposed building elevations (see plan set, Attachment V). The building bulk is moderated by:

- condensing the second story addition in size to approximately one-half the width of the existing house and offsetting the addition to the west side of the house
- a low sloping roofline of upper floor not exceeding 23 feet in height
- adding an upper front balcony over the garage roofline
- pushing forward a new covered front entrance with a compatible sloping roofline
- a color pallet of light beige/brown earth tones

Staff recommends modifications to the proposed exterior elevations plan set (to be submitted for building permits) to clearly reflect the proposed window design inset with the corresponding wrapped stucco finish and lower wood trim. As such, the architectural style of the residence would be generally well designed to compliment the site and to be compatible with adjoining developed properties.

Grading/Hardscape

Minimal excavation (nine cubic yards) would be necessary to upgrade the existing foundation for the second story addition. The brick wall in the front yard would be removed. No other changes are proposed to the existing driveway, walkways and patios on the site.

While the proposed addition and house remodel would not increase the footprint of the house and would result in a slight reduction of the overall hardscape on the site by the removal of the brick wall (approximately 40 square feet), it is important to note that the existing house footprint and site improvements cover a significant amount of the site with impermeable hardscape, approximately 58%. Additional yard areas are covered with permeable landscape stones that present a hardscape appearance. Staff believes the front and side yards contain excessive impermeable and permeable walkways, patios and yard areas that could be modified by reducing the amount of hardscape (both impermeable and permeable) and the addition of landscape plantings. Staff has identified this hardscape issue as a “*close call*” in the conclusion of this report.

Tree Removal

There are no protected trees on the site, and one small non-protected Italian cypress tree in the front yard would be removed for the proposed construction. The existing mature trees on the site would not be negatively impacted by the proposed construction.

Three of the four required factors (building bulk, grading, and tree removal) have been appropriately balanced for the project. Although staff has concerns relating to the existing amount of hardscape covering the site, staff believes this issue is not significant enough to warrant a continuation or denial of the project. With a condition of project approval requiring modification of the landscape plan to reduce the existing impervious and pervious hardscape elements in the front and side yards (walkways, patios, stone ground cover) and to soften the remaining hardscape areas by the addition of new landscape plantings, staff believes the four required factors would be sufficiently balanced, and 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 front entrance is accessed by a level, paved walkway from the driveway that is safe for pedestrian usage. 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 require minimal grading and (9 cubic yards) for excavation that would be required for the proposed foundation upgrade. All construction would occur on a portion of the lot that is level and already developed. 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.

The existing driveway is appropriately integrated on the site and is of sufficient size to park two cars without being overly excessive in width or length. An unused metal utility shed situated in the right side yard and a brick wall in the front yard would be removed. Staff recommends other existing support features such as paved walkways and patios be modified to reduce the overall hardscape of the site (see conditions of project approval, Attachment III). Staff believes the site features, as recommended by the hardscape reductions/greenscape additions, would then be adequately 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*

As discussed in the Project Analysis section of this report, the site contains existing mature landscaping including some non-protected trees and shrubs. There are no protected trees on the site, and one small Italian cypress tree in the front yard would be removed. The landscape plan does not propose any new plantings or site improvements. However, staff recommends a condition of project approval requiring modification to the landscape plan to reduce the hardscape elements on the site and the addition of new landscape plantings to soften the remaining hardscape coverage of the site. 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 would be required for any work within the public right of way. However, the proposed construction does not identify any construction activity within the public right-of-way. Staff believes this finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

The proposal requires Single Family Design Review which staff believes warrants approval. However, in light of City Council's direction regarding "close call" considerations, staff believes the following factors make this request a "close call":

- The site contains excessive existing hardscape coverage of the site, approximately 58%.
- The amount of impervious and pervious surface areas could be reduced in conjunction with the front and side yard walkways and patios reduction in overall size of the surfacing materials.
- The proposed landscape plan does not include any new plant materials. The reduction in existing hardscape areas would provide space for new landscape plantings which would serve to soften the remaining hardscape coverage of the site.

Staff believes a condition of project approval requiring modification of the landscape plan to reduce the existing impervious and pervious hardscape elements in the front and side yards

(walkways, patios, stone ground cover) and to soften the remaining hardscape areas by the addition of new landscape plantings would provide a sufficiently balanced ratio of hardscape to open yard area. Staff recommends approval of the Single Family Design Review 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. 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:

Attachment V is not included as part of this document. Please contact the Community Development Department at (650) 595-7417 if you would like information on reviewing this attachment.

RESOLUTION NO. 2006-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A SINGLE FAMILY DESIGN REVIEW
FOR 2723 ST. JAMES ROAD (APPL. NO. 2006-0051)

WHEREAS, Karen Kwan, property owner, requests Single Family Design Review approval to construct an 887 square foot second story addition to the existing 2,172 square foot single family residence for a total of 3,059 square feet, that is below the zoning district permitted 3,500 square feet for this site; and,

WHEREAS, public hearings was duly noticed, held on July 18, 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 July 18, 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 existing residence is situated in a neighborhood of single and two-story homes with stucco and wood siding exterior finishes and of similar contemporary architectural style. The proposed second story addition is compatible in style and color palette with the established character of the neighborhood. However, homes on St. James Road typically have upper front balconies with a wood railing design. While the proposed metal railing would be consistent with the contemporary style of the existing house, it would not be consistent with the established material of other upper balconies along St. James Road. Thus, staff recommends a condition of project approval to redesign the front upper balcony railing to incorporate a wood or stucco finish rather than the proposed metal finish.

The subject property abuts the Crystal Springs Open Space at the rear of the property which contains a row of tall mature pine trees that provide a green backdrop to the house as viewed from St. James Road. The proposed second story addition has a sloping roofline of minimal height (23') and is offset to west side of the ground floor layout, occupying approximately one-half of the overall width of the existing house. There are no hillside or ridgeline views behind the subject property, and the proposed addition would not significantly block the view of the tall pine trees or the open space as seen from St. James Road or from houses across the street from the subject property. Staff believes the proposed addition is designed to minimize public view loss, and, with a change in front upper bedroom balcony railing materials from metal to wood or stucco as a condition of project approval, is consistent with the existing character of the neighborhood. 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 project would increase the bulk of the existing building with a second story addition. The building bulk is moderated by:

- condensing the second story addition in size to approximately one-half the width of the existing house and offsetting the addition to the west side of the house
- a low sloping roofline of upper floor not exceeding 23 feet in height
- adding an upper front balcony over the garage roofline
- pushing forward a new covered front entrance with a compatible sloping roofline
- a color pallet of light beige/brown earth tones

Minor modifications to the proposed exterior elevations plan set (to be submitted for building permits) are recommended to clearly reflect the proposed window design inset with the corresponding wrapped stucco finish and lower wood trim. As such, the architectural style of the residence would be generally well designed to compliment the site and to be compatible with adjoining developed properties.

Grading/Hardscape

Minimal excavation (nine cubic yards) would be necessary to upgrade the existing foundation for the second story addition. The brick wall in the front yard would be removed. No other changes are proposed to the existing driveway, walkways and patios on the site.

While the proposed addition and house remodel would not increase the footprint of the house and would result in a slight reduction of the overall hardscape on the site by the removal of the brick wall (approximately 40 square feet), it is important to note that the existing house footprint and site improvements cover a significant amount of the site with impermeable hardscape, approximately 58%. Additional yard areas are covered with permeable landscape stones that present a hardscape appearance. Staff believes the front and side yards contain excessive impermeable and permeable walkways, patios and yard areas that could be modified by reducing the amount of hardscape (both impermeable and permeable) and the addition of landscape plantings. The hardscape issue was identified as a “*close call*” for the project.

Tree Removal

There are no protected trees on the site, and one small non-protected Italian cypress tree in the front yard would be removed for the proposed construction. The existing mature trees on the site would not be negatively impacted by the proposed construction.

Three of the four required factors (building bulk, grading, and tree removal) have been appropriately balanced for the project. Although the Planning Commission has concerns relating to the existing amount of hardscape covering the site, the Commission believes this issue is not significant enough to warrant a continuation or denial of the project. With a condition of project approval requiring modification of the landscape plan to reduce the existing impervious and pervious hardscape elements in the front and side yards (walkways, patios, stone ground cover) and to soften the remaining hardscape areas by the addition of new landscape plantings, the Commission believes the four required factors would be sufficiently balanced. 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 front entrance is accessed by a level, paved walkway from the driveway that is safe for pedestrian usage. 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 require minimal grading and (9 cubic yards) for excavation that would be required for the proposed foundation upgrade. All construction would occur on a portion of the lot that is level and already developed. 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.

The existing driveway is appropriately integrated on the site and is of sufficient size to park two cars without being overly excessive in width or length. An unused metal utility shed situated in the right side yard and a brick wall in the front yard would be removed. Staff recommends other existing support features such as paved walkways and patios be modified to reduce the overall hardscape of the site as a condition of project approval. The Commission believes the site features, as recommended by the hardscape reductions/greenscape additions, would then be adequately 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 some non-protected trees and shrubs. There are no protected trees on the site, and one small Italian cypress tree in the front yard would be removed. The landscape plan does not propose any new plantings or site improvements. However, a condition of project approval is recommended requiring modification to the landscape plan to reduce the hardscape elements on the site and the addition of new landscape plantings to soften the remaining hardscape coverage of the site. 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 would be required for any work within the public right of way. However, the proposed construction does not identify any construction activity within the public 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 approval to construct an 887 square foot second story addition to the existing 2,172 square foot single family residence for a total of 3,059 square feet, 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 July 18, 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 2723 ST. JAMES ROAD (APPL. NO.2006-0051)

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. 2006-0051 and date-stamped July 11, 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.
3. 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. Prior to building permit issuance, the applicant shall submit revised plans for Planning Division approval that incorporate wood or stucco-wrapped railings, rather than metal, for the front upper bedroom balcony.
7. Prior to building permit issuance, the applicant shall submit revised plans for Planning Division approval that clearly delineate the window trim finish as recessed windows with a wrapped stucco finish and lower wood trim.
8. Prior to the issuance building permits for the project, the applicant shall submit revised site/landscape plans for Planning Commission approval that reflect a reduction to the amount of hardscape elements in the front and side yards and incorporation of additional new landscape plantings. The landscape plan shall describe the number, species, and location of all existing/proposed plantings.

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. Obtain all required permits.
 2. The height of the residence shall not exceed 28 feet.
 3. Building materials and color scheme shall be shown on plans.
 4. The construction activities shall comply with the City Noise Ordinance, and the applicant shall post hours of operation and phone numbers for noise complaints.
 5. Provide a 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. 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. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
 3. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.
 4. All plans shall conform to the requirement of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

1. 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. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
3. 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.
4. 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.
5. 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.
6. 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.
- 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.

Certification of Approved Final Conditions:

Carlos de Melo, Director of Community Development

Date