

**CITY OF BELMONT  
MEMORANDUM**



**TO:** Planning Commission

**FROM:** Jennifer Walker, Associate Planner

**VIA:** Carlos de Melo, Community Development Director

**SUBJECT:** December 18, 2007 Planning Commission Meeting – Agenda Item 6A  
Study Session – Single Family Design Review for project located at 2708 Monte Cresta Drive, PA2006-0019

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**SUMMARY/PROJECT DESCRIPTION**

The proposed Single Family Design Review to construct a new 2,081 square foot single family residence (the maximum zoning district permitted floor area for this site) is being brought forth to the Planning Commission as a study session item to allow Commissioners an opportunity to discuss the proposal and provide feedback on the proposed site design, landscaping, and related Single Family Design Review findings. The project also includes two Variance requests: one to allow retaining walls (0-19 ½ feet in height) within the front yard setback area that exceed the maximum permitted six foot height, and a second to allow an exterior stairwell and deck that extend above the ground level to encroach into the 18-foot front yard setback.

This project was advertised as a public hearing for the December 18, 2007 Planning Commission meeting. Subsequent to that notification it was discovered that the grading information provided by the applicant was inconsistent with the grading information provided on the Grading, Drainage, and Erosion Control Plan. Staff recommends that the Planning Commission continue the Single Family Design Review and Variance requests, and instead use this opportunity to review the project as a study session item.

**ZONING/GENERAL PLAN DESIGNATION**

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

**PRIOR ACTIONS**

The subject property encompasses all of Lot 64 and a portion of Lot 63 of the Belmont Country Club Properties, which was recorded in 1926. The parcel and the adjacent lot at 2702 Monte Cresta Road were granted a lot line adjustment on November 1, 2000 that merged three parcels into two. Additionally, an addendum to that lot consolidation provided a complete mete and bounds description of the two parcels and was recorded on April 2004.

The applicant submitted a Single Family Design Review and Variance request for development of the property in April 2004. The project was reviewed by the Planning Commission at a public hearing on October 5, 2004. Due to some discrepancies relative to the proposed heights of the

retaining wall adjacent to the driveway and concerns about bulk and massing, the application was continued. Public comments and Commission discussion addressed the following site specific concerns for the proposed dwelling and adjacent properties:

- Soil stability of the site and concern that the proposed construction would require significant grading which could impact the stability of the adjacent properties, particularly on the upslope of the proposed building site.
- Excessive unusable interior space resulting in bulk and massing issues.
- The necessity of additional landscaping to hold back soil after construction is completed.
- Steepness of the slope and safety issues.
- Stairway in the public right-of-way.
- Limited access to the house by means of long exterior stairs – consider putting in an elevator.
- Compliance with the San Juan Hills Area Plan.
- Insure that noticing includes all current residents within 300' radius of the subject site.

Revised project plans were submitted in November 2005; however, the applicant subsequently withdrew the project in January 2006. The applicant continued with an application to develop the adjacent lot, 2702 Monte Cresta Road, with a single family home and that project is currently under construction.

The project for 2708 Monte Cresta Road has since been redesigned and the current Single Family Design Review and Variance requests were submitted in May 2007.

## **SITE CONDITIONS**

The site is located in a residential neighborhood of single-family homes on a section of Monte Cresta Drive that rises steeply up from the northeast side of the road and drops off on the southwest side of the road. The houses in the immediate area are situated on hillsides and are mostly multi-level of contemporary architectural style with wood and stucco finishes. Houses situated on the upslope typically have significant graded driveways with retaining walls, and houses on the downslope typically have driveway bridges. The subject site is situated on the steep upslope side that rises at an inclination of 1:1 (horizontal to vertical). The upper portion of the lot is flatter and is inclined at approximately 3:1. The average slope for the overall site is 52%. The site is undeveloped and covered in native grasses and vegetation with six regulated size coast live oak trees and one non-protected pine tree.

The City's Ground Movement Potential and Geologic Hazard Policy Map of the San Juan Hills Study Area indicates that the site is primarily designated as being in a Ps (potential shallow landslide failure) zone which allows development and roadway expansion on a conditionally permitted basis. The southwest corner of the site is designated as being in a Pd (Potential Deep Landslide) zone, which permits development and road expansion when hazards are mitigated.

## **PROJECT ANALYSIS**

### Floor Layout / Parking

The applicant proposes to construct a new 2,081 square foot single-family residence that consists of the following:

- A street level two-car garage (20' x 20' interior dimensions) with a storage closet and interior elevator access. An exterior stairwell would provide access from the street level to the second story main living level.
- A main floor above the garage area that includes a kitchen, dining area, living room, one bedroom, one full bathroom, and interior stairwell providing access to the upper floor.
- An upper floor (to the main floor) with a master bedroom suite, one bedroom, and a full bathroom with a laundry closet.

An approximately nine-foot wide concrete patio is proposed on the left (north) side of the main level; it would be accessed from the second level bedroom or from the wrap-around deck at the front of the house. A proposed patio at the rear of the home is accessed from an upper level hallway. The multi-levels of the house are stepped back from the street toward the top of the hillside. The front entrance is accessed by a stone stairwell that leads up from the driveway. These stairs extend above the ground level and encroach into the required front yard setback and thus require a variance.

The garage provides parking for two cars, and two additional cars could be parked in the driveway that is approximately 20' x 21'. The 2004 project site plan included a curved driveway which avoided detrimental impacts to the ten-inch coast live oak located at the front property line (tree #7 in the Arborist report). The applicant is now proposing to construct a straight driveway that will require removal of that oak tree. Tree removal fees and mitigation plantings would be required.

### Exterior Materials/Colors

The exterior materials include:

**Roof:** Charcoal colored fiberglass asphalt shingles (GAF)

**Exterior Walls:** Taupe colored Cement Plaster

**Roof/Window Trim:** Foam molding (Carson's Coatings)

**Stone Veneer:** Stacked LedgeStone (Cultured Stone Pro-Fit)

**Gutters:** Bonderized Steel Gutters

**Doors:** The front and garage doors would be finished with an off-white color

Please refer to the color samples and material sheet (Attachment III).

The project plans and application materials do not specify a material finish for the proposed driveway retaining walls. All retaining walls that are visible from the public right-of-way must comply with the guidelines in section 9-47 of the Municipal Code.

### Landscaping and Arborist Recommendations

The site is undeveloped and covered in native grasses, weeds, a large protected stone pine tree, four protected oak trees, and two non-protected trees. The applicant intends to remove and clean up the overgrown (weedy) portions of the lot, but keep most of the site in the existing native vegetation. One ten-inch regulated protected size coast live oak tree would be removed as it directly conflicts with the proposed driveway. Per the landscape plan, four new 24-inch box mitigation tree plantings are proposed (three smoketree, one western redbud). The City Arborist recommends that the Planning Commission require the applicant to plant native tree species (oak, redwood, bay laurel, etc.) in lieu of the two proposed species. Staff concurs with this recommendation.

The Arborist Report indicates that the proposed site play has potential to detrimentally impact pine tree #5, located above the uppermost rear yard retaining wall. The arborist recommends that a special hand held drill be used for those retaining wall piers or that the wall (and upper terrace area) be removed completely so as not to detrimentally impact the dripline for pine tree #5.

Various one and five gallon plantings are proposed at the front of the property and around the base of the home. The applicant has avoided installing new plantings within the tree drip-lines as recommended by the arborist. A hydro-mulch and seed mix is proposed on the steep slopes to assist with erosion control and slope stability.

### Groundwork and Geotechnical Recommendations

The driveway, garage and subgrade excavation for the proposed house requires approximately 1,632 cubic yards of cut (including 272 cubic yards for bulking factor) and no fill. The project has been through extensive geotechnical review by both the applicant's geotechnical and engineering consultants and the City Geologist.

A preliminary geotechnical and geologic investigation was performed by Romig Engineers in April 2003. The report found the primary issues of geotechnical concern were (1) the steeply sloping nature of the site and the height of the planned driveway excavations and resulting retaining walls, and (2) the nearby (currently dormant) landslide and possible extension onto the southwest corner of the site. The report made recommendations for specific construction methods for the retaining walls and concluded that the site is suitable for the proposed development, provided that the recommendations are followed during design and construction.

The City Geologist reviewed the Romig report in May 2003 and found that the site is constrained by precipitously steep slopes located adjacent to the street, local bedrock materials with multiple planes of weakness, and requirements for high temporary cut slopes during project construction. The report also found that development of the proposed residence is additionally constrained by the potential for slope instability associated with an existing landslide. Potential slope instability appeared to be primarily a concern for a portion of the proposed driveway.

The applicant has since hired a new geotechnical consultant, Sigma Prime Geosciences, who prepared a revised Grading, Drainage, and Erosion Control Plan. No new Geotechnical Investigation has been prepared for the project site.

The City Geologist has reviewed the revised Grading Plan and provided a written response raising concerns consistent with their May 2003 comments. Sigma Prime has prepared three supplemental responses addressing all of the concerns raised by the City Geologist. It should be noted that the site development footprint has been moved to the southeast on the property such that site development is located approximately 35 away from the mapped potential landslide area (Pd). Cotton shires agreed that the landslide does not appear to present the potential for immediate adverse impacts to the proposed development.

At the request of Cotton Shires, Sigma Prime has submitted a letter dated November 8, 2007 in which they state that they have taken over as the project geotechnical consultant and take full responsibility for the geotechnical design criteria as presented in the 2003 Romig Engineers Soils report.

Staff believes that the geotechnical review has been extensive and adequate. The City Geologist has concluded that the proposed construction is suitable for the site if done in compliance with the geotechnical recommendations. Should the project be approved, these geotechnical recommendations would be included in the conditions of project approval.

**PROJECT DATA**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>	<b>Required or Max. Allowed</b>
<b>Lot Size</b>	7,796 sq. ft.	No Change	No Change
<b>Slope</b>	52%	No Change	No Change
<b>FAR</b>	None	0.267	0.267 (corresponds to 2,081 sq. ft. max.)
<b>Square Footage</b>	None	2,081 sq. ft.	2,081 sq. ft.
<b>Parking</b>	None	Two-car garage (20' x 20') Two uncovered	Two-car garage Two uncovered
<b>Setbacks:</b>			
<b>Front</b>	None	13 ft. 3 in. (stairs/deck) 18 ft. 3 in. (house)	18 ft.*
<b>Side (right)</b>	None	8 ft	8 ft.
<b>Side (left)</b>	None	24 ft.	8 ft.
<b>Rear</b>	None	20 ft.	15 ft.
<b>Driveway length</b>	None	21 ft.	18 ft.
<b>Height</b>	None	26 ft.	28 ft.

\***Front Yard Setback per 9.7.4(a):** Seven lots on the same side of the street were evaluated to determine the average front yard setback. The front yard setbacks ranged from 12' to 30', with an overall average of 18'. The applicant has requested a variance to allow the exterior stairwell and deck (which extend above the ground floor level) to encroach into the required front yard setback.

## DISCUSSION

### Single Family Design Review

The applicant is seeking Single Family Design Review (SFDR) approval to construct a new 2,081 square-foot single family dwelling on the subject lot. The following SFDR findings must be made in order for the Commission to approve the project:

- (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.*
- (b) *The overall site and building plans achieve an acceptable balance amount 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*
- (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.*
- (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.*
- (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.*
- (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*
- (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.*
- (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*

Full analysis of the SFDR findings is not required at this time. However, staff has reviewed the project for general compliance with the findings and has concerns related to the total amount of grading (cut) required and the proposed hardscape elements (Finding B) as discussed below:

**Site Grading** – After advertising this project for a public hearing, it was determined that the applicant had provided inconsistent grading information for the project. As such staff has

brought the project to the Commission as a study session item to solicit comments and suggestions. Staff has contacted the project geotechnical engineer, Sigma Prime Geosciences, Inc., to confirm all grading related information. The project as proposed would require 1,632 cubic yards of cut, which includes 272 cubic yards for bulking factor. No fill would be required.

Staff notes that this is a very significant amount of grading for a single family residence – the home approved for the adjacent lot at 2702 Monte Cresta ultimately required approximately 711 cubic yards of cut to accommodate a three bedroom home. That home did not have the same exterior flat deck/patio space as is being proposed for this project. Additionally, the adjacent lot slopes down from left to right, thus the right side of the home (as viewed from the street) did not require the same slope cuts as the proposed project.

Staff generally can not support the proposed project design relative to site grading. The project geotechnical engineer has indicated that there are several relatively minor design modifications that would bring the total amount of cut down to an amount below 1,000 cubic yards. These potential modifications include raising the ceiling height of the garage and thereby raising the two upper living levels further out of the hillside; eliminating the uppermost cut terrace at the rear of the home; and reducing or eliminating entirely the proposed patio/deck areas.

**Project Hardscape** – Hardscape elements for the property include the paved driveway, exterior stairwell, decks and paved patios. Staff has concerns with the patio/deck elements as they relate to the grading issues discussed above. The home approved for the adjacent lot (2702 Monte Cresta Road) was approved with no recreational patio/deck areas. A small exterior walkway was approved along the right side of that home in order to provide alternative egress for the second story bedroom.

In contrast, the proposed project includes an approximately 280 square-foot concrete patio on the left side of the second story, as well as an approximately 431 square-foot deck and patio located at the rear of the third story. In an effort to lower the height of the retaining walls around the upper level patio, the engineer has proposed a two-stepped retaining wall design which creates an upper terraced flat area. While this area does not contribute to the total amount of usable hardscape, it does increase the net amount of earth cut for the project.

#### Variance Review

The applicant will be seeking approval of two Variances to accommodate the proposed dwelling. The same variances were approved for the home on the adjacent lot. The following findings must be made by the Planning Commission in order to approve a variance:

- (a) *The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Plan.*
- (b) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.*
- (c) *The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.*

- (d) *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.*

The first variance request would allow the retaining walls adjacent to the driveway to reach a maximum height of 19 ½ feet where the BZO limits retaining walls within the front yard setback area to a maximum height of 6 feet. The subject lot is characterized by a very steep slope (1:1 horizontal to vertical) at the front of the property, and significant cuts are required to accommodate the proposed 20-foot long driveway. The grading plan (sheet C-1) indicates that the driveway gradient is proposed to be 11.6%; the maximum permitted by the City is 18%. While increasing the driveway gradient would not mitigate the need for a retaining wall height variance, it would facilitate a slight reduction in the maximum proposed height of the retaining walls.

The other variance request is to allow the exterior stairwell and deck at the front of the home to encroach into the front yard setback. Section 9.7.1(b) of the BZO permits unroofed exterior stairs and decks to encroach up to six feet into any yard area so long as they do not extend above the ground floor entrance. The proposed stairwell and deck at the front of the house clearly extend above the ground floor (garage level) and thus a variance is required.

## **NEIGHBORHOOD OUTREACH**

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and letter attached to this report (Attachment II). The owner reported mailing a letter to nearby neighbors in May 2007 informing them about the proposed project. The letter also included a reduced size set of plans. The applicant reported receiving no feedback to the neighborhood outreach letter. Since the public notice was mailed out, staff has met with one neighbor to review the civil engineering plan and their comments have been incorporated into this staff memorandum. No other responses to the public notice have been received by staff; the applicant appears to have achieved the outreach strategy task.

## **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 15303, Class 3(a):

*“Class 3 consists of construction and location of limited numbers of new, small facilities or structures... Examples of this exemption include but are not limited to:*

- (a) *One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.”*

The existing residence meets the above requirements for CEQA exemption.

## **CONCLUSION**

Based on comments and feedback received at this study session, staff will work with the applicant to make appropriate project design changes. Single Family Design Review and

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Variance findings will be prepared for the Planning Commission to review at a future public hearing. No findings or resolutions are required at this time.

### **ATTACHMENTS**

- I. 300/500-foot Radius Map
- II. Neighborhood Outreach Materials
- III. Project plans/materials (Commission only)

CC: Applicant/Property Owner