

Minutes of the Planning Commission Regular Meeting of Tuesday, May 7, 2019
Council Chambers, One Twin Pines Lane, Belmont, CA

ROLL CALL 7:00 P.M.

Planning Commission members present: Kramer, Meier, Finley, McCune, Majeski, Pyrz, Goldfarb
Planning Commission members absent: None

Staff Present: Community Development Director de Melo, City Attorney Rennie, Associate Planner Dietz, and Administrative Assistant Lynn

PLEDGE OF ALLEGIANCE

Led by Commission Chair McCune.

COMMUNITY FORUM

Chair McCune opened the Community Forum.
No public speakers came forward.
Chair McCune closed the Community Forum

COMMISSIONER ANNOUNCEMENTS / AGENDA AMENDMENTS

None

CONSENT CALENDAR

Regular Meeting Minutes April 30, 2019

ACTION: On a motion by Commissioner Goldfarb, Seconded by Commissioner Majeski to approve the Special Meeting Minutes of April 30, 2019.

Motion passed 6-0-1 (6 Ayes, 0 Noes, 1 Abstained)

PUBLIC HEARINGS

7 A. 1543 Winding Way – (Single-Family Design Review and Tree Removal Permit)

Commissioners stated no ex-parte communications were made.

Associate Planner Dietz provided an overview of the staff report and a presentation to consider a Single-Family Design Review and a Tree Removal Permit to remove nine protected trees, including one city tree in the public right-of-way. The project would construct a new three-level residence and include tree removal within the building footprint or immediate vicinity, and one tree is where the sidewalk would be located. Per the arborist report, two trees were in poor condition. The project is categorically exempt from CEQA, it would not impact public views, there will be minimal necessary grading, the site would be well landscaped, it is in compliance with Residential Guidelines and Criteria, and the tree removal criteria supporting the removal outweighs the criteria supporting tree retention. Staff stated all findings were made in the affirmative and recommended approval.

Chair McCune invited the applicant to address the Commission. The applicant provided no additional comments.

Yogesh Chitlangia, applicant, concurred with the staff presentation and recommendation and stated he would answer any questions from the Commission.

COMMISSION QUESTIONS TO STAFF

Chair McCune invited Commission questions to staff.

In response to Commissioner Kramer, the applicant stated the roof access is for maintenance access only and not intended to be used as a roof deck.

In response to Commissioner Goldfarb, staff stated decks are not included in the floor area space, which visually makes the home look larger than the actual square footage.

Chair McCune opened the Public Hearing.

The speaker forum consisted of three speakers. Comments were neutral in position of the project, however, speakers had safety issue concerns with the upcoming construction on such a narrow street. Suggestions were to have construction parking at either end of Winding Way, not to use residential driveways as back ins, to have traffic control in place, and keep construction to a reasonable timeline.

Public speakers in attendance:

Welden Benedict, Pam Quock, and Ziyang Zhong

Chair McCune closed the Public Hearing.

Chair McCune asked the Applicant to respond to public speaker comments.

Mr. Chitlangia stated he understands the construction activity concerns the residents have for the impact of construction on the narrow street. There are regulations in place for construction times to alleviate noise and activity. Residents' properties will not be used for construction uses. The project driveway and garage area will be laid out first for truck offloading and storing onsite. Traffic control will be in place and supervised. Staff added that the Conditions of Approval state that neighbor outreach will be given in advance of any major hauling/construction traffic days, and the construction manager contact number will also be given.

COMMISSION DISCUSSION

Commissioners concurred that the public comments are valid, and the project meets requirements. Commissioner Majeski stated the construction phone number will be posted on the site. The findings were made in the affirmative for the single-family design review and tree removal permit.

ACTION: On a motion by Commissioner Goldfarb, seconded by Commissioner Pyrz to approve the Single-Family Design Review and Tree Removal Permit for 1543 Winding Way; Application Number PA2018-0058.

Motion passed 7-0 (7 Ayes, 0 Noes)

Chair McCune stated this item is appealable within 10 calendar days.

7 B. 0 Talbryn Drive – (Single-Family Design Review, Accessory Dwelling Unit and Tree Removal Permit)

Commissioner Kramer recused himself.

Commissioners stated no ex-parte communications were made.

Associate Planner Dietz provided an overview of the staff report and a presentation to consider a Single-Family Design Review to construct a new two-story 4,500 square foot single-family residence, including a new 306 square foot accessory dwelling unit and a Tree Removal Permit to remove 7 protected trees, and one city tree. Landscaping will include planting 12 oak trees. The project is well-designed and articulated, it would not impact public views, the project minimizes necessary grading, it

is in compliance with residential guidelines and criteria, and the tree removal criteria supporting removal outweigh the criteria supporting retention.

Staff stated all findings were made in the affirmative and recommended approval.

Chair McCune invited the applicant to make a presentation.

Robert West, architect, concurred with the Planners' project overview and chose to forego his presentation.

COMMISSION QUESTIONS TO STAFF

Chair McCune invited Commission questions to staff.

In response to Commissioner comments, staff stated the address for the project shows zero until the home is built and then assigned an address. The purpose of the Certificate of Compliance application is to determine if the lot complies with the subdivision map act. It was brought to staff's attention that the subject lot was within a potentially antiquated subdivision which would predate the modern map act in 1929. After review, it was determined that a Certificate of Compliance was appropriate and therefore issued.

Chair McCune opened the Public Hearing.

Elan Caspi, neighbor, stated he had concerns with the removal of soil and soil stability for the hillside and his lot. Additionally, several trees are on Mr. Caspi's lot and abut the property line and he would like them protected during construction.

Chair McCune closed the Public Hearing.

Chair McCune asked staff if there was information regarding geological stability information.

Planner Dietz stated the applicant provided a geotechnical report and then the city peer reviewed this report. Conditions of approval were also provided. The contractor has to retain the geologic engineer of record throughout the course of construction.

Planner Dietz also stated tree protection measures are listed in the conditions of approval.

In response to Commissioner Majeski, staff confirmed the geotechnical and structural collaboration to assure the slope will remain stable once the building is built.

COMMISSION DISCUSSION

In response to Commissioner Goldfarb, staff stated she would like the arborist to reach out to the neighbor regarding the oak tree along the property line to confirm protection measures would be taken to protect and not damage the tree. The applicant stated he was amenable to communicating protection measures with the neighbor.

Commissioners concurred and made the findings.

ACTION: On a motion by Commissioner Pyrz, seconded by Commissioner Majeski to approve the Single-Family Design Review, Accessory Dwelling Unit and Tree Removal Permit for 0 Talbryn Drive, Application Number PA2018-0075.

Motion passed 6-0-1 (6 Ayes, 0 Noes, 1 Recused)

Chair McCune stated this item is appealable within 10 calendar days.

7 C. Firehouse Square- Mixed Use Building-1300 El Camino Real

Commissioners stated there were site visits but no ex-parte communications were made.

Adam Petersen, Project Manager from the M-Group provided a summary of the staff report and a presentation on the Firehouse Square Project. The overview covered the context and background, development standards, project location and setting, a street scape plan, environmental review, zoning standards, entitlements and recommendations.

The new 4-story Mixed-Use component would include the following:

3,748 Square foot commercial space

66 units: 65 affordable units, 1 managers unit

47 Vehicle parking spaces within underground garage

15 townhomes with individual garages

5,300 square feet of landscaping and open space

The design is intended to retain the original Firehouse Square façade.

Key Elements

- The project will include street trees, wide sidewalks, bulb-outs, bike lanes open space.
- This project is exempt from CEQA, as the development site for this project was analyzed and the Environmental Impact Report falls under the General Plan and Belmont Village Specific Plan EIR; the project can be approved without additional environmental review. The project is a half mile to Caltrain and is consistent with the BVSP. The project is also exempt from further CEQA review pursuant to State Public Resources Code Section 21155.4(A) and CEQA Guidelines Section 15182(B) (project proximate to transit).
- Housing Element opportunity site-housing element specifies number of units in each income category; fewer units than anticipated in moderate and above moderate income.
- Reconfiguration of parking along Fifth Avenue from front angle to reverse angle; Class III bike lane, midblock crossing, and dedicated off-site loading.
- Floor Plate design suggests the intent to reduce the effect of a “boxy” building and requires a “wedding cake” design approach. Staff recommended exemption for approval.
- Ground Floor Transparency intent will allow view to retail, art and restaurants. The alternative use is a unique operation and Residential use; therefore, the project meets the alternative use for requiring privacy of residential use. Staff recommended alternative for approval.
- Modification for on-site loading requires one on-site loading for mixed use and the space on Fifth Avenue satisfies the requirement. Staff Recommended modification for approval.

Entitlement Reviews

Disposition, Development and Loan Agreement-The City and Sares Regis entered into an Exclusive Negotiating Agreement in 2013. It was determined an affordable housing project was not feasible without the parallel development of townhomes. The agreements outline terms of disposition of property, requires leasing of commercial space of mixed-use portion, and requires project approval, secure financing and property maintenance.

Tentative Map-Subdivides the project for 15 townhome units and mixed-use component. It is consistent with the GP and BVSP, physical suitability and is consistent with approval of the FAR increase. Staff conducted evaluation for consistency and was able to make the findings and recommended approval.

Conditional Use Permit (CUP)-Would allow ground floor residential use. It is compatible with neighboring uses and does not have a transportation and utility burden and does not create traffic impacts or adverse effects on property and general welfare. A construction management plan is required. Staff recommended approval of CUP.

Grading Permit- Will require 17,600 CY of excavation for underground garage. Geotechnical reports and reviews were conducted, and no site stability issues were found. Best Management Practices for erosion and water quality in place and conforms with Grading Ordinance. Staff recommended approval of Grading Permit.

Tree Permit-would require the removal of 23 trees, and the protection and relocation of 2 palm trees. New trees will be from a preferred list in the Tree Ordinance and is consistent with the BVSP described in Chapter 4. Staff recommended approval of a Tree Permit.

Design Review- Includes design principles 1.) Scale and Mass-vertical and horizontal articulation, changes in color and material that break down overall appearance of building mass, and three-dimensional elements. 2.) Avoid extreme color; 3.) Accessory feature screening; 4.) Signage; 5.) Layout and orientation; 6.) Vehicular, bike, pedestrian circulation; 7.) Landscape.

Mr. Petersen concluded that the project is consistent with the GP and BVSP, the GP EIR is adequate to address impacts, all entitlement findings can be made, and recommending moving staff's recommendations in the prepared resolutions.

Chair McCune invited the applicant to make their presentation.

Jeff Smith, applicant and Senior Vice President of Development with Sares-Regis thanked staff for their report and detailed presentation. Representatives of their co-development team, MidPen Housing joined Mr. Smith to co-present. Acknowledgments were given to the representing developers and design team for the Firehouse Square Project. Sares-Regis presentation consisted of an overview of company background, development activity on the Peninsula, project information, community outreach background, site plan and renderings.

Serena Ip, Project Manager with MidPen Housing provided an overview of their non-profit organization, projects, properties and programs, and their Firehouse Square proposal. A 3-D video of the proposed project was shown after the presentation.

COMMISSION QUESTIONS TO STAFF

Chair McCune invited Commission questions to staff.

In response to Commissioners questions, staff stated the following:

- **Reverse angle parking** will result in less spaces than standard front parking. The benefit of reverse angle parking allows for safer movement when a vehicle is leaving a parking space for bicyclists in the street. This route is not on the Belmont Village Loop; however, it allows for multi-modal transportation on Fifth Avenue as part of the plan and will create a roadway that is safer for bicycles as well as vehicles. The reverse angle parking configuration is a City Council policy decision.
- **Below Market Rate units** are allotted by a wide variety of marketing and advertising strategies to inform people. Names are taken within 18 months before the application period, and then the names are chosen on a lottery system. After the lottery system is allotted, MidPen Housing contacts each applicant in order until they are certified and qualify for the unit. Family units will have after-school programs for residents.

- **FEMA** remapping of the flood map has been more accurately determined by the flood elevation to reflect actual conditions and has identified the Firehouse Square site in the Flood Hazard Area. This is not a result of development. This project is not creating a flood elevation than what is currently there, it is being built into an existing condition. Affected property owners were notified of the remapping of their flood zone and were informed to obtain flood insurance. Additionally, Public Works Engineering has placed a condition to the developer to participate in the study for the culvert analysis, as the current culvert is under capacity.
- **Open Space amenities** for the public have not been defined but will have seating areas and is required to follow the Parks and Recreation Conditions during the issuance of the Building Permit to specifically identify the amenities. The playground on the plans is solely for the tenants of the apartment building.
- **Off-site loading** (in public right-of-way) will be located at O'Neill and Fifth Avenue and is compliant with the size requirements in the BZO.
- **Geotechnical Report(s)** will be done prior to Building Permit issuance. It is anticipated that the site will have underground water once the parking basement will be graded. Sares-Regis put a plan together to design the garage like a "bathtub" where it will sit in the loads of the building. If the building cannot be built two feet above flood elevation, then flood gates need to be provided.
- **Streetscape features** will include street trees with tree grates, bicycle racks, a low brick wall behind the landscaping, widened sidewalks, accent paving, and seating elements. Additionally, the project would install bulb-outs, a mid-block crossing on Fifth Avenue, and installation of crosswalks on Broadway and Fifth Avenue. The street wall height can be 4-stories with a Conditional Use Permit. The four stories would include the area along El Camino and O'Neill where businesses will be located on the first floor.
- **Historic preservation** of the Firehouse Square façade will also include photographs and historical information/commemoration plaque for the public to view.
- **Civic Lane** will be repaved, decorative paving at the archway location and overhead utilities will be underground. It is a two-way alley that will also be used for garage entry. There will be mirrors, a strobe, horn and the possibility of stop bollards and striping set up as precautionary measures due to the narrow area and entrance. Public Works placed a condition in the review for the developer to work closely with the traffic engineer to study this better and provide an improved solution to the exit/entry point as it relates to Civic Lane.
- **Parking enforcement plans** for residents are monitored in the garage and there will be registration and tagging. Street parking is in the public right-of-way and not enforced by the property management company. The garage is for residents only and patrons of the businesses will need to use public parking in the vicinity.
- **Project time constraints** for moving forward is accelerated by statutes imposed by the city relative to the inclusionary housing ordinance and the city has a duty to push it forward to serve that goal. The property was acquired by the former Redevelopment Agency (RDA) using restricted housing funds to purchase. The property came to the city after the dissolution of the RDA as a housing successor property and the city has an obligation to use it for the development of affordable housing.
- **Commercial Space** will be the responsibility of a third-party commercial broker through MidPen Housing and they will work with the city to demonstrate flexibility for commercial use.

Chair McCune motioned to take a 5-minute break.

Chair McCune opened the Public Hearing.

7 Speakers spoke in the public forum. Comments were all in favor or neutral of the Firehouse Square project, however, concerns with parking, bulb-outs, the need for another crosswalk, construction hours and historical preservation were brought forth.

Public speakers in attendance:

Alex Melendrez, Mary Morrissey Parden, Father Michael Barham, Adele Della Santina, John Stockman, Elizabeth Eddy, Julia McKenna, Shannon (art historian).

Chair McCune closed the Public Hearing.

Staff responded to public comments noting that construction hours are limited to Monday through Friday from 8:00am to 5:00pm, and 10:00am-5:00pm on Saturday. Project is anticipated to start Spring of 2020 and will last approximately 18-months based on the size.

MidPen Housing is proposing a parking management plan where all residents will sign off on the parking policy which would include a “No Vehicle Preference”, that all parking is limited, and they may not be assigned a space. Free annual SamTrans bus passes are an option for all the residents onsite to encourage public transportation.

The measures associated with the Firehouse preservation include structural façade, window spacing and general existing façade aesthetics to be moved, maintained and structurally reinforced; exterior plaster finish walls to be patched and painted; broken, damaged or missing cornice to be repaired and/or replaced in-kind; existing windows to be repaired or replaced to match; existing doors and rough openings at entries to be replaced with storefront doors; space will be provided within main lobby or firehouse lobby for photo documentation and write up on old firehouse; plaque to be provided on exterior of building documenting the firehouse; and existing façade tile details and barrel tile roofing to be maintained or replaced in-kind.

COMMISSION DISCUSSION

Commissioners concurred that it was a good project and design. The Commission questioned the reverse-angle parking and thought it may not be the best fit for this specific area, especially if there was a reduction of parking spaces; parking in the neighborhood should be closely looked at for alternative parking areas such as Caltrain and reevaluated for potential changes; and concern with the 24-foot width of Civic lane abutting the buildings and the tightness of turning and suggested it be looked into further.

Commissioners concurred to make a finding in all four entitlements including two recommendations and take one action for the grouping. Commission recommendations to City Council are to study the back-in parking, and the Civic Lane width in proximity to building walls.

ACTION: On a motion by Commissioner Majeski, seconded by Commissioner Kramer to approve the draft resolutions grouping as presented by staff. The resolutions are as follows:

1. Resolution – CEQA
2. Resolution-Disposition Development and Loan Agreement
3. Resolution- Tentative Map

4. Resolution-Conditional Use Permit, Design Review, Grading Plan, Tree Permit, Floor Area Allowance and increased height

Motion passed 7-0 (7 Ayes, 0 Noes)

This item is anticipated to go to the City Council on May 28, 2019.

OTHER BUSINESS / UPDATES

Director deMelo stated that between the Windy Hill Project, Firehouse Square Project and the homes and ADU that were approved tonight resulted in 334 considered housing units within a week, which is more than has been constructed within at least the last ten-year period.

ADJOURNMENT at this time being 10:28 PM to a regular meeting of the Planning Commission to be held on May 21, 2019. Public Notice as required will be issued in advance of the next Commission Meeting.

Diane Lynn - Administrative Assistant

Meeting televised and web streamed