

**Minutes of the Planning Commission Regular Meeting of Tuesday, November 5, 2019
Council Chambers, One Twin Pines Lane, Belmont, CA**

ROLL CALL 7:00 P.M.

(Joint meeting with Planning Commission and Parks and Recreation Commission)

Planning Commission members present: Finley, Goldfarb, Kramer, Majeski, Pyrz
Planning Commission members absent: Meier

Parks and Recreation Commission members present: Block, Cotton, Fox, Lyford, Michaels,
Mittlestadt, Sanders
Parks and Recreation Commission members absent: Dai, Foehr

Staff Present: Community Development Director de Melo, Park and Recreation Director Shearer,
City Attorney Rennie, Principal Planner DiDonato, Senior Planner Gill, Associate Planner Dietz,
Administrative Assistant Lynn

PLEDGE OF ALLEGIANCE

Led by Commission Vice-Chair Majeski

AGENDA AMENDMENTS

Director DeMelo noted that due to the joint commission meeting Study Session Item, Items 4.A and 5.A was moved to after the Study Session.

COMMUNITY FORUM

Vice-Chair Majeski opened the Community Forum.

Griffin Goldfarb, resident, proposed an idea to improve the playground or gym by including a rock-climbing wall that is 10ft wide by 10ft high. Mr. Goldfarb stated he would be willing to speak with someone from the Parks and Recreation Department regarding his idea.

The Community Forum transitioned into the Study Session item.

STUDY SESSION

Joint meeting with the Parks and Recreation Commission to review the Belmont Community Center Conceptual Design Update.

Group 4 provided a presentation and information on the conceptual design and implementation plan updates. An overview of the plan phases, progress made, modifications incorporated in the plan from previous feedback, and what the next steps will be. The Consultant solicited the Commissions feedback for discussion on the updates to the conceptual design.

Commission discussion ensued. Individual Commissioners provided suggestions on project component to consider. Overall, the joint Commission was pleased with the conceptual development plan scale/slope.

The meeting went to a brief recess as the Parks and Recreation Commission adjourned the meeting.

The Planning Commission meeting resumed at 8:39 PM.

COMMISSIONER ANNOUNCEMENTS

Selection of Chair and Vice Chair

Commission affirmed Vice Chair Majeski as Chair.

ACTION: On a motion by Commissioner Goldfarb, Seconded by Commissioner Pyrz to affirm Vice-Chair Majeski to Chair.

Motion passed 5-0 (5 Ayes, 0 Noes)

Commissioner Kramer nominated Commissioner Goldfarb as Vice Chair. Commissioner Goldfarb graciously declined and in turn nominated Commissioner Pyrz, in which she accepted.

ACTION: On a motion by Commissioner Goldfarb, Seconded by Commissioner Kramer to affirm Commissioner Pyrz as Vice Chair.

Motion passed 5-0 (5 Ayes, 0 Noes)

CONSENT CALENDAR

Regular Meeting Minutes for October 15, 2019

ACTION: On a motion by Commissioner Kramer, Seconded by Commissioner Finley to approve the Regular Meeting Minutes of October 15, 2019.

Motion passed 4-0-1 (4 Ayes, 0 Noes, 1 Abstain)

PUBLIC HEARINGS

7 A. 2710 Ralston Avenue (Extension-CUP, Design Review, Tree Permit)

Commissioners stated no ex-parte communications were made.

Associate Planner Dietz provided an overview of the staff report and presentation to consider a 1-year extension to a previously approved Conditional Use Permit, Design Review, and Tree Removal Permit to construct a 1,497 square foot addition and remove 25 protected trees. The reasons for extension included the following: A building permit was applied for in May 2019; the applicant spent significant time coordinating with multiple consultants to address the City's comments; construction cost was higher than expected and additional financing was needed. Since, the applicant has made significant progress in addressing the comments and have indicated that they will be able to satisfy all comments within the extended timeframe. Staff stated the relevant regulations have not changed and the project has not been altered; the applicant has presented a reasonable justification of project delay; they appear to be on schedule to pull the permit within the extended timeframe, and the surrounding neighborhood and site characteristics have not changed materially since the original project approval. Staff made the findings in the affirmative and recommended approval.

Chair Majeski invited the applicant to speak.

The applicant had no comments and stated they were available for questions.

Chair Majeski opened the Public Hearing.

No speakers came forth.
Chair Majeski closed the Public Hearing.

COMMISSION DISCUSSION

Commissioners concurred in agreement and made the findings.

ACTION: On a motion by Commissioner Goldfarb, seconded by Commissioner Kramer to approve the 1-year extension of the previous Conditional Use Permit, Design Review, and Tree Removal Permit at 2710 Ralston Avenue. Application No. PA2017-0012.

Motion passed 5-0 (5 Ayes, 0 Noes)

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

7 B. 2514 DeKoven Avenue – (Design Review and Tree Permit)

Commissioners stated no ex-parte communications were made.

Senior Planner Gill provided an overview of the staff report and a presentation for a Single-Family Design Review and Tree Permit to construct a new 3,499 square foot single-family residence. The project includes 85 cubic yards of cut and 60 cubic yards of fill (25 off-haul). The grading will be in compliance with the City's Grading Ordinance, and erosion protection measures will be in place. Based on the Arborist Report, two protected size trees are proposed to be removed due to direct conflict with the site plan. Replacement trees are required to be planted or payment of an in-lieu fee. Staff stated the findings showed the plan is well designed and articulated and does not impact public views; tree removal and grading appear reasonable; the proposed landscape plan is appropriate; and the project is in compliance with the Residential Design Guidelines and Residential Design Criteria. Staff made the findings in the affirmative and recommended approval.

Chair Majeski invited the applicant to speak.
The applicant had no comments and stated they were available for questions.

COMMISSION QUESTIONS TO STAFF

Chair Majeski opened the discussion requesting questions from Commission to staff or the applicant.

In response to Commissioner Kramer, staff stated the correct slope for the property is 3%.

Chair Majeski opened the Public Hearing.
No speakers came forth.
Chair Majeski closed the Public Hearing.

COMMISSION DISCUSSION

Commissioners concurred in agreement and make the findings.

ACTION: On a motion by Commissioner Goldfarb, seconded by Vice-Chair Pyrz to approve the Single-Family Design Review and Tree Removal Permit at 2514 DeKoven Avenue Application No. PA2019-0050.

Motion passed 5-0 (5 Ayes, 0 Noes)

Community Director De Melo stated this item is appealable within 10 calendar days.

7 C. Windy Hill Project-1325 Old County Road, 1301 Old County Road, 1304 Elmer Street, and 633 O’Neill Avenue – (Tree Permit Amendment)

Commissioners stated no ex-parte communications were made.

Commissioner Kramer recused himself from this item.

Principal Planner DiDonato provided an overview of the staff report and a presentation of an amendment to a previously approved Tree Permit to allow removal of ten additional protected-size trees on the Windy Hill project site. Principal Planner DiDonato stated the following in regard to the amendment:

- A building permit showed the removal of 9 additional trees (14 total).
- Since that time, staff found that there was a disagreement between the applicant and adjacent property owner in regard to the location of the trees. In some cases, it was determined that some of the trees could be on both properties as they are near the property lines.
- To determine responsibility of the trees on the property line, Staff contacted San Mateo County for the site at 1304 Elmer Street, as that parcel is still within the county boundary. Principal Planner DiDonato indicated that where the majority of the tree trunk was in conjunction to the property line would determine if it was the city’s responsibility or the County’s responsibility to regulate.
- A survey was submitted, and a site meeting was held between the applicant and the adjacent property owner and determined the project would be revised.
- The applicant has revised the application and only the trees identified on the project site would be removed. The trees that were in question as to which property they were on were not included in the revised application. The revised project added 3 trees for removal (8 total) located on 633 O’Neill. The Conditions of Approval have been revised to indicate the change.

Staff stated the majority of the trees proposed for removal are in fair to poor condition, substantially impacted by construction of the building footprint and the project would not be achievable without the Tree Removal Permit. Fifty (50) trees were proposed for replanting as part of the landscape plan.

Staff made the findings in the affirmative and recommended adoption of the revised resolution.

Principal Planner DiDonato stated the neighbor was in attendance earlier and had to leave; and the applicant did not attend the meeting.

No attendees were in the audience at this time and no speaker cards were turned in for this item.

Chair Majeski Opened and Closed the Public Hearing.

COMMISSION QUESTIONS TO STAFF

In response to Commissioner Finley, staff stated the neighbor dispute has been resolved for the time being. They are in talks with one another and based on the outcome they may or may not come back before the Commission. If the trees in the County jurisdiction remain and construction moves forward, it may impact those trees in question. The applicant would need to look at a way of retaining and protecting these trees if they are not removed.

COMMISSION DISCUSSION

Commissioners stated they hope there is resolution between property owner differences and acknowledged the work staff put in to providing detailed information on the Tree Removal Permit amendment. Commission concurred in agreement and made the findings.

ACTION: On a motion by Vice-Chair Pyrz, seconded by Commissioner Goldfarb to approve the amendment to a previously-approved Tree Removal Permit to allow for construction of a 250 unit apartment building at 1325 Old County Road, 1301 old County Road, 1304 Elmer Street, and 633 O'Neill Avenue. (Parcel Numbers 046-031-020, 046-013-030, 046-031-050, 046-031-070, & 046-031-080). Application No. PA2018-0087.

Motion passed 4-0-1 (4 Ayes, 0 Noes, 1 Recused)

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

Commissioner Kramer reentered the chambers.

7 D. Belmont Zoning Ordinance (BZO) Amendments-Section 23 (Sign Regulations)

Community Development Director De Melo provided a summary of background information, research and outreach efforts, and incorporated the previous discussion and feedback provided by the Commission on the Belmont Zoning Ordinance (BZO) amendments Section 23 (Sign Regulations) regarding modifications to Section 23.08.05 (Window Signs - Non-Residential Properties), and Section 23.09.04 (Real Estate Signs). The amendments would modify: 1) the percentage of allowable window signage for Non-Residential properties, 2) the maximum permissible sign area of "for sale" signs in Non-Residential Districts, and 3) the number of allowable Directional/Open House Signs; and include 4) minor text amendments to address BZO Section 23 formatting and internal consistency.

Director De Melo also included the following details:

- In regard to Commissioner direction to research what other cities allow for window signage size regulations, staff surveyed 8 other surrounding jurisdictions, and most fell within the 25% range.
- Text changes were outlined in Section 23 in the Staff Report with the modified language incorporated in the attached Ordinance and Resolution.
- Formatting changes were applied to the document for better structural layout.

Staff recommended Commission approval.

COMMISSION QUESTIONS TO STAFF

Vice-Chair Pyrz inquired if the Resolution was severable in which they can separate the items out for voting in terms of the amendments. Attorney Rennie stated it is not recommendations of an individual Commissioner, but the Commission as a body can formulate the recommendations in any fashion they choose.

Vice-Chair Pyrz appreciated having a time limit on the real estate open home signage placement and wondered how the pickup within 2-days came about. Staff stated it seemed reasonable, but that time period can be changed and noted in the amendment based on Commissions direction. She also stated the possibility of lessening the size of commercial real estate signage and asked if it was discussed in a previous meeting.

Staff stated it was discussed at the October 15th meeting with a presentation that includes examples of commercial real estate signage, setbacks and building placement. It is also required that specific information is needed to be placed on the sign and the space is needed to be readable.

Chair Majeski opened the Public Hearing.

No speakers came forth.

Chair Majeski closed the Public Hearing.

COMMISSION DISCUSSION

Commissioner Goldfarb stated she would like to see the allowable window signage increased to 25%. She also would like to see the wording changed on the residential real estate signage time-limit from 2-days to 48 hours but would like to see a 24-hour pickup time limit.

Commissioner Finley concurred and stated that since it is complaint-based, it may end up being 48 hours by the time of pickup. He also agreed with the 25% recommendation for window signage.

Vice-Chair Pyrz stated the pick-up of residential signage 24 hours after the event has ended seemed reasonable. She also stated the 25% allowable window signage would be easier visually for enforcement.

Commissioners concurred in agreement and made the findings.

Commissioner Kramer agreed with the 25% allowable window signage and to be in alignment with neighboring cities.

Chair Majeski clarified that the Commissioners concurred on the 25% allowable window signage; and 24-hours for residential real estate sign pick up.

ACTION: On a motion by Commissioner Finley, seconded by Commissioner Goldfarb to recommend City Council amend the Belmont Zoning Ordinance (BZO) Section 23.08.05 (Window Signs - Non-Residential Properties), and Section 23.09.04 (Real Estate Signs) regarding : 1) the percentage of allowable window signage for Non-Residential properties, 2) the maximum permissible sign area of "for sale" signs in Non-Residential Districts, and 3) the number of allowable Directional/Open House Signs; and 4) minor text amendments to address BZO Section 23 formatting and internal consistency.

Director De Melo stated the action is subject to proposed amendments:

- Section 23.08.05 maximum area and sign structure shall not exceed 25% of the total window area.
- Section 23.09.04 Real Estate Signs-Section C, open house event signs shall be removed within 24-hours after the event has concluded.

Motion passed 5-0 (5 Ayes, 0 Noes)

This item is targeted to go to the November 26th City Council meeting for the 1st. reading of the ordinance.

OTHER BUSINESS / UPDATES

Director de Melo stated the following:

- A ribbon cutting ceremony for 600 El Camino Real is scheduled for November 19th. Invitations are forthcoming.

ADJOURNMENT at this time being 9:38PM to a regular meeting of the Planning Commission to be held on November 19, 2019. Public Notice as required will be issued in advance of the next Commission Meeting.

Diane Lynn - Administrative Assistant