

CITY OF BELMONT
PLANNING COMMISSION
SUMMARY MINUTES

TUESDAY, MAY 17, 2011, 7:00 PM

Chair Reed called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Reed, Mercer, Mayer, Parsons, d'Souza
Commissioners Absent: Horton, Wheeler

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Associate Planner Gill (AP), Interim City Attorney Kane, (ICA)

2. AGENDA AMENDMENTS – None

CDD de Melo thanked SP DiDonato for doing double duty by filling in for Recording Secretary Turning, who was absent due to flight delays.

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of April 19, 2011

MOTION: By Commissioner Mayer, seconded by Vice Chair Mercer, to accept the Minutes of Tuesday, April 19, 2011

Ayes: Mayer, Mercer, d'Souza,
Noes: None
Abstain: Reed, Parsons
Absent: Horton, Wheeler

Motion passed 3/0/2/2

5. PUBLIC HEARINGS

5A. PUBLIC HEARING - Vacant Lots on Alhambra Drive (043-232-080 & -230)

To consider a Single Family Design Review to construct a 2,771 sq. ft. dwelling for the subject property. (Appl. No. 2010-0035); APN: 043-232-080 & 043-232-230; Zoned: HRO-2 (Hillside Residential and Open Space); CEQA Status: Categorical Exemption per Section 15303

APPLICANT: Jeffery Rice
OWNERS: Eugene and Laura Tan
PROJECT PLANNER: Damon DiDonato, (650) 637-2908

Chair Reed asked if any Commissioner had any ex parte communications with anyone involved with this project. Commissioner Parsons reported that he had held a conversation with one of the neighbors but he had not talked to the applicant or any of the applicant's people.

SP DiDonato noted that the packet included a General Plan Determination Request for a Roadway Vacation of 1327 square feet of the adjacent right-of-way, which was not noticed. He therefore recommended that the Commission take no action on that aspect of the project. If the Commission decides to approve or deny the project, the Vacation could return to the Commission at a later date. He summarized the Staff Report, recommending approval subject to the conditions contained in the draft Resolution.

Noting that that the General Plan says that anything over 30% slope should be avoided, Commissioner d'Souza asked why 48% qualifies. SP DiDonato explained that the policy is intended for construction on a lot that has various slopes, and that sections of the lot that are over 30% should be avoided. In this case the entire site is over 30% so there is no way to avoid sections of the property that are over 30%.

Responding to Commissioner d'Souza's request for a definition of the word "Vacancy" SP DiDonato explained that the applicant is requesting that the portion of the right-of-way that is being unused be turned over to them. ICA Kane added that it is a default proposition that would have to be borne out by appropriate title reports and that adjacent land owners own to the midline of the street going past their property. When it is used as a public right-of-way, if it is abandoned or vacated, the ownership reverts to the neighboring landowners, which would then go to the center of the right-of-way. SP DiDonato confirmed that all of the proper documentation has been submitted for the Vacancy as well as the floor area transfer and the lot line adjustment.

Referring to the Geological Report that stressed issues regarding storm water flow and the creation of hardscape over the property, Commissioner d'Souza asked if the height and bulk would reduce impact from storm water flow for the property. SP DiDonato responded that the applicant has been studying the different constraints and how best to addresses them over the course of 2 years and their geotechnical engineer submitted a report that was reviewed by the City's geologist. They and the Public Works Department have determined that the current solution to drainage impacts and the geotechnical issues to this site have been adequately addressed.

Commissioner Mayer asked for an explanation of the difference between structural fill and regular dirt. SP DiDonato stated that it was his understanding that structural fill has a certain amount of aggregate in it to allow for air gaps—it is compacted but it can only be compacted so much so that an anaerobic condition is not created around the roots of the Oak tree.

Commissioner Mayer asked why the retaining wall at the bottom of the property is constructed of redwood as opposed to stone or some other material. SP DiDonato deferred the question to the applicant.

Commissioner Parsons asked staff to elaborate on Council's 2 to 2 vote on the Vacation of the right-of-way. SP DiDonato believed that Council did not fully understand how beneficial it was to vacate a portion of the right-of-way as opposed to moving forward with a project that would push the house up the hill contrary to many of the General Plan policies.

Responding to questions from Commissioners Parsons and Mercer regarding density transfers and PD vs. PDF categories, SP DiDonato pointed out that this is not a density transfer but a floor area transfer and that PD is a separate category from PDF.

Jeff Rice, applicant/designer of the project, addressed the Commission, noting that the owners, builder, civil engineer and the landscape consultant for the project were also available. Using a Power Point presentation, Mr. Rice described the proposed project in detail.

Commissioner Mercer asked if the model he had provided was fully to scale. Mr. Rice stated that it is slightly higher than normal due to the width of the cardboard, but that it is a fairly good representation of the steepness of the hill, and that the trees are to scale and located where they are supposed to be. Responding to Commissioner Mercer's question, SP DiDonato stated that all of the roof lines fall within the 28' height limit, and that a condition of approval is included that heights be measured at various times during construction to insure that at the end of the project it is still within the height limit. Commissioner Mercer asked for clarification of the reason for the use of pavers on the concrete bed on the front driveway. Mr. Rice responded that this method would not allow water to permeate into the soil below – they were concerned that water would eventually work its way down hill into the neighbor's property. The pavers are a decorative approach rather than having just a concrete slab. There will be drain inlets to collect the water and divert it to the drainage channels. SP DiDonato confirmed that, based on the soils report for this project, allowing drainage to occur at that location would be problematic.

Responding to Commissioner Parsons' question, Mr. Rice stated that the number of cubic yards of fill and concrete had not yet been determined --- that will be a part of the construction management plan. It concerned Commissioner Parsons that they will probably be hauling dirt and concrete at the same time. Responding to Commissioner Parsons' suggestion that they could have bumped the driveway up to an 18% slope, Mr. Rice stated that he had considered that but found that it would be very problematic to try to get a vehicle up a 20' driveway with an 18% slope without bottoming out, and that it would be difficult to exit cars in the two uncovered parking spaces without falling backwards. As an aside, Commissioner Parsons mentioned that grapes planted across the driveway would be difficult to pick and would not be a good place under which to park a car.

Responding to Commissioner Mayer's earlier question about the Redwood retaining wall, Mr. Rice said that he did not know what the City would want and was willing to use whatever the Commission is comfortable with. Commissioner Mayer asked if there is a way to get into the outside stairway from the driveway. Mr. Rice explained that the steel gate next to the garage door will be locked and there will be an intercom system controlled electronically from upstairs. Either the stairs or the elevator can be accessed from that point.

Commissioner d'Souza asked if there will be in-lieu fees for the removed trees. SP DiDonato replied that the applicant will pay tree removal fees and in-lieu fees. Commissioner d'Souza stated that he would prefer to see 48" trees instead of the 15 gallon that have been proposed for replacement. Mr. Rice

stated that there is a problem with planting trees on the side of a cliff – the bigger the tree is when starting out the harder it is to get it to grow properly. Their first approach was to try to use a 5-gallon tree, but since Oak trees grow very slowly so they compromised at 15 gal. Christa Godfrey, landscape consultant, stated that Oak trees are likely to be bigger in 3 years if started in 15-gallon containers than with 24” or 36” box because they get stunted in their small containers. She prefers starting with a 5-gallon tree to give it a chance to become compatible with the soil in a natural way.

Chair Reed opened the Public Hearing.

Eugene Tan, project property owner, stated that he wanted to be sure that his project is worthy of the City of Belmont and has a positive impact on the community. Responding to Chair Reed’s question as to why he wanted to build on a 48% sloping lot, Mr. Tan stated that he and his wife fell in love with the Oak trees and wanted to find a way to be there and preserve and restore the lot, and to enjoy the view and the neighborhood.

Mike O’Connell, project civil engineer, explained the gully restoration and drainage issues. Chair Reed asked why they are restoring the gully since it is not an active gully. SP DiDonato responded that one reason is to control drainage and the other is to restore the trees on the back of the property to be sure that they thrive. Mr. O’Connell clarified for Commissioner Mercer that they have installed a catch basin on the property at the top of the slope so that if the water ever spilled over Monte Cresta and started to flow down the slope it would run into the catch basin.

Joe Betts-LaCroix, new owner of the property next door, stated that he wants to do whatever he can to reduce the bulky appearance of his home and on the subject property. He felt that 15’ is high for a garage and noted that his driveway is between 25 and 35% grade and is not a problem. He was also concerned about the availability of daytime street parking during construction and if the maximum hydraulic capacity of the drainage system will be sufficient in the long-term if the rainy season is excessive. Mr. O’Connell responded that these systems are typically designed to contain a 10-year storm and they made provisions for safe overland release during a 100-year event.

MOTION: By Commissioner Mercer, seconded by Commissioner d’Souza, to close the Public Hearing. Motion passed 5/0/2 by a show of hands, with Commissioners Horton and Wheeler absent.

CDD de Melo asked for time to clarify the floor area transfer and lot merger process. Chair Reed asked for confirmation that for this project, three lots will be taken off the market for one single-family residence. CDD de Melo confirmed that two lots are being merged and that a discontinuous lot is being retired. The two lots that will be merged as part of the project have a maximum floor area potential of 900 square feet each and the discontinuous lot yields a maximum floor area potential of 1,200 square feet for a maximum of 3,000 square feet. The floor area ratio for the project – the maximum of any floor area transfer, regardless of how many lots are used – is 0.5 and this project is 0.213, well under the maximum allowed. He further explained the approval process and requirements under Section (d) of the Zoning Code regarding FAR transfers. He stated that potentially there could be three 900 sq.ft. homes as opposed to this one 2800-sq.-ft. home. SP DiDonato stated that the third lot is along Monte Cresta, he believed on the unpaved portion on the street.

Commissioners commented as follows:

Commissioner Mercer:

- Quoted from the San Juan Canyon portion of the General Plan: “In particular, unstable slopes, slopes over 30%, natural drainage ways, stands of trees and visually prominent ridge tops should be retained as open space.” She expressed concern that this project involves 4 out of 5 of these qualifiers. She differed with staff’s interpretation of the General Plan guidance to not be developed on slopes over 30%. She interprets it to mean that slopes over 30% are not developed.
- Looked at the San Juan Hills Area Plan element of the General Plan, Table of Geologic Hazard Criteria for Development on page 37, states that this land is not to be developed for residential planned development, private roads or water tanks. This policy is also codified in Chapter 7, Article 3, of the Municipal Code.
- Page 39 of the San Juan Plan in the same section of Geologic Hazards and Land Use Policy, item 6c says to “encourage the redesign in combination of transfer of building rights to areas outside these two critical geologic hazard areas, MD and PDF.” She interprets that to mean that these are lots that should be retired – these lots should be lending 1200 sq.ft. of development potential to some other lot that is not in a geologic hazard area in the MD or PDF.
- Had difficulty finding that it this is a buildable lot due to the further requirement for Vacation of the easement in order to fit the garage into the street level. She watched the webcast of the City Council meeting and believed that it was far from definitive whether Council would or would not approve this Vacation. She noted that the Traffic Committee is dealing with increasing requests to zone one side of the hillside streets as “no-parking” because of cars having difficulty navigating the streets due to parked cars.
- Expressed concern that the grading at the top of the lot is not being left in its native state. She read the following quote from Mr. Chavosh’s letter of February 17, 2010: “Prior to placement of engineered fill in the gullies, all debris organic material and loose soil should be removed to expose firm native colluvium. It will be necessary to cut level benches into firm native soil where slopes are greater than 10 degrees. Depending on the conditions exposed during grading, it may be necessary to excavate a key at the gully confluence. The key should be an equipment width (minimum 8 feet) and extend at least 3 feet into firm native soil.” It concerned her that they will have to do some excavating and cutting in order to stabilize, and it was mentioned that it all has to be compacted to at least 90% of the minimum dry density. She concludes that there will be significant engineering taking place on the hill despite assertions that it is going to be left native.
- Read the following quote from the Cotton Shires report dated September 1, 2010: “It appears that a relatively low spot or low gradient segment of unimproved Monte Cresta is present that may direct concentrated water onto property slopes under adverse storm conditions. Consideration should be given to appropriate engineering solutions to intercept or redirect surface flow near the top of the property so that concentrated storm drainage does not discharge across street slips.” This concerns her because it raises the specter of City liability for water coming off of the Sequoia properties. She stated that all of the Sequoia properties drain their backyards and their rainfall naturally drains onto Monte Cresta, which is even damp and boggy in the summertime because a big plastic pipe comes out of each back yard all summer long. She is concerned that during a heavy rain year the City will be liable if it has done nothing to engineer the slope above to protect the downhill property owners.
- Could not make the findings about bulk because of the way the house looks from the street – it clearly has the appearance of a 3-story house with minimal setbacks.

Commissioner Parsons:

- Thanked the applicants for bringing a better project than the original submittal in terms of reducing the amount of cut required for this site. He stated that the house is attractive but that the house across the street would be looking at a 4-story building.
- Had the same concerns as those raised by Commissioner Mercer.
- Raised the possibility that some of the paper roads might have to get built in the future, including the extension of Alhambra. In that event, the Vacation issue could be a problem if they need to widen that street because access in and out of this site is another major issue for the development of the site. A big problem with this site is how to get the trucks in and out without creating havoc. A truck breaking down could prevent emergency vehicles from getting in and out. He had real concerns about the adequacy of the roads, especially in the event of an emergency.
- Was concerned about potential drainage problems, noting that it is an historic swale and a lot of the neighbors have drainage problems. If part of the hillside gave away above Monte Cresta in a heavy rain it could affect this house. He believed the project is in the wrong location – it's on a lot that shouldn't be built on and the findings cannot be supported by the General Plan. The City has had a lot of problems in the San Juan Canyon area with drainage problems, with steep slopes and with sliding, and these problems need to be a considered when bringing in more homes and a lot more construction. For those reasons he could not make the findings with respect to conformance with the General Plan and the San Juan Hills Plan.
- Wished there would be a way to do the project with less cut and fill.
- Also had a problem with the finding on bulk issues.

Commissioner d'Souza:

- Liked the design but he did not like how it is located.
- Noted that it was odd that this project takes up a thousand times more of staff time than the next two projects on the agenda, and believed that this should be discussed under Item 6C.
- Believed that the project did not meet the General Plan policy
- The Fire Chief said that he could provide services to this property but his agency is in the process of going broke and disbanding. Police said they could provide services but on his street the speeds are 20% over the limit and the police cannot do anything about it.
- There's a trail in the back; it would be nice to see an analysis of the trail along with the analysis of the road.
- Would like to see an analysis of the real public cost in locations like this of the sewer, pumping stations for sewer, storm water intrusion into the sewer system, and roads that are sliding out.
- He believed there was a conflict between the arborist wanting to keep the trees alive and the geotechnical report basically wanting to kill the root system with intensive cuts into the system.
- On the basis of building bulk, hardscape, grading and construction, he could not find for this project.
- He also could not find for the project because he believes there is an impact on the view when standing on the site and looking into the trees; there is a drop-off in the bulk of the greenscape before getting down into the canyon.

Commissioner Mayer:

- It is clear to him that the General Plan statement *discourages* development above 30%; it does not *forbid* it. Therefore, he believed that they have to look at the whole complex of issues here, not just the 30% slope as the "be all and end all."

- In making its findings, the Commission does not look at each item in isolation but at the combination. He noted that the Staff Report says that the overall site and building plans achieve an acceptable balance among bulk, grading, and so forth. He therefore takes a somewhat more positive view of this project.
- The bulk does not appear to him to be a big issue. He believed that the designers have tried hard to do the best they could to put a compatible project here.
- As far as the vacancy issue is concerned, he stated that the role of the Commission is not to second-guess the Council – that’s for them to decide. They have to decide based on the issues put before them; i.e., is this Vacation desirable or not.
- Regarding the potential drainage problems, he believed that at some point they have to rely on something. Doomsday talk does not get them anywhere and he is very sympathetic to the property owners. He believed that they have done a good job of trying to accommodate as best they can to produce a buildable design for this particular property.
- Is concerned about the San Juan Canyon Plan and how this fits into that. He would like staff to prepare a closer analysis of the project in relation to that Plan.
- Based on the Design Review that is before them, he could basically approve the project.
- No where in the Zoning Code or anywhere else are cut and fill issues defined. He believed they have to look at the balance of the whole project and not just the cubic yards of cut and fill – that’s something that depends on a lot of factors – not just on absolute limitations that do not exist.

Chair Reed:

- Stated that if they apply the criteria discussed at this meeting, there are hundreds of homes in Belmont’s hilly areas that would not be approved by this Commission. Some are dug into the hillside but more seem to exist floating on piers overhanging cliffs. He stated that he wants to apply some kind of a fairness doctrine here. He sees a project where the applicant and his team, if this is deemed a buildable lot, has perfected what can be built on this site. He appreciated that the applicant worked with staff so extensively to reduce the impact on the trees on the site, reduced the amount of dirt that has to be hauled out, repaired the gully, and that three lots will be taken off the market for one single-family home.
- Had no problem making all the findings for this project.

ICA Kane clarified that:

- The issue of the Vacation is not before the Commission because it was not agendized properly. It will need to come back at a later date and it may come back with an iteration involving more analysis of the San Juan Area Plan or if the project comes back in another version or form.
- What is before the Commission is a Single-Family Design Review and the findings for that – not some of the broader or collateral issues.

CDD de Melo clarified that this could provide the opportunity for staff to do more research on the implications of the San Juan Hills Plan and clean up the issue related to the street Vacation. He restated that what the Planning commission has to do is a single action. General Plan conformance for the street Vacation is a connected action. If the Commission was to take an action to approve the project he would want that to be put off to the side until the street Vacation issue could be cleaned up. Responding to Chair Reed’s comment that he does not want this item to be re-heard at a future meeting, CDD de Melo stated that if the item is continued, the length of the discussion at the next hearing could be shortened and the opportunity used to do some further research and address the street Vacation issue.

Commissioner Mayer noted that there are two Commissioners absent and that it would be advantageous to wait until the entire Commission is present to make a final decision.

MOTION: By Commissioner Mayer, seconded by Vice Chair Mercer, that this project be continued for further analysis by staff of its relationship to the San Juan Canyon Plan and any related background so that it can be adjudicated at that point, and so that the component related to the street Vacation can be publicly noticed.

Responding to Commissioner Parsons' request to make an amendment to the motion, ICA Kane advised that the vote should be taken.

Ayes: Reed, Mercer, Mayer
Noes: Parsons, d'Souza
Absent: Horton, Wheeler

Motion passed 3/2/2

Commissioner Parsons noted that he would have voted for the motion except for his concern that this site is so unique because of where it is. He would like to have more analysis of how difficult it will be to build the project, how much construction material, how much soil and rock are going to have to come back, how much concrete is going to have to come back in, how the large vehicles will maneuver the steep, narrow and winding streets, what the impact is going to be on the neighborhood, how Police and Fire will deal with blockage by construction vehicles, and where the water is going to go that has been draining into the historic ditch. CDD develop clarified that what Commissioner Parsons is looking for is to have a more robust construction management plan as part of the analysis and staff will work with the applicant to try to forecast some of these issues, such as drainage, erosion, street vehicle access, emergency vehicle blockages, etc. Commissioner Parsons added that more analysis is needed on the part of the City with respect to the Vacation issue, noting that the project will not get built if the Vacation is not approved by City Council. He asked for input from the Public Works, Fire and Police Departments on the long-term plans for the Vacation of the 1300 sq.ft. section of road.

CDD de Melo clarified that the project is continued to a date uncertain.

For the record, Commissioner Parsons asked that his vote be changed to a "Yes" vote.

At 9:00 p.m. Chair Reed called for a 5-minute break, and thanked SP DiDonato, CDD de Melo and the applicant for doing a fantastic job on this complicated project.

5B. PUBLIC HEARING -11 Briarwood Way - (Continued from 9/21/10 PC Meeting)

To consider a Conditional Use Permit and Design Review to amend the Woodbridge Park Detailed Development Plan (DDP) by adding a 650 square-foot addition to the existing 3,005 square foot single-family residence for a total of 3,655 square feet which complies with the development guidelines for this DDP. (Appl. No. 2010-0024)

APN: 040-384-080; Zoned: PD – Planned Development

CEQA Status: Categorical Exemption per Section 15303

APPLICANT: Design Max Construction
OWNER: Tom Nam Loui
PROJECT PLANNER: Rob Gill, 650-598-4204

Chair Reed determined that no one on the Commission had any ex parte communications with anyone involved with this project.

AP Gill summarized the Staff Memorandum, recommending approval subject to the conditions attached.

Referring to Page A2 of the plans, Commissioner Mercer asked for clarification of what appears to be a new closet in the middle of the dining room in the existing home. The question was deferred to the project designer.

Responding to Chair Reed's question, AP Gill stated that, based on the last project at Seagate, it was determined that the soil at the subject property probably was not suitable for Oak trees and I believe that staff was going to look at a list of trees provided by the arborist in 2004 that are more suitable.

Responding to Commissioner d'Souza's question as to why the shed in the back was included in the square footage for the site, AP Gill stated that the City's Zoning Code requires that an enclosed area that has a floor-to-ceiling height 6½ square feet or greater shall be counted in the total square footage, which is the case in this instance.

Responding to Commissioner d'Souza's question regarding requirements for a kitchen in the second unit, AP Gill stated that the Ordinance definition of a second unit includes a permanent kitchen.

Responding to Chair Reed, AP Gill stated that there will be a deed restriction recorded limiting this particular dwelling to one kitchen.

Andy Lau, project designer, stated that the appearance of a closet in the dining room is a mistake. On behalf of the owner, he explained that the Chinese tradition is to live together with 3 or 4 generations and the property owner proposed this project to house their parents and provide them with a somewhat separate area from the existing building. He stated that there will not be cooking appliances in the proposed addition. He further described the revisions made to the plans since the last Planning Commission meeting.

Tom Loui, property owner, expressed the wishes of his parents and the background of his family.

MOTION: By Commissioner Parsons, seconded by Commissioner d'Souza, to close the Public Hearing. Motion passed 5/0/2 by a show of hands, with Commissioners Horton and Wheeler absent.

Commissioner d'Souza liked that the existing plan and the proposal were shown on the same page. He liked that the applicants are taking care of their parents in a senior-friendly neighborhood. He could make all the findings.

Commissioner Mayer could make all the findings.

Commissioner Parsons related his own experiences with his parents moving to his home and wished Mr. Loui good luck. He could make all the findings.

Vice Chair Mercer stated that the applicant had addressed all of the concerns that the Commission had in the first hearing on this project. She asked that the conditions include 3 replacement trees but wanted the applicant to work with staff to identify a tree species that is tall crowning but suitable for the local soil. With that addition she could make all the findings.

Chair Reed stated that he could easily make all the findings and discouraged the planting of Oak trees in the area because the soil is not appropriate, and asked staff to work with the applicant to select appropriate species.

MOTION: By Commissioner Parsons, seconded by Commissioner d’Souza to adopt the Resolution approving a Conditional Use Permit and Single-Family Design Review to amend an approved Detailed Development Plan for 11 Briarwood Way (Appl. No. 2010-0024), with the additional condition that the Oak trees be replaced by a more soils compatible large tree that will get a crown, throw some shade and reduce the bulk.

Ayes: Reed, Mercer, Mayer, Parsons, d’Souza
Noes: None
Absent: Horton, Wheeler

Motion passed 5/0/2

Chair Reed stated that this item can be appealed to the City Council within 10 calendar days.

5C. PUBLIC HEARING - 2021 Alden Street

To consider a Single Family Design Review approval to construct an 849 square foot addition to the existing 1,999 square foot single family residence for a total of 2,848 square feet that is below the zoning district permitted 2,852 square feet for the site. (Appl.No. 2011-0004)

APN: 044-301-020; Zoned: R-1C – Single Family Residential

CEQA Status: Categorical Exemption per Section 15303

APPLICANT: GP Residential Designs

OWNER: Vltavsky Dominik

PROJECT PLANNER: Rob Gill, 650-598-4204

Chair Reed determined that no one on the Commission had any ex parte communications with anyone involved with this project.

AP Gill summarized the Staff Report, noting that under the Existing Dwelling and Floor Layout section, the reference to stairs to the second floor should read “stairs to the lower level.” Also, the reference to Zoning Conformance should be omitted from the Staff Report. The legal non-conforming garage will be modified to include fully compliant interior dimensions of 20 x 20. Staff recommended approval of the project with the conditions attached.

Responding to Commissioner Mercer’s questions, AP Gill stated that, since the under-floor area is over 6½’ the applicant will have to create some kind of permanent ceiling in that area in order to meet zoning standards, and that, based on his conversation with the project designer, there will be no fill for this project.

Chair Reed opened the Public Hearing. There were no requests to speak.

MOTION: By Parsons, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 5/0/2 by a show of hands, with Commissioners Horton and Wheeler absent.

Commissioner Mayer stated that the project will not have much external impact and he could make the findings.

Commissioner Parsons concurred. He would like to see a couple of larger trees in the front yard on either side to frame it but the young birch trees planted there will eventually get some height.

Commissioner d’Souza stated that this is a “vanilla” design on an acceptable buildable lot; he could make all the findings.

Vice Chair Mercer applauded the applicant for expanding the garage into conforming and for keeping it mostly within the envelope. She suggested that she would like to see more landscaping.

Chair Reed commented that this is a fairly straightforward project in the rear with no impact on trees and no grading.

CDD de Melo asked that the following typographical edits to the proposed Resolution be read into the record:

- Correct the title of the Resolution to show 2021 Alden Street as the project location as opposed to 100 Hiller.
- The first “Whereas” should indicate 2,848 square feet as opposed to 2,852 square feet.

MOTION: By Commissioner Mayer, seconded by Commissioner d’Souza, to adopt the Resolution approving a Single-Family Design Review at 2021 Alden Street (Appl. 2011-0004).

Ayes: D’Souza, Parsons, Mayer, Mercer, Reed
Noes: None
Absent: Horton, Wheeler

Motion passed 5/0/2

Chair Reed announced that this item can be appealed to the City Council within 10 calendar days.

6. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

6A. Ralston/US-101 Landscape Project

No update at this time.

6B. San Mateo Development – North Road/43rd Avenue

No update at this time.

6C. Residential Design Guidelines

SP DiDonato had distributed a memo distilling the Commissioners' comments from the last meeting and comments he received subsequent to the meeting. He asked that they review the memo as well as a "track changes" document with Commissioner Mercer's comments that will be provided by email, with the intent of discussing it at a meeting in early June.

6D. Sixth & O'Neill – Street Reconstruction Project

Bid opening was the previous week with nine bids, most of which were well under the engineer's construction estimate. Pre-construction work is already underway, with the goal of starting construction within the next two to three weeks.

Plans to report to the Commission at its next meeting on five capital improvement projects that the Public Works Department will be managing over the next three to five months.

6E. US-101 Pedestrian/Bike Bridge Project

This project is going very well. Looking at a potential July completion date.

6F. High-Speed Rail (HSR)

The Ad Hoc Committee met the previous Thursday and the next meeting is scheduled for the second Thursday of June at 6:45 p.m. Commissioner Mercer added that there has been a lot of legislative action in Sacramento and that the Committee is looking at bringing an update to Council sometime over the summer.

ICA Kane reported that at the last Council meeting the Council authorized a need to participate on an amicus basis if the court grants that approval in the two Atherton plaintiffs' cases that are pending in Superior Court for Sacramento County on the issue of the EIR and the Alternatives Analysis. The purpose of the brief would be to make the court aware of the fact that there is only one alternative for Belmont – the aerial structure – and the impact of that on Belmont. She explained that "amicus" means it is as a friend of the court – not participating as a party but weighing in on a limited issue. Commissioner Parsons questioned why they are discussing an EIR as opposed to an EIS. Discussion ensued with the understanding that Commissioner Parsons will discuss the matter with ICA Kane at a later date.

Other Items

Chair Reed reported that Council discussed the **General Plan** at its last meeting, expressing a strong desire to move the **Update** forward.

Responding to Commissioner Parsons' question, CDD de Melo stated that the revised Tree Ordinance would be discussed at the Ad Hoc Tree Committee meeting on the following Thursday, with the goal of public hearings by Council in July.

7. CITY COUNCIL MEETING OF TUESDAY, MAY 24, 2011 – 7:30 P.M.

Liaison: Commissioner Mayer
Alternate Liaison: Commissioner Parsons

CDD de Melo stated that the proposed Green Advisory Committee initiatives will be discussed at a Special Meeting of the Council on May 31st.

9. ADJOURNMENT:

The meeting was adjourned at 9:57 p.m. to a Regular Planning Commission Meeting on Tuesday, June 7, 2011 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

*CD's of Planning Commission Meetings are available in the
Community Development Department
Please call (650) 595-7416 to schedule an appointment.*

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