

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, MARCH 20, 2007, 7:00 PM

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

1. ROLL CALL

Commissioners Present: Parsons, Horton, Frautschi, Mayer, McKenzie, Wozniak
Commissioners Absent: Mercer (Commissioner Mercer arrived at 7:04)

Staff Present: Community Development Director de Melo, City Attorney Zafferano (CA), Acting Recording Secretary Tompkins (RS).

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of 2/6/07

Minutes for February 6th were continued as there were three pages missing from the copies as distributed.

4B. Minutes of 2/20/07

The Minutes will be corrected to show that Commissioner Wozniak voted "no" on the Conditional Use Permit Resolution, and Commissioners Mercer and Wozniak voted "no" on the Grading Resolution for 1300 El Camino Real.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to continue the Minutes for 2/6/07 and accept the Minutes of 2/20/07 as corrected.

Ayes: Frautschi, Horton, Mayer, Wozniak, Parsons
Noes: None
Abstain: McKenzie
Absent: Mercer

Motion passed 5/0/1/1

5. NEW BUSINESS:

5A. 877 Ralston Avenue – Landscape Plan

No discussion – item moved to April 3, 2007 Meeting

5B. 325 Marine View Avenue – St. Marks Church

Conditional Use Permit and Design Review – Review of Final Landscape Plan, Cupola Design, and Church Schedule of Events

CDD de Melo summarized the staff memorandum and the Final Landscape Plan.

Commissioners Horton and Wozniak were not satisfied with the schedule of events and hours for church activities as presented. CDD de Melo responded that they could create a table that would be part of the record but that linking it to the CUP and Design Review approval was a concern.

Commissioner Frautschi confirmed with CDD de Melo that the reason they are looking at the CUP for this project is because it is a Planned Development and they have increased the height of the church building to allow for the roof modifications. CA Zafferano added that they are required to find a nexus between any additional conditions they might wish to impose and the project that is before them, which as he understands the staff report, is the cupola and incidental to that is the landscaping plan. Chair Parsons stated that the church center has not been used for over a year because of the roof work, and suggested that there could be a nexus because there will be increased and different usage.

CDD de Melo added that the plan that the Commission approved in June of 2006 is under construction but that they cannot have a building final until this landscape plan is approved by the Commission, and that they need to determine when it is expected to be installed.

Joseph Wucher, member of St. Marks, stated that most of their meetings last between an hour and an hour and a half, plus 4 events per year for fundraising, which normally end between 11:30 and 12:00, and that all uses are tied to the church. Regarding the schedule for completion of the project, he explained that they have to work between the two facilities and it is an ongoing movement process so that they can do the work and continue their programs. They cannot start the landscaping until the cupola is installed as the machine to be used for raising the cupola will be placed on the green space. He added that the gardener has been fired and a new landscaper is replacing the non-performing landscaping.

Commissioner Frautschi stated that the Commission needs to determine if they are going to be having more events than called for in the CUP because of the addition of the cupola, and the calendar they provided only tells them what is happening in May. Mr. Wucher explained that the only reason they are replacing the roof is because they were advised by their arch diocese that the roof was not structurally sound and that they are not expecting any increased use.

John Aldrich, landscape architect, was available to answer questions. Commissioner Frautschi asked if there had been consideration of incorporating an orchard-type feature in the parking lot. Mr. Aldrich stated that his scope of work was to respond to the Commission's request, which only included the area between the center and the church and behind the church. He stated that he was directed to redesign the paving to save the Willow tree.

Commissioner Mercer was concerned that the 5 redwoods will shadow the 4 plum trees, causing them to die, and about the lack of maintenance of the front lawn area and the trees that have not grown to provide a barrier for the back yard neighbors. She also questioned whether the applicant has fulfilled their 1998 CUP obligation to landscape and screen.

Commissioner Wozniak felt there was reason enough to require a complete schedule of planned events since it is a residential neighborhood. She sees the skylights as a problem when they have events at night, as the light goes out through them. She felt that there is a change in use and that it should not receive special treatment because it is a church.

Vice Chair Horton felt that, for their own benefit as well as the City's, they should document their schedule. She had no issue with the landscape plan, but felt it was rather bleak and hoped they would add some small trees and nurture them along the way.

Commissioner McKenzie asked if a spreadsheet of activities is provided would they be out of compliance if they have an unscheduled event. Vice Chair Horton responded that there will obviously be events that are not on a regular basis but felt the church would be doing themselves a favor by documenting what they are doing so there is no misunderstanding of how their facility is being used. Commissioner Wozniak added that the 1998 approval had issues relating to noise impacts in the community; if the noise impacts increase over time the neighborhood would be impacted. Commissioner McKenzie felt that it would be reasonable to rely on staff to develop a spreadsheet based on exchanges with the applicant. He had no difficulties with the landscape plan.

Regarding the CUP, Commissioner Mayer stated that his concern would be that the church be completely aware of what the conditions of use are and that they should be posted somewhere in the church so that everybody knows what the operations are. He felt it was unfortunate that all of the landscaping and

greenery is in the back and on the right is just asphalt wasteland. Regarding the landscape plan, he agreed that the some of the trees could possibly serve a better purpose in the parking area, but that they did what the Planning Commission asked them to do so had no real problem with it.

Commissioner Frautschi liked the raised roof and cupola. He agreed that the blooming trees might be better located somewhere else in a group, and hoped that at some future time they would come back with a landscape plan that encompasses the entire property. He also agreed that a schedule of events should be incorporated in order to protect the applicant and the neighbors.

Chair Parsons explained that when this project was originally approved the applicant had no money in their budget for extensive landscaping. However, as part of the CUP, they did expect that the trees and shrubs that were planted along the back would be maintained. He agreed that the hours of operations should be added as an attachment to the conditions, that the original landscaping should be brought back up to full compliance, and that the sprinkler system should be repaired if it is not working.

MOTION: By Commissioner McKenzie, seconded by Commissioner Mercer, to adopt the Resolution approving a final Landscape/Hardscape/Irrigation plan for St. Mark's Church at 325 Marine View Avenue (Appl. No. 2006-0017) with the conditions that a schedule spreadsheet of normal church activities be provided to staff, that they bring the previously approved landscaping back up to full compliance, and that the landscaping continue to be maintained.

Ayes: McKenzie, Mercer, Frautschi, Mayer, Wozniak, Horton, Parsons
Noes: None

Motion passed 7/0

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 904 Ruth Avenue

To consider a Single Family Design Review to add 592 square feet of living area to the existing 1,530 square foot single-family residence for a total of 2,122 square feet that is below the zoning district permitted 2,932 square feet for the site.

(Appl. No. PA 2006-0080); Zoned: R-1C (Single-Family Residential)

APN 044-141-140; CEQA Status: Categorical Exemption per Section 15301

APPLICANT/OWNER: Lai Ping Sam

PROJECT PLANNER: Leslie Hopper, (650) 595-7417

CDD de Melo summarized the staff report, recommending approval subject to the findings in the attached draft resolution, and answered questions from the Commission.

Charles Reppei representing the applicant/owner, provided details of the plans, adding that it is Feng Shui correct. Answering questions from the Commission, he stated that the parking strip in front will be blacktop, the driveway will be concrete, the wall will be replaced with a fence to match the surrounding homes, the lawn will be completely redone and will include an irrigation system and the roof will be composite shingles. The house will be an off white with lime green trim. He agreed that the redwood tree in the middle of the lawn should be moved toward the front to avoid the overhead wires.

Chair Parsons opened the public hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Commissioner Wozniak, to close the Public Hearing. Motion passed

Referring to the third bullet point on page 5 of the Staff Report, Commissioner Wozniak suggested that a bedroom should be called a bedroom rather than saying a family room is proposed to be converted to a bedroom.

Commissioner Frautschi commented that he liked the design and the colors, but suggested adding a third window to the front of the house to balance it out, and that the two closets in the bedroom be incorporated

into one large closet to gain space. He also recommended locating the pantry on the other side of the room and shifting the Redwood tree to the west to make the view from the bay window visually more interesting.

Commissioner McKenzie concurred that a third window would improve the appearance of the house and did not think the neighbors would find the lime green their favorite color.

Chair Parsons also liked the idea of a third window and felt that altering the walls between the master bedroom and bath could provide room for another sink and less lost space. He would ask that they return with a more imaginative landscape plan.

MOTION: By Commissioner Mercer, seconded by Commissioner Frautschi, to adopt a Resolution approving a Single-Family Design Review at 904 Ruth Avenue (Appl. No. 2006-080) contingent upon the applicant returning with a complete landscape plan showing the appropriately located tree in the front which will not interfere with the power lines, thorough detailing of plantings, an irrigation system and fencing.

Ayes: Mercer, Frautschi, Mayer, McKenzie, Wozniak, Horton, Parsons
Noes: None

Motion passed 7/0

Chair Parsons stated that this item may be appealed to the City Council within ten calendar days.

6B. PUBLIC HEARING – 630 Kingston Road

To consider a Single Family Design Review to construct a new 3,448 square foot single family residence that is below the zoning district permitted 3,500 square feet for this site.

(Appl. No. 2006-0053); Zoned: R-1A (Single Family Residential)

APN: 044-194-130; CEQA Status: Categorical Exemption per Section 15301

APPLICANT: Dale Meyer

OWNER: Rose Hocker

PROJECT PLANNER: Tricia Schimpp, (650) 595-7417

CDD de Melo summarized the staff report, recommending approval subject to the conditions of approval attached to the draft resolution.

Vice Chair Horton asked about a swimming pool and 8' tall concrete privacy wall that were shown on the geotechnical report. CDD de Melo responded that these are not included in the application as submitted.

Commissioner Frautschi asked for clarification of the applicant's obligation concerning improvements to Kingston Road. CDD de Melo responded that they are not required to widen the component of Kingston as it reaches the home but Public Works has included a condition that requires some public right-of way improvements to allow for a connection across Kingston and then across Virginia as it transitions to the applicant's driveway. The only approach to the property is by Kingston Road, which is paved and then turns into gravel, and the connecting corner street, which is definitely earth, is not finished to conform to City standards. CDD de Melo will clarify this issue with the Public Works Department and the applicant.

Commissioner Mercer asked about the design of the driveway turnaround area. CDD de Melo stated that the plan meets the City's standards for the amount of paving required for off-street parking, and there are no specifics as to how wide the hammerhead needs to be. Regarding the possibility of excavating the crawl space and building underneath, CDD de Melo responded that they are providing complying parking for this home and if this floor plan is executed in its current fashion the project is in compliance. If they ever want to add floor area they will be challenged by the 3500 square-foot limit.

Responding to Commissioner Wozniak's question, CDD de Melo stated that the covered outdoor patios are not included in the floor area. He later calculated that they are 345 and 375 sq. ft.

Dale Meyer, architect for the project, stated that the two decks on either side of the master bedroom and the great room are uncovered, and the retaining wall and swimming pool were eliminated as the project progressed. He added that they tried to design the house and site it in such a way that it minimized the

impact on the neighborhood and that the old house is 4 to 5' closer to Virginia than the new house will be. He presented an aerial photo showing the existing house. The design was chosen in order to minimize the impact and to keep it one story, since the owners plan to use it for their retirement years. Some of the cut will be used to fill in the crawl space.

Responding to Commissioner Frautschi's questions, Mr. Meyer stated that the architectural style was chosen because it is the client's favorite style, and the Keystone block retaining walls were chosen as a result of his discussion with the arborist, who suggested that this kind of retaining wall had less of an impact on the surrounding landscape, it has a smaller footing, so has less impact on roots of surrounding trees. The pavers will be random interlocking the same color as the retaining wall and they incorporated so many skylights because the owners like a lot of light in their house.

Commissioner Mercer was concerned about the turnaround and the logistics of backing out of the garage and being able to exit front first. Mr. Meyer stated that the dimension of the backup space from the face of the garage to the retaining wall is 3'-4' larger than the requirement of a double loaded parking lot.

Chair Parsons opened the public hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed by voice vote.

Commissioner Wozniak could not make the finding on bulk. She calculated that there is 1200 sq.ft. of covered and uncovered deck space.

Commissioner Frautschi thought it was a nice design but not for the particular spot. He could not make the finding on bulk and thought the 36% hardscape was too high. He would have liked to see a project that is stepped down the hill and felt the design would work better in a flat area. He also felt there were too many skylights; they would be a maintenance nightmare and he was concerned about the light flow-out for the uphill and next door neighbors. He recommended continuing for redesign.

Vice Chair Horton did not have as big an issue with bulk and felt that it is an eclectic neighborhood with lots of styles. She liked the entrance elevation but had some issues with the back and side elevations and recommended that the color be a more earthy tone for in the woods.

Commissioner Mercer liked the house and thought it was relatively well sited, but could not make the finding that it is consistent with the neighborhood. She felt that if it were shingled like other houses in the area it would be much less visible, the coloration makes it stand out, and the arches make the bulk. She respected how well this architect has nestled the house into the lot.

Commissioner Mayer did not believe this type of architecture fit into the neighborhood. He did not object to the bulk but the color was an issue, and he did not think the arches were balanced and symmetrical.

Commissioner McKenzie liked the design but felt it may be too much for the wooded area. He agreed that colors that blend in with nature would be a big improvement, and felt that the roof could be Spanish tiles or a natural color. He agreed that the skylights are a maintenance nightmare.

Chair Parsons agreed that the house would look good on a flat lot and the fact that the bedroom is 15' in the air tells him it's not stepping down the hillside. It's a 2-story house—the corner of the house is 86' and the finished floor is 101'. He also felt the house was not oriented right and that enclosing the veranda will make the house very dark most of the time; the skylights are an attempt to get in light because there are not many windows. He suggested that the lot lends itself to step down the hillside. The back end of the house could be where the garage is and the guest bedrooms on one level and down three or four steps to the great room and master suite and could take advantage of having windows in the kitchen, dining room and some of the bedrooms. He could not find for the bulk and coverage. He recommended that they continue and ask the applicant to come back with a design that steps down the hillside and fits the site better.

MOTION: By Commissioner Wozniak, seconded by Commissioner Frautschi, to continue for re-design to a date uncertain.

Ayes: Wozniak, Frautschi, Mayer, McKenzie, Mercer, Horton, Parsons
Noes: None

Motion passed 7/0

CDD de Melo summarized the Commissioner's comments as follows:

- Concerns relative to Finding B regarding hardscape and bulk.
- Concern about the number of skylights.
- This is a flat lot house.
- Too bulky – take steps to have the house step down the hill – more nestled into the hill.
- Look to potential modifications to the color scheme – something that's a little more earth tone in nature that addresses the woody setting.
- Concern about the amount of covered areas.

Commissioner Frautschi added that he would like to see a better integration between whatever plan they end up with and the retaining wall system. There are all sorts of systems besides the key locking that go with Spanish style houses. Commissioner Horton commented that the entire lot is surrounded by fence.

6C. PUBLIC HEARING – 1300 El Camino Real

To consider a Conceptual Development Plan (CDP) and Rezone to establish an interim Planned Development (PD) Zoning District, Tentative Subdivision Map, and Mitigated Negative Declaration to allow construction of a new 24,398 square-foot three story mixed-use structure on a vacant 8,563 square foot lot. The proposed building includes a sub-grade basement level containing 12 parking spaces and storage area, a ground floor containing two commercial units, and second and third floors containing six residential units. (Appl. No. 2006-0012)

Current Zoning: C-2 (General Commercial); Proposed Zoning: PD (Planned Development)

APN: 045-244-010; CEQA Status: Mitigated Negative Declaration

APPLICANT/OWNER: Parviz Kamangar

PROJECT PLANNER: Carlos de Melo, (650) 595-7440

CDD de Melo summarized staff report, pointing out that this is a Planned Development (PD) for this site only, and that it is the same project as before but creating a PD action. It is a rezoning from C-2 to PD and would likely revert back to C-2 upon completion of the Firehouse Square.

Responding to Commissioner Mercer's request, CDD de Melo detailed the timeline for the PD process and also for the rezoning as originally planned. Commissioner Mercer asked if there is no requirement for neighborhood outreach if they change this to a PD. CDD de Melo stated that the applicant had already completed their neighborhood outreach relative to the project. How the City chose to cast that project with its various entitlements doesn't specifically call out a game plan for neighborhood outreach, depending upon the kind of entitlement. This project has been heavily noticed, both the meeting of 2/20 and tonight and notices related to the environmental study and the RDA. What is being proposed for this site is no secret. People have not been beating down the doors that they now have a profound concern because it's being rezoned.

Parviz Kamangar, applicant/owner, was available to answer questions. Chair Parsons commented that Mr. Kamangar is very excited about this approach because he feels that he can now move forward.

Chair Parsons opened the public hearing.

Scott Church, neighbor on Fifth Avenue, stated that at the previous meeting the thought that the entire area would have to be rezoned to accommodate this project raised more flags than the project itself. As the closest resident to this project, he felt there were many positive aspects and was very supportive of the plan.

MOTION: By Commissioner Frautschi, seconded by Commissioner Wozniak, to close the Public Hearing. Motion passed by voice vote.

Discussion ensued relative to whether creating an interim zoning district creates a conflict or a non-conforming property in its reversion back to C-2 zoning, and whether this project will drive the C-2 zoning for the entire Firehouse Square.

CA Zafferano stated that what was confusing in the staff report were the words “reverting back to” something when you’re going to be creating something in the future that’s different, even though it is still going to be a C-2 zone. He felt it needs to be clear in the conditions of approval that it this is an interim PD zone and that the zoning will then change to the standards provided for in the new C-2 zone that is part of the Firehouse Square approval.

CDD de Melo commented that, while this project drives this corner, it will be considered for the rest of El Camino for Firehouse Square. When they bring a revised vision back to the Commission, this project will be able to stand on its own. It meets the density limits of the City’s current laws but the Commission is a key stakeholder in the crafting of that vision for the entire block. We want to tailor what we do on Firehouse Square to be consistent with this project.

Commissioner Mercer stated that she could not support the project as proposed. She had concerns about staff saying what they envision for the area when no one on the Commission or the public or the City Council has weighed in on that vision. She had no trouble with the building but had trouble with the process of building the building first and then saying “now we’re going to build everything else so that that building happens to conform.” She felt that the Safeway was built without a thorough plan and now it has messed up the City’s traffic patterns and created a huge wedge in the downtown. She liked the project and felt bad that the applicant would suffer from Belmont’s being too slow, but she did not feel comfortable “getting into bed with this particular applicant because of the threat that if we don’t maybe we won’t be asked out again.” She did not believe that no one else would want to develop this property if they do not rezone it right now, and believed that when they rezone the whole block the property values are immediately going to go up because of the potential developability of that property.

Commissioner Wozniak stated that she will be voting yes on this because she felt that if they decide that this is an exception—if this really is driving the whole Firehouse Square—they are doing the same thing they would have done if they pushed forward the other way.

CA Zafferano clarified that an applicant does not have a vested right to any zoning. He did not recommend that they put in a condition that says it is going to go to a certain zoning district; he did not believe the City needs to make any such promise to the applicant. Additionally, he felt that the project needs to be seen in a situation that now it’s the exception to the rule but in the future it’s going to be the rule when the rules change. He believed that is what the Commission is being asked to do at the moment, and through the PD zoning it allows them to apply those new development standards which staff believes are going to become the rule in this area pursuant to the redevelopment efforts. Something that appears to be an exception now is no longer going to be an exception once those new rules are adopted.

Chair Parsons made the point that they are approving this project as a PD and no matter what happens this unit on this lot can happen the way it is planned, they haven’t really set a precedent here and there is nothing that is locking the Commission into what the rest of the block is going to be.

Commissioner Frautschi stated that he is not an advocate of PDs but they work if you make sure the rules protecting the City are laid out. Basing his vote on the findings, he had no problem with the 13 findings.

MOTION: By Commissioner Frautschi, seconded by Commissioner Mayer, to adopt the Resolution recommending City Council adoption of a Negative Declaration of Environmental Significance for establishment of a Planned Development Zone and construction of a mixed-use (Commercial/Residential) building at 1300 El Camino Real (Appl. No. 06-0012).

Ayes: Frautschi, Mayer, McKenzie, Wozniak, Horton, Parsons
Noes: Mercer

Motion passed 6/1

MOTION: By Commissioner Frautschi, seconded by Commissioner McKenzie, to adopt the Resolution recommending City Council adoption of a Conceptual Development Plan, Rezone to Planned Development, and a Tentative Subdivision Map for construction of a mixed-use (Commercial/Residential) building at 1300 El Camino Real (Appl. No. 06-0012).

Ayes: Frautschi, McKenzie, Mayer, Wozniak, Horton, Parsons
Noes: Mercer

Motion passed 6/1

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. 2900 Hallmark – 7-Lot Subdivision

He had placed phone calls to the landscape architect, who has the original plans, and staff is continuing to follow up to get the revised plan for 2996 Hallmark.

7B. Avanti Pizza Commercial Center – 2040 Ralston Ave.

The property manager was on vacation until the end of last week. He is expecting a call relative to putting together a revised plan and will follow up later in the week.

7C. U-Haul – 530 El Camino Real

The Code Enforcement Officer made contact with the property owner/manager and they are going to be having their landscaper on site this week to examine the conditions of the frontage part. The property owner/manager has been made aware by letter that the irrigation system is broken and there are excessive weeds. A citation will be issued if no response is received within 7 days of a follow up letter.

He will have an update at the next meeting on the Water District properties on Folger Drive and Ralston Avenue. He will also get an update on 700 Monserat and on the entitlements for the lacrosse and soccer fields at NDNU. There was an NDNU advisory meeting scheduled for the following night and then a neighborhood meeting scheduled for April 4th. He will also report back on the Ralston median and the Motel 6 issues.

CITY COUNCIL MEETING OF TUESDAY, MARCH 27, 2007

Liaison: Commissioner Mayer
Alternate Liaison: Commissioner Wozniak

8. COMMISSION REORGANIZATION

Election of Chair and Vice Chair

It was moved by Vice Chair Horton, seconded by Commissioner Mercer, and carried unanimously by a show of hands, to elect Kenn Parsons to remain as Chair of the Planning Commission for the coming year.

It was moved by Vice Chair Horton, seconded by Commissioner Mercer, and carried unanimously by a show of hands, to elect Rick Frautschi to the position of Vice Chair of the Planning Commission for the coming year.

9. ADJOURNMENT:

The meeting was adjourned at 9:55 p.m. to a regular meeting on Tuesday, April 3, 2007, 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.

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, MARCH 20, 2007, 7:00 PM

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

1. ROLL CALL

Commissioners Present: Parsons, Horton, Frautschi, Mayer, McKenzie, Wozniak
Commissioners Absent: Mercer (Commissioner Mercer arrived at 7:04)

Staff Present: Community Development Director de Melo, City Attorney Zafferano (CA), Acting
Recording Secretary Tompkins (RS).

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of 2/6/07

Minutes for February 6th were continued as there were three pages missing from the copies as distributed.

4B. Minutes of 2/20/07

The Minutes will be corrected to show that Commissioner Wozniak voted "no" on the Conditional Use Permit Resolution, and Commissioners Mercer and Wozniak voted "no" on the Grading Resolution for 1300 El Camino Real.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to continue the Minutes for 2/6/07 and accept the Minutes of 2/20/07 as corrected.

Ayes: Frautschi, Horton, Mayer, Wozniak, Parsons
Noes: None
Abstain: McKenzie
Absent: Mercer

Motion passed 5/0/1/1

5. NEW BUSINESS:

5A. 877 Ralston Avenue – Landscape Plan

No discussion – item moved to April 3, 2007 Meeting

5B. 325 Marine View Avenue – St. Marks Church

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Commissioner Mercer was concerned that the 5 redwoods will shadow the 4 plum trees, causing them to die, and about the lack of maintenance of the front lawn area and the trees that have not grown to provide a barrier for the back yard neighbors. She also questioned whether the applicant has fulfilled their 1998 CUP obligation to landscape and screen.

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Commissioner McKenzie asked if a spreadsheet of activities is provided would they be out of compliance if they have an unscheduled event. Vice Chair Horton responded that there will obviously be events that are not on a regular basis but felt the church would be doing themselves a favor by documenting what they are doing so there is no misunderstanding of how their facility is being used. Commissioner Wozniak added that the 1998 approval had issues relating to noise impacts in the community; if the noise impacts increase over time the neighborhood would be impacted. Commissioner McKenzie felt that it would be reasonable to rely on staff to develop a spreadsheet based on exchanges with the applicant. He had no difficulties with the landscape plan.

Regarding the CUP, Commissioner Mayer stated that his concern would be that the church be completely aware of what the conditions of use are and that they should be posted somewhere in the church so that everybody knows what the operations are. He felt it was unfortunate that all of the landscaping and greenery is in the back and on the right is just asphalt wasteland. Regarding the landscape plan, he agreed that the some of the trees could possibly serve a better purpose in the parking area, but that they did what the Planning Commission asked them to do so had no real problem with it.

Commissioner Frautschi liked the raised roof and cupola. He agreed that the blooming trees might be better located somewhere else in a group, and hoped that at some future time they would come back with a landscape plan that encompasses the entire property. He also agreed that a schedule of events should be incorporated in order to protect the applicant and the neighbors.

Chair Parsons explained that when this project was originally approved the applicant had no money in their budget for extensive landscaping. However, as part of the CUP, they did expect that the trees and shrubs that were planted along the back would be maintained. He agreed that the hours of operations should be added as an attachment to the conditions, that the original landscaping should be brought back up to full compliance, and that the sprinkler system should be repaired if it is not working.

MOTION: By Commissioner McKenzie, seconded by Commissioner Mercer, to adopt the Resolution approving a final Landscape/Hardscape/Irrigation plan for St. Mark's Church at 325 Marine View Avenue (Appl. No. 2006-0017) with the conditions that a schedule spreadsheet of normal church activities be provided to staff, that they bring the previously approved landscaping back up to full compliance, and that the landscaping continue to be maintained.

Ayes: McKenzie, Mercer, Frautschi, Mayer, Wozniak, Horton, Parsons
Noes: None

Motion passed 7/0

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 904 Ruth Avenue

To consider a Single Family Design Review to add 592 square feet of living area to the existing 1,530 square foot single-family residence for a total of 2,122 square feet that is below the zoning district permitted 2,932 square feet for the site.

(Appl. No. PA 2006-0080); Zoned: R-1C (Single-Family Residential)

APN 044-141-140; CEQA Status: Categorical Exemption per Section 15301

APPLICANT/OWNER: Lai Ping Sam

PROJECT PLANNER: Leslie Hopper, (650) 595-7417

CDD de Melo summarized the staff report, recommending approval subject to the findings in the attached draft resolution, and answered questions from the Commission.

Charles Reppei representing the applicant/owner, provided details of the plans, adding that it is Feng Shui correct. Answering questions from the Commission, he stated that the parking strip in front will be blacktop, the driveway will be concrete, the wall will be replaced with a fence to match the surrounding homes, the lawn will be completely redone and will include an irrigation system and the roof will be composite shingles. The house will be an off white with lime green trim. He agreed that the redwood tree in the middle of the lawn should be moved toward the front to avoid the overhead wires.

Chair Parsons opened the public hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Commissioner Wozniak, to close the Public Hearing. Motion passed

Referring to the third bullet point on page 5 of the Staff Report, Commissioner Wozniak suggested that a bedroom should be called a bedroom rather than saying a family room is proposed to be converted to a bedroom.

Commissioner Frautschi commented that he liked the design and the colors, but suggested adding a third window to the front of the house to balance it out, and that the two closets in the bedroom be incorporated into one large closet to gain space. He also recommended locating the pantry on the other side of the room and shifting the Redwood tree to the west to make the view from the bay window visually more interesting.

Commissioner McKenzie concurred that a third window would improve the appearance of the house and did not think the neighbors would find the lime green their favorite color.

Chair Parsons also liked the idea of a third window and felt that altering the walls between the master bedroom and bath could provide room for another sink and less lost space. He would ask that they return with a more imaginative landscape plan.

MOTION: By Commissioner Mercer, seconded by Commissioner Frautschi, to adopt a Resolution approving a Single-Family Design Review at 904 Ruth Avenue (Appl. No. 2006-080) contingent upon the applicant returning with a complete landscape plan showing the appropriately located tree in the front which will not interfere with the power lines, thorough detailing of plantings, an irrigation system and fencing.

Ayes: Mercer, Frautschi, Mayer, McKenzie, Wozniak, Horton, Parsons
Noes: None

Motion passed 7/0

Chair Parsons stated that this item may be appealed to the City Council within ten calendar days.

6B. PUBLIC HEARING – 630 Kingston Road

To consider a Single Family Design Review to construct a new 3,448 square foot single family residence that is below the zoning district permitted 3,500 square feet for this site.

(Appl. No. 2006-0053); Zoned: R-1A (Single Family Residential)

APN: 044-194-130; CEQA Status: Categorical Exemption per Section 15301

APPLICANT: Dale Meyer

OWNER: Rose Hocker

PROJECT PLANNER: Tricia Schimpp, (650) 595-7417

CDD de Melo summarized the staff report, recommending approval subject to the conditions of approval attached to the draft resolution.

Vice Chair Horton asked about a swimming pool and 8' tall concrete privacy wall that were shown on the geotechnical report. CDD de Melo responded that these are not included in the application as submitted.

Commissioner Frautschi asked for clarification of the applicant's obligation concerning improvements to Kingston Road. CDD de Melo responded that they are not required to widen the component of Kingston as it reaches the home but Public Works has included a condition that requires some public right-of way improvements to allow for a connection across Kingston and then across Virginia as it transitions to the applicant's driveway. The only approach to the property is by Kingston Road, which is paved and then turns into gravel, and the connecting corner street, which is definitely earth, is not finished to conform to City standards. CDD de Melo will clarify this issue with the Public Works Department and the applicant.

Commissioner Mercer asked about the design of the driveway turnaround area. CDD de Melo stated that the plan meets the City's standards for the amount of paving required for off-street parking, and there are no specifics as to how wide the hammerhead needs to be. Regarding the possibility of excavating the crawl space and building underneath, CDD de Melo responded that they are providing complying parking for this home and if this floor plan is executed in its current fashion the project is in compliance. If they ever want to add floor area they will be challenged by the 3500 square-foot limit.

Responding to Commissioner Wozniak's question, CDD de Melo stated that the covered outdoor patios are not included in the floor area. He later calculated that they are 345 and 375 sq. ft.

Dale Meyer, architect for the project, stated that the two decks on either side of the master bedroom and the great room are uncovered, and the retaining wall and swimming pool were eliminated as the project progressed. He added that they tried to design the house and site it in such a way that it minimized the impact on the neighborhood and that the old house is 4 to 5' closer to Virginia than the new house will be. He presented an aerial photo showing the existing house. The design was chosen in order to minimize the impact and to keep it one story, since the owners plan to use it for their retirement years. Some of the cut will be used to fill in the crawl space.

Responding to Commissioner Frautschi's questions, Mr. Meyer stated that the architectural style was chosen because it is the client's favorite style, and the Keystone block retaining walls were chosen as a result of his discussion with the arborist, who suggested that this kind of retaining wall had less of an impact on the surrounding landscape, it has a smaller footing, so has less impact on roots of surrounding trees. The pavers will be random interlocking the same color as the retaining wall and they incorporated so many skylights because the owners like a lot of light in their house.

Commissioner Mercer was concerned about the turnaround and the logistics of backing out of the garage and being able to exit front first. Mr. Meyer stated that the dimension of the backup space from the face of the garage to the retaining wall is 3'-4' larger than the requirement of a double loaded parking lot.

Chair Parsons opened the public hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed by voice vote.

Commissioner Wozniak could not make the finding on bulk. She calculated that there is 1200 sq.ft. of covered and uncovered deck space.

Commissioner Frautschi thought it was a nice design but not for the particular spot. He could not make the finding on bulk and thought the 36% hardscape was too high. He would have liked to see a project that is stepped down the hill and felt the design would work better in a flat area. He also felt there were too many skylights; they would be a maintenance nightmare and he was concerned about the light flow-out for the uphill and next door neighbors. He recommended continuing for redesign.

Vice Chair Horton did not have as big an issue with bulk and felt that it is an eclectic neighborhood with lots of styles. She liked the entrance elevation but had some issues with the back and side elevations and recommended that the color be a more earthy tone for in the woods.

Commissioner Mercer liked the house and thought it was relatively well sited, but could not make the finding that it is consistent with the neighborhood. She felt that if it were shingled like other houses in the area it would be much less visible, the coloration makes it stand out, and the arches make the bulk. She respected how well this architect has nestled the house into the lot.

Commissioner Mayer did not believe this type of architecture fit into the neighborhood. He did not object to the bulk but the color was an issue, and he did not think the arches were balanced and symmetrical.

Commissioner McKenzie liked the design but felt it may be too much for the wooded area. He agreed that colors that blend in with nature would be a big improvement, and felt that the roof could be Spanish tiles or a natural color. He agreed that the skylights are a maintenance nightmare.

Chair Parsons agreed that the house would look good on a flat lot and the fact that the bedroom is 15' in the air tells him it's not stepping down the hillside. It's a 2-story house—the corner of the house is 86' and the finished floor is 101'. He also felt the house was not oriented right and that enclosing the veranda will make the house very dark most of the time; the skylights are an attempt to get in light because there are not many windows. He suggested that the lot lends itself to step down the hillside. The back end of the house could be where the garage is and the guest bedrooms on one level and down three or four steps to the great room and master suite and could take advantage of having windows in the kitchen, dining room and some of the bedrooms. He could not find for the bulk and coverage. He recommended that they continue and ask the applicant to come back with a design that steps down the hillside and fits the site better.

MOTION: By Commissioner Wozniak, seconded by Commissioner Frautschi, to continue for re-design to a date uncertain.

Ayes: Wozniak, Frautschi, Mayer, McKenzie, Mercer, Horton, Parsons
Noes: None

Motion passed 7/0

CDD de Melo summarized the Commissioner's comments as follows:

- Concerns relative to Finding B regarding hardscape and bulk.
- Concern about the number of skylights.
- This is a flat lot house.
- Too bulky – take steps to have the house step down the hill – more nestled into the hill.
- Look to potential modifications to the color scheme – something that's a little more earth tone in nature that addresses the woody setting.
- Concern about the amount of covered areas.

Commissioner Frautschi added that he would like to see a better integration between whatever plan they end up with and the retaining wall system. There are all sorts of systems besides the key locking that go with Spanish style houses. Commissioner Horton commented that the entire lot is surrounded by fence.

6C. PUBLIC HEARING – 1300 El Camino Real

To consider a Conceptual Development Plan (CDP) and Rezone to establish an interim Planned Development (PD) Zoning District, Tentative Subdivision Map, and Mitigated Negative Declaration to allow construction of a new 24,398 square-foot three story mixed-use structure on a vacant 8,563 square foot lot. The proposed building includes a sub-grade basement level containing 12 parking spaces and storage area, a ground floor containing two commercial units, and second and third floors containing six residential units. (Appl. No. 2006-0012)

Current Zoning: C-2 (General Commercial); Proposed Zoning: PD (Planned Development)

APN: 045-244-010; CEQA Status: Mitigated Negative Declaration

APPLICANT/OWNER: Parviz Kamangar

PROJECT PLANNER: Carlos de Melo, (650) 595-7440

CDD de Melo summarized staff report, pointing out that this is a Planned Development (PD) for this site only, and that it is the same project as before but creating a PD action. It is a rezoning from C-2 to PD and would likely revert back to C-2 upon completion of the Firehouse Square.

Responding to Commissioner Mercer's request, CDD de Melo detailed the timeline for the PD process and also for the rezoning as originally planned. Commissioner Mercer asked if there is no requirement for neighborhood outreach if they change this to a PD. CDD de Melo stated that the applicant had already completed their neighborhood outreach relative to the project. How the City chose to cast that project with its various entitlements doesn't specifically call out a game plan for neighborhood outreach, depending upon the kind of entitlement. This project has been heavily noticed, both the meeting of 2/20 and tonight and notices related to the environmental study and the RDA. What is being proposed for this site is no secret. People have not been beating down the doors that they now have a profound concern because it's being rezoned.

Parviz Kamangar, applicant/owner, was available to answer questions. Chair Parsons commented that Mr. Kamangar is very excited about this approach because he feels that he can now move forward.

Chair Parsons opened the public hearing.

Scott Church, neighbor on Fifth Avenue, stated that at the previous meeting the thought that the entire area would have to be rezoned to accommodate this project raised more flags than the project itself. As the closest resident to this project, he felt there were many positive aspects and was very supportive of the plan.

MOTION: By Commissioner Frautschi, seconded by Commissioner Wozniak, to close the Public Hearing. Motion passed by voice vote.

Discussion ensued relative to whether creating an interim zoning district creates a conflict or a non-conforming property in its reversion back to C-2 zoning, and whether this project will drive the C-2 zoning for the entire Firehouse Square.

CA Zafferano stated that what was confusing in the staff report were the words "reverting back to" something when you're going to be creating something in the future that's different, even though it is still going to be a C-2 zone. He felt it needs to be clear in the conditions of approval that it this is an interim PD zone and that the zoning will then change to the standards provided for in the new C-2 zone that is part of the Firehouse Square approval.

CDD de Melo commented that, while this project drives this corner, it will be considered for the rest of El Camino for Firehouse Square. When they bring a revised vision back to the Commission, this project will be able to stand on its own. It meets the density limits of the City's current laws but the Commission is a key stakeholder in the crafting of that vision for the entire block. We want to tailor what we do on Firehouse Square to be consistent with this project.

Commissioner Mercer stated that she could not support the project as proposed. She had concerns about staff saying what they envision for the area when no one on the Commission or the public or the City Council has weighed in on that vision. She had no trouble with the building but had trouble with the process of building the building first and then saying "now we're going to build everything else so that that building happens to conform." She felt that the Safeway was built without a thorough plan and now it has messed up the City's traffic patterns and created a huge wedge in the downtown. She liked the project and felt bad that the applicant would suffer from Belmont's being too slow, but she did not feel comfortable "getting into bed with this particular applicant because of the threat that if we don't maybe we won't be asked out again." She did not believe that no one else would want to develop this property if they do not rezone it right now, and believed that when they rezone the whole block the property values are immediately going to go up because of the potential developability of that property.

Commissioner Wozniak stated that she will be voting yes on this because she felt that if they decide that this is an exception—if this really is driving the whole Firehouse Square—they are doing the same thing they would have done if they pushed forward the other way.

CA Zafferano clarified that an applicant does not have a vested right to any zoning. He did not recommend that they put in a condition that says it is going to go to a certain zoning district; he did not believe the City needs to make any such promise to the applicant. Additionally, he felt that the project needs to be seen in a situation that now it's the exception to the rule but in the future it's going to be the rule when the rules change. He believed that is what the Commission is being asked to do at the moment, and through the PD zoning it allows them to apply those new development standards which staff believes are going to become the rule in this area pursuant to the redevelopment efforts. Something that appears to be an exception now is no longer going to be an exception once those new rules are adopted.

Chair Parsons made the point that they are approving this project as a PD and no matter what happens this unit on this lot can happen the way it is planned, they haven't really set a precedent here and there is nothing that is locking the Commission into what the rest of the block is going to be.

Commissioner Frautschi stated that he is not an advocate of PDs but they work if you make sure the rules protecting the City are laid out. Basing his vote on the findings, he had no problem with the 13 findings.

MOTION: By Commissioner Frautschi, seconded by Commissioner Mayer, to adopt the Resolution recommending City Council adoption of a Negative Declaration of Environmental Significance for establishment of a Planned Development Zone and construction of a mixed-use (Commercial/Residential) building at 1300 El Camino Real (Appl. No. 06-0012).

Ayes: Frautschi, Mayer, McKenzie, Wozniak, Horton, Parsons
Noes: Mercer

Motion passed 6/1

MOTION: By Commissioner Frautschi, seconded by Commissioner McKenzie, to adopt the Resolution recommending City Council adoption of a Conceptual Development Plan, Rezone to Planned Development, and a Tentative Subdivision Map for construction of a mixed-use (Commercial/Residential) building at 1300 El Camino Real (Appl. No. 06-0012).

Ayes: Frautschi, McKenzie, Mayer, Wozniak, Horton, Parsons
Noes: Mercer

Motion passed 6/1

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. 2900 Hallmark – 7-Lot Subdivision

He had placed phone calls to the landscape architect, who has the original plans, and staff is continuing to follow up to get the revised plan for 2996 Hallmark.

7B. Avanti Pizza Commercial Center – 2040 Ralston Ave.

The property manager was on vacation until the end of last week. He is expecting a call relative to putting together a revised plan and will follow up later in the week.

7C. U-Haul – 530 El Camino Real

The Code Enforcement Officer made contact with the property owner/manager and they are going to be having their landscaper on site this week to examine the conditions of the frontage part. The property owner/manager has been made aware by letter that the irrigation system is broken and there are excessive weeds. A citation will be issued if no response is received within 7 days of a follow up letter.

He will have an update at the next meeting on the Water District properties on Folger Drive and Ralston Avenue. He will also get an update on 700 Monserat and on the entitlements for the lacrosse and soccer fields at NDNU. There was an NDNU advisory meeting scheduled for the following night and then a neighborhood meeting scheduled for April 4th. He will also report back on the Ralston median and the Motel 6 issues.

CITY COUNCIL MEETING OF TUESDAY, MARCH 27, 2007

Liaison: Commissioner Mayer
Alternate Liaison: Commissioner Wozniak

8. COMMISSION REORGANIZATION

Election of Chair and Vice Chair

It was moved by Vice Chair Horton, seconded by Commissioner Mercer, and carried unanimously by a show of hands, to elect Kenn Parsons to remain as Chair of the Planning Commission for the coming year.

It was moved by Vice Chair Horton, seconded by Commissioner Mercer, and carried unanimously by a show of hands, to elect Rick Frautschi to the position of Vice Chair of the Planning Commission for the coming year.

9. ADJOURNMENT:

The meeting was adjourned at 9:55 p.m. to a regular meeting on Tuesday, April 3, 2007, at 7:00 p.m. in Belmont City Hall.