

**CITY OF BELMONT  
MEMORANDUM**



**TO:** Planning Commission

**FROM:** Damon DiDonato, Senior Planner

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

**SUBJECT:** October 5, 2010 Planning Commission Meeting – Agenda Item 5A  
Study Session – Single Family Design Review for project located at 2847 San Juan Boulevard; PA2010-0006

---

**SUMMARY/PROJECT DESCRIPTION**

The applicant requests Single Family Design Review approval to construct a new 3,237 square foot single-family residence, which is below the maximum 3,285 square feet permitted for the zoning district. This project is being brought forth to the Planning Commission as a Study Session item to allow Commissioners an opportunity to discuss the proposal and provide feedback on the proposed site design, landscaping, and related Single Family Design Review findings.

This project was advertised as a public hearing for the October 5, 2010 Planning Commission meeting. Subsequent to that notification, staff confirmed with the project applicant and owner that staff continued to have difficulty making findings for approval of the project based upon the latest project submittals. Further, it is unclear if the project meets the maximum height requirements at its front elevation. Staff recommends that the Planning Commission continue the Single Family Design Review request, and instead use this opportunity to review the project as a Study Session item.

**ZONING/GENERAL PLAN DESIGNATION**

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

**PRIOR ACTIONS**

In 2002, applications were submitted for two houses, one on each lot of the formerly separate parcels. The project was modified, and Single Family Design Review for one 2,681 sq. ft. single family home on the entire site was approved in December 2005.

In April 2007, an extension of the Single Family Design Review entitlement to December 2007 was approved. A Lot Line Adjustment merging the two lots into one parcel was recorded in August 2007.

In February 2008, a final extension of the Single Family Design Review entitlement was approved to December 2008. No building permit was issued, and the approvals lapsed.

In February 2010, a Single family Design Review application was filed for a new single family residence that was larger, but substantially similar in design to the one approved in 2005. The application was deemed incomplete in March 2010. The applicant was also informed that staff had concerns about project bulk as seen from the street, and that the City Arborist had made suggestions with respect to tree protection and the proposed landscape plan.

A revised application was submitted in June 2010. The revised application was deemed incomplete in July 2010, and the applicant was again notified that staff had concerns regarding the project bulk. The proposed landscape plan had not changed.

Revised plans and a perspective drawing were submitted in August 2010, and the application was tentatively scheduled for a public hearing.

There have been no other planning actions for the property.

## **SITE CONDITIONS**

The vacant 12,302 square foot interior lot is situated on the southerly side of San Juan Blvd. between Cipriani Blvd. and Monte Cresta Drive. The subject property is heavily tree covered, and has a steep upslope of approximately 56% from the front (north) to the rear (south). Many of the homes in the immediate area are situated on hillsides, mostly multi-level in layout and of a contemporary architectural style using wood and stucco finishes. Upslope (south side) dwellings on this section of the street typically have significant graded driveways with retaining walls, and houses on the opposite (north) side of the street are generally located on more moderate (5-20% slope) lots with level driveways and dwelling entries.

The City's Ground Movement Potential and Geologic Hazard Policy Map of the San Juan Hills Study Area designates the subject site as being in a Ps (potential shallow landslide failure) zone which allows development and roadway expansion on a conditionally permitted basis. A small portion of the property falls within a Pd (potential deep landslide) zone; this Pd-designated area is located at the northwestern corner of the proposed driveway access. Two geotechnical studies have been prepared for the proposed dwelling and are further discussed in the Project Analysis section of this report.

## **PROJECT ANALYSIS**

The applicant proposes to construct a new multi-level contemporary style 3,237 square foot single-family residence consisting of the following:

### Floor Plan Layout – Garage Level

The 552 square foot garage floor level consists of a two-car garage with an interior dimension of approximately 20 ft. by 23 ft. This level also includes a small elevator shaft with an equipment area, and 207 sq. ft. of crawl space with a maximum interior height of 5.5 feet. The 17 ft. wide and 18 ft. long driveway in front of the garage is adequate to park two additional cars. The Department of

Public Works did not identify any issues with respect to vehicle circulation; however, staff has concerns regarding the ability of a vehicle on the right side of the parking pad to exit the driveway given the location of the retaining wall behind the space.

Main Floor Level

The proposed approximately 1,297 square foot main floor level consists of the following: family room, kitchen, dining/living room, bathroom, guest room, entry hall, the upper portion of the elevator shaft, and an exterior deck at the front of the house over the lower garage level. This level is accessed by exterior stairs at the front of the house that connect to the driveway near the garage, and by the elevator.

Second Floor

The proposed approximately 1,388 square foot second floor layout consists of: the master bedroom and master bath, three other bedrooms, a full second bathroom, a laundry area, stairwell and landing.

<b>Dwelling Floor Area Summary</b>	
<b>Proposed Floors</b>	<b>Type of rooms</b>
Ground Level – 552 Sq. Ft.	Two-car garage and elevator shaft
First Level – 1,297 Sq. Ft.	Family room, kitchen, dining/living room, bathroom, guest room, entry hall, upper portion of the elevator shaft.
Second Level – 1,388 Sq. Ft.	Master bedroom and master bath, three other bedrooms, one full second bathroom, a laundry area, stairwell and landing.
Total = 3,237 Sq. Ft.	

Exterior Design/Materials/Colors

The proposed new home would have a mixture of horizontal wood, wood shingle, and stone veneer exterior finishes with wood framed windows, wood trim, and a composite shingle roof. The proposed exterior materials and color palette would include:

**Roof:** Composite shingle, “Lush Grass” (Dark Gray)

**Stone Veneer:** (tan and brown mix)

**Horizontal siding:** (green-gray)

**Shingle siding:** “Winter Rye” (brown)

**Wood trim and windows:** “Gulf Breeze” (off-white)

**Wood doors:** (dark brown)

### Tree Removal / Protection

There are 27 regulated native coast live oaks within 25 feet of proposed site plan construction. Seven trees are to be removed due to direct conflicts with site plan work, (five are protected size specimens), and seven protected size trees would be severely damaged due to their close proximity to proposed construction area.

The City Arborist makes suggestions for alterations to the site and landscape plan that may save a number of trees on site, and allow for retention of mature screening trees in front of the proposed residence. The subject property's steep slope and the number and location of protected trees make it a challenging site to develop. Staff recommends that subsequent submittals include adherence to the City Arborist's recommendations to the maximum extent feasible given other site constraints (i.e., driveway slope, grading, building height, location of retaining walls, etc.).

### Landscaping

The applicant has provided a landscape plan (Sheets LS1 and LS2). The landscape plan includes the planting of thirteen new Japanese maple trees (15-gallon) along the left and the rear of the home, and various varieties of other plantings. Pavers are proposed along the driveway and within the back patio area. Retaining walls ranging in height from two to twenty feet would be located along the west side of the driveway and under a portion of the left side of the home to allow access to the garage. Retaining walls at the back of the home would create patio areas and allow for light and ventilation to the back of the home. Walls visible from the public right-of-way are proposed to be surfaced with a stone veneer.

Staff believes that the proposed plantings are not consistent with the City of Belmont policies requiring California native, non-invasive, drought-tolerant plantings. The City Arborist recommends that the site be left in its natural state to the maximum extent possible. He notes that the proposed water intensive plantings would not be compatible with the site's existing Coast Live Oak trees.

### Grading/Hardscape

Approximately 1,200 cubic yards of grading (1,200 cubic yards of cut and zero fill) would be necessary for the construction of the home as proposed. Grading would be predominately at the northwest side of the project site, where the home would effectively be dug into the hillside (see Sheet C1.1). Staff estimates that there would be approximately 2,600 sq. ft. of hardscape (footprint of home, patios, and driveway) associated with the project, which is approximately 21% of the project site.

### Access

The home would be accessed via a side access garage that would be located below the home. The proposed driveway would maintain a 16% slope. An elevator would provide access from the garage

to the first living level of the home. An exterior stairway would provide pedestrian access from the driveway to the front door of the home.

Groundwork and Geotechnical Recommendations

The applicant has submitted Geotechnical Investigations, prepared by ET Geoscience, Inc., dated February 19, 2005, and Pollak Engineering, dated, January 18, 2007, and May 12, 2010. The reports were peer-reviewed by the City’s Consulting Geologist, Cotton, Shires & Associates, Inc., in letters dated March 15, 2010 and August 17, 2010. A copy of the reports and letters are included as Attachment II.

The geotechnical report concluded that two shallow landslides are located on the project site. However, one slide would be removed with the project excavation, and the other is not anticipated to impact the project. The City Geologist does not have feasibility objections to the layout of the proposed site improvements, but does require that the project geotechnical consultant review final building and grading plans and conduct field inspections during construction. All of the City Geologist recommendations will be included in project conditions of approval.

**PROJECT DATA**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>	<b>Required or Max. Allowed</b>
<b>Lot Size</b>	12,302 sq. ft.	No Change	No Change
<b>Slope</b>	56%	No Change	No Change
<b>FAR</b>	N/A	0.263	0.267
<b>Square Footage</b>	N/A	3,237 sq. ft.	3,285 sq. ft.
<b>Parking</b>	N/A	Two-car garage Two uncovered	Two-car garage (Approx. 21’ x 22’) Two uncovered
<b>Setbacks:</b>			
<b>Front<sup>1</sup></b>	N/A	15 ft	15 ft
<b>Left Side (East)</b>	N/A	24 ft.	9 ft.
<b>Right Side (West)</b>	N/A	21 ft.	9 ft.
<b>Rear</b>	N/A	84 ft.	15 ft.
<b>Height<sup>2</sup></b>	N/A	28 ft.	30+ ft.

<sup>1</sup> BZO Section 9.7.1 permits open uncovered stairs to encroach six feet into the required front yard setback.  
<sup>2</sup> See discussion below regarding maximum height.

**GENERAL PLAN CONFORMANCE**

The Belmont General Plan currently designates the project site is RL (Low Density Residential), permitting residential uses. Key General Plan Goals and Policies implemented through the Zoning Ordinance - Single Family Design Review process are as follows:

- Goal 1015.6 (Ensure that residential development occurs in areas of low-risk from geologic and hydrologic hazards),

- Goal 1015.8 (*Protect persons and property from unreasonable exposure to natural hazards, such as floods, fire, unstable ground, erosion, and earthquakes*).
- Goal 1015.1 (*Preserve, and, where needed, enhance the present character of established residential areas*).
- Goal 1015.3 (*Preserve significant open spaces, trees, views, waterways, wildlife habitats, and other features, of the natural environment*).
- Goal 1015.2 (*Preserve and enhance the attractive, family-oriented and tranquil quality of Belmont's residential neighborhoods*).
- Policy 1016.2. *Intensity of the use of land as measured by such factors as parcel size, population density, building coverage, extent of impervious surfaces, public service requirement parking requirements, and traffic movements should be based on the following general principles:*
  - a. *Intensity of use of individual parcels and buildings should be governed by considerations of existing development patterns, water and air quality, accessibility, traffic generation, parking, noise, fire safety, drainage, natural hazards, resource conservation and aesthetics.*
  - b. *Intensity of land use should be regulated according to the availability of community facilities and services.*
- Policy 1016.4. *The following standards shall apply to all new development:*
  - a. *Sewage disposal shall be by sanitary sewers.*
  - b. *Storm drainage facilities shall be provided.*
  - c. *Erosion shall be minimized through such measures as runoff retention and revegetation.*
  - d. *Grading and new impervious surfaces shall be kept to the minimum necessary to permit development of land in a manner compatible with its characteristics and designated use.*
  - e. *Land, water and energy shall be used efficiently.*
  - f. *Structures shall be clustered, where possible, to maximize open space and minimize costs of providing public services.*
  - g. *Safe access to the public road system of the community shall be provided.*
  - h. *Fire and police protection shall be adequately provided.*
  - i. *Slopes exceeding 30 percent shall be avoided whenever possible.*
- a. Policy 2007.8  
*Residential developments of three units or more or on parcels with an average slope of 30 percent or more shall be subject to design review to ensure compatibility with adjoining uses*

*and adherence to the following standards:*

- a. Location, height and bulk of buildings and other improvements shall be controlled to minimize disruption of existing views and protect the profile of prominent ridgelines.*
- b. Drainage ways and natural vegetation, including trees and ground cover, should be conserved to the extent possible.*
- c. Exterior materials and colors should blend with the adjoining development and the natural environment of the site.*
- d. Overall grading and site disruption should be minimized.*
- e. Measures shall be taken to control erosion during construction, followed by planting to ensure long-term erosion control. Native plants should be emphasized in new landscaping.*
- f. The amount of impervious surface should be minimized to provide for maximum possible on-site water retention.*
- g. Houses, accessory buildings and residential roads shall be located on stable ground that is free from flood hazards as demonstrated by professional evaluation of site conditions.*

## **ZONING CONFORMANCE**

Section 4.2.3(e) of the Zoning Ordinance limits the height of single family residences to twenty eight feet. The building section on Sheet A7 denotes a home below the maximum twenty-eight foot height limit; however, the building sections on Sheet A6 scale to twenty nine and thirty feet from the finished grade. In addition, the front elevation is neither dimensioned or to scale, and appears to exceed the height limit as measured from the left side of the driveway apron. The Belmont Zoning Ordinance (BZO) definitions for building height and grade are as follows:

*BZO Section 2.67 HEIGHT, BUILDING - The vertical distance from finished grade at each point around the perimeter of the building to the uppermost portion of the roof for each respective cross-slope section of the building.*

*BZO Section 2.64 GRADE (Adjacent Ground Elevation) - The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.*

This condition must be remedied or more properly illustrated, defined or confirmed by the applicant, prior to returning to the Commission with a formal application.

## **NEIGHBORHOOD OUTREACH**

The applicant reports that a written invitation to review project plans was sent to all property owners within 300 feet of the project site. The meeting reportedly occurred on July 15, 2010, and one comment was received from Mr. Lloyd Stout, a property owner at 2554 Belmont Canyon Road (uphill from the project site). Mr. Stout expressed concerns regarding hillside integrity, tree removal and view impacts. This correspondence is included as Attachment III of this memorandum.

## **ENVIRONMENTAL CLEARANCE (CEQA)**

The proposed new single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15303, Class 3 (a):

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

The proposed residence meets the above requirements for CEQA exemption.

## **SINGLE FAMILY DESIGN REVIEW EVALUATION**

### Single Family Design Review

The applicant is seeking Single Family Design Review (SFDR) approval to construct a new 3,237 square-foot single family dwelling on the subject lot. The following SFDR findings must be made in order for the Commission to approve the project:

- (a) *The Buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*
- (b) *The overall site and building plans achieve an acceptable balance amount the following factors:*
  - (1) *building bulk,*
  - (2) *grading, including*
    - (a) *disturbed surface area and*
    - (b) *total cubic yards, cut and fill*
  - (3) *hardscape, and*
  - (4) *tree removal*
- (c) *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*
- (d) *All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

- (e) *All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*
- (f) *The landscape plan incorporates:*
  - (1) *Native plants appropriate to the site's environmental setting and microclimate, and*
  - (2) *Appropriate landscape screening of accessory and support structures, and*
  - (3) *Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*
- (g) *Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.*
- (h) *Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code*

Full analysis of the SFDR findings is not required at this time. However, staff has reviewed the project for general compliance with the findings and has concerns related to Findings b, f, and g, as discussed below:

**Finding b - Bulk, Grading, Hardscape and Tree Removal** – Finding b requires that an acceptable balance be achieved among the four factors of development, which are identified as bulk, grading, hardscape and tree removal.

No quantified guidelines for bulk, grading, hardscape and tree removal exist within the Zoning Ordinance, San Juan Hills Area Plan or General Plan (i.e., there are no daylight plane, stepback, first-to-second story floor area ratios, or maximum numbers for grading, lot coverage, percentage of hardscape, or tree removal). Therefore, evaluation of impacts is somewhat subjective, and requires some knowledge of development potential. Some degree of grading, hardscape and tree removal are necessary to allow development to occur. The Single Family Design Review process attempts to balance and minimize these factors of development.

#### Guidance for Review of Finding b

A bulky building bulk can be a function of site layout, total building floor area, and/or building design. Mitigation of bulk can occur through site layout modifications, use of grading and topography, landscaping and design features (i.e., projection and recession of building walls to create light and shadows, variation of building materials and colors, roof offsets, and ornamentation).

Tree removal is evaluated by the number of trees being removed as well as the reason(s) behind the removal. Excessive removal typically occurs when an applicant locates or designs a home without much thought given to maintaining trees on site. Thus, the removal of eight trees may be considered excessive for an applicant that could avoid these tree impacts with minor plan modifications, and not excessive for another applicant where failure to remove the trees prevents reasonable development of the lot.

Excessive grading impacts typically occur when an applicant attempts to transform a hillside lot into a flat lot. Excessive hardscape is generally measured by the hardscape area outside of the building footprint that is unnecessary. This typically occurs when an applicant proposes to pave all side yard areas and include large paved patios in rear yard areas in lieu of landscaping.

### Proposed Project

The applicant proposes a multi-level residence that would be considered contemporary in design. In order to address the perception of bulk the proposed dwelling will incorporate building wall offsets, substantial window framing, material and color variation, and landscaping. Approximately 1,200 cubic yards of grading are proposed to dig the home into the site and provide for required building setbacks and driveway slope. Approximately fourteen trees would be removed or significantly impacted by the proposed project. The landscape plan proposes a variety of ornamental trees shrubs and ground cover at the front and sides of the proposed home.

The architectural design and building materials of the proposed dwelling would be generally compatible with the established character of other homes in the surrounding area. However, the home would likely appear very large from the street, predominately due to building height, total floor area, and a lack of horizontal articulation. In addition, numerous trees would be impacted by the project grading and choice of landscaping plantings, which would drastically reduce the effectiveness of the existing mature trees to screen the proposed residence. Staff would recommend that the applicant consider:

- Reducing the total floor area of the residence and recessing the dwelling down further into the site.
- Stepping back the upper story of the residence and stepping in the sides.
- Eliminating the back terrace areas.
- Eliminating the upper story portion of the residence over the driveway.
- Revising the landscape plan to preserve existing mature vegetation.
- Reviewing and responding to the City Arborist's recommendations for tree preservation.

**Finding f – Native Plants, Screening of Accessory Structures, Replacement Trees** – Finding f requires that inclusion of native plants within the proposed landscape plan, landscape screening for large structures, and replacement trees are consistent with the City Tree Ordinance.

### Guidance for Review of Finding f

California native plants are always strongly encouraged, but the Commission has also found that other non-native plantings can be acceptable so long as they are generally drought tolerant, and thrive in Belmont's local micro climate and soil conditions. In order to ensure plant survival, deer tolerance has also emerged as a de-facto review criteria for landscaping. The Commission routinely requests that large retaining walls be stepped and broken up with landscaping, and that replacement trees or in-lieu fees be provided to the maximum extent under the Tree Ordinance (3:1 ratio).

### Proposed Project

The applicants proposed landscape plan includes stepped retaining walls with plantings in between walls; however, the plans include predominately non-native ornamental plants (Japanese Maple trees, bamboo, etc.).

Staff recommends that the applicant revise the landscape plan to include planting pockets along the first retaining wall on the west side of the driveway. The planting palette should also be revised to address comments by the City Arborist. Should the existing oak trees be retained, the landscaping in the front of the proposed home should be maintained to the maximum extent feasible in its natural state. Should the trees at the front of the property be removed, they should be replaced at a 3:1 ratio with oak trees.

**Finding g- Measures for Construction Related Impacts** – Finding g requires that haul routes, construction staging, erosion control, and tree protection impacts be taken into account for a project.

#### Guidance for Review of Finding g

Haul routes, construction staging, and erosion control are typically addressed by project conditions of approval, and reviewed by the Department of Public Works. Specific tree protection measures are supplied in a report from the City Arborist during the planning review. However, the Planning Commission has expressed concerns regarding haul routes and construction staging for projects that include a large amount of grading and with project sites on narrow roads and/or steep sites.

#### Proposed Project

The proposed project would include approximately 1,200 cubic yards of grading resulting in approximately 120 truck trips to and from the project site. The geotechnical report recommends that the rear retaining walls be excavated and constructed before the garage retaining walls to ensure site stability. The subject property is steep and covered in trees, making it difficult to stage on site. The Department of Public Works does not generally permit applicants to stage construction from the public right-of-way, but the City Arborist is recommending that no staging occur at the front of the property.

Staff recommends that the applicant consult with an excavation contractor, and his civil and geotechnical engineer to prepare a preliminary construction staging plan for the formal submittal for Single Family Design Review. This plan should be reviewed by the Department of Public Works and the City Arborist.

### **CONCLUSION**

Based on comments and feedback received at this study session, staff will work with the applicant to make appropriate project design changes. Single Family Design Review and Variance findings will be prepared for the Planning Commission to review at a future public hearing. No findings or Resolutions are required at this time.

STAFF MEMO  
RE: 2847 San Juan Avenue; PA2010-0006  
October 5, 2010  
Page 12

## **ATTACHMENTS**

- I. Arborist Report
- II. Geotechnical Investigations and response letters
- III. Project correspondence
- IV. Applicant's plans, materials board, and photos (Commission only)

CC: Applicant/Property Owner