



MEETING OF October 19, 2010

AGENDA ITEM NO. 5B

Application I.D.: 2010-0038
Application Type: Single Family Design Review
Location: 2607 Lincoln Avenue
Applicant/Owner: Donn S. Levine
APN: 043-233-090
Zoning: R-1B - Single Family Residential District
General Plan Designation: RL – Low Density Residential
Environmental Determination: Categorically Exempt, Section 15303, Class 3(a)

PROJECT DESCRIPTION

The applicant requests Single Family Design Review (SFDR) approval to construct an 826 square foot addition to the existing 1,070 square foot single-family residence for a total of 1,896 square feet. An existing greenhouse on site is 132 sq. ft., thus, the total floor area for the property would be 2,028 sq. ft., which is below the 3,500 sq ft. permitted for the district.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution¹.

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

The subject property was established as part of the “No. 9 Belmont County Club Properties” Subdivision in 1926. The existing single-family home was constructed on site in 1950. The existing green house and gazebo were constructed in 1959. An existing bedroom was enlarged and a half bathroom was added in 1965. There have been no other planning projects for this property.

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

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SITE CONDITIONS

The subject property is located in a single family neighborhood developed with one and two-story single-family homes with a mixture of stucco and wood exterior finishes. Homes in the immediate area are generally contemporary in style and range from approximately 1,050 to 2,900 sq. ft. in floor area, including the garage. Lots on the west side of Lincoln Avenue tend to slope downward from the road and average 7,000 sq. ft. in lot area, and lots on the east side of Lincoln Avenue tend to slope upward from the road and average 10,000 sq. ft. in lot area.

The subject 9,700 square foot interior lot is rectangular-shaped and slopes downward approximately 13% from front (east) to rear (west). The site is developed with a single family dwelling with attached carport, green house and a gazebo (referred to by the applicant as a tea house). The right side of the project site is substantially vegetated with a “Japanese style” garden, complete with native and ornamental trees and shrubs, and improved with gravel pathways, boulders, raised planting areas and small garden walls. A six-foot high wooden fence is located along the perimeter of the property, which includes an opening along the driveway apron.

PROJECT ANALYSIS

The applicant proposes to demolish an existing deck and stairs, enclose a carport, remodel a portion of the interior of the home, construct a 144 sq. ft. addition to the living room/dining room, add a 186 sq. ft. foyer, and add a 479 sq. ft. wood deck. The project would consist of the following:

Floor Plans - Carport Enclosure

The existing 496 sq. ft. carport would be completely enclosed and converted to a garage. The storage area within the garage would be demolished. New interior access stairs would be added from the garage to the interior of the home. The resulting garage would maintain twenty feet in width and eighteen feet in length.

Floor Plans - First floor

The interior of the home would be remodeled and reconfigured. A new 186 sq. ft. foyer and a 144 sq. ft. addition to the living room/dining room would be constructed. The resulting home would include three bedrooms, two full bathrooms, hallway, kitchen, living room and dining room.

Floor Plans – lower floor

The unfinished lower level (basement floor) of the home would be expanded to provide a foundation for the living room/dining room addition.

Proposed Square Footage	Proposed Modifications/Additions
First Level (Main Floor) – 1,896 Sq. Ft.	<u>Proposed</u> : Two-car garage, three bedrooms two bathrooms, foyer, living room, dining room, and kitchen
Lower Level – 392 Sq. Ft.	<u>Proposed/Existing</u> : the 392 Sq. Ft. of unfinished, cellar area with a floor to ceiling height of 6.5’ or greater would not counted towards floor area. New crawl spaces would be inaccessible from the inside of the home and would also neither be finished nor counted as floor area.
Accessory Building/Structure - 132 Sq. Ft. 95 Sq. Ft.	<u>Proposed/Existing</u> : The 132 Sq. Ft. greenhouse counts towards floor area. The 95 Sq. Ft. Gazebo is not enclosed on two sides and does not count towards floor area.
Total for Dwelling/Site = 2,028 Sq. Ft.	

Exterior Design/Materials/Colors

The proposed dwelling remodel would have horizontal hardi-plank siding, wood doors and window frames, and an asphalt shingle roof.

The proposed exterior materials and color palette would include:

Roof: Composite shingle, (light brown)

Windows: (off-white)

Window molding: (brown)

Exterior Walls: Hardiplank (dark brown)

Tree Removal / Protection

No protected or regulated trees are proposed for removal, and none would need to be removed for the project. The site contains numerous trees, one of which is approximately twelve feet from the area of construction. The applicant proposes to remove a portion of the garage so that construction crews can access the back area without going through the garden, and potentially impacting trees and other existing landscaping. Staff is recommending standard tree protection measures as conditions of project approval.

Landscaping

The applicant has provided an existing landscape plan and pictures of the site to memorialize the existing condition. Currently, the right side of the project site is substantially vegetated with a “Japanese style” garden, complete with native and ornamental trees and shrubs, and improved with gravel pathways, boulders, raised planting areas and small garden walls. A six-foot high wooden

fence is located along the perimeter of the property, which includes an opening along the driveway apron. No new landscaping is proposed with this submittal; however, staff would note that the proposed addition to the home would be substantially screened by existing mature vegetation and it's down slope location, particularly as seen from the public right-of-way.

The applicants have engaged the services of a landscape designer who recommends the planting of additional shrubs along the road, removing bamboo behind the tea house, replacing the concrete walk with flagstone over a pervious substrate, planting of a herb garden on the left side of the driveway, hydro-zoning planting beds, adding more drip irrigation, and including additional California native plants throughout the garden area (Douglas, iris, mock orange, sticky monkey flower, California bush anemone, penstemons, etc.).

Grading/Hardscape

Minimal excavation (less than 5 cubic yards) would be required to construct the foundation for the addition, and the footings for the deck. In addition, the applicant proposes to replace the existing concrete walkway with flagstone stepping stones over a pervious base, which increase groundwater recharge and reduce stormwater runoff volume. A condition of approval is recommended to ensure that this modification occurs. The proposed deck would include open slates with landscaping below, so as to not significantly contribute to stromwater runoff. Existing and proposed hardscape is as follows:

Feature	Existing sq. ft. / Resulting %¹	Proposed sq. ft. / Resulting %¹	Proposed hardscape per feature (%)²
Residence ³	1,694 sq ft. / (17.5%)	1,896 sq. ft. / (19.5%)	19.5%
Driveway	437 sq ft / (22%)	437 sq. ft. / (24%)	4.5%
Walkway ⁴	200 sq. ft. / (24.0%)	100 sq. ft. / (25.1%)	1.0%
Gazebo	95 sq. ft. / (25%)	95 sq. ft. / (26.1%)	1.0%
Green house	132 sq. ft. / (26.4%)	132 sq. ft. / (28.8%)	1.4%
Total	2,558 sq. ft. (26.4%)	2,660 sq. ft. (27.4%)	27.4%

¹ The resulting percentage is a running tally of total hardscape, which includes the hardscape of all previous features in the table. ²An individual hardscape percentage for each feature is found in the last column to the right. ³Residence includes the garage. ⁴ Runoff from the walkway would be reduced by 50% through the use of flagstone stepping stones over a pervious substrate.

PROJECT DATA

Criteria	Existing	Proposed	Required or Max. Allowed
Lot Size	9,700 sq. ft.	No Change	No Change
Slope	13%	No Change	No Change
FAR ¹	0.18	0.21	0.361
Square Footage ¹	1,202 sq. ft.	2,028 sq. ft.	3,500 sq. ft.
Parking	carport (Approx. 20' x 18') two uncovered	Two-car garage Two uncovered	Two-car garage Two uncovered
Setbacks:			
Front ²	22 ft.	22 ft	18 ft
Left Side (south)	5 ft.	No Change.	9 ft.
Right Side (north)	43 ft.	34 ft.	9 ft.
Rear ³	12 ft.	15 ft.	15 ft.
Driveway length	22 ft.	22 ft.	18 ft.
Height	18.5 ft.	18.5 ft.	28 ft.
<p>¹The maximum FAR is 0.521; based upon slope and lot area this would produce a potential floor area of (5,053 sq. ft.), but total floor area is capped at 3,500 sq. ft. of floor area regardless of lot size in the R1-B District. ²Pursuant to Section 9.7.4 (a), setback averaging was required to determine the front setback for the subject home. The existing carport is being voluntarily enclosed by the applicant. ³The applicant proposes to remove the stairs from existing deck that encroach into rear yard setback.</p>			

GENERAL PLAN CONFORMANCE

The proposed addition for the single-family residence does not change the land use of the site. The residence is in conformance with the low-density residential general plan designation.

ZONING CONFORMANCE

The proposed addition for the single-family residence does not change the land use of the site. The residence is in conformance with the permitted uses set out in Section 4.2.1, *Permitted Uses [in Residential Districts]*.

Section 8.1.4 of the BZO provides as follows:

There shall be provided and maintained not less than four vehicle spaces – two (2) automobile garage spaces and two (2) spaces which need not be covered – for each dwelling unit in any one or two family structure when any of the following occurs:

- *600 or more square feet of gross floor area is added to the dwelling*
- *Any floor area modification that results in a dwelling becoming 3,000 square feet or larger*
- *Any floor area modification that results in an increase in the number of bedrooms from three or fewer to four or more*
- *More than one bedroom is being added to such dwelling unit*

The proposed project would add an 826 square foot addition to the existing 1,070 square foot single-family residence, thereby increasing the total floor area of the residence and all other structures on site to 2,028 square feet. Without the 496 sq. ft. garage enclosure, the total proposed addition would be 330 sq. ft., which would neither require a garage upgrade, nor Single Family Design Review. The property has an existing two-car carport and the applicant is voluntarily proposing to enclose the carport into a garage with complying internal dimensions to accommodate two parking spaces (20' x 18'). Thus the proposed project would conform to Section 8.1.4 of the BZO.

Section 9.6.3 includes the following provision:

9.6.3 ALTERATIONS AND ADDITIONS TO NONCONFORMING STRUCTURES

No nonconforming structure shall be moved, altered, enlarged or reconstructed so as to increase the discrepancy between existing conditions and the standards of coverage, front yard, side yards, rear yard, height of structures or distances between structures prescribed in the regulations for the district in which the structure is located.

The existing garage wall on the left side of the driveway is legal non-conforming with respect to side yard setback; it has a five foot side yard setback where nine feet is required. The applicant is proposing to repair and strengthen this wall in place, but not demolish it. Extension of the wall towards the front property line would require approval of a Variance.

Section 9.5.4 (a) includes the following provision:

9.5.4 ACCESSORY BUILDINGS

In any R District, non-habitable one story detached accessory building (i.e. garages and storage sheds) may occupy part, but not more than 40 percent, of the required yard areas; provided however, that no detached accessory building shall be located in front of the main building.

The existing 95 sq. ft. gazebo (tea house) was constructed in front of the main unit on the subject property around 1959 - 1960. Staff reviewed the Zoning Ordinance for the late 1950's and early 1960s and found that there were no provisions in the Ordinance that prohibited the construction of accessory building/structures in front of the main building on a single family lot. Thus, the gazebo is legal non-conforming with respect to its location in the front yard.

The proposed additions meet all other setback, height, FAR, and permitted use regulations of the R-1B zoning district.

NEIGHBORHOOD OUTREACH

The applicant reports performing neighborhood outreach as detailed in the Neighborhood Outreach Strategy attached to this report (see Attachment IV). The property owner reports sending letters via

U.S mail to all residents within 300 feet of the subject property. The applicant described the project and invited neighbors to comment at a subsequent meeting on site. The applicant reports that no negative comments were received at the meeting.

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 addition to the residence meets the above requirements for CEQA exemption.

SINGLE FAMILY DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for review of single-family residential projects (Section 13A.5(A-H)). Each finding is listed below with staff’s analysis of whether this project meets each finding in the affirmative.

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.*

The design of the home includes materials (horizontal hardiplank siding, wood framed windows, wood trim, and a composite shingle roof), and a color palette (tan, and brown) that would be consistent with the established character (earth tones, wood, stucco) of other homes in the neighborhood.

The proposed addition to the residence would be located at the bottom of the slope, and surrounded by numerous large native trees. The home would not disrupt public views as assessed from Lincoln Avenue, due to existing and proposed vegetation, the slope of the terrain, and an extensive setback (68 feet) from the street.

This finding can be made in the affirmative.

B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and tree removal*

Building bulk

The entire home would be resurfaced with dark brown horizontal hardiplank siding, substantial wood framed windows, wood trim, and a composite shingle roof that would add texture and shadow to the exterior of the residence. The revised exterior would be a substantial improvement over the existing condition, and would assist in mitigating the bulk of the home as seen from the surrounding area. In addition, the downhill location of the addition and the existing substantial site landscaping would serve to soften and screen the home as seen from the street.

Grading/Hardscape

Minimal excavation (less than 5 cubic yards) would be required to construct the foundation for the addition, and the footings for the deck. In addition, the applicant proposes to replace the existing concrete walkway with flagstone stepping stones over a pervious base, which increase groundwater recharge and reduce stormwater runoff volume. A condition of approval is recommended to ensure that this modification occurs. The proposed deck would include open slates with landscaping below, and so it would not significantly contribute to stormwater runoff. The proposed hardscape for the project is approximately 27%, and the vast majority of the site would remain undisturbed by the project. In addition the project site would remain heavily landscaped with a variety of native and/or drought tolerant trees and shrubs. Therefore, grading and hardscape elements are not excessive for the addition to the existing single family home and are appropriate in the neighborhood context.

Tree Removal

No protected or regulated trees are proposed for removal, and none would need to be removed for the project. The site contains numerous trees, one of which is approximately twelve feet from the area of construction. The applicant proposes to remove a portion of the garage so that construction crews can access the back area without going through the garden, and potentially impacting trees and other existing landscaping. In addition, staff is recommending standard tree protection measures as conditions of project approval. Therefore, as proposed and conditioned, tree removal would be consistent with the City's Tree Ordinance.

All four factors (building bulk, grading, hardscape, and tree removal) appear to be appropriately addressed in the building design to achieve a complementary balance for the project. This finding can be made in the affirmative.

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.

The existing driveway has clear access Lincoln Avenue. Safe pedestrian access would be provided from inside the garage via a stairway to the dwelling's foyer, and from the street and driveway area via a path to the front door. This finding can be made in the affirmative.

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.

Minimal excavation (less than 5 cubic yards) would be required to construct the foundation for the addition, and the footings for the deck. In addition, the applicant proposes to replace the existing concrete walkway with flagstone stepping stones over a pervious base, which increase groundwater recharge and reduce stormwater runoff volume. The project plans have been reviewed by the Public Works Department, and all grading would be in compliance with the City's grading ordinance. In addition, standard conditions of approval would assure that project construction and operation do not result in off site soil or water erosion. Best Management Practices (BMP's) are a standard condition of approval which requires that soil, gravel and water do not migrate off site and cause erosion. BMP's require the use of soil and water erosion controls (i.e., waddles and storm water filtration, etc.) prior to water entering the storm drain system in order to prevent sedimentation of the storm drain system and watercourses. Grading is limited to the drier season (April 15- November 14) which also serves to prevent erosion.

Thus as proposed and conditioned, this finding can be made in the affirmative.

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.

A driveway is proposed that would provide safe vehicular access to the proposed home. The proposed decks and walkways are not excessive and are appropriately integrated into the overall site design. The fence at the property line and small garden walls comply with height restrictions in the Zoning Ordinance. The existing legal non-conforming gazebo at the front of the property is made of wood and would appear consistent with the modified exterior of the home. This finding can be made in the affirmative.

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*

The applicant has provided an existing landscape plan and pictures of the site to memorialize the existing condition. Currently, the right side of the project site is substantially vegetated with native and ornamental trees and shrubs, and improved with gravel pathways, boulders, raised planting areas and small garden walls. No new landscaping is proposed with this submittal; however, staff would note that the proposed addition to the home would be substantially screened by existing mature vegetation and its' down slope location, particularly as seen from the public right-of-way.

Staff is recommending a condition of project approval that would require that any landscaping destroyed as part of the construction be replaced in kind. Staff would note that the existing landscaping would assist in mitigating the bulk of the proposed addition, and screen and soften the home as seen from Lincoln Avenue. Thus, as proposed and conditioned, this finding can be made in the affirmative.

- 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.*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. Conditions of project approval would require the City Arborist to review tree protection measures are in place prior to building permit issuance, and that the applicant stage the project from the driveway to avoid impact to existing vegetation. All construction would be completed in compliance with the California Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

- 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.*

The proposal includes no new structural encroachments into the public right-of-way. This finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the analysis and required findings, staff recommends approval of the Single-Family Design Review application with the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Deny the Single Family Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. 500 foot radius map of project site (incorporated as Page 2 of report)
- II. Resolution approving the Single Family Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Applicant's plans, materials board, and photos (Commission only)

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Respectfully submitted,

Damon DiDonato
Senior Planner

Carlos de Melo
Community Development Director

CC: Applicant/Owners

RESOLUTION NO. 2010 -

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING SINGLE FAMILY DESIGN REVIEW
AT 2607 LINCOLN AVENUE (APPL. NO. 2010-0038)

WHEREAS, Donn Levine, property owner, requests Single Family Design Review approval to construct an 826 square foot addition to the existing 1,070 square foot single-family residence for a total of 1,896 square feet, which together with an existing 132 sq. ft. accessory building is below the zoning district permitted 3,500 square feet for this site; and,

WHEREAS, a public hearing was duly noticed, and held on October 19, 2010, closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15303, and,

WHEREAS, the Planning Commission hereby adopts the staff report dated October 19, 2010 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required Single Family Design Review Findings, Section 13A.5 (A-H), are made in the affirmative as follows:

- 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.*

The design of the home includes materials (horizontal hardiplank siding, wood framed windows, wood trim, and a composite shingle roof), and a color palette (tan, and brown) that would be consistent with the established character (earth tones, wood, stucco) of other homes in the neighborhood.

The proposed addition to the residence would be located at the bottom of the slope, and surrounded by numerous large native trees. The home would not disrupt public views as assessed from Lincoln Avenue, due to existing and proposed vegetation, the slope of the terrain, and an extensive setback (68 feet) from the street.

This finding is affirmed.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and tree removal*

Building bulk

The entire home would be resurfaced with dark brown horizontal hardiplank siding, substantial wood framed windows, wood trim, and a composite shingle roof that would add texture and shadow to the exterior of the residence. The revised exterior would be a substantial improvement over the existing condition, and would assist in mitigating the bulk of the home as seen from the surrounding area. In addition, the downhill location of the addition and the existing substantial site landscaping would serve to soften and screen the home as seen from the street.

Grading/Hardscape

Minimal excavation (less than 5 cubic yards) would be required to construct the foundation for the addition, and the footings for the deck. In addition, the applicant proposes to replace the existing concrete walkway with flagstone stepping stones over a pervious base, which increase groundwater recharge and reduce stormwater runoff volume. A condition of approval is recommended to ensure that this modification occurs. The proposed deck would include open slates with landscaping below, and so it would not significantly contribute to stormwater runoff. The proposed hardscape for the project is approximately 27%, and the vast majority of the site would remain undisturbed by the project. In addition the project site would remain heavily landscaped with a variety of native and/or drought tolerant trees and shrubs. Therefore, grading and hardscape elements are not excessive for the addition to the existing single family home and are appropriate in the neighborhood context.

Tree Removal

No protected or regulated trees are proposed for removal, and none would need to be removed for the project. The site contains numerous trees, one of which is approximately twelve feet from the area of construction. The applicant proposes to remove a portion of the garage so that construction crews can access the back area without going through the garden, and potentially impacting trees and other existing landscaping. In addition, staff is recommending standard tree protection measures as conditions of project approval. Therefore, as proposed and conditioned, tree removal would be consistent with the City's Tree Ordinance.

All four factors (building bulk, grading, hardscape, and tree removal) appear to be appropriately addressed in the building design to achieve a complementary balance for the project. This finding is affirmed.

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.

The existing driveway has clear access Lincoln Avenue. Safe pedestrian access would be provided from inside the garage via a stairway to the dwelling's foyer, and from the street and driveway area via a path to the front door. This finding is affirmed.

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.

Minimal excavation (less than 5 cubic yards) would be required to construct the foundation for the addition, and the footings for the deck. In addition, the applicant proposes to replace the existing concrete walkway with flagstone stepping stones over a pervious base, which increase groundwater recharge and reduce stormwater runoff volume. The project plans have been reviewed by the Public Works Department, and all grading would be in compliance with the City's grading ordinance. In addition, standard conditions of approval would assure that project construction and operation do not result in off site soil or water erosion. Best Management Practices (BMP's) are a standard condition of approval which requires that soil, gravel and water do not migrate off site and cause erosion. BMP's require the use of soil and water erosion controls (i.e., waddles and storm water filtration, etc.) prior to water entering the storm drain system in order to prevent sedimentation of the storm drain system and watercourses. Grading is limited to the drier season (April 15- November 14) which also serves to prevent erosion.

Thus as proposed and conditioned, this finding is affirmed.

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.

A driveway is proposed that would provide safe vehicular access to the proposed home. The proposed decks and walkways are not excessive and are appropriately integrated into the overall site design. The fence at the property line and small garden walls comply with height restrictions in the Zoning Ordinance. The existing legal non-conforming gazebo at the front of the property is made of wood and would appear consistent with the modified exterior of the home. This finding is affirmed.

G. 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*

The applicant has provided an existing landscape plan and pictures of the site to memorialize the existing condition. Currently, the right side of the project site is substantially vegetated with native and ornamental trees and shrubs, and improved with gravel pathways, boulders, raised planting areas and small garden walls. No new landscaping is proposed with this submittal; however, staff would note that the proposed addition to the home would be substantially screened by existing mature vegetation and its' down slope location, particularly as seen from the public right-of-way.

Staff is recommending a condition of project approval that would require that any landscaping destroyed as part of the construction be replaced in kind. Staff would note that the existing landscaping would assist in mitigating the bulk of the proposed addition, and screen and soften the home as seen from Lincoln Avenue. Thus, as proposed and conditioned,, this finding is affirmed.

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.*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. Conditions of project approval would require the City Arborist to review tree protection measures are in place prior to building permit issuance, and that the applicant stage the project from the driveway to avoid impact to existing vegetation. All construction would be completed in compliance with the California Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

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.*

The proposal includes no new structural encroachments into the public right-of-way. This finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Single Family Design Review approval to construct an 826 square foot addition to an existing residence at 2607 Lincoln Avenue, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on October 19, 2010 by the following vote:

AYES, _____
COMMISSIONERS
NOES, _____
COMMISSIONERS
ABSENT, _____
COMMISSIONERS
ABSTAIN, _____
COMMISSIONERS
RECUSED, _____
COMMISSIONERS

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Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL
SINGLE FAMILY DESIGN REVIEW
2607 LINCOLN AVENUE (APPL. NO. 2010-0038)

COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Plans submitted for building permit and all construction shall conform to the plans on file in the Planning Division for Appl. No. 2010-0038. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.
3. Prior to issuance of building permits, the property owners shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that they have read, understand and agree to these conditions of approval.
4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owners and all assignees will be responsible for defending against this challenge, and agree to accept responsibility for defense at the request of the City. The property owners and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
6. The concrete pathway along the side of the home shall be replaced with a more pervious surface (i.e., flagstone, pavers or decomposed granite, over a pervious substrate), prior to Planning Final Inspection.

7. If any existing landscaping should be damaged during construction related activities, the applicant shall replace such landscaping in kind for the property, prior to issuance of a planning final.
8. Prior to issuing a permit for demolition, grading, or construction, the following must occur.
 - a. Wood Chips: Apply wood chips (not bark chips or leaf chips) in a 4-5 inch thick layer over the area from the trunk of the oak tree at the rear property line out to the tree protection zone (TPZ) fence line. Pull chips out approximately 24-inches away from the trunk so that moisture will not build up on the trunks.
 - b. Tree Protection Fencing: Chain link fencing must be erected around the oak tree between the project construction and the tree at the approximate dripline. The areas between the tree trunk edges and these fence perimeters shall be known as the root protection zones or tree protection zones (“RPZ” or “TPZ”). Fencing material used for all protective fences as per above must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted six-feet apart.

The protective fencing must not be temporarily moved during construction. No materials, excavated soil, liquids, or substances are to be placed or dumped, even temporarily, inside the TPZ. The TPZ fencing shall have one sign affixed at eye level for every 15-linear feet of fencing, minimum 8X11 size each, plastic laminated or otherwise waterproofed, stating: “TREE PROTECTION FENCE - DO NOT ALTER OR REMOVE.”

Building Division

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Plans shall conform to approved project plans, and all of the requirements of the California Building Code.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
 1. Obtain all required permits and submit engineered retaining wall designs as required.
 2. Post hours of operation and phone numbers for noise complaints.

3. Provide space for recycling containers.
4. Provide list of construction and demolition recycling service providers.
5. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.
6. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
7. Investigate opportunities for salvaging material for reuse.
8. Specify that the 2006 IBC, 2006 UPC, 2006 UMC and 2005 NEC as amended by the State of California and all applicable City of Belmont ordinances will be employed during this project.
9. The denatured alcohol burning fireplace requires venting pursuant to the manufacture's specifications. Submit the following:

6-3-403 Device Manufacturer's Certification or Proof of Equivalency:
The manufacturer and seller of any wood-burning device shall provide documentation to any purchaser that the device is U.S. EPA Phase II certified or that the device meets the equivalent U.S. Phase II emission limits.

- I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:
 - A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Specify on the plans the locations of all new roof down-spouts **and** where/how they are to be drained. Storm water from roof down-spouts and other on-site drainage shall be collected and drained to an underground storm water system, dispersed to the landscaped area, or through a curb drain to the gutter. Storm water shall not be allowed to drain to the neighboring properties or across the sidewalk/driveway area.
 - B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.

1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
2. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
3. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
 - a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
 - c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
 - d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
 - e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

1. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:
 - a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i) Limit construction access routes and stabilize designated access points.
 - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
2. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.
3. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
4. All construction and related activities which require a City permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m., Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year’s Day, President’s Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline

powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

5. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
6. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.

II. Comply with the following conditions of the Police Department

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

III. Comply with the requirements of the Belmont –San Carlos Fire Department:

1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size and lettering shall meet Belmont-San Carlos Fire Department Standards.
2. If the total square footage exceeds 2,500 square feet and the structure becomes uninhabitable, an automatic fire sprinkler system shall be required.

Certification of Approved Final Conditions:

Damon DiDonato
Senior Planner

Date