

CITY OF BELMONT
PLANNING COMMISSION
SUMMARY MINUTES

TUESDAY, APRIL 17, 2012, 7:00 PM

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

1. ROLL CALL

Commissioners Present: Mercer, Parsons, Frautschi, Herbach, Reed, Horton, D'Souza
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Recording Secretary Turning (RS), City Attorney Renne (CA)

2. AGENDA AMENDMENTS- None

3. COMMUNITY FORUM (Public Comments)- None

4. CONSENT CALENDER

4A. Minutes of March 6, 2012

MOTION: By Vice Chair Parsons, seconded by Commissioner Reed, to accept the Minutes of March 6, 2012 as presented.

Ayes: Parsons, Reed, D'Souza, Horton, Mercer
Noes: None
Abstain: Frautschi, Herbach

Motion passed: 5/0/2

5. NEW BUSINESS:

5A. Tree Board Appointments (Two Commission Members)

On August 9, 2011 the City Council adopted comprehensive amendments to the City's Tree Ordinance. The August 2011 revised tree ordinance changed the composition of the Tree Board to include two currently seated Parks and Recreation Commissioners, and two currently seated Planning Commissioners. The fifth Tree Board member appointed was Karl Mittelstadt. Under the revised tree ordinance the Tree Board's scope of responsibilities are expanded to include hearing and ruling on appeals of denied Administrative Permits, establishing a community forest work plan, recommending

public tree care policies, maintaining a list of recommended trees and undesirable trees, and promoting public awareness of trees and of the Ordinance.

Vice Chair Parsons and Commissioner d'Souza volunteered to be members of the Tree Board.

MOTION: By Commissioner Reed, seconded by Commissioner Frautschi, to nominate Vice Chair Parsons and Commissioner d'Souza to the Tree Board.

**Ayes: Reed, Frautschi, Horton, d'Souza, Herbach, Parsons, Mercer
Noes: None**

Motion passed 7/0

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING- 2847 San Juan Boulevard

To consider a Single Family Design Review to construct a new 3,206 square foot single-family residence, which is below the maximum 3,285 square feet permitted for the zoning district. The project also includes requests for a Major Encroachment Permit and a Variance for retaining walls (Appl. No. 2010-0006)

APN: 043-322-270; Zoned: R1-B- Single Family Residential District

CEQA Status: Categorical Exemption per Section 15303

APPLICANT: Steve Lesley

OWNER: Ahmad Dababo

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

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

SP DiDonato summarized the Staff Report, giving the details of the project. The design of the project would be split-level with the first level having housing space and one bedroom and the upper level having four additional bedrooms, two bathrooms, and a laundry area. The lot is currently vacant and is approximately 12,000 square feet and slopes up from the road fairly steeply at 56%. There would be 1,650 cubic yards of grading associated with the project. The proposal would require retaining walls and a Variance is being requested for retaining walls approximately 12 feet in height. A Major Encroachment Permit is also requested and has been reviewed by the Department of Public Works and the Public Works Director recommended approval of the Permit. The most recent action for the property occurred in October of 2005 where the applicant was directed to make modifications to the project.

Commissioner Horton questioned if moving the garage forward would detach it from the residence. SP DiDonato answered in the affirmative adding the applicant would require Variances to have the garage in front of the main dwelling. Commissioner Horton also

questioned the elevations of the plans and SP DiDonato stated that the architect would be more suitable to answer that question. The Commissioner had one final question as to whether neighboring homes had had the same amount of construction in right-of-ways and setbacks. SP DiDonato stated that staff would have to investigate that question further.

Commissioner Frautschi wanted to correct what SP DiDonato stated that the Study Session was in 2005 when it was in 2010. The Commissioner questioned whether construction is permitted on a site with such a steep slope and SP DiDonato stated that it is conditionally allowed. Commissioner Frautschi questioned the amount in feet that the garage would be moved forward. SP DiDonato answered that the garage would be moved forward 16 feet.

Chair Mercer questioned if there would be a hand railing required on the left retaining wall. SP DiDonato responded that the Building Official, Mark Nolfi, addresses those types of issues.

Sylvia Burks, neighbor to the proposed building site, requested to speak. She questioned if there were two slides identified for the project site. SP DiDonato answered in the affirmative. She also asked how deep the cut that is being made is. SP DiDonato answered that the depth of the cut is 10 feet.

The civil engineer, Dan McCloud, stated that the maximum cut is 10-11 feet measured from the garage finished floor to above the deck where the existing grade falls.

MOTION: By Vice Chair Parsons, seconded by Commissioner Frautschi, to close the public hearing. Motion passed 7/0 by show of hands.

Vice Chair Parsons stated that the project had way too much cut. He thought that areas with more than 30% slope should not allow for construction. The retaining walls are an abomination in his opinion and cut off any access to the wildlife to the area. He suggested that moving the garage forward would reduce the necessity for retaining walls and would be excellent. He recommended that the project be continued for a redesign and reduce the amount of grading and reduce the retaining walls as much as possible. Vice Chair Parsons can support the Variance and the Encroachment Permit if it reduces the project bulk.

Commissioner Horton agreed that there is too much grading. She did have issues with the Encroachment Permit and she did not think that a Variance was necessary for a wall that could be mitigated. She thought that the Encroachment Permit was moving a little too far forward and she would like to see the last set of stairs moved farther back. Commissioner Horton is not a fan of the retaining walls in the back area of the residence and thinks that moving the garage forward would mitigate the necessity for retaining walls.

Commissioner Reed liked the design of one half of the project (swelling side), but not the other (garage). He would like to see the garage moved forward and see less cut into the hillside. Commissioner Reed did not have a problem with the Encroachment Permit but

would like to look at the Variance again after a redesign was submitted with a change to the location of the garage.

Commissioner Herbach thought moving the garage forward was a good idea. He was concerned with the step retaining wall in the rear of the property thinking it looked like a scar on the earth. He would like to see an elevation on the plans.

Commissioner d'Souza thought the project did not address the issues raised by the City Arborist. He thought the project could be better represented by rotating the house and reducing the size of the residence.

Commissioner Frautschi supported a continuance to a date uncertain to reduce the overall project grading. He was not prepared to speak on moving the garage forward since at that time there were no specifics on the matter. Additionally he wanted the information of the contact person for the City Staff on the notification to the public. Staff recommended two conditions for zone conformance that had to do with the height of the building and a wet stamp for the calculations of the floor area. He supported these recommendations of Staff. Commissioner Frautschi would like to see calculations of hardscape by individual blocks. Staff recommended elimination of the second Variance by lowering the retaining wall to grade. He concurred with that recommendation. He was concerned with the removal of trees for the construction of the project. Commissioner Frautschi thought the design of the residence did not interface smoothly with the surrounding hillside. There is no stepping of the lot and the interior does not contain varied floor elevations on the various levels. He wanted to see a supplemental geotechnical peer review memo from Cotton & Shires. It would be a review of August 4, 2010 or any subsequent reviews and had to confirm recommendations that date back to 2010 and regard tie back techniques, free board requirements, and drainage improvements. Additionally, the site plan's final version should indicate the concrete V- ditch that is recommended by the geotechnical report. Commissioner Frautschi recommended the removal of the non-native Broom in the front of the lot and the planting of native plant materials to transition and guard against future slumping of the area. On the Variance review Staff recommended eliminating a request for a second Variance by lowering the 8 foot retaining wall to grade. He concurred with that recommendation. The Commissioner had strong reservations about the Director of Public Works approval of the Major Encroachment Permit for a driveway retaining wall. On the Single Family Design Review evaluation he had issues with three of the eight findings.

Chair Mercer thought there was a lot of wasted space over the garage and that the house could be more balanced with the use of that space. She wondered if the depth of the house could be reduced by making it more linear. She had concerns about how the retaining walls would affect the surrounding wildlife. Chair Mercer suggested a compromise with the landscaping. A small planting area and a minimal amount of landscaping included. With respect to the Variance could be redesigned and possibly eliminated.

MOTION: By Vice Chair Parsons, seconded by Commissioner Horton, to continue this item to a date uncertain.

Ayes: Parsons, Horton, Mercer, Reed, d'Souza, Herbach, Frautschi

Noes: None

Motion passed 7/0.

7. REPORTS, STUDIES, AND UPDATES:

7A. North Road Right-of-Way

No further report.

7B. Caltrain Modernization Program/High Speed Rail

CDD de Melo stated that the final version of the 2012 High Speed Rail Business Plan was released at the end of March. It included key decisions made by the High Speed Rail Authority regarding funding approvals. There are a couple of High Speed Rail groups that meet. There will be a need for passing tracks along some portion of the San Francisco/San Jose segment but the question is where. If the Business Plan continues to reflect a four track system along the entire length that would be contrary to the information that Cities are receiving about a blended system using the right-of-way.

7C. Ralston/US-101 Landscape Project

The City Council is going to be engaged in discussion as it relates to the 2012-2013 fiscal year budgets. There will be some discussion as it relates to the funding sources that will be available for the Ralston/US-101 Landscape Project in terms of City participation.

There was additional discussion on items not on the agenda. These items will be revisited at the next Planning Commission meeting. CDD de Melo stated that on April 18, 2012 there will be a neighborhood meeting on the Safeway property. Safeway was soliciting feedback from neighbors. There had been discussion on how Safeway was very interested in modifying their store at 1100 El Camino Real. The first step in that effort was outreach.

City Council on the 25th of April will be conducting a Study Session to discuss the priority calendar. Part of this discussion will start their budget exercise; they will be trying to link priority calendar objectives with the budget. The focus will be on the evaluation of the current priority calendar and the Capital Improvement Program for the upcoming year. This is a public meeting.

CDD de Melo reported a priority calendar item, the Green Advisory Committee, had recommended Ordinances to present to the Council. One was Polystyrene food ware

Ordinance which had been adopted the County of San Mateo and numerous Cities in San Mateo County. There will be an outreach meeting on May 2nd; this meeting is meant to get the word out that there is an Ordinance that the County had adopted. This is predominantly targeted at establishments that distribute food ware products.

Vice Chair Parsons stated that the Commission was starting to get questions about the proposed middle school development on Davis Drive, Crystal Springs Uplands Middle School. He believed the Commission should hold a Study Session. CDD de Melo stated that the project will have an Environmental Review and it require a modification to the zoning.

8. CITY COUNCIL MEETING OF TUESDAY, APRIL 24, 2012-7:30 PM

Liaison: Chair Mercer

Alternate Liaison: Commissioner Herbach

9. ADJOURNMENT:

The meeting was adjourned at 8:45 p.m. to a Regular Planning Commission Meeting on Tuesday, May 1, 2012 at 7:00 p.m. in Belmont City Hall.