

**CITY OF BELMONT**  
**PLANNING COMMISSION**  
**SUMMARY MINUTES**

**TUESDAY, JANUARY 18, 2011, 7:00 PM**

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

**1. ROLL CALL**

Commissioners Present: Frautschi, Reed, Mercer, Parsons, Mayer, Horton

Chair Frautschi announced that Commissioner Mathewson has resigned from the Commission. A new Commissioner to complete the remaining year of Commissioner Mathewson's term will be appointed by Council in March. Speaking for everyone present, Chair Frautschi wished Commissioner Mathewson well.

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

**2. AGENDA AMENDMENTS - None**

**3. COMMUNITY FORUM (Public Comments) – None**

**4. CONSENT CALENDAR**

**4A. Minutes of December 21, 2010**

**Motion: By Commissioner Mercer, seconded by Commissioner Mayer, to accept the Minutes of Tuesday, December 21, 2010, as presented.**

**Ayes: Mercer, Mayer, Horton, Reed, Frautschi**  
**Noes: None**  
**Abstain: Parsons**

**Motion passed 5/0/1**

**5. PUBLIC HEARINGS:**

**5A. PUBLIC HEARING - 1036 Lassen Drive - (Continued from 12/21/10 PC Meeting)**

To consider a Single Family Design Review to construct a 594 square foot addition to the existing 2,610 square foot single family residence for a total of 3,204 square feet (3,465 square foot maximum building size permitted for this site). (Appl. No. PA2010-0033)

APN: 043-152-040; Zoned: R-1B (Single Family Residential) CEQA Status: Categorical Exemption per Section 15303

APPLICANT/OWNER: David Chen

PROJECT PLANNER: Rob Gill, (650) 598-404

AP Gill summarized the staff memorandum, recommending approval of the project, subject to the attached conditions.

Applicant, David Chen, declined the opportunity to make any additional comments.

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

**MOTION: By Commissioner Parsons, seconded by Vice Chair Reed, to close the Public Hearing. Motion passed 6/0 by a show of hands.**

All Commissioners were able to make the findings. Chair Frautschi thanked the applicant for changing the design to incorporate the Commission's earlier concerns, and concurred with Commissioner Horton that it would have been easy to eliminate the space between the two wings. As discussed in the Staff Report, Commissioner Frautschi asked that a line regarding removal of hardscape in the right and rear yards be added to the Resolution.

**MOTION: By Commissioner Horton, seconded by Commissioner Parsons, to adopt the Resolution approving a Single-Family Design Review at 1036 Lassen Drive (Appl. No. 2010-0033) with attached conditions and the amendment proposed by Chair Frautschi.**

**Ayes: Horton, Parsons, Mayer, Reed, Frautschi**

**Noes: None**

**Abstain: Mercer**

**Motion passed 6/0**

Chair Frautschi announced that this decision is appealable within 10 days.

David Chen, applicant, explained the reason for the space between the two wings.

**5B. PUBLIC HEARING – 300 El Camino Real & Adjacent Vacant Parcel (044-173-200)**

To consider a Design Review for a 5,129 sq.ft. banquet room addition, a Conditional Use Permit to allow extended hours, and a Parking Variance for Shalazaar Restaurant (Appl. No. PA2010-0031)

APNs: 044-173-180 & 044-173-200; ZONING: C-3 (Highway Commercial)

CEQA Status: Categorical Exemption per Sections 15303 and 15301

APPLICANTS/OWNERS: Saeed and Narges Ayagh

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

SP DiDonato summarized the Staff Report, noting that staff did not make a recommendation but asked for Commission direction and confirmation of the findings in the report. He mentioned that a letter in opposition to the project had been placed on the dais and answered questions from the Commissioners.

Ed Hemmett, designer of the restaurant, thanked Commissioners and staff, noting that the current restaurant has been a great success. He responded to questions from the Commission about the proposed second door on El Camino, configuration of the bar and doors to the banquet room, parking arrangements, overflow when banquet room is not booked, anticipated number of events involving live entertainment, proposed hours of operation, and number of proposed employees for the approximately 300 additional customers. He concluded by saying that the applicant hopes to continue to invest in the community and continue the relationship.

Chair Frautschi opened the Public Hearing.

Mary Morrissey Parden, Belmont resident, expressed her concern that encouraging parking on the east side of El Camino Real is a dangerous situation. She also questioned the need for a 1,039 sq.ft. storage area, felt that live entertainment would encourage more traffic, suggested that outdoor seating be considered, and that additional studies be conducted on the existing valet parking venues.

Lenore Griffin, Belmont resident and business owner, stated that, when Shalizaar is full, all parking spaces in the area are filled up, even when there is valet parking, and that it is impossible to make a left turn from Belmont Avenue onto El Camino Real because the line of sight is blocked by parked cars. She mentioned that there have been several accidents at this intersection. She believes there would be 40 or more additional parking spaces that need a Variance. Noise is also an issue and stated that anything after 11:00 p.m. would disturb the customers at her motel.

Adele Della Santina, Belmont residence, stated her concern that doubling the square footage with no additional parking would be setting a precedent; other restaurants would want to expand as well. The Commission should think in terms of leveling the playing field.

**MOTION: By Commissioner Parsons, seconded by Commissioner Mayer, to close the Public Hearing. Motion carried 6/0 by a show of hands.**

Commissioners commented as follows:

Commissioner Mercer:

- Could make the finding that the lot is too small for anything but expansion of an adjacent business.
- More than doubling the capacity of the restaurant and not adding a single parking space is asking for trouble. She would need documented proof of a legally agreed to parking agreement somewhere that would accommodate a large majority of the extra volume of parking spaces.
- The extended hours would set a precedent of being open longer than most anything else in Belmont, particularly with live entertainment, did not see the need or appropriateness of having the extended hours seven days a week, would confine it to two or three days a week with midnight the latest acceptable hour because of the adjacent residences.

- Would like staff to prepare a detailed list of all other establishments that offer live entertainment in the C-1, C-2 and C-3 districts for comparison purposes to assure that the playing field is level.
- Agreed that two entrances would be asking for trouble.

Commissioner Mayer:

- Could not go along with micromanaging the entire concept.
- Parking is the central problem. The Police Department has said parking is legal on the east side; those spaces should be taken into account. Agreement with other businesses in the area that will allow for specialized valet parking might also help to address the parking issue.
- No problem with the extension of hours to 2:00 a.m. There have been no complaints to speak of with the existing arrangement.
- Shalazaar is a successful business in one of the most impressive buildings in Belmont and should be welcomed and encouraged to expand. He could support the project with attention primarily to the parking issue.

Commissioner Parsons:

- Initially concerned that it was going to be too large and that the bar area in front is excessive, but that is an interior design issue and he could approve it the way it is.
- Other restaurants have locked front safety doors that are near main doors.
- Outdoor dining would aggravate any noise situation; not practical in Belmont at night.
- Moving the live music out of the main dining room and into the banquet room that has a two-story buffer and no windows on the sides and back will mitigate any noise issues.
- The 2:00 a.m. closing time 7 days a week is excessive. Suggested considering attaching a condition to review it after a year to see if there is a problem.
- Parking could be worked out with several places.
- To encourage more business along El Camino, the City should consider a blinking, lighted crosswalk across El Camino.
- Concerned about the noise ordinance issue since a Variance goes with the property and a bar with loud music could one day occupy the building. CA Zafferano confirmed that a Conditional Use Permit runs with the land; it does not run with the type of business.

Commissioner Horton:

- Concurred with Commissioner Mayer that businesses should be supported in their efforts to expand.
- No issue with the entry – it is pleasant and complements what is there now. Similar to entries at Vivache and Divinos.
- Proposed set-up is common for banquet areas.
- Storage is needed for dry storage in a restaurant.
- Concerns similar to Commissioner Parsons regarding hours; may need to compromise and limit the days of the week that they are open until 2:00 a.m. Have granted late hours to other restaurants in C-1 or C-2 districts that are not as busy as the C-3 district.
- Every single restaurant that has come before the Commission has been allowed a parking Variance and she could see no reason to deny this one. She prefers to see parking on the streets than having parking lots spread all over the City.

Commissioner Reed:

- Lives close to this C-3 area and people who buy homes on Ruth or Anita Avenues realize that they will hear noise from the train, El Camino, and the associated businesses, and that they will be living on a feeder street.
- He remembered the eyesore that was on the lot before Shalizaar and believes it is now the nicest property on El Camino Real.
- Granting a license to expand an already excellent facility did not seem like a stretch to him.
- The door in the front is a good idea. He did not like the idea of a wedding party going through the main restaurant while dining there.
- Parking is not a huge issue though he was concerned about customers parking on Anita and Belmont Avenues. He suggested that a possible solution would be issuance of some kind of parking permit.
- Did not see a noise issue as long as the noise ordinance is not exceeded.
- Believed that 2:00 a.m. 7 days a week is excessive, especially on Sunday.
- Felt that this is an outstanding use of an otherwise unusable piece of property.

Commissioner Frautschi:

- Liked the project and that they are continuing the current style. A goal of the City is to encourage the merger of small lots.
- No concerns about noise. History shows there has not been a problem but it could be dealt with if there is a problem.
- Concurred that the real problem is parking. Disagreed with Commissioner Horton in that every single property they've given a Variance there's always been an obligation to the Variance; applicants were required to come up with a parking agreement at another site. It was his understanding that the Police Department recommends that the Commission not count the parking in the east side of El Camino. He would like staff to explore what it would take to get a cross walk.
- Staff called out the problem of letting people off on El Camino and he believed if the door is there people will use it. In other restaurants with banquet rooms, they lock the door except for exiting.
- Insured that the huge storage area is required for food and storing tables when there is dancing.
- Had no problem with Finding 4, the design analysis. He only brought up the question about the entrance because of the abuse that could happen to it.
- Regarding parking, the Variance is available because the City wants to help properties that could not do something if it wasn't available, and he believed the Variance could work in this situation. Would like to see a written agreement for where they will actually park the cars. A creative solution is needed that deals with the safety issues and producing a contract for people using the banquet room that would spell out the requirements.
- Not convinced that they need the extra hours. He suggested that they build the banquet room, come up with parking agreements, and operate it within the current hours to see how it goes. There are four other restaurants that have banquet facilities and that do not stay open till 2:00.
- Would like to see information from the Police Department about accidents that have occurred from Belmont Road onto El Camino.

Since there was not a consensus on the hours of operation, it was agreed that the item would be continued so that staff could come back with alternatives, investigate the other questions raised by the Commission, and have the applicant investigate an off-site parking agreement.

**MOTION: By Commissioner Parsons, seconded by Commissioner Mayer, to continue this item to a date uncertain. Motion passed 6/0 by a show of hands.**

**6. OLD BUSINESS**

**6A. Priority Calendar – Spring 2011 – Step 2 – Continued from 1/4/11 PC Meeting**

CDD de Melo summarized the staff memorandum, asking that the Commission rank in priority order the 17 projects listed as suspended and below-the-line projects.

Brief discussion ensued regarding the renovation of the athletic fields at the sports complex, why item Q, Storm and Surface Water Drainage Ordinance, is on the Planning Commission’s list rather than the Public Works priority list, and the possible formation of a General Plan task force or review of the General Plan by the Commission.

Commissioner Parsons reminded the Commission that he felt the Harbor Industrial Area and Grand Boulevard initiative projects should be dropped from the priority calendar rankings in light of the High-Speed Rail activities.

Commissioners filled out the ballot form to rank the priority calendar items.

Chair Frautschi and Commissioner Mercer gave an update on Parks & Rec. Commission’s recent meeting on the Priority Calendar.

A short break was called at 8:50 p.m. in order to allow time to tabulate the rankings. When the meeting resumed, CDD de Melo read the results into the record as follows:

<b>Rank</b>	<b>Item</b>	<b>Project Description</b>
1	J	Garage Parking Standards/Requirements & Secondary Units
2	B	Revision of Zoning Ordinance Definitions
3	D	Historic Preservation Ordinance & Inventory
4 (tie)	L	Ralston Ave. & ADLP “Scenic Corridors” Initiative
4 (tie)	M	Slope Calculations for Residential Development
6	F	Lot Coverage and Hardscape Limits
7	E	San Juan Hills Floor Area/Density Transfers
8	H	Cut and Fill Standards/Requirements
9	G	Administrative CUPs – 10% Landscaping Requirement
10	I	Compilation of Federal, State, Local Preemptions
11	C	Solar Access Ordinance
12	O	Wireless Communications Facility Findings
13	A	Harbor Industrial Area
14	P	Large Family Day Care Ordinance

<b>Rank</b>	<b>Item</b>	<b>Project Description</b>
15	K	Park Property Acquisition – El Camino Real
16	Q	Storm & Surface Water Drainage Ordinance
17	N	Utility Structures Design-Public/Private ROW Areas

CDD de Melo noted that votes ranked from basically 20 to 39 in the top 7, with a dramatic jump thereafter. The Commission’s recommendations will be forwarded to City Council for it’s February 8<sup>th</sup> meeting.

**7. REPORTS, STUDIES AND UPDATES:**

CDD de Melo reported as follows:

**7A. Ralston/US-101 Landscape Project**

No update at this time.

**7B. San Mateo Development – North Road/43<sup>rd</sup> Avenue**

No update at this time.

**7C. Parking Study – Downtown Village Areas**

No update at this time.

**7D. Emmett House**

Work continues. The interior looks really nice and is almost completed. Commissioners were invited to come by for a tour. An “as built” plan will be provided to the City. The street work and landscaping around the Emmett House is in draft stage, with the hope of bringing it to Commission for feedback for February 1<sup>st</sup> meeting.

**7E. US-101 Pedestrian/Bike Bridge Project**

Council weekly updates are available. Hwy.101 will be shut down in each direction the following week between midnight and 5 a.m., with detours in effect off of Hillsdale and Holly.

**7F. High-Speed Rail (HSR)**

Neighborhood Association meeting was held on January 12<sup>th</sup> with 40 residents plus some ad hoc committee members in attendance. Commissioner Mercer, Mark Simon and Betsy McGinn gave presentations. January 26<sup>th</sup> will be the next meeting of the HSR Ad Hoc Committee and Rod Dierdon is still confirmed to participate in a question/answer session on the 27<sup>th</sup> at 2:00 in the Council Chambers.

**Other Items**

CDD de Melo spoke to Public Works staff about the bump at Ralston Avenue and Davis Drive. Mid-February is the date expected for repair.

**8. CITY COUNCIL MEETING OF TUESDAY, JANUARY 25, 2011 – 7:30 P.M.**

Liaison: Chair Frautschi  
Alternate Liaison: Commissioner Horton

**9. ADJOURNMENT:**

The meeting was adjourned at 9:05 p.m. to a Regular Planning Commission Meeting on Tuesday, February 1, 2011 at 7:00 p.m. in Belmont City Hall.

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Carlos de Melo  
Planning Commission Secretary

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

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