

CITY OF BELMONT
PLANNING COMMISSION
SUMMARY MINUTES

TUESDAY, FEBRUARY 2, 2010, 7:00 PM

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

1. ROLL CALL

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

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

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) – None

4. CONSENT CALENDAR - None

5. PUBLIC HEARINGS

5A. 2880 WAKEFIELD DRIVE

To consider a Conditional Use Permit to amend the Hallmark West Detailed Development Plan (DDP) by constructing a 312 square-foot addition to the existing 3,205 square foot single-family residence for a total of 3,517 square feet which complies with the development guidelines for this DDP.

(Appl. No. 2009-0043)

APN: 045-441-170; Zoned: PD – Planned Development

CEQA Status: Categorical Exemption per Section 15303

Applicant: Robert Medan, Architect

Owner: Bill & Alicia Davidovich

Planner: Rob Gill: 650-598-4204

AP Gill reported that, after preparation of the Staff Report, staff learned that the bathroom shown on Sheet 82 had been constructed without a building permit. The applicant then elected to include the unpermitted construction as part of this proposal. He added that the square footage for the project will not change since the bathroom was included in the existing square footage. A revised Resolution and revised Conditions of Approval requiring that the unpermitted bathroom addition be subjected to inspection were emailed to the Commission on the previous day. AP Gill then summarized the Staff Report, recommending approval of the Conditional Use Permit (CUP) subject to the revised Resolution and Conditions of Approval.

Responding to Commissioner Frautschi, AP Gill stated that the project could not be approved administratively since the addition is over 200 square feet, and that it did not require a Design Review since it is less than 400 square feet. Commissioner Frautschi added that the project required Commission review since it is for over 3500 square feet.

Responding to Vice Chair Mayer, AP Gill noted that a corrected radius map is attached to the revised Resolution. CDD de Melo asked that he be allowed time to research Vice Chair Mayer's request for clarification of items 12.4 and 13.8.5 of the Zoning Ordinance.

Robert Medan, Architect, was available to answer questions. Responding to Commissioner Parsons, Mr. Medan stated that the sun room and bathroom were added in the early 1980's and the current owners did not purchase the home until 2003. He explained that he had assumed that the existing sun room would not be considered as floor area since it is a glass enclosure with no insulation and is not considered a permanent structure and is not up to current code. Commissioner Parsons called attention to a door in the bathroom that appeared as though one would fall to the ground, and questioned if a balcony and stairs on the side of the garage are built to code.

Commissioner Parsons stated for the record that sun room and garage space always count toward floor area ratio if it exceeds 6'6".

Commissioner Frautschi questioned why this house is being allowed to go over 3500 square feet. CDD de Melo explained that the Hallmark West Planned Development District (PDD) set the development standards. Unit 1A did not have an absolute cap on maximum floor area for the homes but did have a maximum floor area ratio (FAR). This home with the proposed expansion fits within the FAR range for that PD. CA Zafferano added that approving a CUP for this property does not bind the Commission to approve CUPs for different properties, even if in the same zoning district; each application is evaluated on a case-by-case basis. Responding to Commissioner Frautschi's concern about establishing a precedent, CA Zafferano stated that Finding A, which refers to "compatible to other land uses in the general neighborhood" is not necessarily associated with other residential districts that are not in the neighborhood.

Responding to Vice Chair Mayer's earlier question regarding Zoning Codes 12.4 and 13.8, CDD de Melo determined that it appears that Design Review findings may be required for this project, and suggested that if the Commission approves the CUP they continue the item so that staff could prepare a revised Resolution that includes the Single-Family Design Review findings.

Responding to Mr. Medan, Chair Horton clarified that the issue has nothing to do with the square footage of the project.

Chair Horton opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Parsons, seconded by Commissioner Mathewson, to close the Public Hearing. Motions passed 6/0/1 by a show of hands, with Commissioner Mercer absent.

Commissioner Frautschi stated that he would not be supporting the CUP to amend the DDP because the issue to him is Finding d) regarding adverse affects to other property. He had no problem with the design but was concerned about the ripple effect of approving a 3500-square-foot home on a lot that is 7000 square feet smaller than a lot that would be allowed to have a 3500-square-foot house without a Variance.

Commissioner Reed had no problems with the CUP, taking into account the current size of the house and subtracting the garage, which was not required in 1972.

Commissioner Parsons stated that he could vote for the CUP but would like to have seen the house pushed further down on the property so that there was more of a side yard, and suggested that he would not have designed it so that one has to go through the kitchen to get into the dining room. He would add a condition to require that a landscape plan be returned to the Commission and asked that, in addition to making sure the bathroom is up to code, the deck that connects the bathroom to the side staircase also be inspected for safety.

Vice Chair Mayer concurred that he could make the findings for the CUP with the conditions mentioned by Commissioner Parsons. He wanted to honor the original DDP, which does not include the garage in the square footage, and was concerned that staff had added the square footage of the garage against the value.

CDD de Melo added that he wants to be able to assure that they are comparing properties in the subject zone appropriately and that the FAR proposed for this project is on equal footing to the comparison projects.

Commissioner Mathewson agreed with Commissioner Frautschi that he could not make the findings when comparing this project to projects all over the City. He commented that even though he likes the project, the building is already taller than what they would permit any place else in the City.

Chair Horton stated that she could make the findings in that they comply with the rules in place for this neighborhood. She had no issues with the Design Review, and she did not want to see a landscape plan, preferring that the landscaping be documented and then restored to what is there currently.

CDD de Melo reiterated that the item should be continued to a date certain so that the Resolution and Conditions of Approval can be revised to include the Design Review findings and so that neighbors within 300' can be notified of the revision.

MOTION: By Commissioner Parsons, seconded by Vice Chair Mayer, to continue this item to a date certain on February 16, 2010.

Ayes: Parsons, Mayer, Reed, Horton
Noes: Mathewson, Frautschi
Absent: Mercer

Motion carried 4/2/1

6. NEW BUSINESS

6A. Priority Calendar – Spring 2010

CDD de Melo noted that his planned staff presentation had been changed as a result of the January 30th decision by Council to pause on the Priority Calendar process. He explained the reasons for the decision and that it does not mean that they will stop working on the items already in progress, but that any new items will be categorized as below-the-line status until they can see a clearer picture in terms of staff resources in the next 6 to 12 months.

Commissioner Reed saw no reason to discuss the Priority Calendar at this time.

Commissioner Parsons concurred.

Vice Chair Mayer felt they should look at the above-the-line items that are incomplete, and that the whole concept of the Priority Calendar is unrealistic and needs to be reviewed by City Council.

CDD de Melo commented that staff would like to complete the Tree Ordinance, the Sign Ordinance, the Housing Element Update and two to three other items before 2011.

Commissioner Mathewson asked that the residential building height issue be moved up on the current list.

Commissioner Frautschi was happy with the Priority Calendar as is. He hoped that the Tree Ordinance and Emmett House could be finished this year, and felt that when the General Plan Update is completed the other problems will fall into place and disappear.

CA Zafferano stated that staff is committed to bringing the Tree Ordinance to Council before the end of the year, and that the general order of items will be the Sign Ordinance, a Green Building Ordinance a revision to the Massage Ordinance, and the Tree Ordinance.

Chair Horton clarified for benefit of the television audience that work will not be stopped on the Emmett House, and agreed with Commissioner Mathewson that they need to know how buildings are measured.

CDD de Melo suggested that perhaps singular issues such as lot coverage, circular driveways and building height could be pulled out of the Zoning Ordinance and put on a different track than the entire ordinance.

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. Ralston/US-101 Landscape Project

He has held three meetings recently with the Redwood City Public Works Department and is assuring that all plantings recommended by the Belmont subcommittee are included in the approximately \$900,000 job. Another meeting was scheduled for the following Thursday and he believed the project could get started within the next few months.

7B. San Mateo Development – North Road/43rd Avenue

He has not received any follow-up about the second property to the west pulling its temporary encroachment permit. Code Enforcement and Public Works have been talking to the property owners associated with the dumpsters on North Road. Commissioner Parsons added that he had knocked on the door of the property owners and warned them they need to get them off the street or they will be fined.

Commissioner Parsons stated that he also notified Public Works that there is major graffiti on a Water District building further down on the other side of North Road.

7C. Parking Study – Downtown Village Area

No report at this time.

7D. High-Speed Train (HST) Project – San Francisco to San Jose

There will be two different meetings at City Hall on the afternoon of February 10th. Commissioners were invited to attend. Discussion ensued regarding possible alternative routes.

7E. Emmett House

Progress continues on this project.

7F. 1000 South Road

He expects a building permit submittal this month for rehabilitation of the buildings.

7H. 2230 and 2260 Ralston Avenue

He believed the buildings are on the market but that certificates of occupancy have not been issued. Commissioner Parsons added that one of the buildings has been staged and wondered if someone is living in it because there are lights on at night.

Commissioner Parsons followed up again on a pipe that is sticking out of the ground. He believes it poses a hazard and would like to know what it is and what it is connected to.

Other Items

CDD de Melo reported that Council will be reviewing the Sign Ordinance at its February 9th meeting.

Commissioner Frautschi reported that Notre Dame had lost a few trees, including a 300-year-old Oak tree, during the recent storms and that a grove of nearly 30 Eucalyptus trees are being removed due to a fungus. He asked that staff clarify with the University exactly what their intent is regarding replacement.

Vice Chair Mayer distributed a hand-out regarding Redwood trees.

CDD de Melo announced that the Building Division will host a builder/developer/homeowner workshop on Thursday, February 25th at 6:30 in the EOC. It will be posted on the City's website and he will send an email reminder to Commissioners.

8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 9, 2010

Liaison: Commissioner Reed
Alternate Liaison: Commissioner Mercer

8. ADJOURNMENT:

The meeting was adjourned at 8:10 p.m. to a Regular Planning Commission Meeting on Tuesday, February 16, 2010 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

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