

CITY OF BELMONT
PLANNING COMMISSION
SUMMARY MINUTES

TUESDAY, MARCH 16, 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, Mercer, Reed, Mathewson
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Deputy City Attorney Kane (DCA), Senior Planner DiDonato (SP), Associate Planner Gill (AP), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None from staff or the Commission.

CDD de Melo suggested that in the future the election of the Chair and Vice Chair be moved to an earlier position on the agenda.

3. COMMUNITY FORUM (Public Comments) – None

4. CONSENT CALENDAR - None

5. PUBLIC HEARINGS

5A. PUBLIC HEARING – 1 Spring Lane

To consider Single Family Design Review to construct a 1,085 square foot addition to the existing 2,004 square foot single family residence for a total of 3,089 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2009-48)

APN: 045-202-280; Zoned: R-1A (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant: Zeitgeist Design

Owner: Rajendra Kumar

PROJECT PLANNER: Rob Gill - 650-598-4204

AP Gill summarized the Staff Report, recommending approval with the Conditions of Approval attached.

Responding to questions from Chair Horton, AP Gill stated that the 5% slope was based on the average slope of the entire property and that a large portion of the steeper slope is within the right-of-way area.

Responding to Commissioner Mercer, AP Gill stated that the applicant checked a box stating that the cut and fill will be less than 50 cubic yards. If it exceeds that threshold, the Public Works Department will require a grading permit. Vice Chair Mayer's question about the advantage of using zinc for the siding and roofing was deferred to the applicant.

Florian Speier, Zeitgeist Design, explained why they chose to make the design slightly more contemporary and that they looked for a material that could be used for both the roof and the façade and one that would weather nicely. He confirmed that there will be far less than 50 cubic yards of infill; the area in front of the sliding windows will be raised 40" and the retaining wall will need to be raised from 14" to 34." Discussion continued, with Mr. Speier answering questions regarding colors, garage roof line, interior layout, and the length of the panels in front of the home.

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

MOTION: By Commissioner Frautschi, seconded by Vice Chair Mayer, to close the Public Hearing. Motion passed 7/0 by a show of hands.

All Commissioners concurred that they could make the findings and looked forward to seeing the finished home.

Commissioner Frautschi asked that the typo in the word "design" in the first sentence of the Resolution be corrected.

MOTION: By Commissioner Mathewson, seconded by Commissioner Parsons, to adopt the Resolution approving a Single-Family Design Review at 1 Spring Lane (Appl. No. 2009-0048)

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

Noes: None

Motion passed 7/0.

Chair Horton stated that this action can be appealed within ten calendar days.

5B. PUBLIC HEARING – 708 Alameda de las Pulgas

To consider Single Family Design Review to construct a new approximately 2,990 sq. ft. single-family residence that is below the zoning district permitted 3,052 square feet for the site. (Appl. No. 2009-0022)

APN: 044-043-620; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

APPLICANT/OWNER: Bahram Mozayeny

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

SP DiDonato summarized the Staff Report, recommending approval with the addition of two conditions that were identified in the Staff Report but were not included in the Conditions of Approval. One requires the applicant to have an engineer or architect identify the total floor area of the home on the building plans as well as the height, and the second requires that the height be measured at the roof diaphragm.

Responding to Commissioner Reed, SP DiDonato stated that the project does not actually remove any trees, but the City Arborist predicts that the trees will need to be removed due to grading. If they are not removed, the applicant would be refunded the tree-removal fees. The neighboring property, on which one of the trees is located, is owned by the bank and is for sale; the applicant would be required to pay the tree removal fee for that tree.

Responding to Commissioner Frautschi's question regarding the possible need for an encroachment permit for the parking pads to be located in the public right-of-way, staff clarified that only a *temporary* encroachment permit will be required for doing the work. A *permanent* encroachment permit is required only for structures that are above grade.

SP DiDonato responded to questions from Commissioner Mercer as follows:

- The wood retaining wall is a couple of feet in from the front property line and the small segment of retaining wall will be in the same location as the current wall. It is proposed to be treated with a pervious material, either concrete or gravel, whichever is acceptable to the Department of Public Works.
- Railings will be required on any portion that is over 30" from grade. He deferred the question as to whether all railings will all be of the same material to the applicant.
- The panel over the garage is an attempt to mitigate for bulk on the front elevation. It will be the same material as the exterior of the house but of a different color, with a planter at the top allowing a plant to cascade down to the bottom. He deferred her question as to whether the exterior materials are paintable and if they will weather out to the applicant.

Responding to Vice Chair Mayer, SP DiDonato believed that the flooring of the two decks is composed of a double layer of rubber but deferred to the applicant for details.

Regarding bulk, Commissioner Parsons was concerned about the high ceilings in the main level and the garage. By way of background, SP DiDonato explained that the applicant had originally proposed that the home be closer to the street, which reduced the bulk but would have required a Variance to meet the 26' setback requirement. The new, current application and redesign to meet the 26' setback is what drives the bulk of the home and the amount of grading required. The height of the north elevation scales out at exactly 28' but will be confirmed by the additional condition for measurement of the roof diaphragm. He pointed out that the home is actually 40' back from the roadway and the highest part of the roof is 80' back. Commissioner Parsons had no problem with the articulation but questioned if the garage needs to be so tall.

Responding to Commissioner Mercer, SP DiDonato noted from drawing A2 that the driveway starts out at 9% slope, transitions to a maximum of 18% and levels off at 2% before it reaches the garage.

SP DiDonato confirmed that the drawings are not reduced but are drawn to scale.

Bahran Mozayene, owner and a licensed civil engineer, thanked staff for their help. He noted that many of the issues came up because they wanted the whole house to be accessible, functional and convenient, and wanted to optimize the view, the site, the grading and meet all the ordinances. He responded to Commissioner's questions as follows:

- **Tree in the neighbor's yard.** He bought his property from the neighbor before the next-door property went into foreclosure. He is on record with the bank/owner on all boundary issues and every prospective buyer receives a letter and has been contacting him when considering purchasing the property. He does not expect the tree that is about 2' inside the neighboring property and 8' from his garage wall to be an issue. If the roots are damaged he expects to be able to work it out with whoever buys the property.
- **Parking pad on the right-of-way.** The parking exists now and has been there for many years. They are proposing to keep it the way it is.
- **Location of the retaining wall.** He will keep part of the retaining wall or may choose to replace it with a concrete wall to be consistent with everything else.
- **Railings.** He decided against railings at the entrance because at no place is there more than a 30" drop. If it is decided that they need railings they would either complement or match the railings around the decks. The deck railings would match the trim on the windows or the fascia. They plan to use a horizontal cable type railing; staff recommended wood but he would prefer metal.
- **Siding material.** He is still researching his options on the siding material.
- **Flat roofs.** Some decks are actually roofs. Where they are walkable, he plans to use two layers of rubber membrane. Where they are not walkable, he will probably put river rock over it so the rubber is not visible. For the areas that are usable decks, he is thinking about slate tile or something equivalent over the membrane.
- **Height of rooms.** The garage is high enough to have two levels of cars but he is not planning to include a car lift; the garage door is for single-level parking. The reason for the height is that he wanted to minimize cut and fill beyond the garage. The master bedroom level of the house is about the same level as the house on each side and has a good view.
- **Circular driveway on north end of neighboring property.** It was part of the agreement when he purchased the property to remove the driveway as it is encroaching on his property. The terminus will be replaced with plants.
- **Windows in the dining room and kitchen areas.** Responding to Commissioner Frautschi, he explained the concept of the planned windows.
- **Driveway and stair material** will be colored brushed concrete, or pavers if budget allows.

Since Alameda de las Pulgas is a designated scenic corridor and to help reduce the appearance of bulk, Commissioner Frautschi suggested that the paved parking area in front of the existing retaining wall should be landscaped. Mr. Mozayeny was not opposed to that idea, but reminded that parking is scarce in the area and that, if paved, it could be used for a turn-around area so that people could pull out onto the busy street rather than backing out.

Chair Horton opened the Public Hearing. There were no speakers.

MOTION: By Commissioner Frautschi, seconded by Commissioner Parsons, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioner Mercer commented that she was having difficulty with the finding for bulk but since the alternatives would involve more excavation she could accept it. She believed that the vibrant color choices increased the bulk and suggested taupe, fawn or more of a wood color with a red accent. She was in favor of metal posts and cable railings and suggested that a portion of the paved area in front of the retaining wall be landscaped, leaving enough pavement for one car to safely turn around.

Vice Chair Mayer liked the design and concurred with Commissioner Mercer regarding the railings and the parking pad. He pointed out that there is another parking pad just up the street.

Commissioner Frautschi could make all the findings except he did not feel the landscape was being used as effectively as it could be to break up the bulk. He requested that the landscape plan, including the paving and retaining wall finish, come back to the Commission for approval, and concurred that the asphalt area in front should be reduced, incorporating trees to reduce the visual bulk of the home from Alameda. He suggested that the miniature roses be replaced with deer-resistant plants.

Commissioner Mathewson concurred with the changes that had been discussed.

Commissioner Parsons believed that the proposed landscaping was totally inadequate and suggested that they hire a landscape architect that is familiar with the area. He would like to see pavers in the driveway and an attractive finish on the retaining walls, and suggested that a railing might be required where the retaining wall gets up to 7'.

Commissioner Reed struggled with the fact that a 52' structure would be seen from the street and questioned if a house should be built on the 34% sloping lot at all. He calculated that 45 truckloads of dirt would be taken out. Assuming that a property owner has the right to build and has done his best to mitigate the impact of the house, he still questioned whether it can be done to the desired degree.

Chair Horton agreed that more trees are needed to mitigate for the overall bulk and that a better effort was needed on the landscaping. She was not opposed to the colors of the concrete, though they could be a little browner.

MOTION: By Vice Chair Mayer, seconded by Commissioner Parsons, adopting the Resolution approving a Single-Family Design Review at 708 Alameda de las Pulgas (App. No. 2009-0022) with the conditions attached, and the following additional conditions:

- a) **The landscape shall be reconfigured and brought back to the Commission.**
- b) **The railings on the decks shall be metal posts with cable railings.**
- c) **The stone facing for the retaining walls and the materials for the driveway shall come back for review.**
- d) **The parking area at the base shall be reconfigured to allow for one parking space next to the driveway and the remainder of the area shall be landscaped in the new landscape plan.**
- e) **A clause shall be added to the effect that a room cannot be added in the tall spaces within the garage.**

Ayes: Mayer, Parsons, Mercer, Mathewson, Frautschi, Horton

Noes: Reed

Motion passed 6/1

Chair Horton stated that this action can be appealed within 10 calendar days.

Mr. Mozayeny returned to the podium to state that part of their dream about this home is to be able to continue to landscape after moving in, and hoped that the additional landscaping can be done over a period of time.

6. OLD BUSINESS

6A. Discussion Regarding Belmont Zoning Ordinance Section 12.12 – Administrative Approvals of Amendments to Detailed Development Plans

CDD de Melo summarized the staff memorandum, explaining how the Administrative Approval of Amendments to Detailed Development Plans (AADDP) would streamline the review and approval process, and answered questions from the Commission. He requested Commissioners forward him emails regarding any typos or cleanup items needing attention in Section 12 before it is finalized, and will submit the entire section, along with the changes to Section 12.12, for review at an upcoming Public Hearing.

7. NEW BUSINESS

7A. Election of the Planning Commission Chair and Vice Chair

Chair Horton asked for nominations for the Chair and Vice Chair positions.

Commissioner Parsons nominated Commissioner Frautschi to the position of Planning Commission Chair. Motion carried 6/0/1 by a show of hands, with Commissioner Frautschi abstaining.

Commissioner Reed was nominated to the position of Vice Chair. Motion carried 6/0/1 by a show of hands, with Commissioner Reed abstaining.

Commissioner Frautschi thanked Chair Horton for her guidance over the past year.

8. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

8A. Ralston/US-101 Landscape Project

The City of Redwood City is applying for a grant to close the funding shortfall. If it is approved, all issues should be covered and Belmont's financial exposure will be limited. All plantings included in the landscape plan that was approved by the Commission will be included in the project.

8B. San Mateo Development – North Road/43rd Avenue

An Encroachment Permit has not yet been received for the neighboring project. Discussion ensued regarding removal of dumpsters, whether they could be moved down behind the building in view of the Fire Department's concern about access, and whether they could be hidden with landscaping or an enclosure. Enforcement letters are being sent and staff is trying to work on a solution with Planet Granite.

8C. Parking Study – Downtown Village Area

No report at this time.

8D. High-Speed Train (HST) Project – San Francisco to San Jose

Belmont will be hosting Peninsula Consortium of Cities meetings starting in July. CDD de Melo had been on a bus tour of the entire Peninsula to view the alignment issues. Belmont staff is working to assure that Belmont's interests are well represented. Ideally, it would be underground, which would create open space on top of it.

8E. Emmett House

A meeting with the architect had to be cancelled that afternoon, but had been rescheduled for the following Tuesday. Commissioner Parsons suggested that better quality cabinets and flooring than those suggested by the architect need to be looked at, and asked how the trim will be treated. Chair Horton and Commissioner Parsons asked for a set of plans and invited all to go by the house and look at the colors that are painted on the front porch.

8F. 1000 South Road

This project is in plan check for 20 apartment units. A tree removal plan was in the Community Development office for Commissioners perusal. Responding to Commission questions, CDD de Melo stated that the pool area may be removed to avoid expensive ADA requirements, and that the two properties are not yet merged.

Other Items

Regarding the proposed revision to the **Sign Ordinance**, 360 notices were sent to invite community feedback at a meeting scheduled for the following Friday from 9 a.m. to noon in Council Chambers. After that the proposed ordinance will come back to the Commission for review before a Public Hearing is scheduled and then submission to Council.

Due to the departure of Acting Director of Public Works Borrmann, CDD de Melo is assigned part time to **Public Works Department management** and apologized in advance if he does not respond to Commissioners' requests as promptly as they would like. A temporary City Engineer had been hired to start the following Friday, and it is hoped that a new Public Works Director will be on duty by June or early July.

CDD de Melo asked everyone to patronize the several **new restaurants** that have opened in Belmont.

The City is moving forward in **economic development ventures**. Parcels on El Camino Real from Hill Street up to Ausiello's have just been acquired.

Responding to Vice Chair Mayer's concern about the **driveway at the 3 new units on Carlmont**, CDD de Melo agreed to put the item on a future agenda for discussion.

Responding to Vice Chair Mayer, CDD de Melo agreed to put the landscape plan for the **pocket of land next to the U-Buffer** on a future agenda for discussion.

Vice Chair Mayer expressed his praise for the project that the Commission had approved at **Broadway and 6th**.

9. CITY COUNCIL MEETING OF TUESDAY, MARCH 23, 2010

Liaison: Chair Horton
Alternate Liaison: Chair-Elect Frautschi

ADJOURNMENT:

The meeting was adjourned at 9:14 PM p.m. to a Regular Planning Commission Meeting on Tuesday, April 6, 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.*

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