

PIEDMONT PLANNING COMMISSION

Regular Meeting Minutes for Monday, January 10, 2011

A Regular Session of the Piedmont Planning Commission was held January 10, 2011, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2(a) the agenda for this meeting was posted for public inspection on December 31, 2010.

CALL TO ORDER

Chairman Robertson called the meeting to order at 5:00 p.m. She announced that Agenda Item #3 (Special Planning Commission Reconsideration, 3 Maxwellton Road) has been withdrawn from tonight's consideration.

ROLL CALL

Present: Commissioners Jonathan Levine, Jim Kellogg, Melanie Robertson, Bobbe Stehr, Clark Thiel and Alternate Commissioner Michael Henn

Staff: City Planner Kate Black, Assistant Planner Kevin Jackson, Planning Technicians Manira Sandhir and Zach Rehm and Recording Secretary Chris Harbert

CONSENT CALENDAR

There was no consent calendar

ANNOUNCEMENTS

The City Planner announced that per City Council directive, the Planning Commission will review the proposed Moraga Canyon Sports Fields Project at a special meeting tentatively scheduled for Thursday, February 24 at 6:30 p.m. in the Council Chambers. The public is invited to attend.

PUBLIC FORUM

There were no speakers for the public forum.

APPROVAL OF MINUTES

Resolution 1-PL-11

RESOLVED, that the Planning Commission approves as submitted its meeting minutes of December 13, 2010.

Moved by Stehr, Seconded by Henn

Ayes: Levine, Kellogg, Robertson, Stehr, Henn

Noes: None

Abstain: Thiel

Absent: None

REGULAR CALENDAR

The Commission considered the following items of regular business:

Design Review 2 Blair Avenue

Mr. and Mrs. Doug Frankel are requesting design review to expand the existing residence by approximately 680 sq. ft. on the southeast corner; add a new skylight and solar tube; add exterior lighting; make window and door modifications; and make hardscape changes in the south (rear) and east (left) side yards.

Written notice was provided to neighbors. **Two affirmative response forms** were received.

Public testimony was received from:

Jeffrey Wood, Project Architect, described the proposed improvements as well as discussions with neighbors regarding the project.

The Commission supported application approval, agreeing that the project reflected a well-designed, well-integrated expansion of the existing 1924-era home, consistent with its original architectural style. The Commission noted that while the project did not change the home's existing bedroom count and therefore no change in the existing on-site parking situation is proposed or required, the project retains the ability in the future for the enlargement of the existing 1-car garage to accommodate two vehicles. The Commission further noted that the proposed improvements will have no material impact on neighbor light or privacy.

Resolution 331-DR-10

WHEREAS, Mr. and Mrs. Doug Frankel are requesting permission to expand the existing residence by approximately 680 sq. ft. on the southeast corner; add a new skylight and solar tube; add exterior lighting; make window and door modifications; and make hardscape changes in the south (rear) and east (left) side yards located at 2 Blair Avenue, Piedmont, California, which construction requires design review; and

WHEREAS, after reviewing the application, plans and any and all testimony and documentation submitted in connection with such application, and after having visited subject property, the Piedmont Planning Commission finds that the project is categorically exempt under the California Environmental Quality Act, pursuant to Section 15301, Class 1(e) and the proposal conforms with the criteria and standards of Section 17.20.9 of the Piedmont City Code:

1. The exterior design elements are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development, including the height, bulk, area openings, breaks in the façade, line and pitch of the roof, materials, arrangements of structures on the parcel, and concealment of mechanical and electrical equipment. The distance between the proposed upper level addition/expansion and adjacent residences is reasonable and appropriate due to the existing topography and neighborhood development pattern. Upper level setbacks greater than the setbacks required for the lower level have been considered and are not necessary to reduce losses of ambient and reflected light because the setbacks on the left side remain 7-1/2 ft. to the eaves and 9 ft. at the lower addition. The proposed project complies with Design Review Guideline II-1, II-2, II-3, II-3(a) through (d), II-6, II-6(a) & (b) and II-7.
2. The proposed upper level addition/expansion has been designed in a way that reasonably minimizes view and light impacts on neighboring properties (as defined in Section 17.2.70), including consideration of the location of the new construction and lowering the height of the addition -- the height of the addition is lower than the existing ridge line. The solar tube and skylights are on the western side of the roof ridge, away from uphill neighbors. The project complies with the above-cited Guidelines.

3. The size and height of the addition is commensurate with the size of the lot and is in keeping with the existing neighborhood development pattern. The proposed improvements are located in the rear of the property and the topography puts the applicant's property well below the east neighbor. The height of the proposed addition is well within code limits.

4. The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are not adversely affected, considering the circulation pattern, parking layout and points of ingress and egress. There is no change to the home's existing bedroom count and the parking situation is pre-existing.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission approves the design review application of Mr. and Mrs. Frankel for construction at 2 Blair Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following conditions:

1. Based on the scope and nature of the proposed landscape and development plans, a best management practice plan for construction which complies with the Alameda Countywide Clean Water Program General and Residential Conditions of Approval will need to be developed by the applicant prior to obtaining a building permit;

2. Due to the scope and nature of the application, a construction management plan shall be developed and approved by staff prior to obtaining a building permit. Said plan shall be comprehensive while specifically addressing the duration of the project, construction hours, the staging of materials, and parking of worker vehicles to ensure the free flow of traffic along Blair Avenue;

3. Compliance with Chapter 9 Article III of the Municipal Code, which governs the recycling of construction and demolition debris, will be required on all permits issued on or after February 1, 2007;

4. Flashing of the new solar tube and skylight shall be painted to match the color of the roof;

5. The new windows shall be painted to match the remaining existing windows;

6. Any divided lights on windows shall be true or three dimensional simulated;

7. Where the window opening is proposed to be eliminated or reduced in size, the wall shall be patched and painted to match the surrounding walls; and

8. The new exterior light fixtures shall have opaque or translucent shades that completely cover the light bulbs.

RESOLVED FURTHER, that the approval of the Planning Commission/City Council and any conditions of that approval shall not extend to any particulars set forth in the documents submitted for the project which are inconsistent with or in violation of any applicable

law, including but not limited to Chapters 5 and 17 of the City Code, nor does the approval extend to matters not set forth, or inadequately represented, in submitted documents (whether or not consistent with applicable law). The City reserves the right to require compliance with applicable laws and to attach conditions after initial approval is given, if noncompliance is discovered or additional conditions are considered necessary and appropriate in light of Commission/Council findings.

Moved by Stehr, Seconded by Levine

Ayes: Levine, Kellogg, Robertson, Stehr, Thiel

Noes: None

Absent: None

**Fence Design Review
235 Mountain Avenue**

Mr. and Mrs. Reuven Kahane are requesting fence design review to make various changes in the front yard, including to: modify an existing brick wall; construct new brick retaining walls; relocate existing entry stairs; construct a new driveway and parking pad along the east (right) side yard; add new railing; and make other landscape improvements.

Written notice was provided to neighbors. **Three affirmative response forms** were received.

Public testimony was received from:

John Malick, Project Architect, described the proposed minor improvements to this Albert Farr designed home, noting that the new driveway and parking pad will allow more convenient access to the home given that the existing garage is far removed from the house. The Commission discussed options for retaining the ivy vegetation screen between the applicant's and the east-side neighboring property along the driveway side of the lot. It was noted that the code required guardrail atop the retaining wall will allow the ivy to climb up this wall and re-establish the vegetation screening lost by the removal of the existing cyclone fence separating the two properties. The Commission agreed that the proposed improvements reflected a common-sense solution for improving traffic flow and convenience on the property.

Resolution 334-DR-10

WHEREAS, Mr. and Mrs. Reuven Kahane are requesting permission to make various changes in the front yard, including to: modify an existing brick wall; construct new brick retaining walls; relocate existing entry stairs; construct a new driveway and parking pad along the east (right) side yard; add new railing; and make other landscape improvements located at 235 Mountain Avenue, Piedmont, California, which construction requires design review; and

WHEREAS, after reviewing the application, plans and any and all testimony and documentation submitted in connection with such application, and after having visited subject property, the Piedmont Planning Commission finds that the project is categorically exempt under the California Environmental Quality Act, pursuant to Section 15301, Class 1(e) and the proposal conforms with the criteria and standards of Section 17.20.9 of the Piedmont City Code:

1. The exterior design elements are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development in that the retaining wall is designed to fit with the existing topography and maintains the architectural style and materials of the existing house. The proposed fence is in keeping with the scale and exterior materials and detailing of the house. The project complies with Design Review Guidelines II-3(a) through (d), V-5, V-5(a) & (b) and V-6.
2. The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light because there is no material effect on neighbor privacy. The project complies with Design Review Guidelines II-3 and II-6.
3. The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are not adversely affected, considering the circulation pattern, parking layout and points of ingress and egress. The project improves traffic safety and convenience on the property by creating a drop-off area near the front door of the house and providing an appropriate turnaround, driveway design and curb-cut to allow for front-facing vehicle exiting from the property thus preserving pedestrian safety along the sidewalk. The project complies with Design Review Guidelines IV-1, IV-2, Iv-2(a), V-5, V-5(a) & (b), V-6, V-10 and V-11.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission approves the design review application of Mr. and Mrs. Kahane for construction at 235 Mountain Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following conditions:

1. The approved plans are those submitted on December 29, 2010, after neighbors were notified of the project and the plans were available for public review;
2. Due to the scope and nature of the application, a construction management plan shall be developed and approved by staff prior to obtaining a building permit. Said plan shall be comprehensive while specifically addressing the duration of the project, construction hours, the staging of materials, and parking of worker vehicles to ensure the free flow of traffic along Mountain Avenue;
3. Prior to the issuance of a building permit, the applicants shall apply and pay for an encroachment permit for the installation of the new curb cut located in the City's right-of-way;
4. The retaining wall along the property line and rear yard will require a guardrail per building code regulations. The design, material and detailing of this guardrail shall be consistent with other walls and fences on the property and subject to staff review and approval, with the understanding that this guardrail shall also allow landscaping, such as ivy, to continue to grow so as to create a visual separation barrier between the applicant's property and the neighboring home.

RESOLVED FURTHER, that the approval of the Planning Commission/City Council and any conditions of that approval shall not extend to any particulars set forth in the documents submitted for the project which are inconsistent with or in violation of any applicable law, including but not limited to Chapters 5 and 17 of the City Code, nor does the approval extend to matters not set forth, or inadequately represented, in submitted documents (whether or not consistent with applicable law). The City reserves the right to require compliance with applicable laws and to attach conditions after initial approval is given, if noncompliance is discovered or additional conditions are considered necessary and appropriate in light of Commission/Council findings.

Moved by Kellogg, Seconded by Levine

Ayes: Levine, Kellogg, Robertson, Stehr, Thiel

Noes: None

Absent: None

ADJOURNMENT

There being no further business, Chairman Robertson adjourned the meeting at 5:45 p.m.