

PIEDMONT PLANNING COMMISSION

Regular Meeting Minutes for Monday, October 10, 2011

A Regular Session of the Piedmont Planning Commission was held October 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 September 30, 2011.

CALL TO ORDER

Chairman Henn called the meeting to order at 5:00 p.m.

ROLL CALL

Present: Commissioners Michael Henn, Jim Kellogg, Melanie Robertson, Clark Thiel and Alternate Commissioner Tom Zhang

Absent: Commissioner Phillip Chase (excused)

Staff: City Planner Kate Black, Planning Technician Sylvia Toruno and Recording Secretary Chris Harbert

PUBLIC FORUM

There were no speakers for the public forum.

APPROVAL OF MINUTES

Resolution 14-PL-11

RESOLVED, that the Planning Commission approves as submitted its meeting minutes of September 12, 2011.

Moved by Thiel, Seconded by Robertson

Ayes: Henn, Kellogg, Robertson, Thiel

Noes: None

Absent: Chase, Zhang

Alternate Commissioner Zhang arrived at 5:10 p.m.

REGULAR CALENDAR

The Commission considered the following items of regular business:

Fence Design Review 348 Wildwood Avenue

Mr. and Mrs. Steve Zovickian are requesting fence design review to construct a new picket fence at the front property line, install new terraced retaining walls in the front yard, erect a new fence enclosure with trellis around the front patio and make various other hardscape and landscape improvements in the front yard.

Written notice was provided to neighbors. **Three affirmative response forms** were received. **Correspondence** was received from: Candace & Terrance Tumey; Gail Lombardi

Public testimony was received from:

Bill Kendrick, Project Architect, and Jan Zovickian stated that the recent loss of a large Italian Stone pine tree and hedge resulted in a significant loss of privacy and curb-appeal and the proposed improvements are intended to restore privacy to the home and patio as well as shield the trash receptacle area from view. They stated that: (1) the redwood fence will be stained a dark green color and landscaped to minimize its appearance ; (2) the encroachment into the City right-of-way is minor in nature (the new front fence is approximately 8 to 12 inches into the right-of-way and 26 ft. away from the sidewalk); (3) the picket fence is designed as a garden accessory rather than a fortress

barrier; and (4) allows a more open view into the property than the previously existing hedge. Mrs. Zovickian also apologized for failing to obtain the necessary City approvals prior to constructing the improvements.

The Commission agreed that the front picket fence was beautifully designed and reflected a high quality of workmanship. The Commission, with the exception of Commissioner Thiel, also voiced support for the patio enclosure fence, agreeing that its proposed height is appropriate in scale and proportion with the home. Furthermore, the height is mitigated by the fence's location down in a ravine and the property's steep downhill grade negates any possibility that this fence will seem imposing or overwhelming from the streetscape perspective. It was also noted that because of the neighborhood's topography, other homes in the area also have enclosed front patios, many of which are located even closer to the street. Commissioner Thiel supported the height and trellis screening of the trash receptacles but objected to its enclosure by the high fence, feeling that the fencing created too massive of a structure.

Resolution 278-DR-11

WHEREAS, Mr. and Mrs. Steve Zovickian are requesting permission to construct a new picket fence at the front property line, install new terraced retaining walls in the front yard, erect a new fence enclosure with trellis around the front patio and make various other hardscape and landscape improvements in the front yard located at 348 Wildwood 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 (including but not limited to height, openings, materials and arrangements of structures on the parcel) are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development in that the project complies with Design Review Guidelines IV-1, IV-1(a) & (b), IV-2, IV-2(a), IV-3, IV-3(a), IV-4(a), IV-5, IV-5(a), V-1, V-2, V-3, V-5, V-5(a) & (b).
2. The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light because the placement of the improvements does not cause any impact. The project complies with the above-referenced Guidelines.
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 because there is no change in existing circulation patterns. The project complies with the above-referenced Guidelines.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission approves the design review application of Mr. and Mrs. Zovickian for construction at 348 Wildwood Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following conditions:

1. **Stormwater Protection.** Property Owner shall implement Bay Area Stormwater Management Agencies Association's "Start at the Source" criteria for stormwater quality protection during construction. City staff may impose additional requirements involving the prevention of storm water pollution during construction and permanent drainage, erosion and sediment control;
2. **Encroachment Permit.** Before the issuance of a building permit, the Property Owner shall apply for an encroachment permit to allow for the construction of the fence and retaining wall within the public right-of-way.
3. **Fence Finish.** As indicated by the applicant, the redwood fence shall be finished with the suggested green stain.

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 Robertson, Seconded by Kellogg

Ayes: Kellogg, Henn, Robertson, Zhang

Noes: Thiel

Absent: Chase

**Design Review
209 Crocker Avenue**

Mr. and Mrs. Stephen Pratt are requesting design review to construct a new deck at the rear of the house over a portion of the existing driveway; make interior modifications; make changes to the windows and doors; remove a chimney; and add new exterior lighting.

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

Public testimony was received from:

Mason Disosway, Project Architect, described the proposed project and submitted a sketch indicating that the proposed deck over the driveway will not affect driveway maneuverability nor impede vehicle access in and out of the garage.

Greg Klein presented a video demonstrating a car maneuvering the driveway, turnaround and garage ingress/egress.

The Commission agreed that the proposed improvements were attractively designed and harmonious with the home's original architecture. However, the Commission was convinced that the size and design of the upper level deck would impede driveway and garage access to the extent that it would make garage parking inconvenient and thus unlikely to be used. The Commission was not opposed to an upper level deck in concept and felt that there were several other design options available to add such a deck without adversely impacting on-site parking. Alternative design suggestions included: reducing the size of the deck, a cantilevered deck design, enlarging driveway paving to create a more practical and convenient turnaround, providing a different method for accessing the garbage can area other than by proposed stairs on the driveway side of the deck, etc.

Resolution 280-DR-11

WHEREAS, Mr. and Mrs. Stephen Pratt are requesting permission to construct a new deck at the rear of the house over a portion of the existing driveway; make interior modifications; make changes to the windows and doors; remove a chimney; and add new exterior lighting located at 209 Crocker 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) but that the proposal does not conform with the criteria and standards of Section 17.20.9 of the Piedmont City Code:

1. While the exterior design elements are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development, the proposed project fails to adequately or properly address issues related to vehicle and pedestrian safety.
2. The design is not appropriate, considering its effect on neighboring properties because the existing property is a large lot with two non-conforming parking garages and the proposed project will further exacerbate this non-conformance by making the existing on-site parking situation worse, with the likely result that cars will then be parked on the street affecting neighborhood traffic flow and parking availability.
3. The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are adversely affected, considering the circulation pattern, parking layout and points of ingress and egress because the size and configuration of the proposed deck requires a support column in a location that impedes the use of the property's already restricted parking.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission denies, without prejudice, the design review application of Mr. and Mrs. Pratt for construction at 209

Crocker Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City.

Moved by Thiel, Seconded by Robertson

Ayes: Henn, Kellogg, Robertson, Thiel, Zhang

Noes: None

Absent: Chase

ADJOURNMENT

There being no further business, Chairman Henn adjourned the meeting at 6:00 p.m.