



Rick Biasotti, *Chair*
Marie Kayal, *Vice Chair*
Kevin Chase
Mary Lou Johnson
Sujendra Mishra
Perry Petersen
Joe Sammut

**MINUTES
PLANNING COMMISSION MEETING**

February 2, 2016

7:00 p.m.

Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno

CALL TO ORDER at 7:04 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Biasotti	X	
Vice Chair Kayal	X	
Commissioner Chase		X
Commissioner Johnson	X	
Commissioner Mishra	X	
Commissioner Petersen	X	
Commissioner Sammut		X

STAFF PRESENT:

Planning Division:

Community Development Director: David Woltering
Senior Planner: Michael Smith
Contract Associate Planner: Paula Bradley
Community Development Technician: Brian Paland

ROLL CALL

PLEDGE OF ALLEGIANCE: Miriam Schalit

1. APPROVAL OF MINUTES (January 19, 2016) – Johnson/Mishra

VOTE: 4-0
AYES: Commissioners Biasotti, Kayal, Johnson, Mishra
NOES: None
ABSTAIN: Petersen

2. COMMUNICATION – None

3. PUBLIC COMMENT – None

4. ANNOUNCEMENT OF CONFLICT OF INTEREST – None

5. PUBLIC HEARINGS:

A. 3140 Crestmoor Drive (APN: 019-222-020)

Request for a Use Permit to allow the construction of a two-story rear addition that would add 1,337 square foot of floor area to the existing dwelling thereby increasing its floor area by more than 50% (75%), per Section 12.200.030.B.1 of the San Bruno Municipal Code. Nicholas Suslow (Applicant and Owner) UP-15-026.

Senior Planner Michael Smith: Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-025 based on Findings 1-6 and subject to Conditions of Approval 1-26.

Public Hearing Opened

Kurt Walker (Contractor): Intent is to add second story for kitchen and master bedroom.

Public Hearing Closed

Questions for Staff

Commissioner Mishra: Expressed his concerns regarding the lack of an interior connection between the proposed bonus room and the main living space.

Senior Planner Smith: Noted the lack of kitchen facilities or any plumbing in the bonus room; therefore, making it difficult to function as a secondary unit, a general concern when no interior connection is provided.

Director Woltering: Affirmed, staff has been particularly concerned with providing the interior connection to prevent the use of space as secondary units. In this case, with the lack of restroom facilities or any plumbing, the bonus room could not be easily used as a secondary unit. In terms of safety and circulation, proper ingress and egress is provided.

Commissioner Biasotti: Verified with applicant that they are in agreement with condition 6.

Motion to approve Use Permit 15-025 based on Findings 1-6, and subject to Conditions of Approval 1-26.

Commissioners Johnson/Kayal

VOTE: 5-0
AYES: All Commissioners present
NOES: None
ABSTAIN: None

Findings

- 1. Will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use. (SBMC 12.112.050.B.1)**

With the condition that the applicant obtain a building permit prior to construction, the home will be constructed according to the California Building Code (CBC) and, therefore, will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood.

- 2. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)**

The applicant is proposing a two story addition that will be located in the rear yard area. The proposal will benefit the City and the surrounding neighborhood by improving the property in a well-designed manner. Therefore, staff finds that the project will not be detrimental to improvement in the neighborhood or to the general welfare of the City.

- 3. That the proposed development is consistent with the general plan. (SBMC 12.108.040.H)**

The San Bruno General Plan designates the property as a Low-Density Residential district. The existing single-family dwelling is consistent with the General Plan designation.

General Plan Policy LUD-3 states, "protect the residential character of established neighborhoods by ensuring that new development conforms to surrounding design and scale." The design of the project reinforces the residential character of the neighborhood.

- 4. That the proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood. (SBMC 12.108.040.D)**

The project would not unreasonably restrict light and air to adjacent properties because it would be only minimally taller than the existing building and it would respect the existing building's side setbacks. The adjacent property to the south of the subject property is located on a higher elevation and would look over the roof of the proposed addition. No new second floor windows are proposed for the building's north (right) elevation, therefore; the addition will not hinder the neighbor's privacy. Furthermore, the adjacent building to the north is oriented towards Cambridge Lane and is set back from the subject building by more than 29'-0" which is more than enough space to provide light and air to adjacent properties.

The proposed expansion also meets the floor area, lot coverage, setback, and height requirements of the zoning district. Specifically, the proposed floor area is 3,110 square feet, which corresponds to a .549 FAR, where .55 is the threshold. The lot coverage calculation amounts to 2,020 square feet (34%), which is less than the 41% lot coverage threshold. The side and rear setbacks for the proposed addition are all in compliance with the setback requirements. The height of the home would be 21'-2", which is less than the 28'-0" height limit of the R-1 zone. Therefore, the structure should not unreasonably restrict or interfere with light and air access to the adjacent properties.

5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood. (SBMC 12.108.040.G)

The proposed addition would utilize stucco cladding and composition roofing material, which is consistent with the existing home and the immediate neighborhood. The proposed expansion also meets the lot coverage, setback, and height requirements of the zoning district. Therefore, staff finds that the general appearance of the proposed addition will be in keeping with the character of the neighborhood and will not be detrimental to the City.

6. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.1)

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines. The addition is a ground floor addition that continues the simple building form of the existing structure and would also incorporate matching exterior materials. Finally, there are minimal changes to the entry stairs; therefore, the existing architectural character of the neighborhood will not be affected.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 15-025 shall not be valid for any purpose. Use Permit 15-025 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for Use Permit shall be built according to plans approved by the Planning Commission on February 2, 2016 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The home shall be used only as a single-family residential dwelling unit. No portion of any residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City. This condition of approval shall be disclosed at the point of sale to the consumer and shall be recorded against each property.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning, Building, and Public Services staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, the site shall be landscaped according to the plans approved by the Planning Commission on February 2, 2016 and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.

10. FAA notification and approval is required prior to building permit issuance. Alternatively, the City has established an exemption form, which may be submitted to the City in-lieu of FAA notification.
11. The applicant shall indemnify, defend, and hold harmless the City, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the City's consideration and/or approval of the applicant's application for development.
12. Comply with the 2013 California Codes, including the California Residential Code.

Public Services Department

13. The front property line is located 5.5 feet behind the sidewalk at 3140 Crestmoor Drive. No fences, retaining walls, or other permanent structure shall be placed or constructed within 5.5 feet from the back of sidewalk along Crestmoor Drive. S.B.M.C. 8.08.010.
14. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
15. Show on the plans flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2013.
16. If not present, the applicant shall install a sanitary sewer lateral clean out at property line per City Standards Detail SS-02, dated Aug 2011. Older clean outs not meeting current City standards shall be replaced.
17. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than or equal to ¾-inch. S.B.M.C. 8.12.010.
18. Prior to final inspection, paint the address number on face of the curb near the driveway approach with black (4 inch or larger) lettering on a white background. Add a note showing the location where the street address will be painted.
19. Obtain an Encroachment Permit from Public Services Department prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
20. An erosion control plan and storm water pollution prevention plan is required. The applicant shall show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. The work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.

21. Show on plans how storm water shall be collected from downspouts and other on-site drainage and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City Standard Detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary and confirm that the new stairwell structure will not block existing surface drainage patterns.
22. Should the project create and/or replace 2,500 square feet or more of impervious surface, the project must include one of the required C.3.i site Design Measures as required by the Municipal Regional Permit. A C.3.i. Checklist must also be completed and submitted for review.
23. Perform a water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing ¾-inch water meter is sufficient to serve proposed water demand. If existing meter is undersized a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.

Fire Department

24. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
25. Provide hard-wired smoke detectors with battery backup as required by building code.
26. Provide spark arrester for chimney if not currently in place.

B. 1662 Hickory (APN: 020-026-020)

Request for a Use Permit to allow the construction of a 989 square foot addition which will increase the gross floor area of the existing home by greater than 50% (68%), and a Use Permit to exceed the maximum 1,825 (2,099) square foot gross floor area for a single-family dwelling with only one covered off-street parking space, per Sections 12.200.030.B.1 and 12.96.060.D.4.b, of the San Bruno Municipal Code. Sameer Y. Nasser Trust and Kholoud Nasser Trust (Applicant/Owners) UP-15-017.

Contract Associate Planner Paula Bradley: Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-017 based on Findings 1-6 and Conditions of Approval 1-27.

Questions for Staff

Commissioner Petersen: Asked for clarification on the project analysis in the staff report.

Contract Associate Planner Paula Bradley: Confirmed that the total proposed FAR is 45%.

Public Hearing Opened

Sameer Nasser (Applicant/Owner): The addition is proposed in order to accommodate his growing family. They chose to stay in the City of San Bruno.

Public Hearing Closed

Commissioner Johnson: Acknowledged the well prepared colors and material board.

Motion to approve Use Permit 15-017 based on Findings 1-6 and Conditions of Approval 1-27.

Commissioner Johnson/Mishra

VOTE: 5-0
AYES: All Commissioners present
NOES: None
ABSTAIN: None

Findings

- 1. Will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use. (SBMC 12.112.050.B.1)**

With the condition that the applicant obtain a building permit prior to construction, the home will be constructed according to the California Building Code (CBC) and, therefore, will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood.

- 2. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)**

The applicant is proposing a first and second floor addition to an existing one-story single-family dwelling. The project will utilize exterior materials and colors including stucco, vinyl windows with painted trim, and an asphalt shingle roof, and a wrought iron balcony that would match the existing dwelling and the surrounding neighborhood.

The proposed project exceeds the maximum 1,825 square foot gross floor area for a single-family dwelling with only one covered off-street parking space by 274 square feet, with a total of 2,099 square feet of habitable area. The existing garage size is adequate for parking one vehicle and the parking pad is 18'-0" wide and 21'-0" deep, allowing at least one additional parking space. The existing home is three bedroom, one bath and the expansion would include two additional bedrooms and a bathroom. Although five bedrooms will result, there are two usable off-street parking spaces for the home.

Staff finds that the proposed 989-square foot first and second floor addition, which exceeds the maximum gross floor area for a home with a one-car garage, be allowed as the Zoning Code allows flexibility from the strict interpretation of the Code, with the approval of a Use Permit. As described above, the project is consistent with the Residential Design Guidelines and is compatible with the design and scale of the surrounding neighborhood. The proposal will benefit the City and the surrounding neighborhood by improving the property in a well-designed manner. Therefore, staff finds that the project will not be detrimental to improvement in the neighborhood or to the general welfare of the City.

3. That the proposed development is consistent with the San Bruno General Plan. (SBMC 12.108.050.B.3)

The San Bruno General Plan designates the property as a Low-Density Residential district. The existing single-family dwelling is consistent with the General Plan designation.

General Plan Policy LUD-3 states, “protect the residential character of established neighborhoods by ensuring that new development conforms to surrounding design and scale.” The proposal will be complementary to other single-family homes in the area. The design of the project reinforces the residential character of the neighborhood.

4. That the proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood. (12.108.040.D).

The Residential Design Guidelines allows using a daylight plan calculation to minimize impacts to adjacent properties access to light and air. The daylight plane calculation was utilized to determine the second floor step backs. Second-floor step backs and articulation are also incorporated to decrease the mass and scale of the second floor addition. Both sides of the second floor elevations include step-backs with 1’-0” on the west elevation and 3’-0” on the east elevation. The west elevation includes a roof separating the first and second floors. The east elevation includes an uncovered 3’-0” deep balcony, with a slider which does not project into the required side setback. The view from the balcony is to the adjacent property garage and rear yard, and does not create a privacy issue. The rear second floor plane is cantilevered 3’-0” into the rear yard and includes two windows, one is a bay window. The front of the addition is stepped back 22’-0” from the front wall plane. The first floor addition side wall is an offset an additional 5’-0” (a 10-foot side setback) from the east property line with second floor balcony above.

Therefore, staff finds that the proposed addition to be consistent with the Residential Design Guidelines and would not restrict or interfere with light and air access to the adjacent properties. To the rear are larger two-story homes. The project is compatible with the scale of the surrounding neighborhood, which consists of primarily of one story with some two-story homes. As stated above, the proposed expansion would result in a residence that is larger than the typical residence within the neighborhood but incorporates offsets, step backs and other architectural details on the second floor to reduce its mass and scale and relate to the smaller adjacent residences. Furthermore, the neighborhood, as are most neighborhoods with modest-sized homes, is in transition with other two-story residences that have already been expanded.

The number of two story residences, larger homes within the neighborhood will continue to increase. Within this context the proposed building is compatible with the neighborhood. The height of the home would be 25'-2", which is less than the 28'-0" height limit of the R-1 zone.

- 5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood. (SBMC 12.108.040.G).**

The proposed addition would utilize a painted stucco exterior with asphalt composition roofing material to match the existing colors and materials which are consistent with the existing home and the immediate neighborhood. Therefore, staff finds that the general appearance of the proposed addition will be in keeping with the character of the neighborhood and will not be detrimental to the City.

- 6. That any proposed single-family or two-family dwelling conform to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.I).**

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines as described in Finding no. 4 above. The project is consistent with the Residential Design Guidelines and is compatible with the design and scale of the surrounding neighborhood. The project will utilize exterior materials and colors including stucco, vinyl windows with painted trim, and an asphalt shingle roof, to match the existing colors and materials which are consistent with the existing home and the immediate neighborhood.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 15-017 shall not be valid for any purpose. Use Permit 15-017 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for Use Permit shall be built according to plans approved by the Planning Commission on February 2, 2016 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The home shall be used only as a single-family residential dwelling unit. No portion of any residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City. This condition of approval shall be disclosed at the point of sale to the consumer and shall be recorded against each property.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning, Building, and Public Services staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, the site shall be landscaped according to the plans approved by the Planning Commission on February 2, 2016 and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. FAA notification and approval is required prior to building permit issuance. Alternatively, the City has established an exemption form, which may be submitted to the City in-lieu of FAA notification.
11. The applicant shall indemnify, defend, and hold harmless the City, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the City's consideration and/or approval of the applicant's application for development.
12. Comply with the 2013 California Codes, including the California Residential Code.

Public Services Department

13. The front property line is located 5.5 feet behind the sidewalk at 1662 Hickory Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within 5.5 feet from the back of sidewalk along Hickory Avenue. S.B.M.C. 8.08.010.
14. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
15. Show on the plans flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2013.

16. If not present, the applicant shall install a sanitary sewer lateral clean out at property line per City Standards Detail SS-02, dated Aug 2011. Older clean outs not meeting current City standards shall be replaced.
17. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on 131 Del Norte Drive per S.B.M.C 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks Division for any new street tree.
18. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than or equal to ¾-inch. S.B.M.C. 8.12.010.
19. Prior to final inspection, paint the address number on face of the curb near the driveway approach with black (4 inch or larger) lettering on a white background. Add a note showing the location where the street address will be painted.
20. Obtain an Encroachment Permit from Public Services Department prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
21. An erosion control plan and storm water pollution prevention plan is required. The applicant shall show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. The work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
22. Show on plans how storm water shall be collected from downspouts and other on-site drainage and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City Standard Detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary and confirm that the new stairwell structure will not block existing surface drainage patterns.
23. Should the project create and/or replace 2,500 square feet or more of impervious surface, the project must include one of the required C.3.i site Design Measures as required by the Municipal Regional Permit. A C.3.i. Checklist must also be completed and submitted for review.
24. Perform a water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing ¾-inch water meter is sufficient to serve proposed water demand. If existing meter is undersized a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.

Fire Department

25. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
26. Provide hard-wired smoke detectors with battery backup as required by building code.
27. Provide spark arrester for chimney if not currently in place.

C. 131 Del Norte (APN: 020-013-250)

Request for a Use Permit to legalize a 275 square foot rear addition with a second-floor 381 square foot uncovered deck, increasing the gross floor area from 2,539 square feet to 2,814 square feet, above the maximum of 2,344 permitted, and a floor area ratio (FAR) of 0.519 where an FAR of 0.432 is permitted, and a Minor Modification to allow a 4'-3" side setback where a minimum of five feet is required, per Sections 12.200.030.B.2 and 12.120.010 of the of the San Bruno Municipal Code. Mark Bucciarelli (Applicant), Jay Davidson (owner) UP-15-015.

Contract Associate Planner Paula Bradley: Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-015 based on Findings 1-6 and Conditions of Approval 1-28.

Questions for Staff

Commissioner Johnson: Asked about the trellis that the plans were proposing to remove.

Public Hearing Opened

Mark Bucciarelli (Applicant/Designer): The owner would like to save the trellis.

Director Woltering: Staff will work with the owner to modify the trellis so that it meets both Building and Planning codes.

Commissioner Petersen: Asked what scale was used on the drawings.

Mark Bucciarelli: The scale (1/4 inch/1 foot) is shown in the title block.

Public Hearing Closed

Motion to approve Use Permit 15-015 based on Findings 1-6 and Conditions of Approval 1-28.

Commissioner Mishra/Johnson (with modification to work with applicant to bring trellis into compliance).

VOTE: 5-0
AYES: All Commissioners present
NOES: None
ABSTAIN: None

FINDINGS

- 1. Will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use. (SBMC 12.112.050.B.1)**

With the condition that the applicant obtain a building permit prior to construction, the home will be constructed according to the California Building Code (CBC) and, therefore, will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood.

- 2. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)**

The applicant is proposing a one-story addition with a second floor uncovered deck located in the rear. With the above staff recommendations incorporated as part of the project plans, the proposal will benefit the City and the surrounding neighborhood by improving the property in a well-designed manner. Therefore, staff finds that the project will not be detrimental to improvement in the neighborhood or to the general welfare of the City.

- 3. That the proposed development is consistent with the San Bruno General Plan. (SBMC 12.108.050.B.3)**

The San Bruno General Plan designates the property as a Low-Density Residential district. The existing single-family dwelling is consistent with the General Plan designation.

General Plan Policy LUD-3 states, “protect the residential character of established neighborhoods by ensuring that new development conforms to surrounding design and scale.” The proposal will be complementary to other single-family homes in the area. The design of the project reinforces the residential character of the neighborhood.

4. That the proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood. (12.108.040.D).

The design of the ground level addition is consistent with the Residential Design Guidelines. The proposed addition would be well integrated with the existing single-family dwelling and would be compatible with the immediate neighborhood. The ground level addition would be located at the rear of the building, is partially below grade, is not visible from the street with limited visibility to adjacent neighbors, thus it will not affect the visual character of the neighborhood, which consists of two story single family homes, on steep slopes. The adjacent property to the southwest of the subject property is located on a higher elevation and would view the roof of the proposed addition. Although the uncovered deck is on a second floor, the addition below is partially below grade, the uncovered deck is close to grade in the rear yard and therefore does create a privacy concern consistent with section 3.13.2 of the Residential Design Guidelines. The trellis area is approximately 117 square feet and projects into the side setback in excess of three feet—the maximum allowed. With incorporation of staff’s recommendations to remove of a portion of the existing trellis, the project will be consistent with section 12.84.170.B of the Zoning Code.

The approval of the Minor Modification to allow a 4’-3” side setback where a minimum of five feet is required will not negatively affect the property or property in the neighborhood. The property is located on a lot that has an upslope of 32% with a rear property line width of 41.89’ and a front property line width of 62.11’. These irregular dimensions limit development from occurring in a manner consistent with the property’s side setbacks. For example, from front to back the right side setback ranges from 5’-0” to 4’-9”, but the left setback ranges from 13’-6” to 7’-0” (not including the unpermitted addition). The proposed side wall is a continuation of the existing side wall and as the side property line narrows towards the rear of the property, the rear corner is proposed to encroach into the side setback. Additionally, the side and rear walls of the additional are partially below grade. If the minor modification is approved, the left side setback would be 4’-3” for a distance of 4’-0” of the 14’-6” proposed addition.

The existing impervious surface exceeds the maximum of 60% in the front yard setback. With incorporation of staff’s recommendations to remove of a portion of the existing impervious surface the project will be consistent with section 12.96.060.D of the Zoning Code.

Therefore, the structure should not unreasonably restrict or interfere with light and air access on the property and on other property in the neighborhood, or hinder appropriate development and use of land and buildings in the neighborhood.

- 5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood. (SBMC 12.108.040.G).**

The design of the ground level addition is consistent with the Residential Design Guidelines. The proposed addition would be well integrated with the existing single-family dwelling and would be compatible with the immediate neighborhood, which is characterized by one- and two-story single-family homes. The ground level addition would be located at the rear of the building, is partially below grade, and not visible from the street with limited visibility to adjacent neighbors, thus it will not affect the visual character of the neighborhood. The exterior would be finished in materials (stone veneer, vinyl window and door trim) that are similar to the building's existing finish materials.

The adjacent property to the southwest of the subject property is located on a higher elevation and would view the addition or second floor deck above. Given that the project is a small addition, located in the rear of the property, partially below grade, the side setback encroachment is minor, and with staff's recommendation to remove the trellis encroachment, staff finds that it would not unreasonably restrict light and air to adjacent properties as it is a ground floor addition. Therefore, with these proposed recommendations staff finds that the general appearance of the addition will be in keeping with the character of the neighborhood and will not be detrimental to the City.

- 6. That any proposed single-family or two-family dwelling conform to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.I).**

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines, as described in above Findings no. 4 and 5 with the proposed recommendations listed below. The addition is a 275 square foot ground-floor addition that continues the building form of the existing structure and will incorporate matching exterior materials.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 15-015 shall not be valid for any purpose. Use Permit 15-015 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included as a full size page in the Building Division set of drawings.

3. The request for Use Permit shall be built according to plans approved by the Planning Commission on February 2, 2016 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The home shall be used only as a single-family residential dwelling unit. No portion of any residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City. This condition of approval shall be disclosed at the point of sale to the consumer and shall be recorded against each property.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning, Building, and Public Services staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, the site shall be landscaped according to the plans approved by the Planning Commission on February 2, 2016 and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. FAA notification and approval is required prior to building permit issuance. Alternatively, the City has established an exemption form, which may be submitted to the City in-lieu of FAA notification.
11. The applicant shall indemnify, defend, and hold harmless the City, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the City's consideration and/or approval of the applicant's application for development.
12. Comply with the 2013 California Codes, including the California Residential Code.

Public Services Department

13. The front property line is located 4.5 feet behind the sidewalk at 131 Del Norte Drive. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2.0 feet from the back of sidewalk along Del Norte Drive. S.B.M.C. 8.08.010.

14. The building permit plans shall include a site plan that shows all properly lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
15. Show on the plans flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2013.
16. If not present, the applicant shall install a sanitary sewer lateral clean out at property line per City Standards Detail SS-02, dated Aug 2011. Older clean outs not meeting current City standards shall be replaced.
17. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on 131 Del Norte Drive per SBMC 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks Division for any new street tree.
18. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than or equal to ¾-inch S.B.M.C. 8.12.010.
19. Prior to final inspection, paint the address number on face of the curb near the driveway approach with black (4 inch or larger) lettering on a white background. Add a note showing the location where the street address will be painted.
20. Obtain an Encroachment Permit from Public Services Department prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
21. An erosion control plan and storm water pollution prevention plan is required. The applicant shall show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. The work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
22. Show on plans how storm water shall be collected from downspouts and other on-site drainage and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City Standard Detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary and confirm that the new stairwell structure will not block existing surface drainage patterns.
23. Should the project create and/or replace 2,500 square feet or more of impervious surface, the project must include one of the required C.3.i site Design Measures as required by the Municipal Regional Permit. A C.3.i. Checklist must also be completed and submitted for review.

24. Perform a water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing ¾-inch water meter is sufficient to serve proposed water demand. If existing meter is undersized a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.
25. There are unpermitted wall structures that were previously built in the public right of way. These wall structures may remain and continue to be privately owned and maintained, however, the City reserves the right to have them removed at the property owner's sole expense.

Fire Department

26. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
27. Provide hard-wired smoke detectors with battery backup as required by building code.
28. Provide spark arrester for chimney if not currently in place.

7. DISCUSSION

A. CITY STAFF DISCUSSION:

In the event that the February 16 meeting is cancelled, staff asked for volunteers for the March 17, 2016 ARC meeting: Commissioners Kayal, Johnson, and Biasotti identified.

B. PLANNING COMMISSION DISCUSSION:

None

8. ADJOURNMENT

Meeting was adjourned at 7:41 pm

David Woltering
Secretary to the Planning Commission
City of San Bruno

Rick Biasotti, Chair
Planning Commission
City of San Bruno

NEXT MEETING: February 16, 2016