



STAFF REPORT

AGENDA NO: 9a

MEETING DATE: August 19, 2019

To: Honorable Mayor and City Council

Date: August 19, 2019

From: Kevin Gardiner, Community Development Director – (650) 558-7253

Subject: City Council Consideration of an Appeal of the Planning Commission's Denial of an Application for a Design Review Amendment for Changes to a Previously Approved First and Second Story Addition to an Existing Split Level, Single Family Dwelling at 25 Arundel Road

RECOMMENDATION

The City Council should conduct a public hearing, consider all oral and written testimony received during the hearing and, following closure of the hearing and deliberations, take one of the following actions:

- Deny the appeal and uphold the Planning Commission's denial of the application;
- Grant the appeal and approve the application; or
- Remand the application to the Planning Commission for reconsideration.

In the event the City Council chooses to either uphold the Planning Commission's denial, or approve the application, staff will prepare the resolution memorializing the action for adoption on the next regular City Council agenda.

BACKGROUND

Project Description: The subject property is a split-level house that contains 2,233 SF (0.33 FAR) of floor area. An in-ground swimming pool and two storage sheds are located at the rear of the property. There is also a deck off of the main living level at the rear of the house. The pool and the 118 SF storage shed in the left rear corner will remain, while the second floor deck and 156 SF shed located at the right, rear side of the house are proposed to be demolished as part of this project.

The approved project includes removing a large portion of both the lower and main living levels (including the rear deck) and expanding both levels at the rear of the house, increasing the total floor area to 2,748 SF where 3,260 SF (0.48 FAR) is the maximum allowed. There is no increase in the overall height of the building.

The house will remain as a four bedroom residence. The lower floor area appears to have been a garage area that was converted to living space at some point, so currently there is no covered on-site parking. The approved project includes converting space back to a covered, code-complying parking space to meet current requirements. The covered space is 12'-7" x 20', and an uncovered 9' x 20' space is provided in the driveway, meeting the parking requirement for this four bedroom house. All other zoning code requirements have been met.

The Planning Commission approved the application for Design Review for a first and second story addition to an existing split level single family dwelling at 25 Arundel Road, zoned R-1, on May 22, 2017. The Planning Commission granted a one year permit extension for this project on May 29, 2018.

Request for Design Review Amendment: A building permit for this project was issued on October 30, 2018, and the project is currently under construction. During construction, the property owners filed an application for a Design Review Amendment on May 2, 2019 for the following changes to the approved plans:

- Removal of the bellyband;
- Removal of shutters (only originally proposed on one window on the rear elevation);
- Removal of wood paneling below the bay window at the front elevation;
- Removal of wood brackets below the bay window on the east elevation;
- Change of exterior material from wood siding to HardiePlank (a brand of fiber cement lap siding); and
- Change of garage door material from wood to steel (retaining a similar style/design).

In the request, the applicants noted that there were several unanticipated structural and safety issues that were discovered as construction proceeded, and these required a reprioritization of the project budget. They intend to retain the overall character and unique look of their approved plans for their home, but requested changes to the approved design.

Planning Commission Action – Request for Design Review Amendment: At its meeting of May 28, 2019, the Commission approved the removal of the bellyband and the shutters, but denied the remaining requests. Commissioners' concerns related to the use of fiber cement siding with corner boards (caps). The original approval included wood siding with mitered corners, which Commissioners felt was more consistent with the City's Neighborhood Design Guidelines, and with this type of house (see attached minutes of the meeting).

Appeal of Planning Commission's Action: Subsequent to the Planning Commission's action, the property owners, Channing and Carrie Chen, submitted a timely appeal of the Commission's action. They followed up their appeal with a letter that explains their reasons for filing the appeal; the letter is attached to this report for the City Council's review and consideration. The property owners are specifically requesting that the City Council overturn the Planning Commission's decision and allow the exterior finish to be fiber cement lap siding with corner caps. Please refer to the attached appeal request and background materials.

Exhibits:

- Appeal Letter
- Letter from Applicant/Appellants Explaining Reasons for Appeal
- May 28, 2019 Planning Commission Meeting Minutes
- May 28, 2019 Planning Commission Staff Report
- May 28, 2019 Planning Commission Staff Report Attachments
- Cut Sheets
- Project Plans – Proposed Changes