

PIEDMONT PLANNING COMMISSION

Regular Meeting Minutes for Monday, June 11, 2012

A Regular Session of the Piedmont Planning Commission was held June 11, 2012, 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 June 1, 2012.

CALL TO ORDER

Chairman Chase called the meeting to order at 5:00 p.m. It was noted that Agenda Item #6 (Variance/Design Review, 120 Ronada Avenue) had been withdrawn from tonight's consideration.

ROLL CALL

Present: Commissioners Phillip Chase, Michael Henn, Jim Kellogg, Melanie Robertson, Tom Zhang and Alternate Commissioner Susan Ode

Staff: City Planner Kate Black, Assistant Planner Kevin Jackson, Planning Technicians Sylvia Toruno and Jennifer Feeley and Recording Secretary Chris Harbert

City Council Liaison: Councilmember Robert McBain

CONSENT CALENDAR

The following Resolution was approved under one vote by the Commission:

Fence Design Review 120 Vista Avenue

Resolution 40-DR-12

WHEREAS, the City of Piedmont is requesting permission to demolish an existing wall and side yard gate along the right (west) side property line and construct a new stucco-faced wall and wood gate located at 120 Vista 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 proposed fence will be built in the same location as the existing failing fence. It replicates the existing fence, with a revision to the pilasters to capture the spirit of the neighboring Mulberry's Market building. The gate between the new fence and City Hall is rebuilt based on historic evidence to match the arched structure that was constructed with Albert Farr's original 1909 City Hall building. The gate is constructed to match the garage doors along the Magnolia Avenue side of City Hall. The new fence and archway will be constructed of stucco concrete block. The finish of the stucco will match City Hall.

2. The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect

light because: The design of the fence and archway replicate the existing conditions. There will be no change in effect to the immediate adjacent neighbor at 342 Bonita Avenue, nor the neighborhood as a whole. The fence will continue to provide a backdrop for the lower terrace area in front of City Hall. The fence will continue to provide visual privacy for the neighbor's gardens from activities at City Hall.

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: The fence and gate are out of the pathway of the sidewalk along Vista Avenue. There are no driveways or streets affected by the location of the gate or fence. The gate will still allow access to the pathway and trash cart storage area along the west side of City Hall.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission approves the design review application of the City of Piedmont for construction at 120 Vista Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following condition:

- The approved plans are those submitted on June 1, 2012, after notices to neighbors were mailed and the application was available for public review

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: Chase, Henn, Kellogg, Robertson, Zhang

Noes: None

Absent: None

PUBLIC FORUM

There were no speakers for the public forum.

APPROVAL OF MINUTES

Resolution 11-PL-12

RESOLVED, that the Planning Commission approves as submitted its meeting minutes of May 14, 2012.

Moved by Zhang, Seconded by Kellogg

Ayes: Chase, Kellogg, Robertson, Thiel, Ode

Noes: None

Abstain: Henn

Absent: None

REGULAR CALENDAR

The Commission considered the following items of regular business:

**Design Review
419 Hillside Court**

Ms. Wendi Leke-Wallway is requesting design review to demolish the existing 1,391 sq. ft. house and detached garage and construct a new 2-story house with attached 3-car garage. The new house is proposed to have 3,751 sq. ft. of habitable space that includes 4 bedrooms, 3-1/2 bathrooms, a living-dining-kitchen-family great room, laundry room, office and gymnasium. Proposed exterior features include windows and doors throughout, skylights, exterior lighting, an entry porch, trellises, two rear decks and hardscape and landscape modifications.

It was noted that the proposed new house will contain a 480 sq. ft. second unit, which under State law and Section 17.40 of the City Code is not subject to review by the Planning Commission and is being ministerially processed by staff under a separate application #12-0098. One of the garage spaces of the proposed 3-car garage is proposed for this second unit.

Written notice was provided to neighbors. **Two affirmative, eleven negative response forms** were received. **Correspondence** was received from: Rick Fehr; Donald Sande; John Randolph; Richard Fehr & Susan Varner; Gary Lamon; J Parsons; Debbi DiMaggio;

Public testimony was received from:

Wendi & Justin Leke-Wallway described the efforts undertaken to work with staff, neighbors and their architect to prepare the proposed design, noted the efforts to keep the home low to preserve and protect neighbor views, felt that existing vegetation would visually screen the home and minimize impacts on neighbor privacy, stated that the new home is essentially being positioned on the lot in the same location as the existing home, pointed out that most homes along the street are 2-story and felt that the home was appropriately sized for their lot and comparable to other homes in the immediate vicinity.

Jorge Maezono, Project Architect, described how the home is designed to blend into the woodsy nature of the site, duplicates essentially the same orientation on the lot as the existing home and will not be readily visible because of an existing tree screen which will be retained.

Paul Scott Silvera, Design Consultant, explained how the home's original scale, architectural integrity and charm will be replicated in the new home.

William Lucke, referenced his letter of opposition, in stressing that the proposed home will completely block views from the Randolph's 1904 historic home at 415 Hillside Court. He suggested that this significant adverse impact could be avoided if the new home was reoriented on the site so as to back up next to the Piedmont Middle School. Such a reorientation would still allow the applicants to take advantage of the site's view potential.

John Randolph opposed the project, stressing that the entire southern view of Witter Field and Wildwood School from the main level of his home will be lost and the views from his second floor living areas would also be negatively impacted. In addition, he felt that as positioned on the lot, the new 2-story home would loom over his rear yard, negatively impacting the enjoyment and value of his property. He

too suggested that if the new home was located further down the slope, away from the property line and closer to PMS, the negative impacts on his property could be mitigated.

Rick Fehr and Don Sande also strongly opposed the project, citing privacy loss to their rear yards and bedrooms from the proposed upper level decks. They too preferred that the new home be stepped down the hill to reduce its visual mass and minimize privacy intrusion on neighbors.

The Commission agreed that the size (square footage) of the home was appropriate for the size of the lot and neighborhood; however, its placement on the lot imposed too much adverse impact on neighbors in terms of view and privacy loss to be in compliance with the City's Design Review Guidelines. The Commission felt that since the proposal involved the construction of an entirely new home, there was no need or justification to place this greatly enlarged new home on the same footprint of the older, much smaller home. The Commission noted the great potential to construct a new home on the beautiful site that would still provide the desired view opportunities for the applicants while not unduly impacting neighboring properties. In particular, the Commission suggested that the new home be stepped down the hillside closer to PMS, the roof be lowered by 6 to 8 ft., and the "box-like" 86 ft. of uninterrupted vertical/horizontal mass of the proposed design be broken by means other than the proposed addition of decks which fail to provide the necessary degree of articulation. The Commission also discussed the lot's unusual configuration with regard to the front yard setback, noting that it would favorably consider a front yard variance for the new home's construction, if such a variance produced a better design with improved vehicle circulation and less impact on neighbors.

Resolution 97-DR-12

WHEREAS, Ms. Wendi Lelke-Wallway is requesting permission to demolish the existing 1,391 sq. ft. house and detached garage and construct a new 2-story house with attached 3-car garage. The new house is proposed to have 3,751 sq. ft. of habitable space that includes 4 bedrooms, 3-1/2 bathrooms, a living-dining-kitchen-family great room, laundry room, office and gymnasium. Proposed exterior features include windows and doors throughout, skylights, exterior lighting, an entry porch, trellises, two rear decks and hardscape and landscape modifications located at 419 Hillside Court, 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 proposal does not conform with the criteria and standards of Section 17.20.9 of the Piedmont City Code:

1. The exterior design elements in terms of mass, scale and relationship to adjoining properties is not harmonious with the existing neighborhood development and does not comply with fundamental Design Review Guidelines addressing the design and construction of new, single-family residences. The proposed design is not appropriate in mass and scale relative to adjoining properties. It is linear and

unbroken in the east-west direction for a length of approximately 86 ft. The proposed roof height is substantially higher than the existing roof height, is out of scale with adjoining properties and creates a fundamental blockage of neighbor views, particularly related to 415 Hillside Court.

2. The proposed new multi-level structure has not been designed in a way that reasonably minimizes the impact of light and privacy on the adjoining properties on El Cerrito and is in violation of the requirement to reasonably protect and preserve neighbor views.

3. The size and height of the new structure in terms of square footage and bedroom count is compatible with the size of the property but the proposed home is not appropriately sited on the property and the architectural configuration is not in keeping with the Design Review Guidelines; thereby creating a significant impact on neighboring properties.

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.

5. The proposed project fails to comply with the following Design Review Guidelines: I-1, I-2, I-2(b), I-5, I-5(b), I-6, I-7, I-9 and with Section 17.2.79 of the City Code related to views.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission denies, with prejudice, the design review application of Ms. Lelke-Wallway for construction at 419 Hillside Court, Piedmont, California, in accordance with the plans and specifications on file with the City.

Moved by Kellogg, Seconded by Henn

Ayes: Chase, Henn, Kellogg, Robertson, Zhang

Noes: None

Absent: None

**Design Review
215 San Carlos Avenue**

Mr. Robert Hauser and Ms. Marianna Caponigro are requesting design review for retroactive approval of the installation of an electric vehicle charging station on the south facade of the house adjacent to the driveway. On June 6, 2011, a building permit was issued to install a charging dock (station) to the interior wall of the garage. However, pursuant to a December 5, 2011, final inspection, the City's Chief Building Official discovered that the charging station was installed on the exterior wall of the house adjacent to the driveway rather than on the interior wall of the garage as approved. As a result, the applicants were required to submit the current application.

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

Public testimony was received from:

Robert Hauser stated that the building permit was obtained and completed by the Nissan contractor responsible for installing the charger. It had always been the intention to install the charger adjacent

to the driveway since the driveway, as opposed to the carport, is where he regularly parks his electric car -- it is the most convenient location on the property.

Justis Fennell of Piedmont CONNECT encouraged application approval, agreeing that residents should be encouraged to purchase and use electric cars as a means of reducing greenhouse gas emissions. He suggested that the City should consider allowing curbside charging stations, noting his hope that electric cars will become more the norm in the future.

The Commission agreed that the location of the charger on the home's wall has no visual impact to neighbors or the public and is less visually intrusive than other commonplace wall attachments like hose reels. While the Commission acknowledged its preference for having charger installations within garages/carports to encourage residents to use these structures for off-street parking, actual parking use cannot be mandated. The Commission admitted that many homeowners with garages routinely park their cars in driveways or on the street, rather than in a garage, for a variety of reasons. In the end, the Commission agreed as to the benefits of encouraging residents to utilize green technologies and noted the likelihood that had the driveway location been originally requested for the charger, it would have been approved as it is the most logical location for such a device.

Resolution 119-DR-12

WHEREAS, Mr. Robert Hauser and Ms. Marianna Caponigro are requesting retroactive permission for the installation of an electric vehicle charging station on the south facade of the house adjacent to the driveway located at 215 San Carlos 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 location of the charging unit on the house is well concealed from public view and the area is screened by vegetation.
2. The charging unit is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light because it has no visual impact and is a logical location on the property.
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 the car, while being charged, is completely parked on-site.

4. The project complies with Design Review Guidelines II-1, II-2, II-3, II-7, II-7(a) and Section 17.20.6 of the City Code in that the proposed improvement reduces a non-conformity by requiring the applicant to park his electric car off the street, thus improving the on-street parking situation for the neighborhood.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission approves the design review application of Mr. Hauser and Ms. Caponigro for construction at 215 San Carlos Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City.

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 Henn

Ayes: Chase, Henn, Kellogg, Robertson, Zhang

Noes: None

Absent: None

**Design Review
223 Greenbank Avenue**

Mr. Peter Udovch and Ms. Leila Hebshi are requesting design review to construct a second driveway and a new 2-car garage in the basement of the front of the house; make modifications to the rear of the house including a new 294 sq. ft. single story addition; construct a new rear patio; construct a new carport in the rear right (northeastern) corner of the property; make window and door modifications; add two skylights; and add exterior lights.

Written notice was provided to neighbors. **One affirmative response form** was received.

Public testimony was received from:

Randolph Hellstern, Project Architect, described the proposed improvements involved in converting an existing basement workshop into a 2-car garage and adding a 1-car carport in the rear yard where a garage was previously located. The carport space is the intended parking for a proposed second unit.

The Commission supported project approval, agreeing that the proposed improvements were attractively designed with minimal impact on adjacent neighbors. The Commission discussed with Mr. Hellstern various options for minimizing driveway-related hardscape and curb-cuts, suggesting the use of turf-block pavers, drive strips or textured colored concrete as well as realigning the two driveways so as to minimize the width of the curb-cut. Several suggestions were made concerning the driveway positioning so as to protect the health of the

City's street tree fronting the property. It was agreed that the curb-cut location and driveway positioning would be subject to the review and approval of the Public Works Director. In addition, the Commission noted its support for granting a side yard variance, should the applicants' wish to locate the new carport closer to the property line so as to align with the adjacent neighbor's garage.

Resolution 130-DR-12

WHEREAS, Mr. Peter Udovch and Ms. Leila Hebshi are requesting permission to construct a second driveway and a new 2-car garage in the basement of the front of the house; make modifications to the rear of the house including a new 294 sq. ft. single story addition; construct a new rear patio; construct a new carport in the rear right (northeastern) corner of the property; make window and door modifications; add two skylights; and add exterior lights located at 223 Greenbank 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, as conditioned, are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development in that the massing, architectural detailing, roof design and materials are in keeping with the architectural style and character of the existing house.
2. The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light because the project proposes a single-story addition in the rear yard with a low sloped roof. There is no material impact on neighbor privacy or light.
3. The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are enhanced by providing a straight in/out driveway into a 2-car garage within the lower level of the house. Vehicle access to the rear yard carport is of adequate width and location to provide safe ingress/egress.
4. The project complies with Design Review Guidelines II-1, II-2, II-3(a) through (d), II-4, II-6, II-6(b) & (c), II-7, III-1, III-1(a), III-2, III-3, III-5, III-5(a), III-6, III-6(a), III-7, III-7(a), IV-1, IV-2 and IV-3.

RESOLVED, that based on the findings and facts set forth heretofore, the Piedmont Planning Commission approves the design review application of Mr. Udovch and Ms. Hebshi for construction at 223 Greenbank Avenue, Piedmont, California, in accordance with the plans and specifications on file with the City, subject to the following conditions:

1. **Construction Management Plan.** The Property Owner shall develop a comprehensive Construction Management Plan. The

Construction Management Plan shall address noise, vibrations, traffic control, parking, debris removal, dust control, sanitary facilities, and other potential construction impacts, as well as other details involving the means and methods of completing the Project, including the construction route. The City Building Official has the authority to require modifications and amendments to the Construction Management Plan as deemed necessary throughout the course of the Project and until the Final Inspection.

- a. Stormwater BMPs for Construction. Property Owner shall implement (1) stormwater treatment Best Management Practices (BMPs) and (2) Bay Area Stormwater Management Agencies Association's "Start at the Source" criteria for stormwater quality protection. City Staff may impose additional requirements involving the prevention of storm water pollution during construction and permanent drainage, erosion and sediment control. These items will be reviewed as part of the Property Owner's Construction Management Plan.

2. **Construction Completion Schedule.** Work on the Project, once begun, shall be promptly executed with continuous good faith and reasonable progress. Since timely completion of this Project is of the essence, the Property Owner shall submit for approval a Construction Completion Schedule, which will specify, in detail, the duration and percentage complete of each phase.

- a. The Construction Completion Schedule with associated construction values for each benchmark shall set forth completion dates for the following benchmarks:
 - i. Completion of Excavation;
 - ii. Completion of Retaining Walls;
 - iii. Completion of Foundation;
 - iv. Completion of Rough Framing;
 - v. Completion of Electrical;
 - vi. Completion of Plumbing;
 - vii. Completion of Mechanical;
 - viii. Completion of Fire Sprinklers;
 - ix. Completion of Home;
 - x. Completion of Hardscaping and Landscaping; and
 - xi. any further construction benchmarks and conditions of occupancy as may be determined by the Director of Public Works.
- b. Before the Project begins, the Director of Public Works shall make a determination as to the reasonableness of the proposed completion dates applicable to the Project, and that determination shall constitute the "Approved Schedule" and be binding on the Property Owner. The City may, at the Property Owner's sole cost, engage the services of a consultant to review the Property Owner's proposed Construction Completion Schedule and, to the extent the period allocated for any work appears unjustifiable, recommend to the Director of Public Works a reasonable completion date for any benchmark.

c. If the work for any specific benchmark has not been completed within 90 days after the completion date set forth in the Approved Schedule, and the delay in completion has not been caused by force majeure, the Director of Public Works has the option at any time thereafter to make a claim against the Property Owner's Performance Security, if one is required, in order to complete the benchmark.

3. **C&D Compliance.** Compliance with Chapter 9 Article III of the Municipal Code, which governs the recycling of construction and demolition debris, is required for all phases of this project.

4. **Contractor's General Liability Insurance.** To ensure that the contractor doing work in the City will be responsible for damages caused by the work to City property or to neighboring property, the Property Owner shall require all contractors and subcontractors performing work on the Project to maintain General Liability Insurance for protection from claims for damages because of bodily injury, including death, and claims for damages, other than to the contractor's work itself, to property which may arise out of or result from the contractor's operations. Such insurance shall be written for not less than \$1,000,000 per occurrence. The insurance shall include builder's risk. The insurance shall include an endorsement requiring 30 days' notice to the City if the insurance is cancelled or changed, and Property Owner shall immediately arrange for substitute insurance coverage.

As an alternative to requiring each subcontractor to obtain General Liability Insurance, the Property Owner may require the General Contractor to obtain an endorsement to cover his or her subcontractors.

If the Property Owner does not have a general contractor, the Property Owner shall maintain property insurance, including builder's risk and coverage for subcontractors, which is substantially equivalent to the contractor's requirement of this section.

5. **Defense of Legal Challenges.** If there is a third party administrative, legal or equitable action challenging the project approvals, including CEQA issues, the Property Owner shall defend and indemnify the City against any liability, fees and costs arising out of the defense, including the costs of City's own counsel. If such an action is filed, the Property Owner and City shall then enter into an agreement regarding selection of counsel and other provisions related to the defense. For this purpose, "City" includes the City and its elected and appointed officials, agents, officers and employees.

6. **Modifications to Conditions.** Any insurance or security requirement, or related Condition of Approval, may be implemented and, if necessary modified, in a reasonable manner with the joint agreement of the Director of Public Works and the City Attorney, consistent with the intent of the condition.

7. **Garage Door.** The proposed garage door shall be automatically operated.

8. **Building Code Compliance.**

- a. All balusters proposed on stairs or landings 30" or more above grade shall meet current Building Code criteria, including a 42" height.
- b. The new bedroom shall have a window that meets egress requirements, and should modifications be needed, they shall be subject to staff review.

9. **Driveway.** The new driveway for accessing the garage shall be constructed with a 12 ft. wide curb-cut in such a position so as to protect the health of the City street tree and provide safe ingress/egress circulation; said curb-cut width and positioning shall be subject to review and approval by the Public Works Director and planning staff. The surface of said driveway shall have a textured or colored surface at the discretion of the applicant, subject to staff review and approval.

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 Robertson

Ayes: Chase, Kellogg, Henn, Robertson, Zhang

Noes: None

Absent: None

The Commission recessed for dinner at 7:20 p.m. and reconvened at 7:50 p.m.

**Chapter 17
Rewrite**

The City Planner presented an introduction to a comprehensive set of revisions to Chapter 17 (the City's Zoning Code) that will be considered in upcoming Planning Commission and City Council hearings. The purpose of the proposed revisions is to:

- implement General Plan Actions and Housing Element Programs;
- address comments received in the 2007 General Plan Survey;
- codify City Council and Planning Commission directives;
- include certain refinements to the Code provisions aimed at improving clarity and consistency; and
- streamline application procedures

Public testimony was received from: William Blackwell, Margaret Ovenden, Justis Fennell, Rick Schiller, John Malick

The Commission and speakers discussed various planning topics in general as well as specific code revisions in a work session format. The following suggestions from speakers were made during the session:

Bay-Friendly Landscaping:

- should be adopted as a "guideline" rather than an ordinance;
- include provisions to prevent developers from artificially setting project boundaries different from site boundaries so as to avoid compliance thresholds;
- clarify the differences pertaining to properties in Zone B from other property zones

General Issues:

- the Zone B section of the code should more clearly delineated "permitted uses;"
- specify in Zone B minimum sidewalk and driveway widths and number and sizes of off-street parking spaces;
- the statement "ADA compliance is required for all public facilities" should be included in the code;
- the need for the proposed new Zone F should be explained;
- the impact from "noise" should be specifically added to the Design Review Guidelines' current statement regarding *neighboring properties' existing views, privacy and access to direct and indirect light*;
- support and encourage green building technologies;
- encourage and support convenient locations for electric car charging stations;
- encourage "constructive dialogue pre-meetings" with staff (as opposed to a pro forma recitation of the design review guidelines) prior to applications being considered by the Commission to increase the likelihood that applications can be approved at the first hearing -- collaborative efforts between applicants, staff & Commission produce the best designs. The Commission's practice of one hearing and "you're denied" is both frustrating and expensive for homeowners and discourages remodeling;
- exempt awnings and flower boxes from coverage calculations;
- exempt tankless water heaters from being considered as "exterior plumbing"
- allow duplexes on lots with over 10,000 sq. ft. in Zone A to help meet the City's housing requirements;

Parking:

- allow second unit parking exemptions to be granted when there are no adverse impacts on neighbors;
- reconsider the effectiveness and appropriateness of connecting bedroom counts to off-street parking numbers -- zoning should not be used to solve traffic/parking management problems.
- consider instituting an on-street parking permit fee program as a means of encouraging residents to use garages as well as generate a source of additional revenue to the City;

General Plan Action Items:

- focus attention on implementing *Safe Routes to School* now that seismic upgrades to school facilities has been completed. Develop a systematic plan for designating safe routes to each school site (Action 10.D).

- combine efforts related to *Safe Routes to School* with *Additional Sidewalks* (Action 10.B) and *Bicycle Plan* (Action 10.E) as a means of improving pedestrian safety in Piedmont and reducing greenhouse gas emissions by encouraging more residents to walk or bike to destinations;

Commission Suggested Revisions:

- expand the City's photographic library of good designs to help applicants/architects understand what constitutes acceptable projects;
- include better illustrations as well as "before and after" design photos in the City's Design Review Guidelines;
- exempt awnings, trellises and flower boxes/planters from coverage calculations, especially if located in rear yards;
- if an application is denied, allow one resubmittal to be filed with a no or reduced fee;
- put a high priority on *Additional Sidewalks* (Action 10.B) in the City's CIP Budget and consider requiring applicants proposing construction projects exceeding a certain cost threshold to be required to install a sidewalk;
- maintain the existing parking dimension of 9 by 20 ft. for new house construction but accept as "conforming parking" compact spaces measuring 8 ft. by 17 ft. for existing residences that have garages that accommodate two cars;
- consider allowing tandem parking if it results in less property hardscape
- allow the addition of modern living space amenities to homes on small lots that already exceed coverage and floor area ratio limits (Action 28.3(b));
- clarify in the Design Review Guidelines that the Housing Element's Program 2.C *Use of Original Materials and Construction Methods* does not apply to toxic materials, such as asbestos, etc.;

In addition, Commissioner Zhang recommended the establishment of a task force to address issues/concerns raised in the 2007 *Citywide Residential Survey* and propose recommendations to the Commission.

**New Commission
Worksheet**

The Commission concurred that the format of their new worksheets improved the ease and clarity of motion-making; suggesting, however, larger margins at the top of the sheet to allow more room for note-making.

ADJOURNMENT

There being no further business, Chairman Chase adjourned the meeting at 10:10 p.m.