

**CITY OF SAN MATEO  
PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
MAY 27, 2008**



The meeting convened at 7:30 p.m. in the City Council Chambers at City Hall and was called to order by Chair Hansson, who led the Pledge of Allegiance to the flag.

Those present were Commissioners Gooyer, Knorr, Massey, and Chair Hansson. Vice Chair Moran was absent and excused.

A motion was made by Massey, seconded by Gooyer to approve the minutes of the Regular meeting of April 22, 2008.

Vote: passed 3-0, with Knorr abstaining.

**\*\*\*PUBLIC COMMENT**

Chair Hansson opened the public comment period.

No persons wishing to speak, he closed the public comment period.

**ITEM 1**

**PUBLIC HEARING (continued from February 26, 2008 Planning Commission meeting)**

- \* **PA 07-034, PROSPECT ROW TOWNHOMES, demolition of the two existing single-family units, relocation of the existing historic duplex unit and conversion of it to a single-family unit, and new construction of two single-family units and two duplex units located at 626-632 Prospect Row (APN: 032-142-220, 310 & 320).**

- A. Categorical Exemption (section 15332, In-Fill Development Projects)
- B. Site Plan and Architectural Review
- C. Tentative Parcel Map
- D. Tentative Subdivision Map
- E. Site Development Permit

The project site is 24,088 sq. ft (0.55 acres) and is located on the north side of Prospect Row, between Grand Blvd and State Street. The property is zoned R3, Multiple Family Dwellings, Medium Density.

**PROJECT PLANNER:**

Lisa Ring, Senior Planner  
(650) 522-7213; [lring@cityofsanmateo.org](mailto:lring@cityofsanmateo.org)

**APPLICANT:**

James Chu, Chu Designs  
55 W. 43<sup>rd</sup> Avenue

San Mateo, CA 94403  
(650) 345-9286; [james@chudesign.com](mailto:james@chudesign.com)

**PROPERTY OWNER:** Robert Heisler  
PO Box 981  
Tracy, CA 95378  
(209) 831-4802

Ms. Ring gave the staff presentation, which included a power point presentation.

The Planning Commission had the following questions

- Regarding storm water treatment measures for this property. Are the applicant's cost estimates high, low, or middle?
- Public Works: Fee was lowered from \$1,500 to \$1,000 and the center aisle swale will be moved. Estimate \$12 per month per homeowner. This Filterra device will be the first in the City to be maintained and monitored. The costs will go down over time. Emeryville has a few units, they are more prevalent in Oregon and Washington. Cost estimates are conservative.

Developer Robert Heisler gave the applicant presentation. He introduced Architect James Chu, Engineer Dan McCloud, Project Manager Galen Ma, and Attorney Mike McCracken. He made a series of comments regarding issues from the last meeting:

- Structures have been moved 10 feet over to reduce the massing of the duplexes.
- The existing garage will be removed; there are no tree roots there because of the foundation.
- For Unit B, a 310 square foot fenced off private area of open space has been added on one side.
- The Craftsman style has been incorporated into the design. Unit A has been redesigned, and its roof has been lowered from 30'3" to 26'4.5".
- The two new dwellings on the street were overwhelming, the roofs have been lowered.
- Reduced overall floor area ratio on the project from 70.61 to 69.03%, although code allows for FAR of up to 85%.
- Heights has been reduced in Unit C
- Regarding pavement in proportion to usable open space, there is now 7,779 square feet of open space, only 2,700 is required.
- Permeable pavers have been incorporated for drainage and to address other issues from the previous meeting.
- Regarding the driveway encroaching on a neighbor's property, they have met with the neighbor and will put in 24" box cherry trees.
- The trash locations have been redesigned.
- The grade beam detail was incorrect; the architect is present to address this. The arborist will be on site during the project so that the tree roots will not be impacted. Floor system to be above grade.
- Planter boxes for drainage have now been incorporated into the project. In addition, the swales in the Hollywood driveway have been eliminated.

The Planning Commission had the following questions/comments:

- Commissioner: As to the grading plan, the finish floor and elevations appear to be different from the architectural plans by between one and two feet. It appears that grade beams are approximately 18-24" above the natural grade to accommodate for the tree roots, but the grading plan for the E1 unit garage shows it at grade or 4-6" above, how is your detail going to work?
- Applicant will have the drawings corrected, and arborist to be present as condition of approval.
- Commissioner: They have done a very good job of taking two identical floor plans but created differing facades. Why didn't you do this for the buildings in the back?
- Applicant: Because the issue wasn't raised at the last meeting, we thought the real issues were the front buildings that are most visible from the street being too large and too much alike. For the back houses we removed square footage but left the facades alone; we thought the commission was comfortable with this. It is easier to build four units that look alike.
- Commissioner: As I am driving along Prospect, it seems like the common denominators are considerable side yard separation; now Units A and B are fairly tight.
- Applicant: We are impacted by the size of the site; we wanted to do the circular driveway so we had to locate the houses that way. The Tudor had to be moved seven feet forward. There is a large apartment building next to Unit A; we wanted to keep some clearing between the two.

Chair Hansson opened the public comment period for this item.

The following people spoke:

- Peter Breining - 616 Prospect Row
- Michael McCracken

Their comments included the following:

- Family has been in this area since the early 1900's and has no plans to leave the area. We support the project. The front setbacks are similar to other properties, but Unit C could use some mitigation, it is a little to close to the street.
- Attorney representing the applicant: supports the staff report

No other persons wishing to speak, Chair Hansson closed the public comment period.

The Planning Commission discussed the following issues:

- Is everyone comfortable with the treatment of the historical building?

The Planning Commission made the following comments:

- We're talking about the concept, not the style. That unit will still look like a duplex.
- This looks like a modest single family home, am comfortable with it.

- The historical consultant said this was a duplex made to look like a single family home. The exterior look will not change, only the use by changing some interior walls.
- Has the tree issue been answered?

The Planning Commission made the following comments:

- We want to be specific that they don't disturb the natural grade in that area within the drip line as a condition for approval, and look at this during the plan check.
- Condition 31, grading element.
- Opinion of the town home design, demolish the two buildings, and change the look of the two front buildings?

The Planning Commission made the following comments:

- Perhaps reduce the light fixture near front door.
- The kickers are a bit large; they look cute rather than serving a function. They should be reduced in scale.
- Happy to see the changes made: reduced heights, keeping the style with other homes in the neighborhood.
- Satisfied with the way the project looks after the changes. This will fit in nicely with the neighborhood.
- Like the new Craftsman design, but not prepared to destroy the two homes that are nearly a century old. Would like those structures used in the existing project or moved somewhere else.
- As to the storm water treatment, is everyone comfortable with new proposal?

The Planning Commission made the following comments:

- It is a stretch, but a good attempt.
- Understand that Public Works has looked at this, what are their thoughts?
- Public Works: They have enhanced it by using planter boxes; make it more efficient, practical. The Filterra device is new for San Mateo, we don't have enough data on success rates, resulting in higher annual fee for inspections.
- The formerly proposed system was too complex and difficult for homeowners to maintain?
- Public Works: It has been over-designed since the previous version.
- Don't feel \$200 a year is a burden considering the price of the homes. Concerned that the system will be too complex for the homeowners to handle it. Can they get someone to come in for \$1,500 a year to inspect and repair it?
- Public Works: I believe they can find reliable services for pump repair and planter box maintenance.

Closing comments:

- Agree it's a shame we can't do something with the two older buildings, but they are not on the historic register. I would rather save one than none.
- There would be considerable effort and cost to bring those two older buildings back.
- Need to retain the integrity of the existing site; preservation of older buildings is a priority to me. This is a nice design and I appreciate the applicant's efforts.
- City Attorney: An issue involving the findings, Commissioner Massey requests to correct section 4A to reflect that there will be seven residential condominium units.

A motion was made by Gooyer, seconded by Knorr to Approve the Categorical Exemption from environmental review per the California Environmental Quality Act Guidelines, section 15332, In-Fill Development Projects; and to approve the Site Plan and Architectural Review for the demolition of the two existing single-family units, relocation of the existing historic duplex unit and conversion of it to a single-family unit, and new construction of two single-family units and two duplex units; the Vesting Tentative Parcel and Subdivision Map for the delineation of seven residential condominium units and associated common space; and the Site Development Permit for removal of major vegetation, based upon the Findings and Conditions in Exhibits A and B with a modification of Condition 31 to add the following: Pier and Grade Beam Foundation – The finish elevation of the pad shall not be constructed any more than 6 inches below the natural grade within the dripline of the oak tree to be preserved as part of the project.

Vote: Passed 3-1, with Hansson opposed.

## **ITEM 2**

### **PUBLIC HEARING**

- \* **PA 07-087 CLOCK TOWER BUILDING SPAR (formally known as 3<sup>RD</sup> and El Camino Mixed Use SPAR), construction of a 3-story commercial building with approximately 33,258 square feet of combined retail space at the ground floor and office space at the second and third floors. The project site is located at 221 S. El Camino Real, at the northeast corner of the East Third Avenue and South El Camino Real intersection (APN 034-142-160).**

- A. Mitigated Negative Declaration to assess environmental impacts
- B. Site Plan and Architectural Review for the construction of the development and to establish on-street loading space
- C. Site Development Permit for grading

The project site is approximately 12,075 square feet in size and is located at the northeast corner of the intersection of East Third Avenue and South El Camino Real, in the City's Downtown. The site was formerly a gas station and is currently vacant. The project site has a land use designation of Downtown Retail Core and is zoned Central Business District (CBD).

### **PROJECT PLANNER:**

Julia Yeh, Associate Planner  
330 W 20<sup>th</sup> Avenue

San Mateo CA 94403  
(650) 522-7216  
[jyeh@cityofsanmateo.org](mailto:jyeh@cityofsanmateo.org)

**PROPERTY OWNER &  
APPLICANT:**

Daniel Schalit  
3<sup>rd</sup> and El Camino Land Partners, LP  
121 Spear Street, Suite 250  
San Francisco CA 94105  
(415) 227-2217

Ms. Yeh gave the staff presentation, which included a power point presentation.

The Planning Commission had the following questions/comments:

- Would the loading area be for anyone who wants to use it? Staff: Yes.
- The \$10,000 contribution toward the TMA program, what is the estimated cost to form the TMA? Staff: For the Rail Corridor TMA, the rough estimate is \$40,000. The Metropolitan project submitted \$10,000 in 2003-04. Franklin project did not contribute because it was a remodel, not a new development.
- If more funds are generated through other projects that contribute to the \$40,000, do they get any money back? Staff: Any remaining funds will go back into the TMA program.
- How many other parallel parking stalls in the City are used as a combination of metered/loading? Staff: Some are passenger loading versus commercial loading. For example there is a passenger loading space in front of the Ben Franklin Hotel building. There was a similar situation when the Commission looked at the redevelopment of the Rite Aide site. In that case, a dual use loading space on 4<sup>th</sup> Avenue, near B Street was looked at, but there are not a lot of them. Those along San Mateo drive were older, pre-existing.
- Can the alley behind the building be used for loading? Staff: The original design for the building had that designed as a driveway into the parking garage. Its purpose is a driveway for vehicular access into the garage and for emergency vehicles. It is 18 feet wide and current code requires a minimum clearance of 20 feet in driveways widths for emergency vehicles, there is not enough room and it cannot be blocked.
- Is the current rate for in-lieu parking still \$9,000? Staff: Yes.
- The Condition of Approval #8, the one regarding the loading zone and compensation for loss of two angled parking spaces if the property across the street is developed, will the one loading zone be sufficient to meet the needs of a new building? Staff: Yes, office uses don't get that many deliveries. The size of the retail spaces available in this project should not have huge trucks making deliveries, the deliveries could also be staggered. This loading space can even be used by other businesses in the area.
- As to parking analysis, will this project eat up virtually all of the remaining parking in City facilities in the downtown? Has there been any discussion with Public Works about the next project that comes along that is not willing to build their own parking? Staff: Public Works does a parking survey of downtown parking facilities every two years to look at usage. For this project, it's possible that the new employees or customers may not

use all 76 of the required parking spaces since the project site is near the Caltrain station and several bus stops. We will look at the parking again. Also, the parking study focused on the 2<sup>nd</sup> Avenue, Central, and Main Street garages, those closest to the project site. There are other facilities available in the CPID. Perhaps as parking is utilized at a greater degree in the nearby facilities, there may be shifts to other facilities. Public Works is looking at ways to manage duration, such as raise fees for more popular parking areas.

- Is Public Works giving due regard to handicapped parking? Staff: Yes.
- What restrictions are there on the type of use for the retail spaces, such as coffee shops? Staff: This is determined at the building permit application stage. The parking requirements vary depending on the type of business. If the applicant pursues restaurant use, since the ground floor square footage is relatively small, the incremental difference in additional required parking is not going to be significant.
- How did the \$10,000 TMA amount come about? Staff: The City used a basis from other projects: Metropolitan project \$10,000. As more projects participate, this is seed money to create the program, then there will be annual fees based upon square footage and trip reductions.
- How long before we have enough money to get the program growing? Staff: The Rail Corridor Plan is due in 2009. One to two years out.

Rod Isackson/Village Properties gave the applicant presentation.

- The conditions stipulated are all acceptable to us.

The Planning Commission had the following questions/comments:

- What is the estimated development schedule? Applicant: The leasing brokers have been optimistic that this is a very lease-able project. We expect to start the project within nine months from approval.
- Will this project use prevailing wages with local labor? Applicant: We will have to look into that.

Chair Hansson opened the public comment period for this item.

The following person spoke:

- Stan Watkins/Baywood Owners Improvement Assoc. – 424 Iowa Dr.

His comments included the following:

- Remarked on the aerial view shown in the PowerPoint presentation; this property has been vacant for more than 20 years, and has been a site of littering and was minimally maintained. His homeowners' association represents over 1000 residences directly to the west of El Camino Real. For us this has been an area of great importance, as a gateway to downtown as well as to our neighborhood. Is very pleased that the northeast corner has been developed. What thought has been given to make sure that the current gas station continue on as a vacant property?

No other persons wishing to speak, Chair Hansson closed the public comment period.

Staff: In response to the public comment, the southwest corner project is coming soon to a study session. Given the City's interest in encouraging these sites to be developed, the review will be expedited. There have been changes in legislation with respect to health and safety issues. Other communities have also struggled with vacant former gas station properties.

The Planning Commission discussed the following issues:

- Design
  - Like the design, I liked the earlier version of the 3<sup>rd</sup> Avenue elevation with an obvious distinction for the entry into the office space, now the entrance looks just like another storefront. The other two elevations are an improvement. A corner element sticking up two feet isn't doing much, this needs more distinction.
  - Comfortable with the entry to the office space, is more concerned with the selection of materials. The heavy stone base could be reduced in height, scale-wise would rather see this reduced to a standard 3-foot element. Appreciates the revisions to the upper levels.
  - Was satisfied with the first round of design; the changes have improved it.
  - This design is an improvement. The office space doors could be confusing, would like them to be different. The top element needs to be higher or a dome or something, otherwise the design is very nice.
- Parking
  - The parking and loading concerns have been met.
  - The City needs to be realistic as to what they charge for in lieu parking fees.
  - What will the effect be if a Starbucks or Peets is a tenant?
- Loading
  - What trip reduction plan do you have? Applicant: We don't want a vacant corner; the project needs something that is popular to attract tenants who want to be at the apex of 3<sup>rd</sup> Avenue and El Camino, hopefully a lot of walking traffic. As to employee trip reduction, this project is speculative. No tenants have been identified, we can't guarantee what we can do or predict what tenants will agree to, but we would like to develop a space for a bulletin board in the office area. This project is in a rich public transportation area within the City. We expect the use of mass transit within the Bay Area to increase. We're open to suggestions. As to the office lobby setback, this was in response to the design review letter. We would be more satisfied with the previous scheme. The height restriction of the street wall setback dictated the corner element design. If we can put four feet on top of this we would, but this is not within code.
  - Would a dome count within the height limitations? Staff: We understand that the Commission has an interest in creating more of a distinctive landmark architectural feature without having to deal with legal issues of code with respect to height restrictions. Staff can work with the applicant to see what options are available.

The Planning Commission made the following comments:

- Would like to go back to sheet A4 from first round, revising A3, where the stripe drops down. Applicant: Has no problem with this.
- Would also like to create more of a statement with the corner treatment.
- We can't make a condition that they use prevailing wages.

A motion was made by Gooyer, seconded by Massey to approve PA 07-087, Clock Tower Building SPAR with the following changes to the conditions:

- \_. RECOMMENDATIONS BY CONSULTING ARCHITECT - The recommendations contained in the report prepared by the consulting architect, including modifications imposed through the approval process, shall be incorporated into the final design of the project with the exception of the office lobby location and light wells. (PLANNING)
- \_. DESIGN CHANGES – The final building permit plans shall include the following:
  - Enhance the architectural element at the corner of the building as may be permitted by the zoning code and in a manner that is consistent with the Downtown Specific Plan and
  - Incorporate the office lobby entrance that was reviewed by the Planning Commission during the Pre-Application stage of the project.This condition is subject to the review and approval of the Zoning Administrator. (PLANNING)
- \_. TRANSPORTATION MANAGEMENT ASSOCIATION (TMA) – This project is required to participate in the TMA, including annual payment of membership dues, when it has been established by the City and to pay \$10,000.00 toward the formation of the TMA. Payment shall be made prior to issuance of the building permit. (PUBLIC WORKS)

Vote 4-0 passed.

### **ITEM 3**

#### **PUBLIC HEARING**

- \* **PA 07-067 SADIGH MIXED-USE SPAR, demolition of the existing commercial building occupied by the Chao Praya Thai Restaurant, construction of 10 condominiums over approximately 5,051 square feet of commercial space, and 36 below and at grade parking spaces. The project site is at 4300 S. El Camino Real (APN 042-245-120).**

- A. Categorical Exemption (CEQA Section 15332- In-Fill Development)
- B. Site Plan and Architectural Review for the Construction of the Development
- C. Tentative Subdivision Map for Condominium Purposes
- D. Site Development Permit for Grading

The project site is approximately 13,142 square feet and is located at the Southern edge of the City of San Mateo. The site is bordered by 43<sup>rd</sup> Avenue to the north, El Camino to the east and North Road in the City of Belmont to the south. The property is zoned C-1/R-4 (Neighborhood Commercial/High Density Residential) and is designated in the General Plan as Mixed Use – Neighborhood Commercial/High Density Multi-Family.

**PROJECT PLANNER:**

Kenneth Chin, Associate Planner  
330 W 20<sup>th</sup> Avenue  
San Mateo CA 94403  
(650) 522-7211  
[kchin@cityofsanmateo.org](mailto:kchin@cityofsanmateo.org)

**PROPERTY OWNER &  
APPLICANT:**

Paiman Sadigh  
335 First Street  
Los Altos, CA 94022  
(650) 948-4162

Mr. Chin gave the staff presentation, which included a power point presentation.

The Planning Commission had the following questions/comments:

- Are there any BMR units?
- Staff: No, only for projects with 11 or more units
- Is there bicycle parking?
- Staff: project exceeds requirements, bike parking. There is a security gate that separates public parking with residential parking within the garage

Architect Levent Aksin gave the applicant presentation. The existing building is hard to renovate, out of date. Plan is to demolish this building to create a new structure. Previous study session suggested that elevations and façade elements be toned down, project looks much more settled. The building has been lowered by one foot along El Camino Real. Design is now less busy. Another suggestion was to modify the entries of the two driveways. We have much more than the required open space; enlarged the balconies. The fifth store was eliminated, now total is four retail spaces, all with street frontage. Store #1 now has an entry on 43<sup>rd</sup> Street. The basement parking now complies with City regulation. Bike parking areas are provided for both commercial and residential parking. The sidewalk tree layout was revised. Incorporating green elements, listed on as sheet A10.

The Planning Commission had the following questions/comments:

- Pending approval, what is the development plan?
- Will you be employing local labor and at prevailing wages?

Applicant: Don't know if prevailing wages will be applicable as this is a private project. Not sure.

Owner: We have been in Belmont for the last 25 years, as much as possible labor will be local. We are eager to start as quickly as possible; it might be a few more months before permitting is completed.

Chair Hansson opened the public comment period for this item.

The following person spoke:

- Chutchai Chompupong, 607 Towle Way, Palo Alto (Chao Praya restaurant)

His comments included the following:

- His family has done business in that building since 1988. He does not object to the project but wants to find out how soon he will have to move out of the building. We love San Mateo and our customers, not comfortable with relocating our business. Would like to know when we have to move so we can find a new location close by.

Staff: There is a 10-day period after the Planning Commission decision, the applicant has to do construction drawings which they have not done yet, and then submit them to go to the Building Department for permitting. Optimistically this process will take 3-4 months, could be longer. Believe the tenant and owner have been in frequent contact.

Owner: We don't expect anything to happen for 8-12 months. The restaurant will not be able to return due to parking restrictions. We estimate 4-6 months of notice for the tenant. Another tenant on the property has a one-year lease left.

No other persons wishing to speak, Chair Hansson closed the public comment period.

The Planning Commission discussed the following issues:

- Entry
  - Like the handling of entry to the courtyard.
  - Differentiating between the courtyard and garage entries is good.
- Overall design
  - Embrace the current design, liked the scale of first floor to second to third, reducing the retail from five spaces to four, approve the materials selected, support the design.
  - This is my first exposure to this project, I like what I see. The staff report has described the project well. Happy with it.
  - Like the flow, there is the right amount of parking. Have problem with Mediterranean/Spanish – this is a hodgepodge with elements such as the metal roofing and tile roofing. Agree with fellow commissioners regarding the proportion, but the pieces don't work together.
  - Interprets description as Spanish as a subcategory of Mediterranean.

- Design is over the top and I like it this way, you will either love or hate this project. This is what makes San Mateo interesting. Like the project because it's different and unusual.
- Project benefiting three sides, adding trees, I support this.
  
- Traffic concerns
  - Staff report has covered this issue; trip generation is below the threshold.
  - Doesn't seem like traffic will be a problem
  - Traffic not a problem.
  - Sidewalk on Belmont side will be a big benefit to those neighbors

The Planning Commission made the following comments:

- Commissioner Moran has sent a request that the Commission should consider invasive plant species as condition of approval.
- This should be standard in all applications, is there room for planting any invasive species here?
- Staff: There will be planter boxes only. C3 requirements will dictate the plant type.

A motion was made by Massey, seconded by Knorr to a) Approve the Categorical Exemption from environmental review, per the California Environmental Quality Act Guidelines, Section 15332, In-Fill Development, based upon the Findings for Approval in Exhibit A; and b) Approve the Site Plan and Architectural Review for the demolition of the existing commercial building and the construction of a mixed-use building with 10 condominium units over approximately 5,051 square feet of ground floor retail, Tentative Subdivision Map for Condominium purposes, and a Site Development Permit for grading based upon the Findings for Approval in Exhibit A and Conditions of Approval in Exhibit B.

And amend as in exhibit B to include invasive species condition of approval:

ALLERGENIC, TOXIC, AND INVASIVE PLANTS SPECIES - No plants which are cited on a City-wide list of allergenic, toxic, and invasive plants species shall be installed on site. In the absence of a City-wide list, all plant material lists will be reviewed with the City Landscape Architect to identify and preclude commonly recognized allergenic, toxic, and invasive plant species. (PLANNING/ PARKS AND RECREATION)

Passed 3-1, with Gooyer opposed.

## COMMUNICATIONS/ANNOUNCEMENTS

### 1. Communications from Staff

- i. Saturday 3/31 at 9 am not 8:30 am, to 11:45, email will be sent out this week
- ii. June 10 agenda will include Bay Meadows SPAR 2
- iii. June 24 agenda will include two study session items, Polo Court and the a building on the south side of 3<sup>rd</sup> & El Camino Real

## **ADJOURNMENT**

There being no further items before the Planning Commission, Chair Hansson adjourned at 10:13 p.m. on Tuesday, May 27, 2008.