

TOWN OF HILLSBOROUGH

San Mateo County

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Architecture and Design Review Board Approved Minutes

Monday, July 06, 2009 at 4:00 pm
Town Hall, 1600 Floribunda Avenue – Community Room

CALL TO ORDER – 4:00 PM

Boardmembers Present: Jennifer Werbe, Acting Chair; George Jewett; Carl Goldstone; Eric Nyhus, Alternate

Boardmembers Absent: Mark Heine, Chair (excused), Lin Ho

Staff Present: Elizabeth Cullinan, Director of Building & Planning; Lindsey Hill, Intern

APPROVAL OF MINUTES – May 04, 2009

Consideration of approval of the May 04, 2009 ADRB Minutes was postponed due to lack of quorum from the May 4, 2009 meeting.

WRITTEN/ORAL COMMUNICATIONS

Acting Chair Werbe introduced both new Boardmember Eric Nyhus and summer Intern Lindsey Hill.

PUBLIC HEARING ITEMS

Consent Items:

Additions/Remodels

- 1. 414 Pinehill Road - Duffy (Dale Meyer Associates / Bruce MacDonald Landscape)**
Request for a one-year extension of ADRB approval for a teardown and new two story residence of approximately 8,350 square feet (10.2% Floor Area Ratio), second unit and associated landscape plan, including tree removal, fencing, new driveway location, pool, spa and unlighted tennis court. Previously approved by ADRB on July 07, 2008 (*Effective date of approval: July 22, 2008*).

Recommendation: Extend ADRB Approval to July 22, 2010, as requested by the applicant.

A motion (Jewett/Goldstone) to approve the consent calendar item passed 4:0.

Regular Items:

New Houses

2. **125 Fallenleaf Avenue - Beilin (Essalat Architects)**

Request for a one-year extension of ADRB approval for a new two story single family residence of approximately 8,094 square feet (22.1% Floor Area Ratio). Previously approved by ADRB on June 02, 2008. (*Effective date of approval: June 17, 2008*)

Acting Chair Werbe posed the question of whether the Board should include a condition of approval addressing property maintenance or if property maintenance issues should be addressed through the standard Code Enforcement process.

Boardmember Jewett stated his preference to not add in an additional condition of approval relating to property maintenance.

Boardmembers Goldstone, Nyhus and Werbe agreed.

A motion (Jewett/Goldstone) to approve the request for an ADRB approval extension to June 17, 2010 passed 4:0. It was noted by the ADRB that the property is subject to the Hillsborough Municipal Code Section 8.16.035, regarding property maintenance.

Additions/Remodels

3. **25 Buckingham Court - Khoury (Stewart Associates)**

Request for a first floor addition of approximately 52 square feet, second floor addition of approximately 160 square feet (22% Floor Area Ratio) and associated facade improvements.

John Stewart, project architect, provided a rendering and tile roofing samples. He indicated the project includes a proposal to replace the roofing for the entire residence. He stated he is here to answer any questions.

Acting Chair Werbe requested clarification on the color of the garage doors, specifically if the garage doors were proposed to be painted white.

John Stewart, project architect, confirmed that the garage doors are proposed to be white.

Acting Chair Werbe asked if the proposal entailed new roof tiles to match the existing.

John Stewart, project architect, stated the proposal is to remove all existing roofing material due to complications with the existing concrete tile and replace it with all new slate roofing.

Boardmember Nyhus asked the architect how he established the square footage calculations. He noted his own rough calculations were not close to those on the plans and wondered if the attic space was considered in the square footage calculations.

John Stewart, project architect, stated that he had confirmed the square footage and the total project would be approximately 700 square feet under Floor Area Ratio (FAR) limitations. He said there was a cabana which was completed ten years ago that was not considered, and this could be the discrepancy.

Acting Chair Werbe opened the public hearing. As no members of the public opted to speak, the public hearing was closed.

Boardmember Jewett commented on the railing in front of the proposed second floor doors. He expressed his concerns with the highly elaborate design and noted his preference for a simplified design.

Boardmember Nyhus questioned the purpose of the French doors.

John Stewart, project architect, stated a balcony is needed.

Boardmember Goldstone asked if there is a Code requirement to have some type of railing at these doors.

Boardmember Nyhus stated the visible character of these doors is what is nicest on this house.

Acting Chair Werbe stated her preference for having the doors better reflect the design of the front door. She instructed the architect to work with planning staff to refine the details of these doors.

A motion (Goldstone/Jewett) to approve the proposed addition and façade improvements with the condition that the architect shall work with staff to simplify the ornate design of the proposed rails at the second floor doors while keeping within the Town's guidelines passed 4:0.

DISCUSSION ITEM(S)

Discussion of upcoming Municipal Code Amendments (code clean-up):

√ ***Definition of homes exceeding 8,000 square feet in size – Section 17.32.040(B):***

Ms. Cullinan informed the ADRB that the code currently states that *“the total covered floor area shall be deemed to exceed eight thousand square feet if the floor area exceeds that number before the project is begun or will exceed that number after the project is finished or both”*. This means that all additions (including minor ones) to a previously approved home exceeding eight thousand square feet would require City Council approval. The Board discussed and supported an amendment to the Code not requiring City Council review of additions to already existing 8,000 plus square feet homes.

√ ***Parking Strips: - Section 12.24.020(B):***

Ms. Cullinan informed the ADRB that the Hillsborough Municipal Code currently requires that work conducted within the public right-of-way incorporate a sidewalk area in conformance with the city engineer's standards for public work. Additionally, the Town currently has a policy requiring *“parking strips”* along the street frontage of property whenever work is done within the public right-of-way, for all new houses, and for all construction projects involving more than 50% of the living area of a house. The ADRB supported flexibility by the City Engineer in requiring parking strips and supported a respective code amendment.

√ ***Definition of “hardscape” – Section 17.32.060(A)(2):***

Ms. Cullinan confirmed the ADRB's interest in redefining “hardscape”. “Hardscape” is currently defined by code as, *“consisting of areas of the lot located beneath a roof or covered by impervious materials but does not include anything included in structural coverage”*. As the market for pervious materials increases, aesthetic issues have become a concern.

√ ***Tie votes – 2.12.070(E) and 2.12.080(F):***

Ms. Cullinan informed the ADRB that the code is currently silent on what the impact of a tie vote means for the design review process. Ms. Cullinan added that case law demonstrates tie votes to be generally interpreted as denials. The ADRB supported a clarification to the code indicating that tie votes are the equivalent of a denial.

√ ***ADRB Extensions – Section 2.12.090:***

Ms. Cullinan noted that the Town is receiving an increasing number of requests for extensions of ADRB approvals due to the economy, and confirmed the ADRB's interest in amending the code to allow for first requests to be processed administratively by Planning Staff and subsequent requests to be reviewed by the ADRB.

√ ***Public notification for Appeals – Section 2.12.080©:***

The Code currently requires the appellant to be responsible for preparing public notices for an appeal. Since the appellant may not have a vested interest in project approval, this presents a potential procedural flaw. Staff is recommending that the Staff be responsible for public notification of projects under appeal. The ADRB concurred that this would be the appropriate process.

√ ***Tree removal – Section 17.56.055 (new):***

Ms. Cullinan informed the ADRB that the Code currently has no replacement requirements for tree removal. Additionally, Hillsborough currently requires design review and a permit if a tree proposed for removal exceeds 36" in diameter at 4' six inches above natural grade. This threshold is substantial and there are many trees under the threshold that, if removed, would present a notable visual impact. The Board expressed support for amending the code to requirement replacement of trees removed that meet the threshold and consideration of reducing the threshold for permitting and design review and further study on whether thresholds should be dependent upon tree species.

√ ***Solar Energy Systems – Section 17.24.010(E and 17.08.245):***

Ms. Cullinan informed the ADRB that State law says that jurisdictions shall administratively approve applications to install solar energy systems through issuance of a building permit or similar nondiscretionary permit. Review of the application to install a solar energy system shall be limited to the Building Official's review of whether it meets all health and safety requirements of local, state and federal law. Therefore, Staff is proposing a new subsection to Section 17.24.010 which governs outdoor fixtures, exempting solar energy systems from neighbor sign-off, design review and the 40' distance from any adjoining residence, and defining "solar energy systems".

√ ***Second story second units and ADRB review – Sections 2.12.070(A)(1)(b), 2.12.070(A)(2)(a)(ix) and 2.12.070(A)(2)(d):***

Ms. Cullinan noted that the Code is not entirely clear on how to process second story second unit applications. She added that second units can only be reviewed for design purposes under State Law. The Board supported a code amendment clarifying that second units referred to the ADRB are also subject to public notification for design review purposes only.

Preliminary Review:

The Board supported recording ADRB comments for Preliminary Review applications in the minutes.

ADJOURNMENT – 4:42 pm

ADRB Minutes prepared by:
Lindsey Hill, Town Planning Intern