

TOWN OF HILLSBOROUGH

San Mateo County

Lionel Foster, Chair
Kathleen Egan
April Filer
Yuvi Gill
Kaarin Hardy
Alternate: Benoit Delaveau



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APPROVED MEETING MINUTES MONDAY, MARCH 1, 2021 4:00 PM ARCHITECTURE AND DESIGN REVIEW BOARD

I. CALL TO ORDER – 4:05 PM

Chair Foster announced that the meeting of the Hillsborough Architecture and Design Review Board is now called to order.

We will be conducting today's meeting in a virtual setting using Zoom. Board members and staff are participating from remote locations and everyone is practicing appropriate social distancing. Members of the public may view and listen to the meeting this evening as noted on the agenda.

Prior to opening the public hearing items, the members of the public should know that the ADRB is a Board created by and members appointed by the City Council. This five-member board is comprised of Hillsborough residents who volunteer their time to serve the community and ensure projects are consistent with the Town's Residential Design Guidelines. Members of the Board have experience in design or construction and include two community members at large. Their purpose is to promote good design to maintain and enhance the environmental qualities, historic character, and the high quality of aesthetic values that make the Town unique and a desirable place to live.

II. ROLL CALL - Board Members Present: Benoit Delaveau; Kathleen Egan; April Filer; Yuvi Gill; Kaarin Hardy; and Lionel Foster, Chair.

Staff Present: Sarah Fleming, Director of Building and Planning; Tim Anderson, Building Official; Liz Ruess, Planning Manager; and Martin de los Angeles, City Attorney's Office

III. APPROVAL OF MINUTES:

Board member Egan noted a correction needed to the February 1, 2021 draft minutes, updating a typo "ticker columns" to thicker columns.

A motion (Gill/ Hardy) to approve the Meeting Minutes for Monday January 25, 2021 and Monday, February 1, 2021, with changes noted, passed 5:0 on roll call vote.

IV. WRITTEN/ORAL PUBLIC COMMENT I:

Chair Foster stated that anyone who wishes to submit written communication or make public comment to the Board about any item not on the agenda may do so at this time. The Board may briefly respond to statements made or questions posed, however, the Board's general policy is to refer items to staff for attention, or have a matter placed on a future ADRB agenda for a more comprehensive action or report. Written communication may be submitted to the staff for the record. (Residents wishing to speak regarding non-agenda items are kindly asked to limit their time to three minutes.)

Chair Foster asked if there are any written or oral communications regarding items not on the agenda?

There being no public comments he moved on to the public hearing portion of the agenda.

V. ANNOUNCEMENT OF CONFLICT OF INTEREST:

This portion of the agenda is for board members to disclose any conflict of interest related to any item on the agenda. Any board member who has confirmed a conflict of interest or has reason to believe they have a conflict of interest should disclose the conflict for the record and abide by the disqualification requirements contained in FPPC regulations.

Board member Gill announced that he will recuse himself for item 3445 Ralston Ave.

Sarah Fleming read statement on behalf of Board member Gill.

Board member Egan announced that she will recuse herself for item 15 Greenview Lane, due to a personal conflict.

Board member Filer announced that she will recuse herself for item 118 Baywood, due to a personal conflict.

VI. CONSENT CALENDAR:

The Consent Calendar includes routine items, which do not require discussion. A board member or staff may remove an item for discussion, and any member of the public may request a board member to remove an item for discussion. If there is no request to remove any item from the consent calendar, then the item can be approved in one motion with a roll call vote.

1. 95 W. Avondale Road —Hung (Christian Ruffat, RDS)

Request for design review and approval of additions totaling 1,090 square feet to the existing one-story Ranch style home for a total proposed floor area of 3,855 square feet (21.8% FAR) on a 17,659 square foot lot. The areas of addition are at the front entry and rear of the existing house and the project includes some exterior material modifications.

No request to remove from consent calendar.

A motion (Egan/Gill) to approve the consent items for the proposed project at 95 W. Avondale Road, based on the projects' consistency with the Residential Design Guidelines, and subject to the Standard Conditions of Approval and conditions of approval listed in the Staff Memorandum, passed 5:0 on roll call vote.

Liz Ruess, Planning Manager, clarified for neighbor, John Lavrich, that no second story is proposed.

VII. FORMAL REVIEW ITEMS:

2. 3445 Ralston Avenue - Chen (Nick Lee Architecture/Michael Callan Landscape Architect)

Request for design review and approval of a revised proposal for a new two story with basement Modern style residence with a total proposed floor area of approximately 7,295 square feet (24.6% Floor Area Ratio) on a 29,602 square foot lot. The proposal includes the demolition of the existing single-story home and a complete landscape plan that consists of a new vehicle gate and stucco walls

at the driveway, new paver driveway and auto court, retaining walls, tree removal and replacement, new pool within the side setback area, stone patios, synthetic turf areas, and enhanced planting throughout.

(This item was continued from the December 7, 2020 ADRB Meeting to allow the applicants time to explore additional options to address the concerns of the neighbors at 3465 Ralston Avenue)

Board member Gill recused himself.

Nick Lee, project architect, provided an overview of the proposed project and project history.

Mike Callan clarified for Board member Egan that the proposed evergreen Oak trees will likely reach 25-30 feet tall.

Board alternate Delaveau noted that in previous reviews that Board member Egan had suggested a flat roof and asked if that had been considered?

Nick Lee, noted that with the construction of the flat roof would result in the same height of the proposed roof. As proposed, it offers a thinner more subtle profile versus a flat roof with a parapet.

Chair Foster opened the public hearing.

Raj Parekh, 3465 Ralston Avenue, provided a presentation to the Board expressing their objections to the proposed height and the impact to their current view.

Griff and Jen King, 505 Pullman Road, expressed support for the proposed project.

Elizabeth Gomez, 40 Cinnamon Court, expressed support for the Chen's proposal and the modifications they have made for the neighbors. Noted their own personal experience with neighboring developments where no concessions were made for neighbors.

Ryan Pine, 90 Rowan Tree Lane, expressed support for the proposed project and the Chens. Housing shortage is often due to code requirements and neighbor objections. Neighbor objections stall progress.

Michelle Fowler, 570 Laurent Road, expressed support for the Chens and the proposed project. The Chens are an important part of the community and hopes the ADRB will support them building their dream home, which will add value to the neighborhood.

Theo Kots, 133 Southdown Court, expressed support for the Chens and their proposed projects. The Chens are invested in the community and the schools. As an owner, I want to support a straightforward process. The Chens have made many modifications for the neighbors.

Maria Chen, 3445 Ralston Avenue, noted that they did reach out to all their neighbors before the initial design was finalized. We are fighting for a very small view corridor – the current proposal allows 50% view for each party and hope the Board will see and appreciate all the modifications that have been made to address the neighbor concerns and that the Board will approve the project as proposed.

Jean Parekh, 3465 Ralston Avenue, thanked the ADRB for their hard work and for visiting their property to view the story poles. For the new members, she noted that they were not involved in the construction of their home but purchased it after construction and Phil Chen was the listing agent and indicated that they had no plans to build a second story.

Phil Chen, 3445 Ralston Ave, noted that he sold the property at 3465 Ralston Avenue 7 or 8 years ago and did offer a view easement at that time, but would not offer that now. He asked the Board to please approve the project as proposed or provide clear legal reason for how their project does not comply.

Leslie Huie, 410 Eucalyptus Avenue, noted that she has an architectural background and expressed support for the proposed project. She added that they have gone through the ADRB process herself and noted that it's an important process, but that her experience was quite different. She stated that she feels the Chen's proposal is thoughtful and given that there is no view ordinance, the current proposal seems to be a more than reasonable compromise, given the situation.

Chair Foster closed the public hearing.

Board alternate Delaveau, expressed understanding for the neighbors' concerns about the loss of their view, but noted that there is no legal recordation that will protect their view. The Chens and their architect have made great efforts to come up with numerous modifications to address the neighbor's concerns. He continued that the proposal is fair and anytime there is compromise, each party will feel they have lost something. He expressed support for the current proposal.

Board member Filer acknowledged the long journey for both parties. She noted that she had the opportunity to visit both sites and that she is not sure the compromises the Chens have made are equitable to the impacts to the Parekhs. She noted that what occurred on other properties does not feel relevant to this project, as they are different sites. She continued that in looking at the plans, there appear to be many opportunities to modify the plans.

Board member Hardy thanked all the neighbors who attended today to express opinions and support for the project. She noted that the Town thrives on seeking solutions that offer compromise and that she had voted for a continuation the last time. She stated that there is not a view ordinance and that this is a creative solution. She noted the proposal does have an impact to the uphill neighbor, however it is significantly less impactful than the previous design. She continued that she believes this to be a 50/50 solution. She expressed support for the current proposal.

Chair Foster stated that this type of ongoing dialogue and compromise is how we achieve the best version of a project and is why the ADRB is relevant. Any time there is a compromise, both sides are going to get some and lose some. He acknowledged the amount of work, time, and cost that has gone into the various iterations of the design. He stated that any additional reduction to the overall height would be ideal and continued that he hopes they will continue to work with the neighbors on respectful landscaping, etc.

Board member Egan stated that the modern design is well-executed and that the design package was very nice. She noted that the continuance was intended for them to work with the neighbors and some of the suggestions at the last review included relocating mass towards Ralston. She acknowledged that the view corridor is very narrow, which is unfortunate and challenging.

Chair Foster stated that this is one of the more challenging projects the ADRB has had to vote on in his time serving.

Board member Filer asked the applicants why the applicants did not explore relocating the master bedroom to the Ralston side?

Nick Lee stated that the master bedroom was not relocated to keep the home further from the street for privacy reasons, but also to take advantage of the view. Changing the plan around is not as simple as just that, changes trigger other changes, circulation issues, and run up to site constraints.

Raj Parekh thanked the Board for their deliberations and understanding of the issues. He stated that he does not feel 50% of their view is being preserved, noting that there would be some view from the pool, but no longer from their main floor living spaces. He noted that there is a large atrium that takes up a significant area of the plan that adds to the mass and feels that there are alternatives that could offer less impact to 3465 Ralston Avenue. The current tradeoff is elimination of the view from the entire main floor at 3465 Ralston for a view from the master bedroom at 3445 Ralston Avenue.

Chair Foster re-opened the public hearing.

Griff King, stated that the Town has no view ordinance or protection. Their personal experience was that their voices were not heard in the review of the proposed project at 10 Castle Court and feels they experienced a flawed process, and the Chens are too.

Nick Lee, the current proposed location of the master bedroom is the only location from the proposed home where the Chens would have a view. He added that they have a right to enjoy the view as well.

Phil Chen, currently, we only have a view from the first floor because they have worked with the downhill neighbor to trim some trees on their property, but typically there is no view from the first floor.

Jean Parekh stated that first floor views are most important as those are the spaces you occupy during the day. She noted that they would be very interested in doing mediation with the Chens.

Chair Foster closed the public hearing.

A motion (Hardy/Delaveau) to approve the proposed projects at 3445 Ralston Avenue, based on the project's consistency with the Residential Design Guidelines, and subject to the Standard Conditions of Approval, conditions of approval listed in the Staff Memorandum, and added condition that the roofline is lowered an addition foot (12-inches), passed 4:1 on roll call vote. Board member Filer dissenting.

3. **15 Greenview Lane – Wolcott-Gilbert LLB (Nyhus Design Group/Michael Callan Landscape Architect)**
Request for design review and approval of a New England Clapboard style new home with a total proposed floor area of 5,458 square feet (24.9% Floor Area Ratio) on a 21,880 square foot lot. The project was originally approved by the ADRB a first and second floor addition and architectural style change. However, construction activity resulted in the project becoming considered a “teardown” of the existing Ranch style home. The proposal includes a full landscape plan.

(Project was previously approved as an addition and remodel by the ADRB on December 2, 2019. However, during construction, more than 50% of the existing exterior walls were altered/removed and the project is now considered a “teardown” of the existing residence and must be reconsidered by the ADRB as such)

Board member Gill returned to the meeting.

Board member Egan recused herself.

Eric Nyhus, project architect, presented the project. He noted the modifications from the previously approved project.

Board member Filer stated that there is not much off-site parking given the cul-de-sac, asked if there is an opportunity for a 3-car garage.

Eric Nyhus stated that there is quite a bit of off-street parking provided on site and that an additional garage space would affect the coverage within the front setback area.

Board member Gill noted that the scrutiny of an addition and remodel is different than a new house. Even though the project is within the allowable setbacks, the current massing stands at the second floor out, especially because it is a narrow lot.

Eric Nyhus stated that the lot is long and narrow, and the goal was to preserve much of the backyard as possible. He continued that despite the characterization as a new house, they are still hoping to preserve as much of the existing elements as possible. He continued that there were no neighbor concerns previously and the setbacks of the second floor are greater with the revision.

Board member Hardy stated that she understands the limitations, but that the proposed design is not as elegant as the approved design. Elimination of the chimney creates a solid wall effect; the design is not as balanced as the previous design. Thanked them for including the JADU to contribute to low-income housing opportunities in Town.

Chair Foster opened the public hearing.

Chair Foster closed the public hearing.

Board alternate Delaveau if this is a new house now, I suppose this house should have solar panels, to comply with energy codes. I reviewed the ADRB meeting minutes from December. It’s unfortunate that this project triggered a teardown. He encouraged the applicants to make considerations for incor

Board member Gill stated that he is conflicted, the current design could certainly be improved, however the project is under construction.

Chair Foster stated that he understands the limitations of the project in terms of remodel versus teardown. Expressed support for the project.

MOTION: A motion (Hardy/Filer) to approve the proposed project at 15 Greenview Lane, based on the project's consistency with the Residential Design Guidelines, and subject to the Standard Conditions of Approval, and conditions of approval listed in the Staff Memorandum, passed 5:0 on roll call vote.

4. **118 Baywood – Lo (Nancy Scheinholtz/STRATA Landscape Architecture)**

Request for design review and approval of the landscape plan and final driveway location associated with a previously approved 2-story Modern Transitional style residence located at 118 Baywood Avenue.

(The new residence was approved by the ADRB on June 29, 2020)

Board member Egan returned to the meeting.

Board member Filer recused herself.

Sarah Fleming provided a brief staff presentation of the project history.

Nancy Scheinholtz, project architect, noted that the proposed house is sited as is to preserve as many trees on site as possible and eliminate the access to the site via easement.

Dustin Moore, project landscape architect, stated that 5 or 6 redwoods would have to be removed if the house were flipped. He explained how the proposed surfaces preserve trees and reduce impacts to tree roots.

Liz Ruess announced that Board member Hardy needs to depart the meeting and will not be involved with the deliberation of the item.

Chair Foster opened the public hearing.

Christian Huebner, Hillsborough resident and representative of the neighbors Mr. and Mrs. Ryan, stated that the Ryans feel the project was approved under false pretenses, due to inaccurate information provided by the applicants arborist. He expressed that there are design alternatives that would result in less impact to the tree in concern.

Chair Foster stated that the house has been approved. The items of discussion are the landscape plan and driveway location, so are there alternatives that would address the Ryan's concerns that would be consistent with the approval of the house?

Christian Huebner stated that the approval of the house went through with incorrect information. Any additional distance from the tree would provide additional protection.

Victor Lo reiterated that when the project arborist conducted the site evaluation, Mrs. Ryan would now allow them access to her property and there was a straw fence constructed on the subject property that prevented access to the tree for accurate measurements. However, at a later review, accurate measurements were taken once site access was provided.

Nancy Scheinholtz stated that all options for alternative siting were evaluated. The error in the arborist report was not intentional; it was due to limited access. The existing tennis court creates significant

site constraints on an irregular shape lot. Even elimination of the tennis court was discussed, but that was a major factor in the appeal of the lot. She continued that both parties want to preserve the tree and that they truly feel the siting as approved is the best design.

Dustin Moore reiterated the tree protection noted in the plans is consistent with the recommendations made by the third-party neutral arborist.

Chair Foster closed the public hearing.

Board member Delaveau acknowledged that this is another difficult project. He noted that he consulted with fellow lecturers for their professional opinion about 17% root damage to a 100-year old tree and the response was that there is no way to know for sure. He continued that we cannot know what we do not know. In looking at the requirements and regulations, there does not appear to be any information that would prevent approval of the project. No legal reason to deny.

Board member Egan noted that her packet did not include the arborist report from the Ryans. She noted that variations in the reports and stated that she is concerned the approval was based on incorrect information. She continued that perhaps a reduction in the size of the garage from 4 to 3 could improve the driveway location.

Board member Gill stated that he went through all the documentation and in the interest of looking forward acknowledged that the house was approved, the house needs a driveway, and we cannot say one way or another what will happen, all we can do is implement as much mitigation as possible. He expressed support for the proposal as is.

Chair Foster stated that he would like to see the driveway moved further from the tree, if possible. He does not want to revisit the approval of the house but would like to understand if there are opportunities to move the driveway further from the tree.

Sarah Fleming clarified that all arborist reports from both parties have been made available to the Board and as part of the public record. She continued that the proposed mitigation plan is included in the packet, attachment 9. She noted that staff is proposing that ADRB require that the project arborist on site to monitor construction will be a completely neutral party, not hired by either the applicant or the neighbor.

Martin De LosAngeles clarified that as a decision has already been rendered on the house, it would not be straight forward to go back and modify any of the approvals associated with the house. This qualifies as a housing development project under the Housing Accountability Act, which also has a limitation to the number of public hearings that can be held on the item.

Board member Egan stated that she does not feel all the information was accurate and would be supportive of a street-facing garage.

Board member Gill asked if the first car garage were removed and second floor mass remained, could it be cantilevered with the driveway underneath?

Board member Delaveau stated from an environmental standpoint, this tree has been living longer than any of us. Many cultures respect that. A 3-car street facing garage would be sufficient and would

improve the tree's chance to survive. I will not support the proposed mitigation measures, as we just don't know if it will work. He stated that too many times he's visited construction sites and tree protection measures are not respected.

Chair Foster stated that there is great interest in protecting the oak tree and finding a solution that is mutually acceptable to both parties.

Victor Lo asked what distance would be acceptable to the Board and to the Ryans?

Christian Huebner stated 22' which is the distance that the house is now.

Board member Delaveau stated that we have to provide the applicant clear direction. For the sake of the tree, the foundation of the new house should be no closer than the foundation of the existing house.

Nancy Sheinholtz stated that a 3-car garage would be closer to the tree than the existing.

MOTION: A motion (Foster/Delaveau) to approve the of the landscape plan and final driveway location associated with a previously approved 2-story Modern Transitional style residence located at 118 Baywood Avenue, based on the project's consistency with the Residential Design Guidelines, and subject to the Standard Conditions of Approval, conditions of approval listed in the Staff Memorandum, and added condition that the edge of the driveway closest to the tree is moved over an addition foot (12-inches), passed 3:0 on roll call vote. Board member Egan abstained.

VIII. PRELIMINARY REVIEW ITEMS:

5. 259 Bridge Road – Goldman (Richard Beard Architects)

Request for preliminary design review of a new two story Traditional Georgian style residence with a basement for a total proposed floor area of 6,900 square feet (24.9% Floor Area Ratio) on a 27,618 square foot lot. The proposal includes demolition of the existing residence and will include a full landscape plan.

Richard Beard, project architect, provided a brief overview.

Chair Foster thanked the applicants for the detailed packet and sample of materials and renderings that convey the design very well. This will be an interesting project. 3D renderings will be beneficial.

Board member Filer expressed support for the design. The scale works with the neighborhood; however, the building feels a bit massive. Please provide elevations and renderings that demonstrate how the home will appear from the street.

Board member Egan thanked the applicants for the cover letter. The design will fit in with the neighborhood. Strong architectural design that is well-executed. The roof garden is unique. The front-facing garage is often discouraged, but this fits in well with the design.

Board alternate Delaveau the proposed project will be a great addition to the street. He expressed support for the street-facing garage. He noted that they need to make considerations for integration of a solar PV system and how that will work with the proposed design without degrading the design.

Chair Foster expressed support for the project and innovative and creative ways to bring in sustainability, while staying true to the authentic architectural style.

IX. DISCUSSION ITEMS:

- Board Member Updates
- Staff Updates

X. PUBLIC COMMENT II:

*This portion of the meeting is reserved for persons wishing to address the Board on any matter not on the agenda. Members of the public may provide comments via the Zoom platform by using the “raise hand” feature or, if calling in by phone, by pressing *9 on the telephone keypad. In response, the Town will unmute the speaker and allow them to speak on any topic for up to three minutes. If there appears to be many speakers, speaking time may be reduced to no less than 2 minutes, at the discretion of the Chair. Members of the public are limited to one comment at this time. State law prohibits the Board from discussing or acting on non-agenda items, and generally limits the ability of the Architecture and Design Review Board to respond to any public comments made regarding non-agenda items.*

XI. ADJOURNMENT – 8:34 PM