City of Brisbane Zoning Administrator Agenda Report

TO:

John A. Swiecki, Zoning Administrator

For the Meeting of 5/29/14

FROM:

Ken Johnson, Senior Planner

SUBJECT:

77 Golden Aster Court; Minor Modification to Design Permit, MM-1-14 for enclosure of the rear deck and the area under the deck to add approximately 450 sq ft of new living space, including a home gym and bathroom; also, replacement of the exterior stairs to connect to the remaining upper level deck and replacement of the upper deck guardrail; Jerry Kuhel, applicant; Ray and

Lori Liu, owners; APN 005-401-010.

Request: The applicant requests approval of a Minor Modification to Design Permit DP-2-89 for the above referenced residence at The Landmark at the Ridge, a planned development. The applicant proposes to enclose the lower-level rear deck and space below the deck, to create new living space at both of these levels. Also, the proposal includes replacement of the exterior stairs with a spiral stairway, which extends to the upper level deck instead of the lower-level deck as currently configured. The guardrails on the upper level deck would be replaced with a new decorative guardrail. The proposed addition would add approximately 450+/- sq. ft. of new living space, 225 sq ft at each of the two levels, within the existing envelope defined by the rear decks and support posts.

Recommendation: Conditionally approve Minor Modification MM-1-14, subject to the attached findings and conditions of approval.

Environmental Determination: Additions to existing structures are categorically exempt from the provisions of the California Environmental Quality Act per Section 15301(e) of the State CEQA Guidelines. The exceptions to these categorical exemptions referenced in Section 15300.2 do not apply.

Applicable Code Sections: Minor modifications may be allowed with Zoning Administrator approval. Brisbane Municipal Code (BMC) 17.42.070.A.1 indicates that the authority to approve minor modifications to a Design Permit may be delegated to the Zoning Administrator subject to the procedures and findings required in BMC Section 17.42.040. BMC Section 17.28.120.A.1 also delegates authority to the Zoning Administrator to approve any items specifically delegated under the conditions for issuance of a PD permit. The Vesting Tentative Map Resolution VTM-1-03, for the planned development, Condition "f" provides that minor modifications may be approved by the Planning Director, who acts as the Zoning Administrator.

Analysis and Findings:

As indicated above, the findings required for issuance of a design permit are provided in BMC Section 17.42.040 and these required findings were examined as follows:

"A. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project."

The proposed addition maintains a balance of scale, form and proportion and uses design components that are harmonious. The project would enclose the existing lower-level deck and space below it at the rear of the house. It would leave the upper deck, but replace the guardrail system on this level. The spiral staircase would be within the same approximate area of the existing straight staircase.

The scale of the house will not be significantly changed by the addition and neither the height nor the existing setbacks will be changed. Also, the addition would not increase the lot coverage, since the proposal is within the existing deck area. The floor area of the living space is approximately 3,270 sq. ft. and the modification would increase that to approximately 3,720 sq ft. Assuming the proposed enclosures would be required to be conditioned space (see Building Dept. condition of approval), the net increase in conditioned living space would be approximately 13% over the existing living space. Since the floor area ratio (FAR) includes the covered decks and floor area below a deck (at least 6 ft in height) the proposal would not change the existing FAR of approximately 43.8, 4,359 sq ft on this 9,945 sq ft lot.

There are currently no zoning provisions for this PD district regulating such things as lot coverage, floor area ratio, setbacks and height. It is notable that, the addition of approximately 450 sq ft, represents only a 13% increase in living space. The proposal would not significantly alter the architecture or scale of the home and so it would remain in keeping with the scale of the surrounding homes in the immediate vicinity.

The design components as shown on the plan set are harmonious in the overall appearance. On the detail level, the proposed spiral stairway and guardrail systems are somewhat of a departure from the existing guardrail style on the home. A review of other homes on this same block shows that various styles are used and what is proposed appears to be consistent. However, since the final details have not been selected for these components or for the stained glass window design a condition of approval is included which will require Planning Director approval prior to installation, to ensure that the appearance fits with the building and neighborhood. Other details of the exterior siding and window glazing are to match the existing. Also, for consistency a condition of approval is recommended to require that the other guardrail at the front of the house will also be replaced to match the guardrails in the rear yard, for a consistent overall appearance.

Note that this application is also comparable in type and scale to the minor modifications approved for 10 Lily Court in 2007 and Golden Aster, in 2010, to enclose rear decks on those "U" shaped homes.

The homeowners association has approved the proposed plans, as indicated on the attached letter.

"B. The orientation and location of buildings, structures, open spaces and other features integrate well with each other and maintain a compatible relationship to adjacent development."

The location of the addition, with the exception of the landing, is essentially infill of the existing footprint of the house and is compatible with adjacent development.

"C. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses."

Since the development is within the San Bruno Mountain Habitat Conservation Plan (HCP) area, the application was routed to the San Mateo County Parks Dept. and Thomas Reed & Associates (TRA). Representatives from both the County and TRA responded that they had no concerns with the proposed project.

D. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.

Since this is a minor modification to an existing home, there are limited opportunities to enhance the existing natural heating and cooling.

"E. For hillside development, the proposal respects the topography of the site and is designed to minimize its visual impact. Significant public views of San Francisco Bay, the Brisbane Lagoon and San Bruno Mountain State and County Park are preserved."

The proposal does not change the topography and will not affect public views.

"F. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit."

The proposal will have no effect on traffic for the development.

"G. The proposal encourages alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicycles, public transit stops and access to other means of transportation."

As a minor modification to an existing structure, the proposal will not effect automobile transportation or transportation alternatives.

"G. The site provides open areas and landscaping to complement the buildings and structures. Landscaping is also used to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy. Landscaping is generally water conserving and is appropriate to the location. Attention is given to habitat protection and wildland fire hazard as appropriate."

The addition would not result in removal of planted landscaping, is in keeping with the architecture of the building, and fits with the surrounding landscape. This site is not at the wildland interface and would not impact native habitat.

"H. The proposal takes reasonable measures to protect against external and internal noise."

Care should be taken to minimize noise impacts to neighbors during construction and construction will need to comply with the noise ordinance, BMC Chapter 8.28. There are no long term noise impacts anticipated from this project.

"I. Consideration has been given to avoiding off-site glare from lighting and reflective building materials."

As previously indicated, building materials are to match existing and should not contribute to off site glare.

"J. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment."

Not applicable.

"K. Signage is appropriate in location, scale, type and color, and is effective in enhancing the design concept of the site."

Not applicable.

"L. Provisions have been made to meet the needs of employees for outdoor space."

Not applicable.

A project description, findings and conditions of approval are also provided.

Attachments:

Project Description

Recommended Findings and Conditions of Approval
Landmark at Ridge Homeowners Association letter, dated August 28, 2013
Applicant's Project Description and Plans
Staff Photos

Project Description:

Zoning: PD Planned Development

Lot Area: 9,945+/- sq. ft.

Building Coverage - No Change

Floor Area Ratio (includes covered porches)--

Maximum: NA

Existing: 43.8 (floor area 4,359 +/- sq. ft.)*

Note that the increase in living space is approximately 450 sq ft, but since the proposed enclosure of the existing covered deck and slab beneath is already included in the floor area, the proposal would not alter the FAR.

Setbacks-- No Change

Height--

No change

Parking--

No Change

Minor Modification MM-1-14 77 Golden Aster Ct.

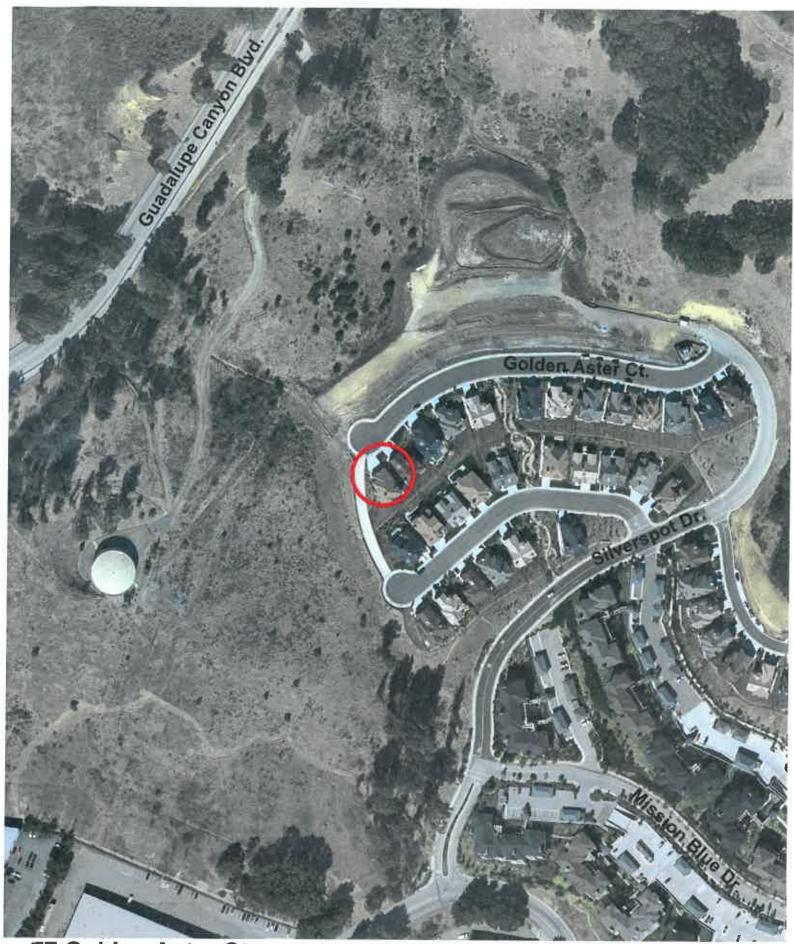
Recommended Findings:

- 1. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.
- 2. The orientation and location of the proposed addition integrate well with each other and maintain a compatible relationship to adjacent development.
- 3. There would be no impacts to adjacent land uses.
- 4. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.
- 5. The finding regarding hillside development does not apply since this is not a new structure and the proposal is within the envelope of the existing home.
- 6. The proposal would not effect local traffic or circulation.
- 7. The finding regarding encouraging alternatives to travel by automobiles where appropriated does not apply since this is a minor addition to an existing home.
- 8. The site provides open areas and landscaping to complement the buildings and structures and the proposal would not effect the existing landscaping.
- 9. The proposal takes reasonable measures to protect against external and internal noise.
- 10. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.
- 11. The proposal would not impact the existing screening of utility structures, mechanical equipment, trash containers and rooftop equipment.
- 12. There is no signage with this proposal.
- 13. There are no employees.

Conditions of Approval:

- A. Homeowner's Association approval is required.
- B. A Building Permit shall be obtained from the City of Brisbane and shall address the following:

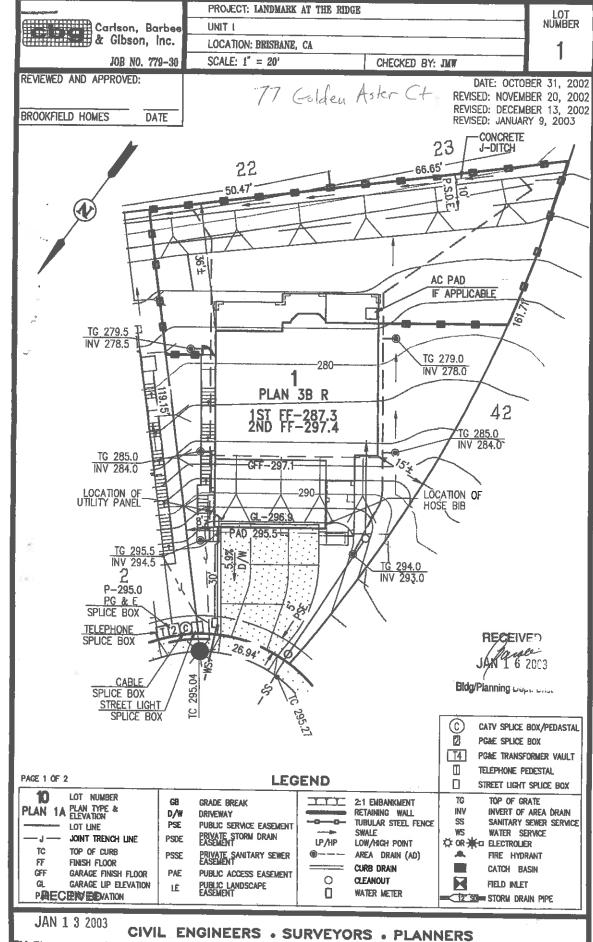
- i. Per the Fire Dept., the building permit application shall indicate the total floor area of the home, existing and proposed. As part of the building permit, fire sprinklers shall be extended to provide protection within the new floor areas.
- ii. Per the Building Dept. the proposal is an addition by definition, unless calculation of 65% open is provided on both one long wall and one short wall, and will need to be conditioned space. If a modification to the design is to be undertaken to change the status of the proposed space, from conditioned to unconditioned space, this may be approved by the Planning Director.
- iii. All exterior surfaces and materials, including, but not limited to, windows and siding are to match existing, except the proposed stained glass window, guardrail and spiral staircase. The applicant shall provide details for the new proposed handrail/guardrail systems, stairway and the stained glass window on the east elevation as part of the building permit, for Planning Director approval prior to installation.
- iv. All exterior guardrails on the home shall match (ie: The front guardrail shall match the rear). The owner's shall obtain an updated approval from the HOA to include modification of the front guardrail.
- v. Illustrations, cut sheets and/or materials samples will be required by the Planning Director, at his discretion, depicting the design and materials for the guardrails, spiral stairway and stained glass.
 - C. This Minor Modification shall expire two years from its effective date (at the end of the appeal period) if a Building Permit has not been issued for the approved project or if the Building Permit, once issued, is allowed to expire prior to final inspection.



77 Golden Aster Ct. SITE VICINITY







CIVIL ENGINEERS • SURVEYORS • PLANNERS

Bidg/Planning Dept. 299866-0322 FAX (925) 866-8575

LANDMARK AT THE RIDGE OWNER'S ASSOCIATION

August 28, 2013

Raymond and Lori Lui 77 Golden Aster Ct. Brisbane, CA 94005

Re: Proposed Home Modification.

Dear Raymond and Lori:

The Landmark at the Ridge Owner's Association Board of Directors has reviewed a set of plans dated August 3, 2013, submitted by you for the following improvement at your home:

Enclose lower deck and ground floor space under the lower deck. Replace stairs with spiral staircase.

Based on the plans submitted and other information, the above improvement was **approved** by this association on August 21, 2013. This approval is contingent on the following additional conditions:

- Any required city approvals and permits will be obtained in advance of construction and;
- A licensed and insured contractor will perform the work and;
- The structure must be painted to match the existing house paint scheme.

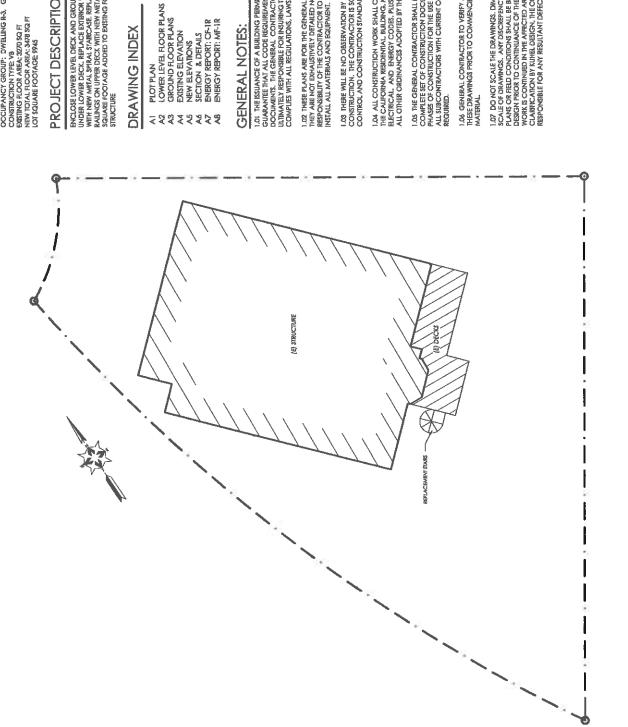
Please submit a copy of this letter with any application you submit to the city. If you have any questions about this action, please contact me at 650-637-1616, or dan@themanorassn.com.

Regards,

Daniel L. Kane

Daniel L Kane, CCAM
The Manor Association
Senior Managing Agent, The Landmark at the Ridge Owner's Association

cc: The Landmark at the Ridge Owner's Association Board of Directors
Unit file



PROJECT DATA

77 GOLDBN ASTOR CT. BRISBANE, CA (E) SINGLE FAMILY 2 STORY WOOD SIRUCTURE APR. 005-401-010 OCCUPANCY GROUP: DWELING R-3, GARAGE U CONSTRUCTION TYPE: VB EXISTING FLOOR AREA; 3270 SQ FT NEW TOTAL FLOOR AREA; 3478 SQ FT LOT SQUARE FOOTAGE: 9945

PROJECT DESCRIPTION

ENCLOSE LOWER LEVEL DECX AND GROUND FLOOR SPACE UNDER LOWER DECK. REPLACE BY REMOOD STANS WITH NEW METAL SPIAL STANGASE REPLACE WOOD RALINGS ON UPPER DECX WITH NEW METAL RALING. NO STANKE FOOT AGE ADDED TO ENSING FOOT PRINT OF STRUCTURE

GENERAL NOTES:

1.01 THE ISSUANCE OF A BUILDING PERMIT SHALL NOT BE CONSTRUED AS A GUARANTEE THAT ALL CODE REQUIRENGENTS ARE REFLECTED IN THE GOLOGICANSTAN THE GENERAL COPINACIONS FOR THE PROSECT SHALL BE LITIMATELY RESPONSIBLE FOR INSURING THAT THE RIGHED PRODUCT COMPLIES WITH ALL REGULATIONS, LANS AND CODE REQUIREMENTS.

1.02 THESE PLANS ARE FOR THE GENERAL CONTRUCTION PUPOSES ONLY. THEY ARE NOT EXPAUSIVELY DEFAILED NOR BLILL'SPECIFIED, IT'S THE RESPONSIBILITY OF THE CONTRACTOR TO SELECT, VERIEY, RESOLVE AND INSTALL ALL MATERIALS AND ROJUMENEN.

1.05 THERE WILL BE NO OBSERVATION BY THE DESIGNER DUBING CONSTRUCTION. THE CONTRACTOR IS SOLETY RESPONSIBLE FOR THE QUALITY CONTRIOL AND CONSTRUCTION STAMDARDS FOR THE PROJECT.

1.04 ALL CONSTRUCTION WORK SHALL CONFORM TO THE 2013 EDITIONS OF THE CALLFORINA RESIDENTIAL BALLDING, MECHANICAL, PLUMBING, RELECTRICAL, AND ENERGY CODES, PLUS HEALTH AND SAFETY CODES AND OTHER ORDINANCES. AND FIRE SOVERNING AGENCIES.

1.05 THE GENERAL CONTRACTORS SHALL MANIFARM A CURRENT AND
COMPLETE SET OF CONSTRUCTION DOCUMENTS ON THE JOS SITE DURING ALL
PHASES OF CONSTRUCTION FOR THE USE OF ALL TRADES AND SHALL PROVIDE
ALL SUBCOMITACTORS WITH CURRENT CONSTRUCTION DOCUMENTS AS
REGORDED.

1.06 GENERAL CONTRACTOR TO VERIFY ALL MEASUREMENTS SHOWN ON THESE DRAWINGS PRIOR TO COMMENCING ANY WORK OR ORDERING ANY

APPROVED:

1.07 DO NOT SCALE THE DRAWINGS. DIMENSIONS SHOWN SHALL SUPERCEDE SCALE OF BRAWINGS. ANY DISCREPENCY IN INMENSIONS OR COMPLICT IN PLANS OF FIELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF KINH DESIGN PRIOR TO CONTINUANCE OF THE WORK IN THE AFFECTED AREA, IT WORK IS COMMINDED IN THE AFFECTED AREA WITHOUT INSTACTION OR CLAREICATION BY KUHEL DESIGN, THE CONTRACTOR SHALL BE SOLEY RESPONSIBLE FOR ANY RESULTANT DEFECT, DAMAGE OR CHANGE REQUIRED.

Design Kuhel

415-508-1750

PLOT PLAN

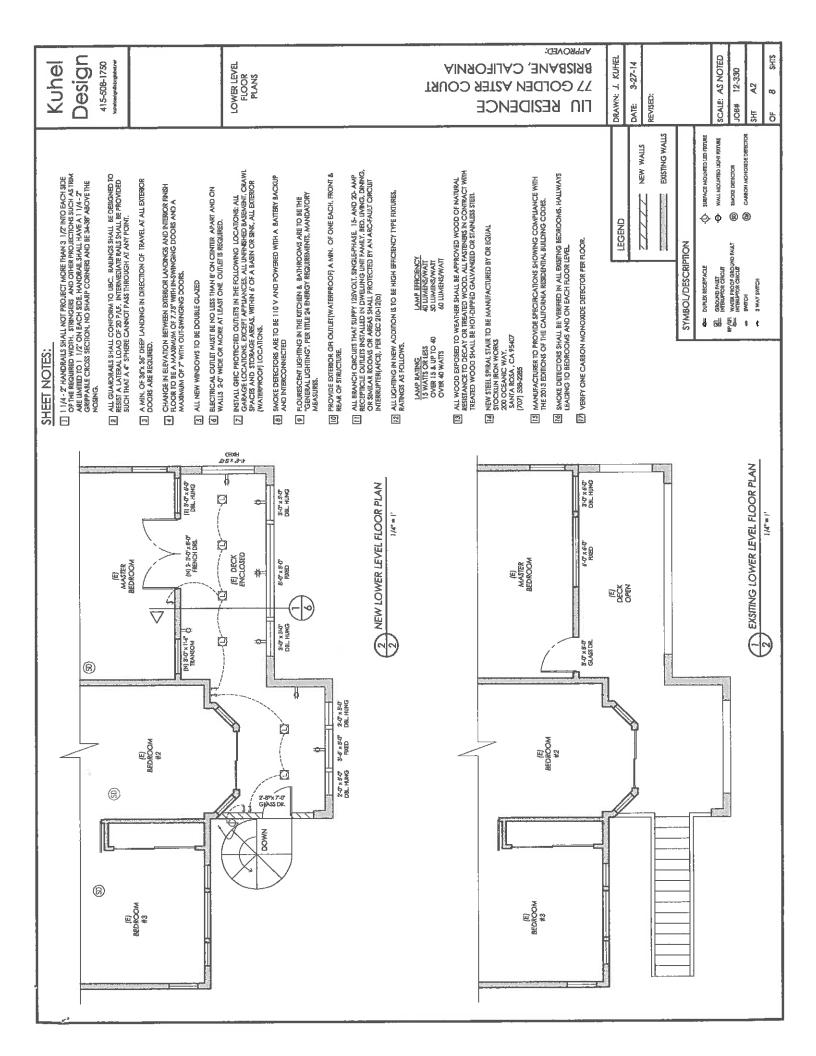
BRISBANE, CALIFORNIA 77 GOLDEN ASTER COURT **FIN BESIDENCE** DRAWN: J. KUHEL 3-27-14 REVISED: DATE

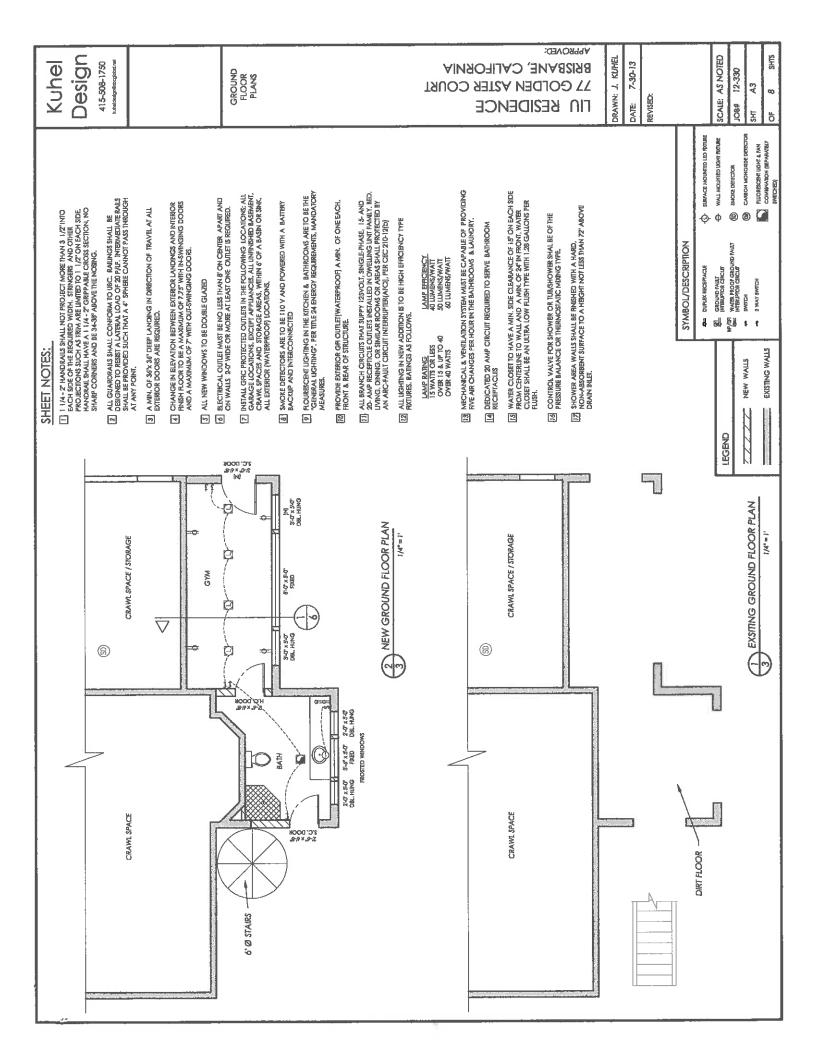
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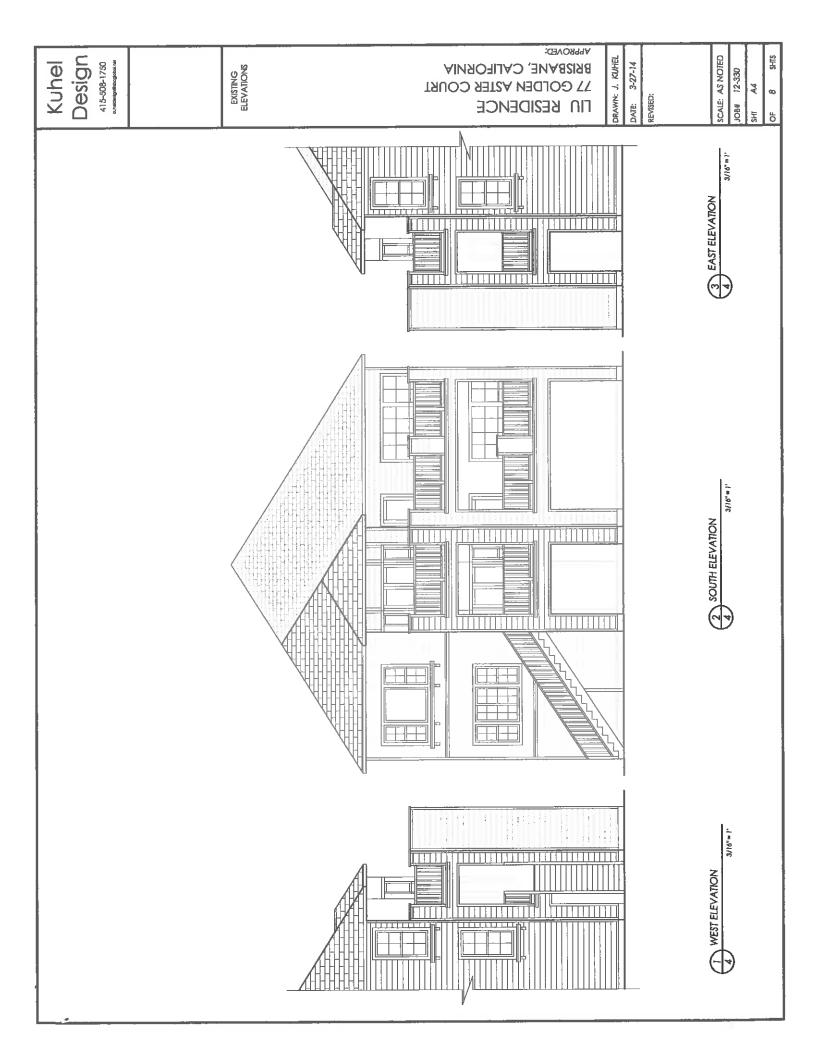
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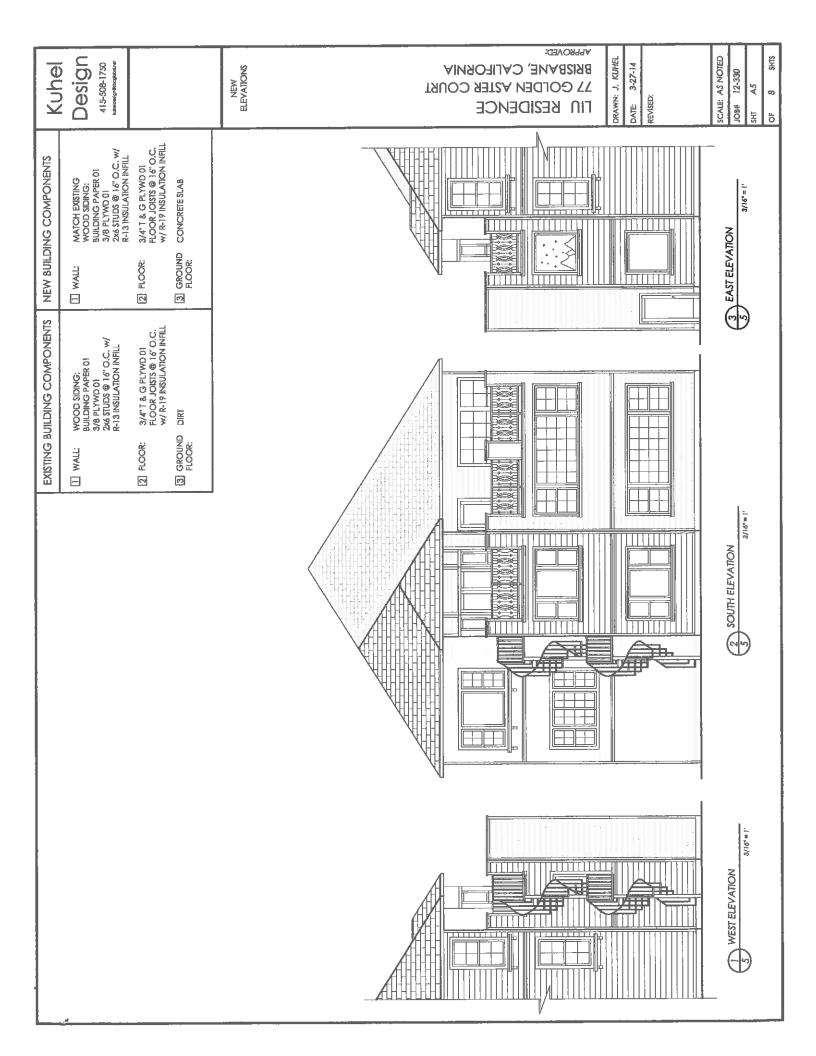
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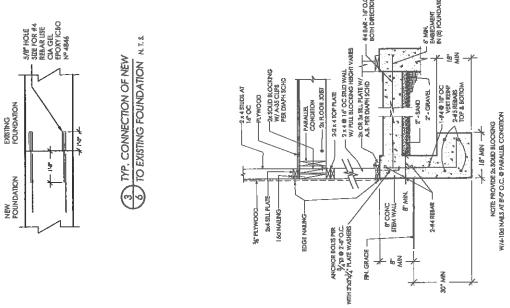








Kuhei Design	SECTION & B DETAILS	MANN L. TU RESIDENCE 327 A BRISBANE, CALIFORNIA 327 A BRISBANE, CALIFORNIA APPROVED: APPROVED:	EALE: AS NOTED 58# 12-330 17 A6 F 8 SHTS
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(2) IN-FILL DETAIL

