

# *City of Brisbane*

## *Planning Commission Agenda Report*

**TO:** Planning Commission KJ/AJ For the Meeting of 10/10/13

**FROM:** Ken Johnson Senior Planner, via John A. Swiecki Community Development Director

**SUBJECT:** **8 Thomas Avenue;** Design Permit DP-1-13 and Grading Permit EX-1-13; Design Permit and Grading Permit for Development of a an approximately 5,110 square foot Single Family Home with associated grading of approximately 1,850 cubic yards on a Ridgeline Lot within the R-BA Brisbane Acres Zoning District; Mahn Quach, applicant/owner; APN 007-350-340

**Request:** The applicant proposes to build a 5,110 square foot (sq ft) single family residence at 8 Thomas Ave, on a 16,978 sq ft, vacant, ridgeline lot. The lot is located at the corner of Thomas and San Bruno Avenues and is within the R-BA Brisbane Acres Residential zoning district. The development of this lot would include approximately 1,850 cubic yards of grading. A design permit is required for developments on ridgeline lots in the Brisbane Acres and Planning Commission approval of a grading permit is required for grading of over 250 cubic yards.

The proposed home would include approximately 3,415 sq ft of living space, plus a 599 sq ft 3 car garage on the main level. Another 1,097 sq ft of living space would be located in the basement level on the downslope side of the home. The proposed home would meet all applicable development regulations, including setbacks, floor area, lot coverage and height, for this district. This application is limited to the design and proposed grading for this home.

**Recommendation:** Conditionally approve Design Permit DP-1-13 and Grading Permit EX-1-13 per the staff memorandum with attachments, via adoption of Resolution DP-1-13/EX-1-13 with Exhibit A containing the findings and conditions of approval.

**Environmental Determination:** The Brisbane Acres is within the San Bruno Mountain Habitat Conservation Plan (HCP) area and new construction within the Brisbane Acres is subject to environmental review under the California Environmental Quality Act (CEQA). A mitigated negative declaration (State Clearinghouse No 2005042156) was approved by the Planning Commission via adoption of Resolution ER-4-05 on September 22, 2005. The mitigated negative declaration concluded that all environmental impacts will be less than significant or will be reduced to less than significant levels by mitigation measures. The proposed redesign of the house is not considered to be a substantial change that will involve new significant environmental effects or substantially increase the severity of previously identified effects, consistent with State CEQA Guidelines Section 15162(a).

**Applicable Code Sections:** Brisbane Municipal Code Section 17.12.040.L requires a Design Permit for Ridgeline Lots in the Brisbane Acres. The findings required for the approval of

Design Permits are contained in BMC Sections 17.12.040.L.2 and 17.42.040. Brisbane Municipal Code Sections 15.01.081 and 17.32.220 require, in addition to approval by the City Engineer, approval by the Planning Commission shall also be required for projects involving grading of over 250 cubic yards of material.

**Background:** This lot was established as a legal, buildable lot through a variance in 1970 and a certificate of compliance was issued in 1986.

A residence was previously proposed on this lot in 2005. At that time the Planning Commission considered and granted several permit approvals:

- On September 22, 2005 the Planning Commission adopted the Mitigated Negative Declaration and Mitigation Monitoring Program via Environmental Review ER-4-05. Tied with this environmental determination was a biological study by Thomas Reed and Associates (TRA) to designate the site as a planned parcel within the Habitat Conservation Plan area.
- On October 14, 2005 the Planning Commission granted Habitat Conservation Plan Permit HCP-1-05 for determination of compliance with the San Bruno Mountain HCP
- On October 14, 2005 the Planning Commission also granted Grading Permit EX-1-05 to lower the "building pad" by 3 ft, with 1800 cubic yards of excavation.
- On February 9, 2006 the Planning Commission approved Variance V-4-05-A, for a 30 ft high, 5,500 sq ft home to allow it to be located within the north side setback and to allow for construction on a ridgeline lot. The variance also modified the grading permit to allow for 2,600 cubic yards of grading and to allow the excavation to be 10 ft into the building pad.
- On July 27, 2006 the Planning Commission approved Variance V-1-06 for a revised home plan, which superseded V-4-05-A. Variance V-1-06 allowed the 25% lot coverage (ie: 4,244 sq ft) to be exceeded by approximately 566 ft. It also allowed the structure to be within the north side setback and the total approved floor area remained at the maximum allowed by district regulations of 5,500 sq ft. The height was reduced from the previous approval to approximately 27 ft. The maximum roof ridge would be 188.9 ft.

The current application would rely on some of the previous approvals as discussed below:

- The following permits remain in effect and are used with this design permit application: the Mitigated Negative Declaration and Mitigation Monitoring Program via Environmental Review ER-4-05 and Habitat Conservation Plan Permit HCP-1-05.
- Although the grading permit did not expire, since it is tied to the home design a new application is included at this time. The current application would reduce the previously proposed grading from 2,600 cubic yards to approximately 1,850 cubic yards. This

volume may be increased slightly to accommodate rain cisterns as discussed later in this report.

- Since Variance V-1-06 expired, a design permit is required, per code changes regarding ridgeline development which followed the Commission's granting of V-1-06, as detailed in this report. In brief, the current design permit application would reduce the size of the home from the previous approval so that no variances would be required for setbacks or for the home to be over the lot coverage. The maximum roof ridge is proposed at elevation 189.0, nearly the same as previously proposed, but with a smaller overall size in terms of lot coverage and floor area.

**Analysis and Findings:** To approve a Design Permit, the Planning Commission must make the findings required by Brisbane Municipal Code Sections 17.12.040.L.2 and 17.42.040. There are 10 applicable design permit findings which this application must meet for approval. They are outlined below along with the analysis/discussion for each.

There are currently no findings in the Municipal Code for the Commission's approval of the grading permit as required by BMC Sections 15.01.081 and 17.32.220. The grading permit application and design permit applications essentially go hand in hand. However, a revised grading ordinance is under consideration by City Council and these draft findings are addressed at the end of this section.

#### Design Permit Analysis and Findings:

The applicable design permit findings which this application must meet for approval are outlined below along with the analysis/discussion for each, as follows:

**Ridgeline Development:** "The planning commission shall find that the building's placement, height, bulk and landscaping will preserve those public views of the San Bruno Mountain State and County Park as seen from the community park and from the Bay Trail along the Brisbane Lagoon and Sierra Point shorelines that are found to be of community-wide value."

The proposal is consistent with this finding. The home would have Thomas Avenue as the street frontage and San Bruno Avenue as secondary frontage. It would include 2 stories on the down slope side, facing the San Francisco Bay, and 1 story on the upslope side. The maximum height of the proposed home at its roof peak as measured from grade would be 25 ft. As height is defined in the municipal code, the structure would measure approximately 27 ft (The lowest point 5 ft from the downslope edge of the house to the midline of the roof). This is well below the 35 ft maximum is allowed for this district. As viewed from Thomas Avenue the total elevation of the home to the roof peak would measure approximately 17 ft. The orientation results in a generally straight on view as seen from the Bay Trail, which serves to make less of the home visible than views from an oblique angle would. Also, although the home is large at approximately 5,110 sq ft it has been reduced from its previously proposed 5,500 sq ft, and is positioned on the site to minimize view impacts, consistent with the previously approved proposal. It is positioned as low in elevation on the property as allowed while maintaining the

required 20 ft rear setback for a butterfly corridor. Also, the basement level would be partially excavated into the hillside to help fit the house in with the topography.

As required by the design permit provisions, the applicant has had story poles installed and certified to represent the height and roof peak location at the corners and high points of the roofline. Staff subsequently conducted a photo analysis of the proposal from the Bay Trail along the Lagoon and Sierra Point shorelines (see attached). Note the required finding regarding ridgeline development also specifies the community park, but the site is not visible from this location.

The photo analysis included photos taken at 300 ft intervals along the Bay Trail for each of these two shorelines to determine at which points along the trails the site became visible and to what degree would the proposal impact views of the State and County Park beyond the site. As indicated on the attached aerial showing the photo locations, the site is visible along the southern half of the Brisbane Lagoon and along most of the Bay Trail along the northern edge of Sierra Point, except where hidden by vegetation. It is noteworthy however, that along both shorelines, but especially from the distances of the eastern end of Sierra Point, zoom lenses were necessary to conduct this analyses. Photos were taken using a micro four-thirds camera with lenses set at 15mm, 40mm and 150mm zoom. These are equivalent to a 35 mm camera using zoom lenses of 30mm, 80mm and 300mm. The comparison of the photos to the natural view shows that the natural view appears to be closest to the 15 mm lens. So the 40mm and especially the 150mm zoom, while useful in picking up details at these distances of approximately four-tenths to nine-tenths of a mile, provide a much more narrow and focused view of the site than is experienced with the naked eye.

The photo points are mapped by distance in feet from either the fishing pier at Sierra Point (S-300, S-600, etc.) or the fishing park at the Lagoon (L-300, L-600, etc.).

Results from the Lagoon photos show that the story poles become visible between approximately 600 and 1,500 and again 1,800 to 3,300 feet south of the fishing park. For most of these stretches of the trail along the Lagoon the home would not have any impact on views of the State and County Park, but rather portions of Central Brisbane or sky view are behind. The exception to this is the stretch from approximately 2,100 ft to 2,800 ft south of the fishing park, where the lands of the State and County Park (above the homes of Central Brisbane) lines up with the view corridor of the proposed home. So for the approximately 5,000 ft long Bay Trail along the eastern edge of the Lagoon (from Lagoon road to U.S. 101), the home would have a limited impact on the view corridor to the State and County Park as shown in the attached photos for approximately 700 ft. That is approximately 14 percent of this Bay Trail segment.

Results from the Sierra Point Bay Trail photos show that the story poles on the site are visible from the fishing pier, the views west of the pier for approximately 100 feet and are blocked behind Bay Trail vegetation until approximately the 600 ft mark, west of the pier. The site comes into view after that point and remains mostly visible, except for an occasional tree break, until the end of the paved section of the Bay Trail at 1,968 ft west of the pier. Soon after that point the view to the site is screened by vegetation and then blocked by the U.S. 101 freeway. Generally the angle at which these photos were taken does not vary as greatly as those taken from the

Lagoon, given the east-west orientation of this trail. For almost the entire length of this trail the proposed home would block views of the apartment building and portions of trees along Thomas Ridge and nearly imperceptible slivers of the State and County Park beyond the existing apartment building.

Along both shorelines the view impacts were not perceived as significant. In the case of the Lagoon the site would block a small portion of the State and County Park for a relatively small segment of the trail along the Lagoon area and that being across the Thomas Hill ridgeline that has already been developed. So at points where the parklands would be most visible across the Thomas Hill ridgeline these views have already been impacted by existing development, especially the apartment building along Thomas Avenue, directly across the street. Other existing development which has already impacted these view corridors includes the power transmission lines and radio facilities, which are located within the park.

In the case of view impacts along the Bay Trail at Sierra Point, the view angle places the existing apartment building squarely behind the proposed development. The most significant view would be at the point at the end of the paved trail at 1,800 ft from the fishing pier where the peak of the roofline would briefly come in line with the ridge behind. However, this view of the ridge is already impacted by the presence of trees and the power pole behind, so it currently is not a clear ridgeline view.

Given the long distances, the mix of existing development, and the relatively low profile of the proposed home on the lot, the view impacts to the State and County Park beyond the site would not be considered significant and the public views are substantially preserved. In summary, the building's placement, height, bulk and landscaping takes adequate measures to preserve the public views that remain along the subject view corridors.

General Plan Consistency: "The proposed development is consistent with the general plan and any applicable specific plan."

The proposal is consistent with the General Plan and there is no specific plan for this area of Brisbane. The General Plan land use designation for this site is for residential use.

The 1994 General Plan includes the following policies and programs regarding ridgeline development and view protection and grading:

Policy 83 Maintain the visual beauty of the Mountain, the ridgelines, hilltops, wildlife and plant habitat including the Brisbane Acres.

Policy 18 Respect the topography of the Mountain in design and construction.

Program 18a: In conjunction with land use development applications, encourage options that minimize grading and transformation of the landform and fit comfortably with the topography.

General Plan Policy 83 is implemented through the ridgeline ordinance, BMC Section 17.40.040.L. As discussed in the preceding finding, the State and County Park lands as well as the brief view corridor of the ridgeline, "Radio Ridge", are not currently in an open state and this project would not detract from the visual beauty of the mountain. Policy 18 and Program 18a call for minimizing grading and respecting the topography. This application seeks to find that balance of both minimizing grading and respecting and fitting comfortably with the topography stepping the home down the hill.

*Compatibility with Adjacent Development:* "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 proposal is consistent with this finding. The neighborhood includes a single family home adjacent to the site on the north side, at 88 Thomas Avenue. Similar to 8 Thomas Avenue, a variance was approved for 88 Thomas in 2011 for ridgeline development of a new single family home and conversion of the existing home into a secondary dwelling unit. Since this home is yet to be constructed and the home can not be seen at the site, an excerpt of the proposed plans is provided for reference. Four apartment buildings are located across the street on Thomas Avenue. Vacant parcels are located immediately to the east (downslope) and to the south across San Bruno Avenue.

The 88 Thomas Avenue site provides the best comparison with this site since it was also approved for ridgeline development and is the only adjacent development within the same zoning district. That proposal is of similar scale, with a 28 ft high, 4,270 sq ft main structure and a 998 sq ft existing home that would be converted to a secondary dwelling unit, on a 20, 841 sq ft lot.

Like 88 Thomas Avenue, 8 Thomas Avenue would be located as low on the hillside as possible while retaining the 20 ft habitat corridor in the rear setback (east side of these sites). Both would take advantage of the Bay views in their orientation. 88 Thomas Avenue has a modern architectural style, while 8 Thomas is a ranch style, with the linear elements of the windows providing a modern touch. The two designs would complement each other and 8 Thomas Avenue would add to the diversity of styles in Brisbane.

The proposal meets the specific development regulations regarding the size of the building (floor area, lot coverage and height) as well as placement (setbacks) for this zoning district. A summary of the proposal relative to the development regulations, BMC Section 17.10.040, is attached (Table 1).

Water conserving landscaping would be provided throughout the site, as shown by the conceptual landscape plan, and would soften the overall appearance of the building and the plantings will be required to be native within the habitat corridors. Permeable pavers would be used for the driveway to minimize stormwater runoff and rain cisterns are proposed at the corners of the house. Fencing is proposed to be an open pattern steel fence, which would allow butterflies to pass through. Conditions of approval are included to require that the rain cisterns be located underground so they are not visible and that the final details of the landscape plan, including the fencing, shall be subject to approval by the Community Development Director.

Articulation requirements are not applicable for this project under the development regulations, since the exterior walls are less than 20 feet in height. However, articulation of the building is of concern as it relates to how the building's architecture fits with the neighborhood and the proposal employs good articulation its design features.

The structure would have a hipped asphalt shingle roof with stucco exterior walls. The proposed colors are rust for the body of the stucco and dark brown doors and dark brown and white trim. Note that renderings of the proposed building are provided to give a sense of how the building and landscape concept would appear.

Potential Impacts on Adjacent Land Uses: "Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses."

The proposal is consistent with this finding. As indicated in the discussion on the previous finding the proposed building is appropriately situated on the site and the combination of the proposed setbacks and height being under the limit will maintain light and air to the adjacent land uses.

The primary potential impact on adjacent uses would be on the private views especially views from the lower apartment building windows immediately across Thomas Avenue. Also, views from private properties in Central Brisbane across Thomas Ridge to the Bay may be impacted. However, while the Municipal Code does address public views from the Lagoon and Sierra Point it does not address private views, since virtually any new development in a hillside urban setting such as Brisbane is likely to impact one or more private views from existing residents.

In addition, the proposed development in having a lowered height to address the views from the specified public trails, in turn helps to reduce the view impacts on existing residential uses in the neighborhood.

Natural Heating & Cooling: "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."

The proposal is consistent with this finding. The design includes appropriate placement of windows on all sides of the building and eaves. The windows will allow for natural light throughout the units, thereby adding comfort and reducing the need for daytime lighting. The eaves will provide shading of the windows in the summer months when the sun tends to be higher in the sky and then allow for more sun through the windows in the winter when the sun is lower in the sky, providing natural heating and cooling.

Minimizing Traffic Effects: "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 is consistent with this finding. The driveway is accessed from Thomas Avenue and more than the required parking would be provided on-site, with 7 spaces to be provided versus the required minimum of 4 spaces. A gate is proposed across the driveway, but the proposed driveway length is adequate to allow a car (or 2 cars side by side) to pull completely off the street while that gate is opened to access the parking courtyard. Also, 2 of the uncovered spaces would be provided on the street side to the east of the gate. So guests could park there without the need to pull through the gate into the parking court.

Appropriate Landscaping: “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 proposal is consistent with this finding. The proposed conceptual landscaping plan complements the building in that it is in scale with the site and tall tree species which would block views are not included. The landscaping is proposed using water conserving plants and low water use, drip irrigation. The proposed landscape also includes permeable pavers which would serve to minimize stormwater runoff. A condition of approval has also been recommended that runoff be directed away from the building to the landscaping, consistent with the California Water Board’s recommended best management practices. Three rain cisterns are proposed at the corners of the building to reduce water demand. A condition of approval has been recommended to locate these underground so they would not be visible.

Since the site is within the San Bruno Mountain Habitat Conservation Plan area the landscaping shall not be permitted to include either invasive or highly flammable plant species. TRA was also provided the proposed landscape for review with consistency with the HCP and had no comments. The final landscape plan will be subject to Community Development Director review as part of the building permit process.

Noise Measures: “The proposal takes reasonable measures to protect against external and internal noise.”

The proposal is consistent with this finding. Given the site’s potential for noise exposure from U.S. 101 and Bayshore Boulevard a mitigation measure has been included with the mitigated negative declaration to require that an acoustical analysis be conducted showing that the proposed design will limit exterior noise to 45 decibels in any habitable room. There are no other anticipated noise concerns.

Avoiding Glare: “Consideration has been given to avoiding off-site glare from lighting and reflective building materials.”



The proposal is consistent with this finding. A mitigation measure has been included with the mitigated negative declaration to require that that low level exterior lighting be directed away from adjacent properties and not upward into the night sky so as not to result in off-site impacts upon neighboring properties. Also the measure calls for exclusion of highly-reflective glass and other exterior building materials.

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

The proposal is consistent with this finding. PG&E meters and electrical boxes will be screened from view on the north side of the house and by landscaping, along the interior side setback. The trash enclosures would be located behind a retaining wall enclosure, adjacent to the driveway, and behind front yard landscaping.

Grading Permit Analysis and Findings:

As previously indicated there are currently no specific findings in the Municipal Code for the Commission's approval of the grading permit. The grading permit application and design permit applications have been seen as essentially going hand in hand. However, a revised grading ordinance, Ordinance No. 579, was introduced by City Council on September 16th and tentatively continued to late October. Although a decision may be reached on this project prior to Council's adoption of the ordinance, the draft findings are provided below for reference. Note also that following the Commission's approval of a design permit and excavation permit the applicant will be required to obtain the City Engineer's approval of a Grading Permit, which would address the technical aspects of the proposed grading work. Also, the required mitigation measures required that a licensed geotechnical professional oversee the project.

The draft grading permit findings are as follows:

Fitting with Topography and Context: "Will the proposed grading be designed to reflect or fit comfortably with the topography with the site context and natural topography?"

The proposed grading would fit with the topography and context in that the home is proposed to step down the hill and there is a balance between the proposed grading and the height of the structure (ie: view impacts in balance with grading impacts).

Retaining Walls: "Will the proposed grading be designed to ensure that retaining walls visible to the public are designed to be as visually unobtrusive as possible by means including but not limited to:

- ii. Ensuring walls are architecturally integrated with proposed or existing structures on the site:
- iii. Ensuring walls faces are decorative and treated with color, texture, architectural features, trelliswork or other means to visually break up the wall expanses;

- iv. Screening with water conserving, non-invasive landscaping that at maturity will soften and reduce the visible expanse of walls?"

The proposed grading would include an approximately 4 ft high wood retaining wall that would be visible to the public along the proposed Thomas Avenue sidewalk. The wood would by its nature break up its height and would blend well with the setting. Other walls are internal to the site and so they would be less visible and are generally 4 feet or less. Colors will be required to be approved by the Community Development Director, per proposed condition of approval no. 7.

Tree Removal During Grading: "Will the proposed grading be designed to minimize removal of:

- i. Existing street trees
- ii. Any California Bay Laurel, coast Live Oak or California Buckeye trees;
- iii. Three or more trees of any species on the same site having a circumference of at least 30 inches measured 24 inches above grade?"

The proposed grading would not include removal of existing street trees, protected or large trees.

Attachments:

- Draft Resolution with Findings and Conditions of Approval
- Table 1 Project Description
- Aerial of Site Vicinity
- Applicant's Statement
- Applicant's Plans
- Applicant's Colors & Materials Samples
- Photo Study
- Adjacent Site – Site Plan for 88 Thomas Ave
- Historical documents- HCP-1-05 Conditions, ER-1-05 Mitigation Measures and Mitigated Negative Declaration



draft  
**EXHIBIT A**

**Action Taken:** Conditionally approve Design Permit DP-1-13 and Grading Permit EX-1-13 per the staff memorandum with attachments, via adoption of Resolution DP-1-13/EX-1-13.

**Findings:**

- A. The building's placement, height, bulk and landscaping will preserve those public views of the San Bruno Mountain State and County Park as seen from the community park and from the Bay Trail along the Brisbane Lagoon and Sierra Point shorelines that are found to be of community-wide value.
- B. The proposed development is consistent with the General Plan, as detailed in the agenda report.
- C. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.
- D. 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.
- E. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses.
- F. 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.
- G. 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.
- H. 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.
- I. The proposal takes reasonable measures to protect against external and internal noise.
- J. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.
- K. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment.

**Conditions of Approval:**

Prior to issuance of a Building Permit:

1. An application including detailed building plans, application forms and fees shall be submitted to the City for issuance of a Building Permit. The building shall be required to comply with all applicable state codes and applicable City of Brisbane Municipal Code provisions for new construction.
2. The plans submitted for a Building Permit approval shall meet all of the zoning district development regulations, including no more than 4,244 sq ft of lot coverage (25% lot coverage). It also shall not exceed the heights shown in this design permit application (maximum roof ridge height of 189.0 ft) and shall not extend into any required setback area, including that 20 ft HCP setback required along the exterior side and rear setbacks for habitat corridors.
3. An encroachment permit shall be obtained prior to any work within the public right-of-way.
4. Grading, paving and drainage plans, including details for any widening of the street per Brisbane Municipal Code Sections 12.24.010 & 15.08.140, shall be submitted for approval by the City Engineer prior to the issuance of a building permit. Drainage shall comply with the National Pollutant Discharge Elimination System (NPDES) permit issued by the San Francisco Bay Regional Water Control Board. The property owner(s) shall be responsible for ongoing operation and maintenance of any permanent structural stormwater controls.
5. Within the limits of prolongation of the 8 Thomas Avenue property lines, the applicant shall submit plans with the Building Permit application to create new or upgrade existing curb, gutter and sidewalk on both San Bruno and Thomas Avenues to current City and ADA standards as required by the City Engineer.
6. The final detailed landscaping plans shall be submitted for approval by the Community Development Director and plans shall be consistent with the Water Conservation in Landscaping Ordinance (BMC Section 15.70). The final landscape plans shall include that portion between the lot and the sidewalk, within the public right-of-way (ROW), along San Bruno Avenue. All landscaping within the public right-of-way shall also be subject to the approval of the City Engineer.
7. The design and specifications on the fence, paving materials, retaining wall and other landscape materials shall be provided as part of the final landscape plan, for Community Development Director approval. The fence surrounding the property shall be steel, with a height not exceeding 6 ft, with an open pattern to allow butterfly migration through.

8. The design specifications for the interior courtyard shall be subject to review and approval by the Community Development Director. It shall not include trees or other objects that would extend beyond the height of the roofline at maturity.
9. The property owner shall enter into a standard landscape maintenance agreements with the City for landscaping within both the public right-of-way and within the property, to the satisfaction of the City Attorney.
10. The applicant shall comply with all applicable state and City stormwater requirements prior to issuance and during the performance of the building permit, including but not limited to the following:
  - a. Consistent with the state's C.3.i stormwater provisions (individual single family home projects that create and/or replace 2,500 square feet or more of impervious surface) and as indicated in the stormwater form completed by the applicant and as shown in the plans, the project will:
    - Direct roof runoff onto vegetated areas.
    - Direct runoff from walkways and/or patios onto vegetated areas.
    - Construct walkways and patios with permeable surfaces.
  - b. On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent using thermoplastic material or a plaque.
  - c. Air conditioning condensate shall drain to landscaping, or alternatively may be connected to the sanitary sewer system, subject approval by the City Engineer.
  - d. Any interior floor drains, shall be connected to the sanitary sewer system, subject to approval by the City Engineer.
  - e. Fire sprinkler test water shall be discharge to onsite vegetated areas, or, alternatively shall be discharged to the sanitary sewer system, subject to approval by the City Engineer.
  - f. No architectural copper shall be used for this project, except by prior Community Development Director approval to confirm that use and/or preparation of the materials is consistent with the state water board stormwater requirements and that the specific use of copper is consistent with the design permit.
10. Rain cisterns shall be located underground to eliminate their visual impacts.
11. Plans shall include sectional roll-up garage doors with automatic openers and with manual release mechanism.
12. Plans shall include automatic opener for the entry gate and the gate shall be located so that it does not prevent a standard sized vehicle from pulling completely off San Bruno Avenue (at

least 18 ft from the right-of-way). The gate plans shall be subject to review and approval by the Fire Dept. to ensure that emergency access will be maintained.

13. If solar panels are to be installed they shall be installed to be low profile to the roof and located so as to minimize view impacts, subject to Community Development Director approval. At his discretion, the Community Development Director may refer a solar installation to the Planning Commission as a design permit revision.
14. Prior to the issuance of a Building Permit and subject to the approval of the City Attorney, the property owner shall execute an agreement including a covenant running with the land and enforceable by the City whereby the owner waives the right to protest the inclusion of the property within an underground utility district.
15. Prior to issuance of a Building Permit the property owner shall execute a Declaration of Restrictions regarding the status of the interior courtyard.

During Construction:

16. Prior to commencing site activities a Site Activity Review permit shall be obtained from the County for work within the San Bruno Mountain HCP.
17. Prior to foundation construction, a surveyed plot plan and staking plan shall be submitted to the City Building and Planning Departments.
18. Grading shall not extend into the native landscape areas approved per the HCP Operating Program (beyond the east and south side of the originally proposed building footprint as described in the Initial Study and recommended for approval by the U.S. Fish & Wildlife Service).
19. The project shall comply with the stormwater Best Management Practices, as provided in the applicable state regulations and included in the applicant's stormwater checklist for Small Projects.
20. Any prehistoric Native American cultural resources found during the course of construction shall be conserved in accordance with State and Federal requirements (Appendix K of the State CEQA Guidelines).

Prior to Occupancy:

21. Prior to certificate of occupancy the applicant shall demonstrate conformance with all of the above design permit conditions of approval.
22. All landscaping shall be installed, including that proposed in the public right-of-way.
23. House numbers shall be affixed to the building at a location visible from the street and a size subject to approval by the Fire Dept.

24. Mail boxes shall be provided at a location and design subject to Community Development Director approval.

Other Conditions:

25. The conditions of approval for Habitat Conservation Plan Compliance HCP-1-05, approved on October 13, 2005, and the mitigation measures included in Environmental Review ER-1-05, approved on September 22, 2005, shall remain in effect.
26. The required garage parking spaces shall not be used or converted to any other use that would impair their basic use as parking for motor vehicles per Brisbane Municipal Code Section 17.34.020.A.
27. Minor modifications may be approved by the Community Development Director in conformance with all requirements of the Municipal Code.
28. The permittee agrees to indemnify, defend and hold the City and its officers, officials, boards, commissions, employees and volunteers harmless from and against any claim, action or proceeding brought by any third party to attack, set aside, modify or annul the approval, permit or other entitlement given to the applicant, or any of the proceedings, acts or determinations taken done or made prior to the granting of such approval, permit or entitlement.
29. This Design Permit shall expire two years from its effective date (at the end of the appeal period) if a Building Permit has not yet been issued for the approved project.



**Table 1**  
**Project Description**  
**8 Thomas Avenue**

<b>Site Description</b>		
General Plan Designation:	Residential: 0-2 dwelling units per acre	
Zoning:	R-BA Brisbane Acres Residential	
Lot Area:	16,978.7 sq. ft.	
Lot Dimensions:	Odd Shaped Lot (122 ft wide by 144 ft deep)	
Slope:	14% +/-	
Existing Development:	None – Vacant with utilities at the street.	
<b>Development Standards</b>		
	<b>Maximums</b>	<b>Proposed</b>
Density:	1 unit per 20,000 sq ft, except this lot established as a legal lot in 1970, via variance. Certificate of compliance granted in 1986.	1 unit (i.e.: 1 per 16,978 sq ft)
Lot Coverage:	25% (4,244 sq. ft.)	25% (4,242 sq. ft.)
Floor Area Ratio:	0.72, but not to exceed 5,500 sq ft	0.30 (5,110 sq. ft.)
Height	35 ft (except may be lowered for ridgeline lots via design permit)	27 ft
	<b>Minimums</b>	<b>Proposed</b>
<b>Building Setbacks--</b>		
Front - Thomas Ave.	10 ft	20 ft
Side – north (interior)	12 ft 3 in	15 ft
Side – south (San Bruno Ave.)	12 ft 3 in per BMC, 20 per HCP	25 ft
Rear - downslope side	10 ft per BMC, 20 per HCP	21 ft 3 in
<b>Setback Exceptions - Deck</b>		
Rear	May extend no closer than 5 ft from the rear lot line	11 ft, open structure to allow butterfly passage
Articulation for outside walls that are greater than 20 ft by 20 ft	NA- All exterior walls are less than 20 ft in height.	
Landscaping	HCP compliant/water conserving	HCP compliant/water conserving
Parking	4 total. A minimum of 2 garage spaces, plus 2 uncovered spaces which may be on or off-street 50% may be compact.	7 total, including 3 garage spaces plus 4 off street uncovered, 2 of which are outside the fenced enclosure. All are standard size or larger.



0 500 1,000 Feet

8 Thomas Avenue/Greater Brisbane Aerial

G.1-18



0 125 250 Feet

8 Thomas Avenue Vicinity Aerial

G-1-19

Ken Johnson, Senior Planner  
City of Brisbane, Ca.

RECEIVED  
JUN 27 2013  
Comm. Dev. Dept. Brisbane

Re: Design Review Application DP-1-13  
Single Family Residence  
8 Thomas Avenue

Response to initial Review of Application  
Design Permit Submittal Requirements:

1. This proposal is essentially the same house approved for this parcel in 2007, raising the lower floor two feet by reducing the height of each floor one foot. The roof-line has been simplified with uniform eave and ridge heights. Cement plaster walls are painted the color resembling the native grasses currently dominating the site. Landscaping is defined by the H.C.P., providing over 8,000 s.f. of butterfly habitat, a variety of drought-tolerant native shrubs and trees, a few non-invasive exotic plants, including the guarantee to maintain landscape vitality for seven years. Trees have been selected that will not exceed the ridge height of the house except from the down-hill yard where a few, in 30 years or so, may eclipse it. All are California natives providing bird and butterfly habitat, and positioned to mask the mass of the residence, provide contrasting colors, forms and shadows.

The topographic plan was prepared in 2004; apparently the leading edge of the ridge across the parcel has been reduced by approximately five feet, and a rough pad elevation exists at approximately 174.0 ft. The proposal, in order to meet the pre-set goal of a maximum ridge elevation of 187.0 ft., will cut the driveway to 172.0 feet, and the main floor elevation will be 174.2 ft., essentially the elevation everyone recognizes as the existing site elevation. To gain desired floor area, a lower floor is cut into the base of the site providing natural light, ventilation and drainage from the Eastern, downhill face of the structure.

Considering the proposed grading, this structure will exceed the original ridge elevation by only eight feet. Taller trees have been located sparsely at the very lowest elevations of the site. It is anticipated that the views across the site will be minimally impacted and greatly enhanced by the H.C.P.

The Project takes into account a strong Southern exposure, central courtyard, and modern energy conserving strategies to promote sustainable development and long-term affordability.

2. When the submittal is deemed complete, we will erect story-poles.
3. The Site Grading Plan is accurate.
4. Owner has clarified the color samples.

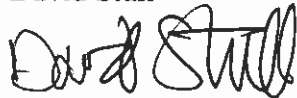
5. The Landscape Plan has been revised based on conversation with neighbors, no tall trees along the Southern yard, and each plant identified, as requested by staff.

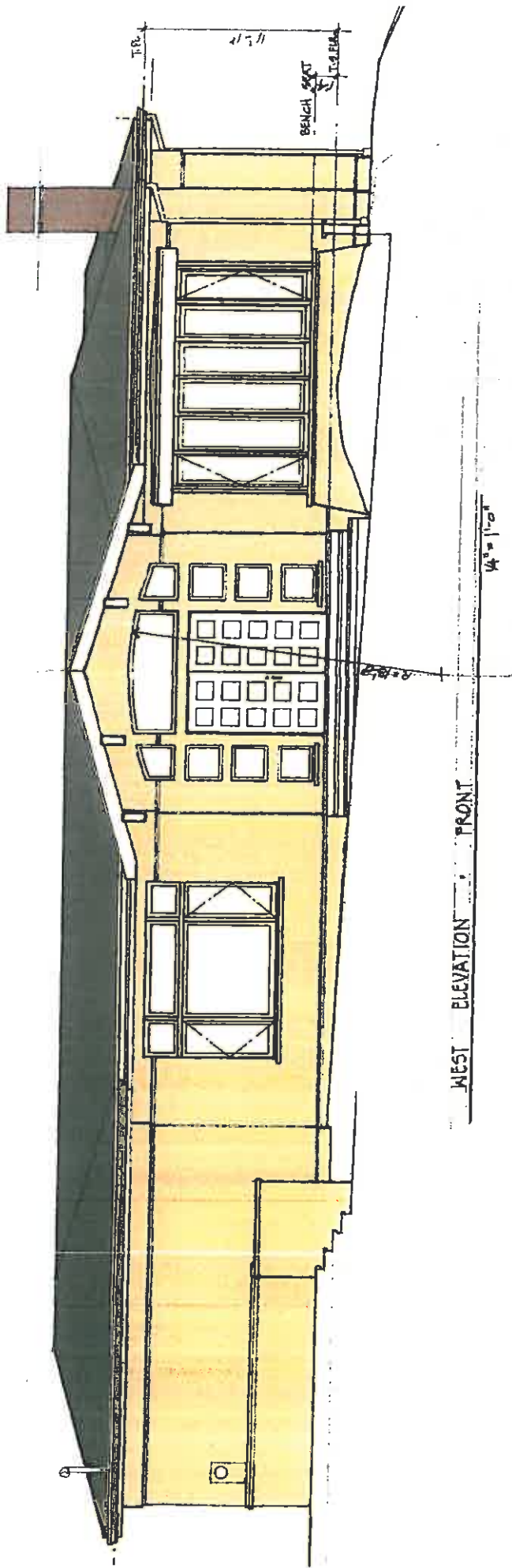
#### Development Regulations

6. Areas have been calculated according to City standards: lot coverage is less than 25%.
7. The Site Plan has been changed to meet current zoning.
8. The total floor area is less than the maximum of 5,500 sf.
9. It is acknowledged that the proposal includes dedication of property to the City for re-alignment and construction of concrete curb, gutter and sidewalk adjacent to the parcel along Thomas Avenue, through the intersection of San Bruno Avenue where wheel-chair access is to be constructed, and from where the remaining curb, gutter, and sidewalk along San Bruno Avenue will be built of asphalt cement.

If there are any further questions or greater explanations required, I will again do my best to answer them forthrightly.

Sincerely, David Stull

A handwritten signature in black ink that reads "David Stull". The signature is written in a cursive, somewhat stylized font.

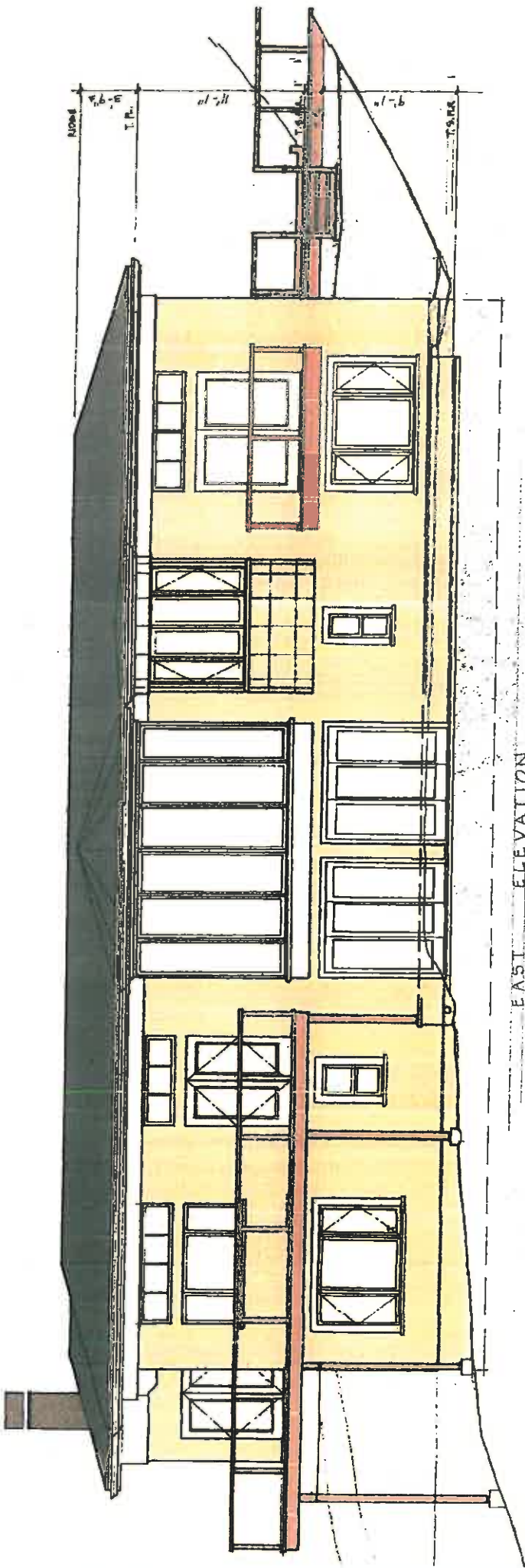


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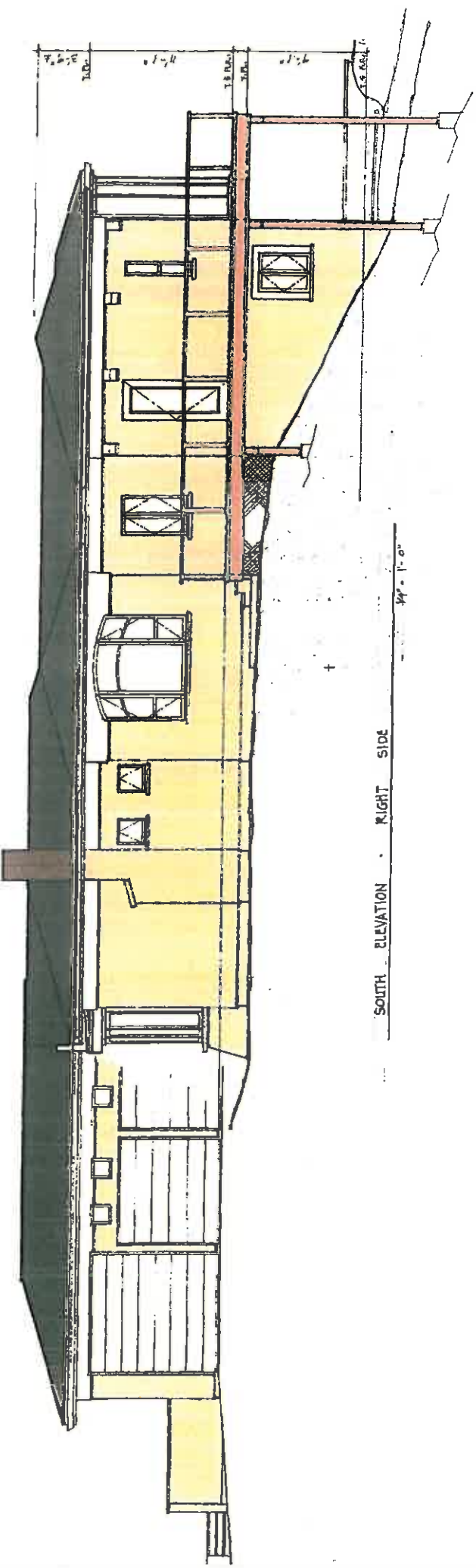
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Comm. Dev. Dept. Brisbane

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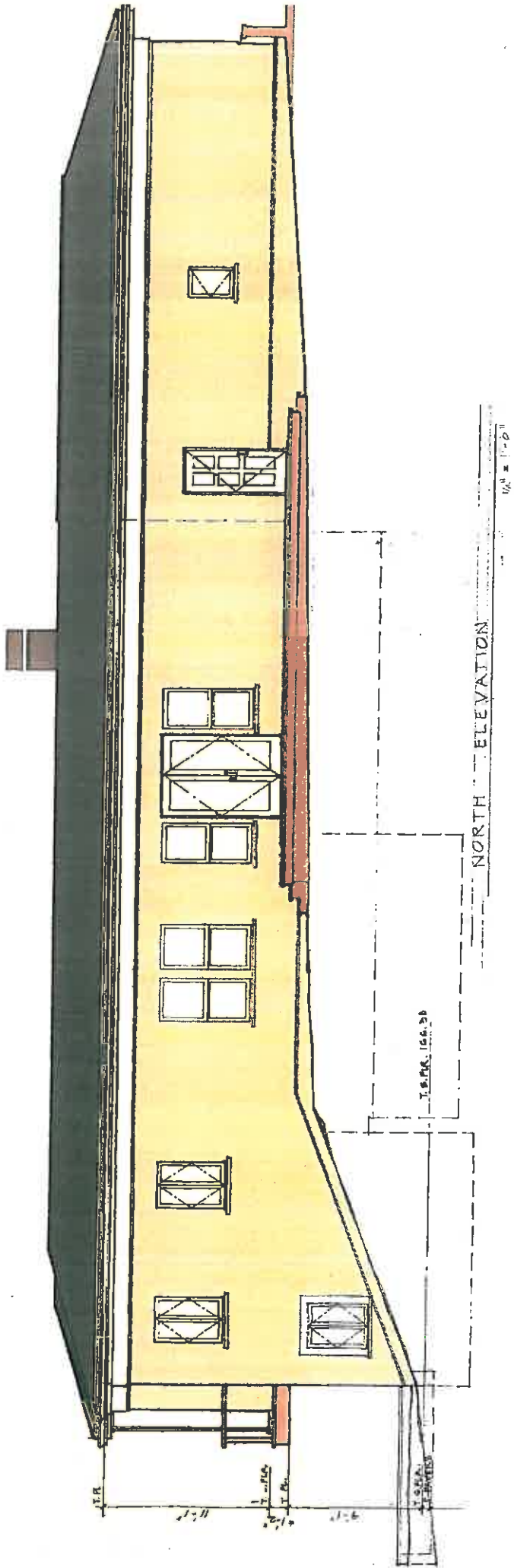
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Comm. Dev. Dept. Brisbane

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MAY 15 2013

Comm. Dev. Dept. Brisbane

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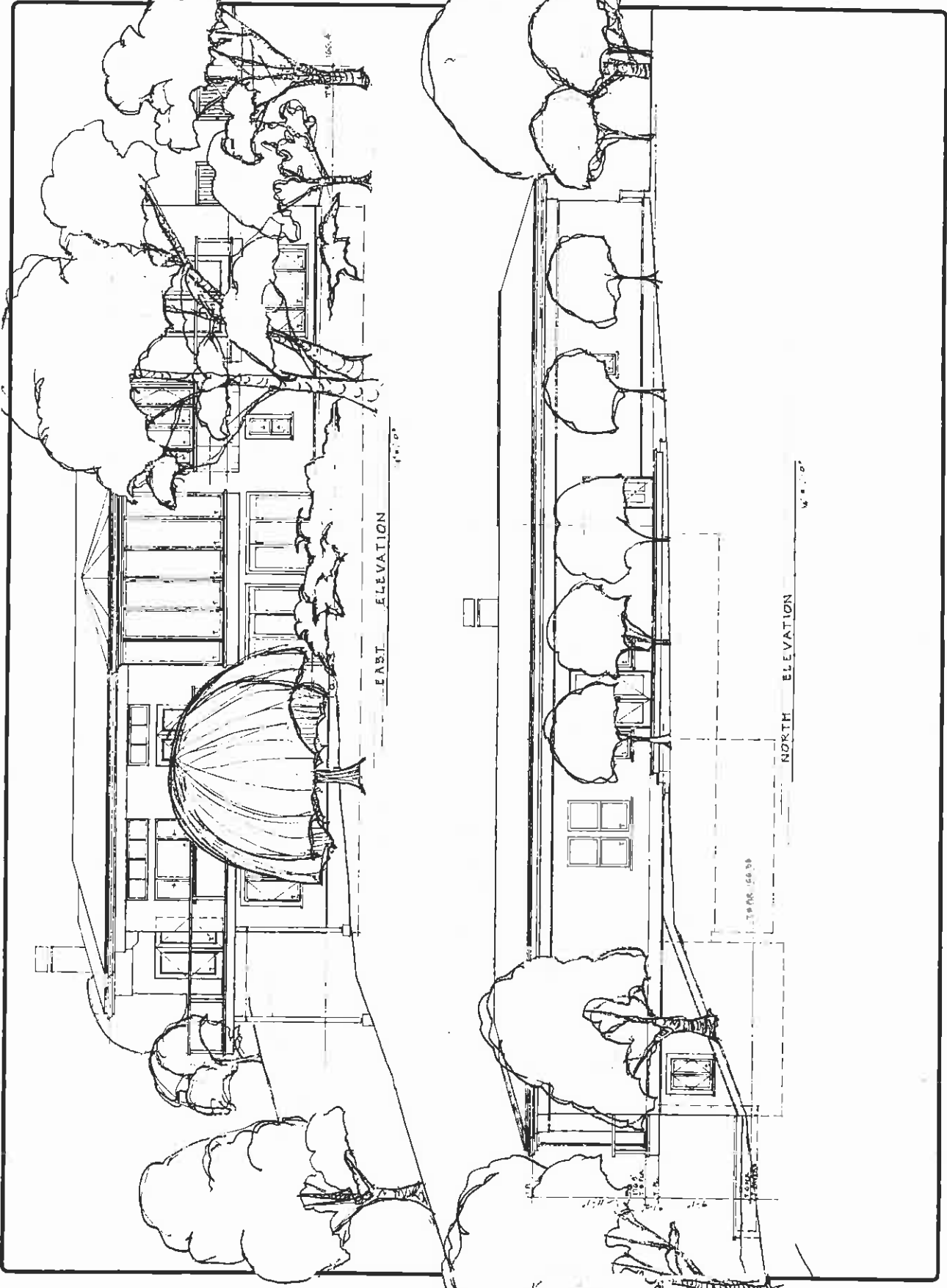
DATE	
REVISION	

PREPARED BY  
 David Snull  
 251 Shady Glen Road  
 Walnut Creek, CA 94596  
 ph 209-962-6826

Mabn Residence  
 8 Thomas Avenue  
 Brisbane, California

DATE	
REVISION	

SHEET  
**A-5**



EAST ELEVATION

NORTH ELEVATION

G-1.27



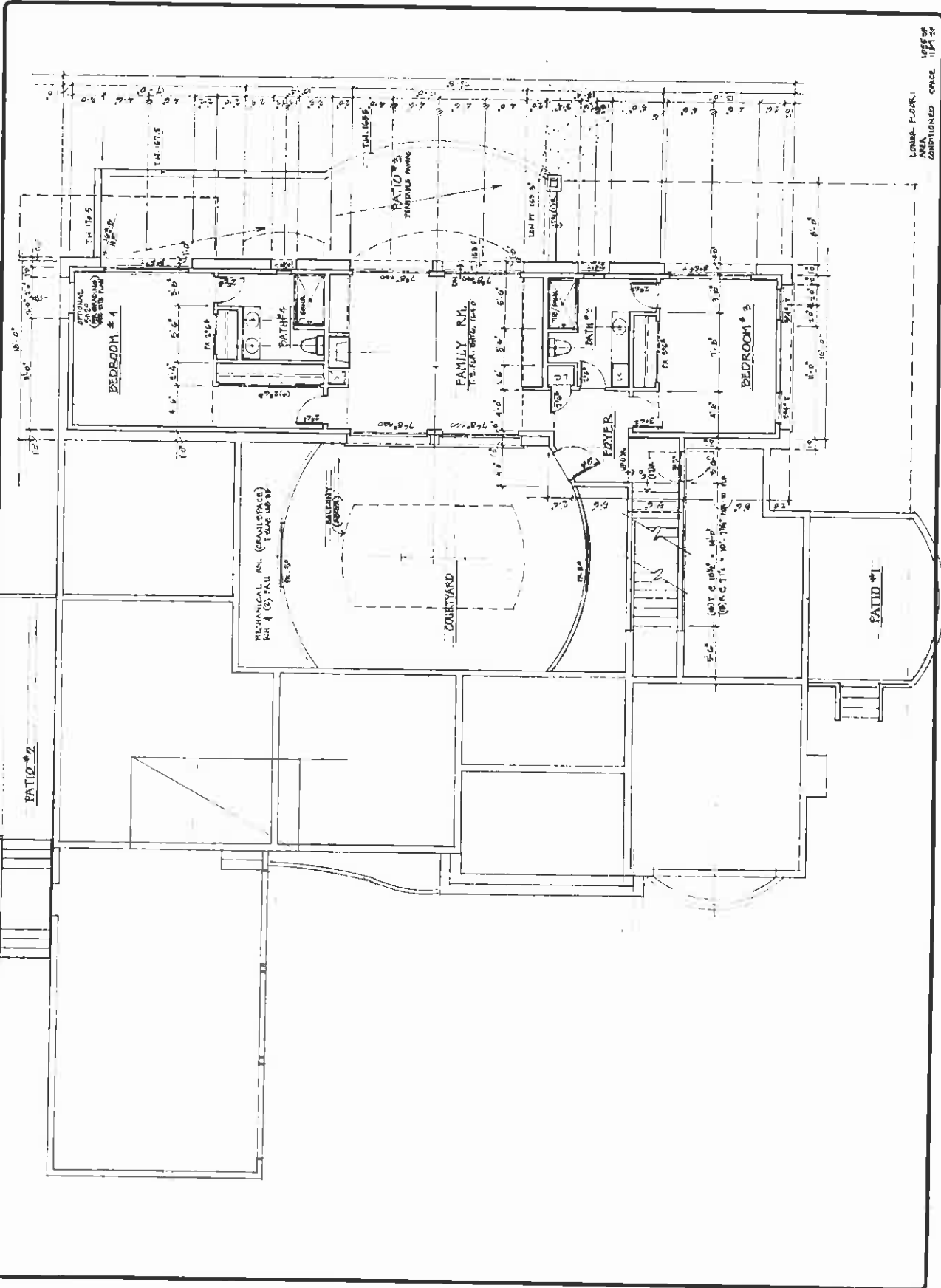


DATE	BY

PREPARED BY  
 David Still  
 251 Shady Glen Road  
 Walnut Creek, CA 94596  
 PH 925/932-8874  
**Quach Residence**  
**8 Thomas Avenue**  
**Brisbane, California**

DATE	BY

**A-3**



G.1.30



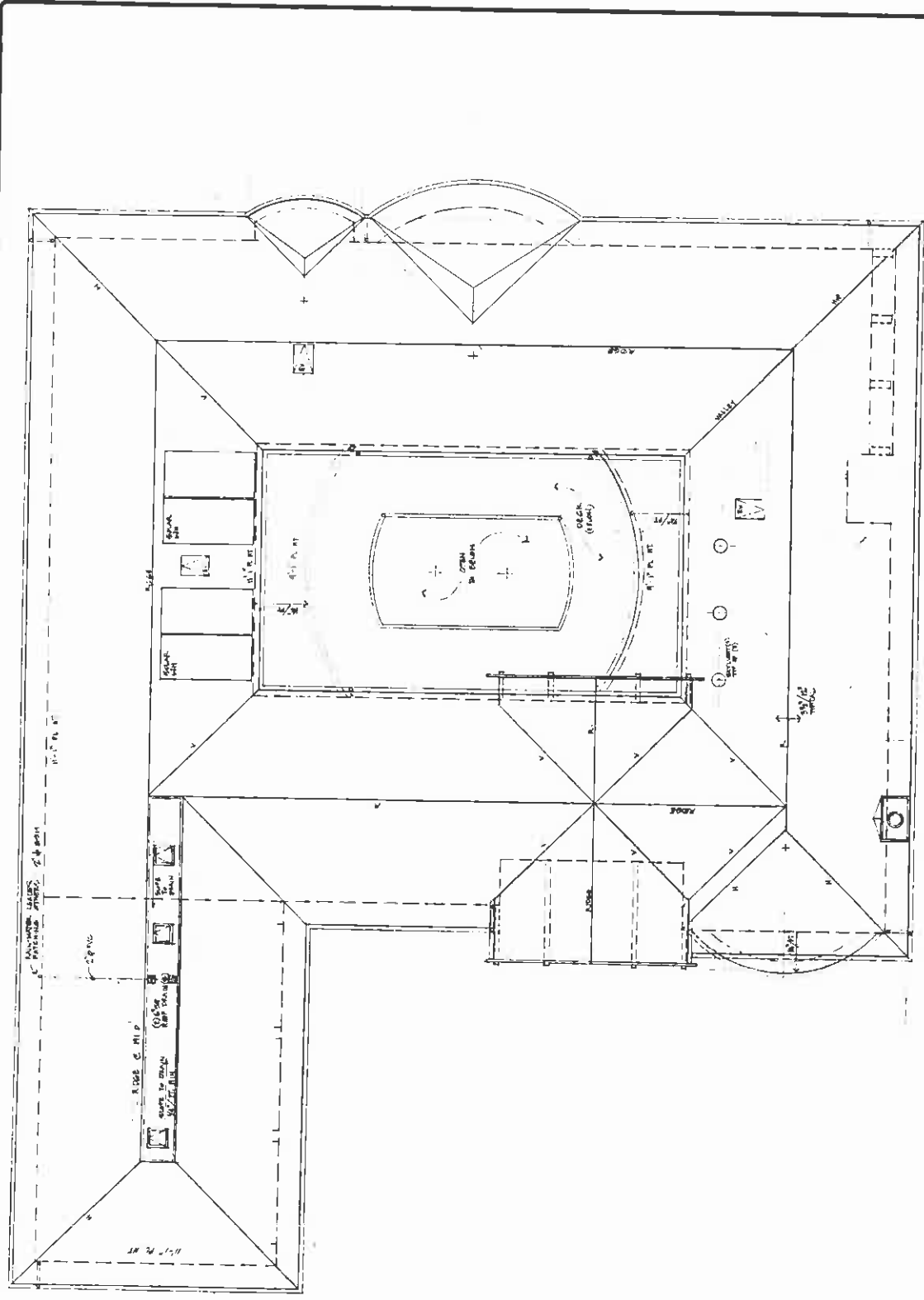




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3	1/1/78	AS SHOWN
4	1/1/78	AS SHOWN
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7	1/1/78	AS SHOWN
8	1/1/78	AS SHOWN
9	1/1/78	AS SHOWN
10	1/1/78	AS SHOWN

PREPARED BY: David Snell  
 251 Snell Glen Road  
 Walnut Creek, Ca 94596  
 Ph 209/962-6876  
 Quach Residence  
 8 Thomas Avenue  
 Brisbane, California

DATE	1/1/78
CHECKED	AS SHOWN
DESIGNED	AS SHOWN
SCALE	AS SHOWN
JOB NO.	AS SHOWN
<b>A-6</b>	

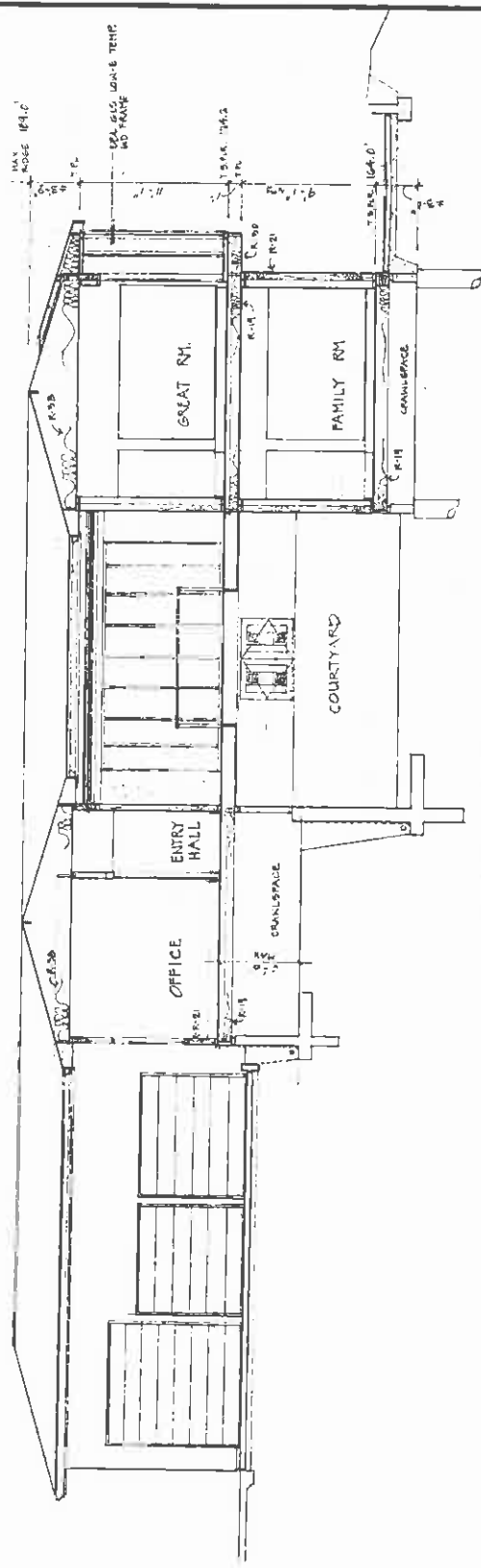


ROOT PLAN 1/4" = 1'-0"

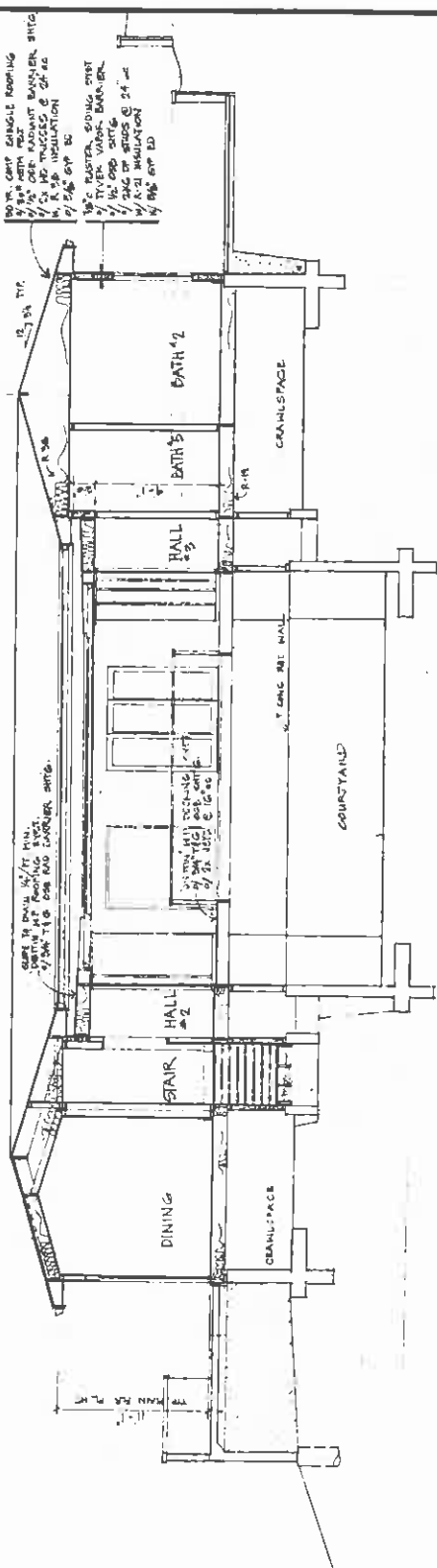
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DRAWN BY: David Stahl  
 251 Shady Glen Road  
 Walnut Creek, CA 94596  
 PHONE: 709-062-6726  
 PROJECT: 8 Thomas Avenue  
 Brisbane, California

DATE	NO.
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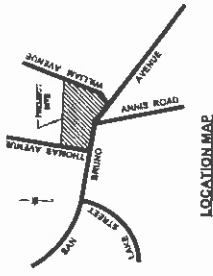


(A) BUILDING SECTION



(B) BUILDING SECTION





LOCATION MAP  
8/13

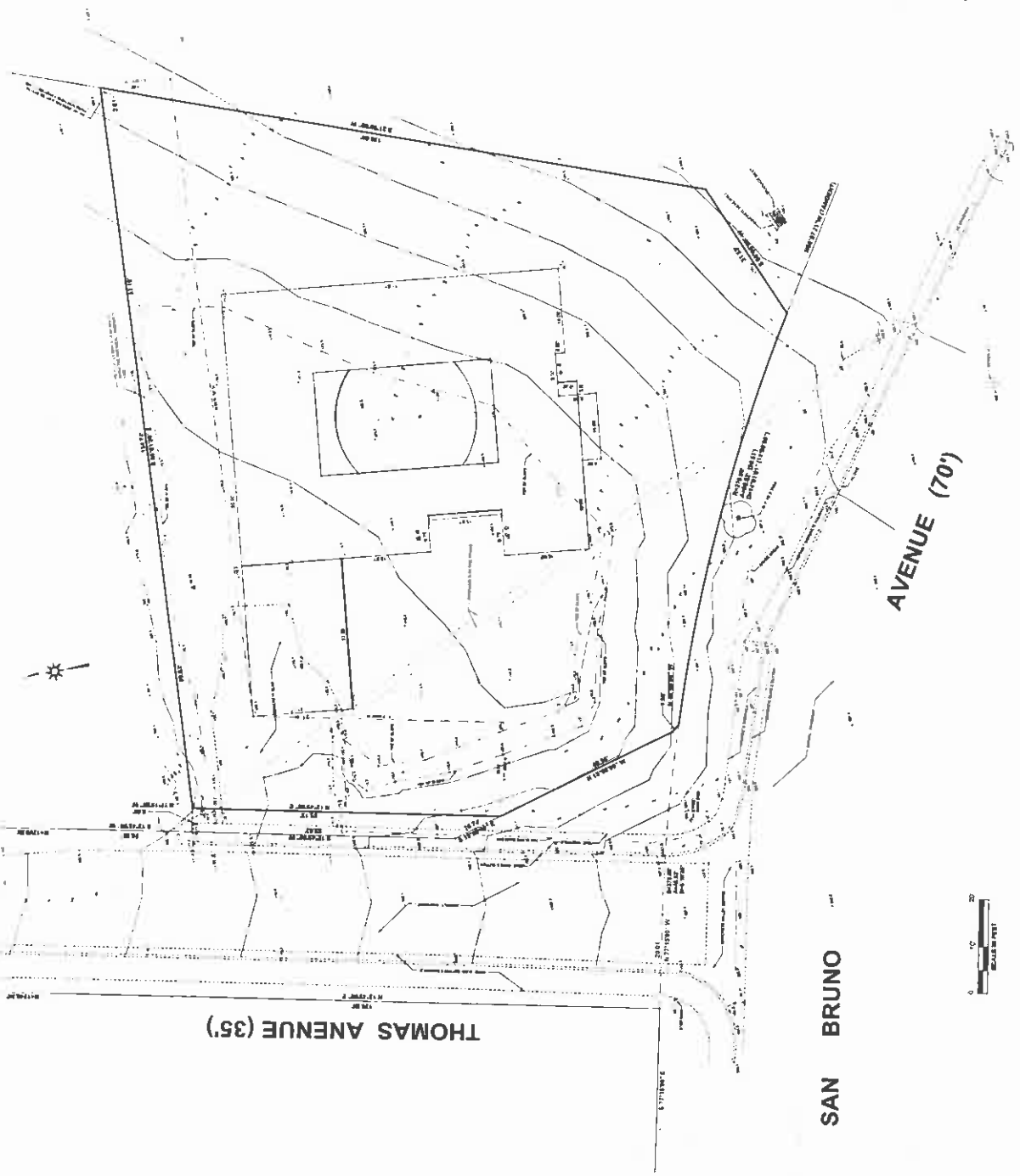
**LEGEND**

- PROPERTY BOUNDARY LINE
- CONTROL POINT
- EXISTING CONTOUR (1' INTERVAL)
- SPOT ELEVATIONS

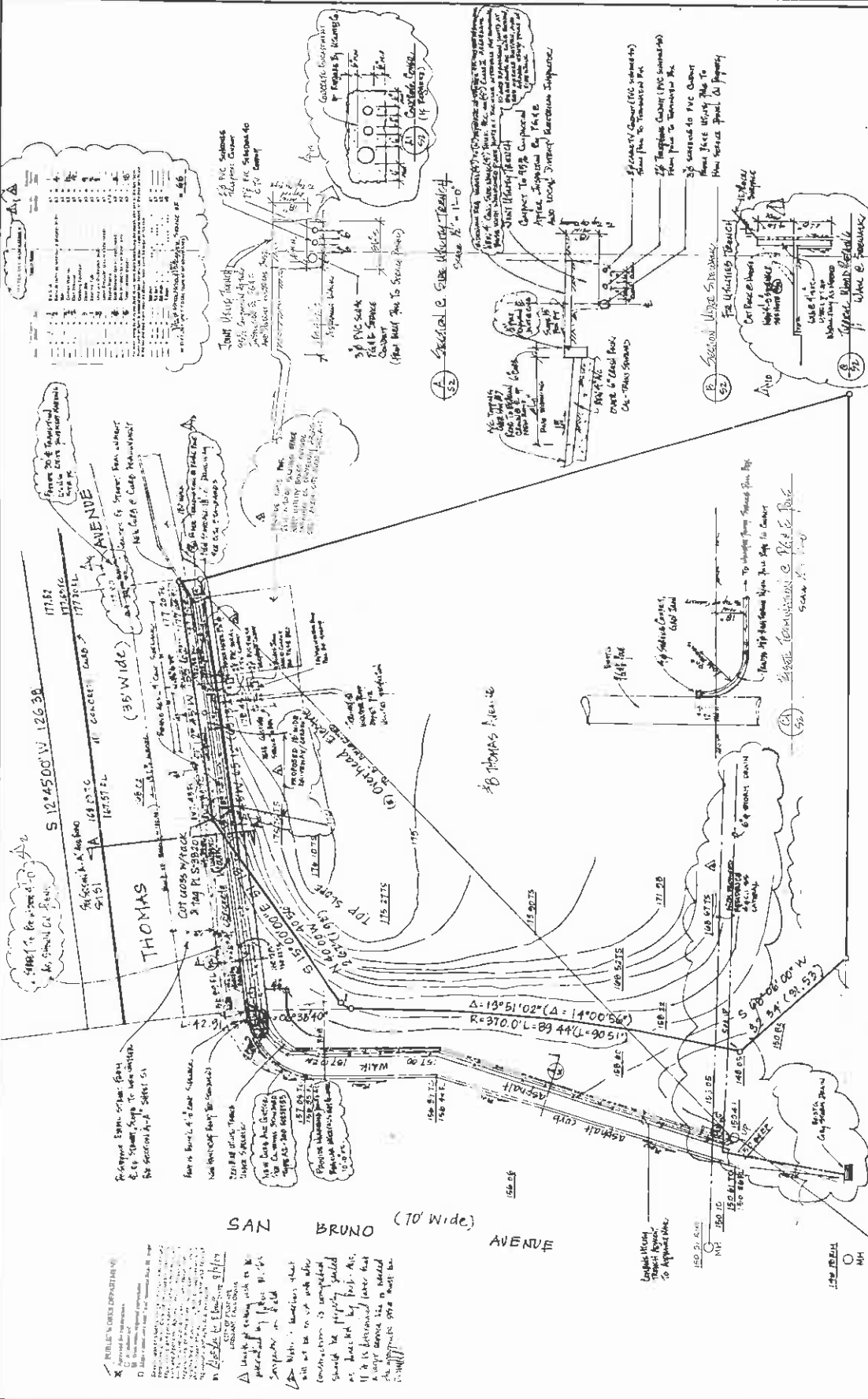
**NOTE**  
UNDERGROUND FACILITIES MAY EXIST. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. CALL U.S.A. (800) 331-2899 PRIOR TO ANY CONSTRUCTION.

**TOPOGRAPHIC SURVEY**  
LANDS OF QUACH AS DESCRIBED IN THE GRANT  
DEED DOCUMENT NUMBER 2013-054290, RECORDED  
APRIL 11, 2013, IN THE OFFICE OF THE COUNTY RECORDER  
OF SAN MATEO, CALIFORNIA  
800 ELMORE, P.O. BOX 2469  
SAN MATEO, CALIFORNIA 94401-2469  
PHONE (650) 474-4343

SHEET 1 OF 1



A.P.N. 067-350-240



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 JUL 11 2001  
 Planning Dept. - Planning Section

SITE PLAN  
 SCALE 1" = 20'

PUBLIC WORKS DEPARTMENT  
 1. All utility lines shown on this plan are assumed to be in accordance with the City of Brisbane's Utility Map. If you have any questions regarding the location of any utility lines, please contact the City of Brisbane's Public Works Department at (415) 231-2200.

2. The City of Brisbane is not responsible for the accuracy of the information provided on this plan. The user of this plan is responsible for verifying the accuracy of the information.

3. The City of Brisbane is not responsible for the accuracy of the information provided on this plan. The user of this plan is responsible for verifying the accuracy of the information.

4. The City of Brisbane is not responsible for the accuracy of the information provided on this plan. The user of this plan is responsible for verifying the accuracy of the information.

QUACH RESIDENCE  
8 Thomas Drive  
Brisbane, CA.

## MATERIAL BOARD

### **PAINT COLORS:**

Body: Kelly Moore  
KM5356-3  
Eye Of The Tiger L6-14 / 6-4

Trim: Kelly Moore  
KMW15-1  
Bumble Baby LL2-7

Entry Accent: Kelly Moore  
KM5725-2  
San Carlos Plaza LL6-7

### **ROOFING:**

Lifetime Composite Shingles GAF Lifetime Timberline Natural Shadow Hickory Shingles

### **EXTERIOR FINISH:**

Body: 7/8" Cement Plaster  
Light Dash Finish

Trim: Plaster over pre-coated foam shapes

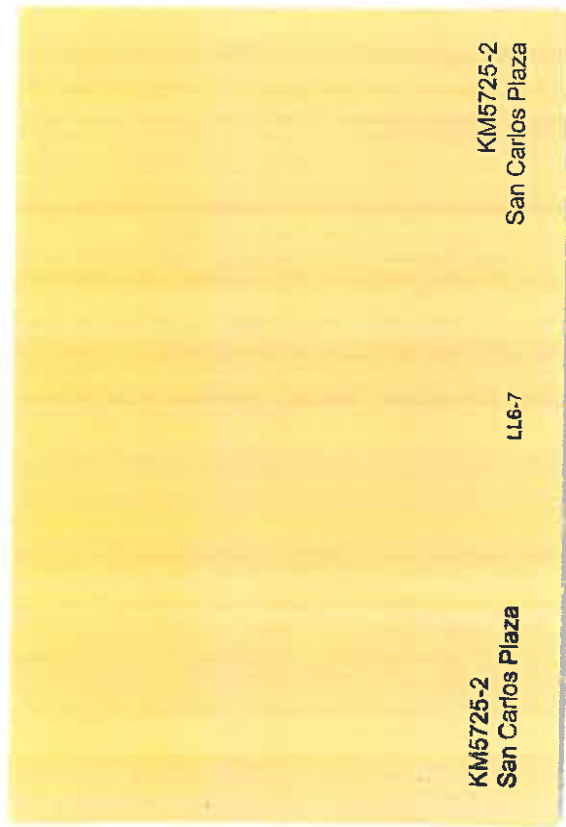
Driveway: Permeable concrete pavers

### **WINDOWS:**

Sash: Anderson, or equal  
Primed and Painted Wood

Glazing: Double-glazed low-E2  
Min. U = 0.39 Max, SHGC = 0.37

G.I. 39



KMW15-1  
Bumble Baby

LL2-7

KMW15-1  
Bumble Baby

