



STAFF REPORT

TO: PLANNING COMMISSION

PREPARED BY: *al* Albert Lopez, Deputy Director Community Development

GENERAL INFORMATION

APPLICANT: Paul Hansen

LOCATION: 910 Brown Street

PROPOSAL: Use Permit #06-16, Variance #06-29 and DR #06-31

Public hearing on a request for a Use Permit to allow a new single family residence to be 33 feet in height where the maximum height limit is 25 feet; a Variance to allow for a 5 foot and an 8 foot side yard setback where a minimum of 10 feet is required and Design Review for the construction of a new single-family residence.

GENERAL PLAN: Central Martinez Group Residential 2: 10-12 units/gross acre

ZONING: R-3.5 Multi-Family Residential (3,500 sq. ft. per dwelling unit)

ENVIRONMENTAL REVIEW: This project is categorically exempt ("CLASS 3 – New Construction of Small Structures") from the California Environmental Quality Act requirements for the preparation of environmental documents. No further environmental review is required by State law.

RECOMMENDATION

Approve Use Permit #06-16, Variance #06-29 and DR #06-31.

BACKGROUND

The subject site is an infill lot located on Brown Street, within a context of a well established neighborhood of similarly designed homes, most of them constructed in the 1920's and 30's. The proposed home of 2,058 square feet is being placed on a vacant

lot just under 5,000 square feet, with a 23% coverage factor. An original home had existed on the site since its original construction in the 20's, and was torn down in the mid 80's according to the applicant. There are existing floating utility easements at the rear and side property lines, and the current proposal respects those easements and leaves the possibility that the rear or side property lines may some day be needed for utilities. There is a possibility that the Central Sanitary District will pursue an easement with the property owner on the right side of the home. There are no trees or other significant vegetation on the area proposed for development.

The proposed home is a three story 33' foot (measured from garage driveway to roof peak) with the ground floor partially buried into the existing grade. Significant excavation will have to occur to create the ground floor concrete garage slab that also serves as the foundation. The garage and storage on the ground floor is not calculated into the overall square footage of the home of 2,058 square feet. The home is served with a two car tandem garage, setback from the street the standard 20'. The project is a three bedroom, two and ½ bath home, with a stucco exterior designed in a "Tudor" or "Storybook" style with enhanced eave, window and balcony details.

ZONING COMPLIANCE

The table below provides the code requirements applicable to the proposed new residence on this lot. A "✓" in the table indicates conformance.

| CRITERIA | MINIMUM REQUIRED OR (MAXIMUM ALLOWED) | EXISTING | PROPOSED | CONFORMITY |
|--------------------|---------------------------------------|----------|---------------------------|------------------------------|
| Building height | 25' MAX | Vacant | 33' | Use Permit Req'd |
| Front yard setback | 20 feet | Vacant | 20 feet | ✓ |
| Side yards | 10 feet | Vacant | 5' on right 8' on left | Variance Req'd in both cases |
| Rear yard | 25 feet | Vacant | 25'+ | ✓ |
| Parking | Two spaces (one covered) | Vacant | 2 spaces covered (tandem) | ✓ |
| Site Coverage | 40% | Vacant | 23% | ✓ |

DISCUSSION

Design Review

The proposal was reviewed several times at the Design Review Committee (6), and a

consensus was tentatively reached that this project had achieved a sufficient level of design detail to warrant an approval. The DRC generally supported the proposal but believed the plans were not well prepared for a complete review. The repeated submittals by the applicant to the DRC corrected errors in the plans, yet some items were still being discussed such as the left side elevation (long roof line) that the DRC believed was inconsistent with the architectural style of the home. The landscaping proposed is minimal with turf, small trees and shrubs. In the end, when considering all their comments together, it appears the DRC was sufficiently satisfied that the applicant had achieved the architectural style consistent with the neighborhood, and that further review was not warranted. In addition, the DRC was supportive of a height exception if it achieved a higher design goal of fitting in with the existing homes in the neighborhood (many of them are "Tudor" or "Storybook" styles with steeply pitched roofs – see pictures).

Although some detail is still lacking staff concurs with the DRC in that the home is reasonable for the neighborhood, and that sufficient design intent is shown in the drawings to render a decision on the variances and use permit. The conditions of approval will require additional details be shown prior to submission for a building permit, including window specifications from the manufacturer and a window detail. Additional conditions placed on the project by the City Engineering department will ensure adequate drainage, retaining wall design, and soil stability prior to issuance of a building permit.

Use Permit

As required by the zoning code, the Planning Commission may grant use permits for exceeding the 25' height limit. In this case the home sits on a lot elevated 5-10 feet from the adjacent sidewalk and street, and requires significant excavation to serve the home with a driveway. Like many other homes in the neighborhood, this configuration is common on the south side of the street, and many of the homes adjacent to the project appear to exceed the 25' height limit. With this in mind, it is not unreasonable to approve an infill project with additional height, given that other elements of the home design strive to be contextual and complimentary to the existing neighborhood. In addition, the home style proposed requires a height exception since the roof pitch is very steep, as are many of the homes in the area (see pictures). With no view issues identified, and no additional adverse impacts created by the height exception, the Planning Commission can make findings for granting the use permit, which will be presented in a draft resolution.

Variances

The applicant is also requesting variances on both side yards, proposing five feet and eight feet on the right and left sides, respectively, where 10 feet on both sides would normally be required for a two story structure. A bump-out on the second floor reduces the sideyard even further to 6' for only a portion of that floor. Given the lot width of 47', complying with the zoning standard would leave a 27' building width, which could limit

the development potential of the lot. When compared to other two-story homes in the neighborhood, many of them appear to have 5-10' setbacks on the sides, and in some cases are even closer together. Generally, the sideyards proposed by the applicant appear to be consistent with the pattern in the neighborhood, and the variance seems reasonable in that light. They are not requesting a special privilege, but only seek parity with other adjacent properties in the same zoning district. This condition sets the foundation for making the variance findings, which will be presented in a draft resolution.

In summary, this project has been reviewed several times by staff and the DRC, and warrants a recommendation for approval. As an advisory committee, the DRC requested complete drawings from the applicant several times, so they could give the project their full support. Although some detail is still lacking staff believes the home design is reasonable for the neighborhood, and that sufficient design intent is shown in the drawings to render a decision on the variances and use permit.

The staff recommendation is to approve the project, and if the Planning Commission concurs, a resolution will be presented at a subsequent meeting to effectuate that decision.

ATTACHMENTS

Plan Set
Site Photos
Design Review Committee Comments
Draft Conditions of Approval

F:\Community Development\All Projects\RESIDENTIAL\Brown St, 910 - Hansen Residence\Hansen - PC Report 09-11-07.doc

Site Location - 910 Brown Street





#3



#4





CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: HANSEN PROPERTY DATE: 8/8/07

REVIEW COMMENTS:
• NOTE THAT SETBACK DIMENSIONS ON SITE PLAN ARE FROM PROPERTY LINE TO FOUNDATION WALLS AND THAT THE HOUSE CANTILEVERS OUT ON THREE SIDES ~~AND~~ BEYOND FOUNDATION WALLS. WHEN REVIEWING FOR SETBACK VIOLANCES PLEASE BE AWARE THAT ~~IT~~ IT IS ACTUALLY 3'-0" ~~±~~ ~~PROJ.~~ LINE TO HOUSE NOT 5'-0" AS NOTED. ~~PLEASE~~ CORRECT THIS TO SHOW SETBACK TO HOUSE OR MOVE HOUSE & SHOW SETBACK TO HOUSE -

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

SHOW GRADE & BUILDING - CANTILEVERS ON ELEVATIONS.

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER
Alper Turkin



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: Hansen Residence

DATE: 8/7/07

REVIEW COMMENTS:

This project has been drafted, not designed.

I think the builed concept which the applicant has verbally expressed may be acceptable, but it hasn't been properly shown.

I would support the height variance

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1.

2.

3.

4.

5.

COMMITTEE MEMBER

Brian Kieran



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: 910 BROWN ST. / PAUL HANSEN PROP. DATE: 8.8.07

REVIEW COMMENTS:

1) RECOMMEND CLARIFYING EXTENT OF EXTERIOR WALLS ALONG SOUTH SIDE & REAR OF BUILDING TO ESTABLISH ACTUAL SIDE YARD AND REAR SET-BACK REQUIREMENTS FOR SUBMISSION TO THE PLANNING COMMISSION FOR VARIANCE.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1. NO FURTHER COMMENTS
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER

Jim Passalunghi SE.



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: *Hansen Residence*

DATE: *7/11/07*

REVIEW COMMENTS:

See notes from 3/14/07

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER

Brian Kilian



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: PAUL HANSEN PROPERTIES / 910 BROWN ST. DATE: 7/11/07

REVIEW COMMENTS:

- CORRECT STOOP SIZE AT BACK SLIDER
- CORRECT BALCONY ELEVATION TO MATCH PLAN VIEW
- CHECK RAIL HEIGHT AT CONTIGUOUS AT SECOND FLOOR EXTENSION SO RAIL LINE IS DRAWN ACCURATELY
- CORRECT RETAINING WALL BACK FILL ELEVATIONS TO MATCH EXISTING CONDITIONS

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1. CORRECT BALCONY AT FRONT ELEVATION FOR RADIUS CONDITI
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

| | | | | |
|--|--|--------------|--|----------------|
| PROJECT: | <i>Armen Property</i> | 910 Brown St | DATE: | <i>7/11/07</i> |
| REVIEW COMMENTS: | <p><i>Plans as drawn are still ambiguous. Grade lines, retaining walls, details -- Details</i></p> <p><i>Front yard steps? Back stoop? Porch?</i></p> <p><i>New roof line on left? Dutch Hip? I support</i></p> <p><i>variances for height & set-backs.</i></p> <p><i>But... I love the house! Thanks for your patience!</i></p> | | | |
| DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? | | | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing: | | | | |
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |

COMMITTEE MEMBER
[Signature]



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT:

HANSEN RESIDENCE

DATE:

7/11/07

REVIEW COMMENTS:

can look @ comments from
previous DRC comments. ~~work~~
@ NPA. correct plans and list
how comments were addressed.
I support variances but would like
to see project back

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: HANSEN

DATE: 7/16/07

REVIEW COMMENTS:

PLEASE REFER TO OUR EARLIER COMMENTS &
SHOW ACCURATELY ALL INFORMATION.

SHOW ACCURATE GRADE/TOPO LINES. SHOW

& CALL OUT DETAILING FOR WINDOW TRIM,

TRIM, RAILINGS, ETC. IF YOU INTEND ON

BUILDING IT YOU NEED TO ACCURATELY

REPRESENT IT IN YOUR DRAWINGS!!! SHOW

ME THAT YOU REALLY HAVE THOUGHT THROUGH ALL

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

OFF THE ELEMENTS OF YOUR DESIGN! YES

NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1.

2.

3.

4.

5.

COMMITTEE MEMBER



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: HANSEN RESIDENCE

DATE: 3/14/2007

REVIEW COMMENTS:

REVISIONS TO PLANS FROM PREVIOUS SUBMITTAL WERE IN THE RIGHT DIRECTION. REVISE PLANS PER FOLLOWING COMMENTS:

- CORRECT SITE PLAN TO SHOW CORRECT DRAINAGE, CORRECT SIZE OF RETAINING WALL, STEPS TO BACKYARD
- REVISE BASEMENT PLAN TO BE CONSISTENT WITH UPPER FLOOR.
- REVISE ELEVATIONS TO BE CONSISTENT WITH ARCHITECTURE CORRECT BALCONY ON SECOND FLOOR, SHOW DETAIL OF RETAINING WALL AND MATERIALS.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1.

2.

3.

4.

5.

COMMITTEE MEMBER



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: Hansen - Brown St.

DATE: 3/

REVIEW COMMENTS: Much improved over previous submission.
We need to see more accurate and refined drawings. I'm not clear on your intentions for the second floor balcony. Consider more windows on back of house. Upgrade color board. Right-side elevation roof-line need refinement. Long Driveway might need a second look.

I'd support both a use permit for height and a variance for set-back.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1. Show in greater detail grade plans and drainage.
2. Show window trim. Surface treatment on retaining walls, side yard walkways. Gate?
- 3.
- 4.
- 5.

COMMITTEE MEMBER



**CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM**

PROJECT: HANSEN RES.

DATE: 3/14/07

REVIEW COMMENTS:

DWGS SHOW IMPROVEMENT. I THINK 10:12 ROOF PITCH IS GOOD & I SUPPORT GOING OVER MAX. HT. THINK THROUGH THE FRONT YARD / RETAINING WALLS / REAR YARD ACCESS ISSUES IT DOESN'T SEEM TO WORK WELL YET. THINK ABOUT POPPING OUT GARAGE WALLS TO MATCH UPPER FLOORS TO IMPROVE GARAGE. IMPROVE THE BED/CLO./LUNARY POP OUT SO IT HELPS THE GROUND ELEVATION(S) & HOPEFULLY TIE THE HOUSE TOGETHER BETTER. CONSIDER DOING A MORE DELICATE & TUDOR-LIKE WINDOW TRIM VS STUCCO OVER FOAM. Please

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

FIX balcony so it is consistent in DWGS.

Please coordinate & show all info accurately in the DWGS.

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER

E. TOMLIN



**CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM**

PROJECT: Hansen Residence

DATE: 3/14/07

REVIEW COMMENTS:

Address grading/drainage and retaining walls. Make sure they all work and all sheets are coordinated. Show exact location of fencing with gates, and all walkways.

Clean up architectural elevations, modify roof forms, show window treatment. Modify balcony on front elevation. Rerun landscape to work with front elevation, show proper plants for screening, foundation planting etc.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

Pay attention to grades. Address square in front stairwell.

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER

Brian Killian



CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: Paul Hansen

DATE: 9/27/06

REVIEW COMMENTS:

Clean up drafting - make changes to grading plan to address retaining walls, driveway approach, fencing. Show top/fencing details.

Modify elevations to achieve a comprehensive design. show details on w.t. ratings, lighting, windows.

Resubmit landscape plan per min. industry standards show what client will install.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER

Bnan Kiani



CITY OF MARTINEZ
 DESIGN REVIEW COMMITTEE
 COMMENT FORM

PROJECT: PAUC HANSEN PROPERTIES. DATE: 9/27/2006

REVIEW COMMENTS:
CONSIDER REVISING DRAWINGS AS FOLLOWS:

- CORRECT SITE PLAN TO SHOW CORRECT LOCATION OF RETAINING WALLS, GRADINGS, ACCESS TO BACKYARD
- CORRECT SECTION DRAWINGS & ELEVATIONS TO SHOW CORRECT BLOS. HT.
- REVISE ELEVATIONS TO BE MORE CONSISTENT W/ TUDOR STYLE. SEE PLAN (SIDE ELEVATIONS NEED WORK)

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

FAA: 925-229-8809

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER



CITY OF MARTINEZ
 DESIGN REVIEW COMMITTEE
 COMMENT FORM

PROJECT: HANSEN RES.

DATE: 9/10/04

REVIEW COMMENTS:

PLEASE COORDINATE GRADING PLAN, LANDSCAPE PLAN & ELEVATIONS & SHOW ACCURATE RETAINING WALLS & SITE INFORMATION. LOOK AT ARCHES OVER DOORS, WINDOWS & TRY TO IMPROVE, SHOW ACTUAL MANUFACTURER INFO. SHOW WINDOW & DOOR TRIMS - CONSISTENTLY @ ALL ELEVATIONS. I THINK YOU ARE CLOSER TO GETTING TO YOUR GOAL OF CREATING A VINTAGE LOOK WITH THIS HOUSE ... IT JUST NEEDS MORE REFINEMENT, ETC.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES
 NO

FAX (510) 658-2885
 email etc@tumlinarch.com

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER

Bileen Tumlin



**CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM**

PROJECT: PAUL HANSEN PROPERTIES DATE: 9/13/2006

REVIEW COMMENTS:
CONSIDER THE FOLLOWING REVISIONS TO DESIGN:

- RELOOK @ STYLE OF HOME (CURRENT DESIGN IS NOT CONSISTENT W/ ONE STYLE) I WOULD SUPPORT A HEIGHT VARIANCE IF IT HELPS WITH DESIGNING IN STYLE SIMILAR TO NEIGHBORHOOD (I.E. TUDOR)

- CORRECT SECTION / BASEMENT PLAN TO SHOW CORRECT LOCATION OF RETAINING WALL.
- CONSISTENT W/ MATERIALS (ENOUGH IRON NAILS. IS ROOF NAILS)

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER



**CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM**

PROJECT: Paul Hansen House 910 Brown DATE: 9/13/06

REVIEW COMMENTS:

Front design seems inconsistent and confusing.
Details - railings, shutters, some proportions seem completely unrelated to each other.

Clean up plans to more accurately show intentions
Basement retaining walls etc.

Need a landscape plan! *[Signature]*

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER



CITY OF MARTINEZ
 DESIGN REVIEW COMMITTEE
 COMMENT FORM

PROJECT: 910 BROWN COT. / PAUL HANSEN DATE: 9/13/04

REVIEW COMMENTS:
 THIS HOME DESIGN IS TOO ECLECTIC. (LEAVE DETAILS, SHUTTERS, ARCHES, ETC.) IDEALLY, THE NEW HOME WOULD MIRROR OR REFLECT THE "TUDOR" STYLE ELEMENTS OF THE NEIGHBORING HOMES. ONE OF THE ELEMENTS THAT IS SO STRONG IN THE NEIGHBORING TUDOR HOMES IS THE STEEP ROOF PITCH. IF THE DESIGN OF THIS HOUSE WERE TO GO IN THAT DIRECTION (IF DONE WELL) I WOULD SUPPORT A HEIGHT INCREASE/VARIANCE. AT THE VERY LEAST THE DESIGN NEEDS TO BE REFINED & DETAILS NEED TO BE WELL THOUGHT OUT. ALSO MAKE SURE DRAWINGS ARE ACCURATE

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? YES NO

I NEED TO SEE A PROPER LANDSCAPE PLAN.

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER
 ELLEN TUMLIN

LAURA AUSTIN - Re: DR Agenda 9/13/06

From: "Brian Kilian" <brian.bka@sbcglobal.net>
To: "LAURA AUSTIN" <LAUSTIN@cityofmartinez.org>, <perivshn@pacbell.net>, <FAMArchitects@sbcglobal.net>, <etumlin@yahoo.com>
Date: 9/8/2006 3:42 PM
Subject: Re: DR Agenda 9/13/06
CC: "ALBERT LOPEZ" <ALOPEZ@cityofmartinez.org>, "ANJANA MEPANI" <AMEPANI@cityofmartinez.org>, "COREY SIMON" <CSIMON@cityofmartinez.org>, "RICHARD PEARSON" <RPEARSON@cityofmartinez.org>

As I will not be here next week for the meeting, I took a preliminary look at the plans for the Paul Hansen property, and would like to add my comments for the record.

Grading: It appears there are still some issues with the rear retaining wall as it ends at the North side of the property. Without the wall continuing West, there is a 6 ft. elevation change between the neighbor that has not been addressed.

Landscaping: What can I say? It's not a landscape plan. I suggest they resubmit the landscape plan after consulting with someone with landscape knowledge that can provide a drawing that meets minimal industry standards.

Architecture: I did not visit the neighborhood, so I won't comment on the compatibility issue, but I do like the basic design. There are some inconsistencies that should be addressed - there are two different railing material on the front elevation. The exposed rafter detail over the upper master bedroom front elevation would look nice carried over to the side elevation. The two different light styles on the front elevation don't seem to be well thought out.

Brian Kilian

----- Original Message -----

From: LAURA AUSTIN
To: perivshn@pacbell.net ; brian.bka@sbcglobal.net ; FAMArchitects@sbcglobal.net ; etumlin@yahoo.com
Cc: ALBERT LOPEZ ; ANJANA MEPANI ; COREY SIMON ; RICHARD PEARSON
Sent: Friday, September 08, 2006 10:03 AM
Subject: DR Agenda 9/13/06

Hello Everyone,

Attached is the agenda for the next Design Review Meeting scheduled for Wednesday, September 13, 2006.

If you will not be able to attend the meeting please let me know as soon as possible.

Have a great weekend.

Laura :o)

CONDITIONS OF APPROVAL

AS APPROVED BY PLANNING COMMISSION

Project Name: Hansen Residence

Location: 910 Brown Street; APN: 374-134-004

I. Description of Permit

These conditions apply to and constitute the approval of Use Permit #06-16, Variance #06-29 and DR #06-31 to allow a new 2,058 square foot home with garage and basement on the ground floor. The granting of the use permit allows the home to be 33' in height, and the variances allow a reduction in side yards from 10' on both sides, to 5 and 8 feet on the right and left sides, respectively.

II. Exhibits

The following exhibits are incorporated as conditions of approval, except where specifically modified by these conditions:

| EXHIBIT | RECEIVED ON | PREPARED BY | PAGES |
|-----------------------------------|--------------------|--------------------|--------------|
| Plans, elevations and landscaping | August 14, 2007 | Tom Linn Drafting | 9 |

All construction plans shall conform to these exhibits, except as modified by these conditions. Where a plan or further information is required by these conditions, it is subject to review and approval by the Planning Division, Engineering Division and/or Building Department, or as noted.

III. Site Plan

A. Fences, walls and retaining walls:

1. All fencing, retaining walls, barriers, etc., shall be shown on the site and landscape plan.
2. The maximum height for all walls, fences and/or fences on retaining walls shall be 6 feet. Fences offset from retaining walls 18 inches or greater shall be considered separate structures with a maximum height of 6 foot each.

B. Lighting

1. All exterior lighting shall be directed such that lights create as little off-site glare and nuisance as is feasible. All fixtures shall be glare-shielded.
2. Energy-saving fixtures shall be used.

IV. Architectural

- A. Prior to approval for a building permit, the applicant shall provide a window schedule with a full description of each window type, including a cut sheet from the manufacturer showing all trim detail and installation method. The purpose of this condition is to show design intent regarding accomplishing a similar window installation consistent with the architectural style proposed. The applicant shall not accomplish the design intent with a window trim using a stucco-over-foam application, and should use a window type with an integrated stucco mold which is more consistent with the architectural style proposed. The applicant can use adjacent homes for design inspiration, using successful examples of window trim, sill, horn and recess in developing a final design.**

Alternatives such as recessed windows (>4" reveal) may be acceptable. The final window design detail shall be approved by the Planning staff prior to issuance of a building permit.

All exterior walls and all buildings within the project shall use compatible materials and colors, as shown on approved plans. Construction plans shall include indication of final siding materials, roofing material and color schemes, which are subject to staff approval.

- B. All conditioned spaces shall comply with minimum height clearances as required by the Chief Building Official. Minor adjustments to the roof design, to meet minimum clearance may be permitted, subject to Planning Staff approval.
- C. Prior to proceeding with house framing, the applicant shall schedule Building Department inspections to verify that the elevation of the top of the foundation wall and the first floor finished elevation are at the approved height. Inspectors shall again verify that building height does not exceed the approved maximum of 33' above existing exterior grade prior to passing framing inspection.

V. Noise Control, Dust and Conditions for Construction Activity

- A. All construction activities shall conform to the City's Noise Control Ordinance, Chapter 8.34 of the Municipal Code: Construction activities are limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday; and 9:00 a.m. to 5 p.m. Saturday and Sunday. The applicant and/or property owner shall post a sign on the site notifying all workers of these restrictions.
- B. Contractors shall be required to employ the quietest construction equipment available, and to muffle noise from construction equipment and to keep all mufflers in good working order in accordance with State law.
- C. Adequate dust control measures shall be employed throughout all grading and construction periods. The Contractor shall regularly water areas that are exposed for extended periods to reduce wind erosion.
- D. Contractor shall ensure that surrounding streets stay free and clear of silt, dirt, dust, tracked mud, etc. coming in from or in any way related to project construction. Paved areas and access roads shall be swept on a regular basis. All trucks to be covered.
- E. Speeds of construction equipment shall be limited to 10 miles per hour. This includes equipment traveling on local streets to and from the site.
- F. Access shall be maintained to all driveways at all times.
- G. Truck routes for the import or export of cut/fill material shall be identified and approved by the City Engineer prior to the issuance of any permits. Applicant shall be responsible for the repair of any damage to city streets (private and public) caused by the import or export of soils materials necessary for the project.
- H. Prior to construction, contractor shall contact city inspector for a pre-construction meeting. A construction program and schedule shall be submitted and reviewed by staff at the meeting. The program shall provide the contractor's name and contact information and a general description of the hours of construction, number of workers on site, and information on construction vehicles (location and duration of parking, quantity and type of vehicles, haul routes, etc).

VI. Agreements, Fees and Bonds

- A. Prior to approval of the plans and issuance of permits, applicant shall pay all applicable fees and deposits including plan check fees, inspection, drainage impact fees and Impact Mitigation Fees. Impact fees include transportation facilities fees, park (in lieu of land dedication) fees, park and recreation facilities fees, cultural facilities fees, and police facilities fees, as required by the Community Development Director. The final

Permit: Use Permit #06-16, Variance #06-29 and DR #06-31
amount for the above fees shall be in accordance with the fee schedule in effect of time of payment.

- B. All fees and deposits required by other agencies having jurisdiction shall be paid prior to issuance of the Building, Encroachment, Grading or Site Development Permit, whichever comes first.

VII. Grading

- A. All grading shall require a grading and drainage plan prepared by a registered Civil Engineer, a soils report prepared by a registered Geotechnical Engineer and a Grading Permit approved by the City Engineer. The grading plans and soils report may require review by the City's geotechnical consultant with all costs to be borne by the applicant.
- B. All recommendations made in the Soil Engineers report, (unless amended through the City's review) and all recommendations made by the City's geotechnical consultant shall be incorporated into the design and construction of the project.
- C. The on-site finish grading shall require drainage to be directed away from all building foundations at a slope of 2 percent minimum to 20 percent maximum toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. A minimum 4-ft. wide clear access shall be provided around each building.
- D. Contour grading techniques with spot elevations shall be employed throughout the project to achieve a more natural appearance, even where this will increase the amount of grading. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements.
- E. Erosion control measures shall be implemented per plans approved by the City Engineer for all grading work not completed before October 1. At the time of approval of the improvement and/or grading plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer.
- F. All graded slopes in excess of 5 feet in height shall be hydroseeded no later than September 15 and irrigated (if necessary) to ensure establishment prior to the onset of the rainy season.
- G. The applicant's engineer shall certify the actual pad elevation for the lot in accordance with City standards prior to issuance of Building Permit.
- H. All front yard landscaping or alternate erosion control measures shall be installed prior to release for occupancy to mitigate erosion problems.

- I. The finished grading shall be inspected and certified by the developer's engineer that it is in conformance with the approved Grading Plan and Soils Report pursuant to the provisions of Title 15 of the Martinez Municipal Code.
- J. All existing trees shall be clearly indicated on the grading plan. Refer to Landscaping Section for tree preservation requirements.
- K. Any grading on adjacent properties will require written approval of those property owners affected.
- L. If cultural resources are discovered during subsurface excavations, the contractor shall cease construction and a qualified archeologist shall be contacted to make recommendations for mitigation.
- M. The plans shall include the boundary treatment shown on cross sections, drawn to scale, for retaining walls, fencing, and drainage.
- N. Grading adjacent to the right of way shall comply with the City Standard Detail No.S-1 (i.e. toe of slope shall not be less than 2 feet from right of way line) unless otherwise approved by the City Engineer.

VIII. Drainage

- A. All concentrated runoff shall be collected and conveyed to an approved storm drainage system or to the street. Existing slopes that have no additional discharge directed onto them or are not substantially re-graded can remain as natural runoff.
- B. Applicant shall not increase storm water runoff to adjacent downhill lots unless either, (1) a Drainage Release is signed by the property owner(s) of affected downhill lots and recorded in the office of the County Recorder; or (2) site drainage is collected and conveyed in approved drainage facilities within a private drainage easement through a downhill property. This condition may require collection of on-site runoff and construction of an off-site storm drainage system. All required releases and/or easements shall be obtained prior to issuance of the Building, Encroachment, Grading or Site Development Permit, whichever comes first.
- C. The storm drain system shall be designed per City and County Flood Control District Standards to carry at least a 10-year storm. Should the runoff due to the proposed development contribute incrementally to an existing flooding problem, then the developer may be required to contribute funds for his proportional share of future drainage system costs as required by the City Engineer.

- D. Concentrated drainage flows shall not be permitted to cross sidewalks or driveways. Where required, sidewalk cross drains shall be installed on either side of the driveway and shall conform to City Standard No. S-13.
- E. The developer shall comply with Contra Costa County Flood Control District Design requirements.

IX. NPDES Requirements

- A. Efficient irrigation, appropriate landscape design and proper maintenance shall be implemented to reduce excess irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides, and pesticides.

X. Street Improvements

- A. Frontage improvements: Pursuant to Chapter 12.30 of the Martinez Municipal Code sidewalks, curb and gutter shall be removed and replaced along the entire frontage of the property. Existing damaged street pavement (to centerline of street) shall be re-constructed and/or repaired along the property frontage. All improvement shall be designed and constructed to the satisfaction of the City Engineer.
- B. All new utility distribution services on-site and off-site shall be installed underground.
- C. A City Encroachment Permit is required for any work within the City Right-of-Way.
- D. Where required street trees shall be planted in accordance with City standards. The species of tree shall be approved by the Parks Superintendent.
- E. The developer shall keep the adjoining streets free and clean of project dirt, mud, materials and debris during the construction period as is found necessary by the City Engineer.

XI. Water System

- A. Water system facilities shall be designed to meet the requirements of the City of Martinez Water District and the fire flow requirements of the Contra Costa County Consolidated Fire Protection District. All requirements of the responsible agency shall be guaranteed prior to approval of the improvement plans.
- B. Water system connection, including installation of the water meter, shall be made in accordance with the Water District standards. Prior to obtaining water service, fees shall be paid in accordance with the water fee schedule in effect at time of payment.

- C. Backflow prevention, required as part of the water service installation, must be completed before occupancy of the building.

XII. Sanitary Sewer System

- A. Sewer system connections and plans for sanitary sewer facilities shall be approved by the Central Contra Costa Sanitary District. All requirements of that District shall be met before approval of the improvement plans.

XIII. Other Requirements

- A. Construction shall comply with all applicable City and State building codes and requirements including handicapped and energy conservation requirements, grading and erosion control ordinances.
- B. Design of all public improvements shall conform to the City of Martinez Design Guidelines, Standard Special Provisions, and Standard Drawings. Prior to preparation of improvement plans, the developer or his representative should contact the City's Engineering Development Review section of the Community Development Department.
- C. Complete grading, site and improvement plans, specifications and calculations shall be submitted to and approved by the City Engineer, Community Development Director, and/or other agencies having jurisdiction for all improvements within the proposed development prior to issuance of a Building, Site, Grading or Encroachment Permit whichever comes first. Approved plans shall become the property of the City of Martinez upon being signed by the City Engineer and Community Development Director.
- D. Prior to City approval of the Plans, all fees and deposits shall be paid; all agreements, if any, shall be executed and all grading and improvement plans shall be approved by the City Engineer and Community Development Director. No construction shall take place until issuance of the appropriate Encroachment, Site, Grading and/or Building Permits.
- E. All public improvements shall be completed and accepted by the City prior to issuance of certificate of occupancy on the dwelling unit.
- F. All on-site improvements not covered by the building permit including sidewalks, driveways, paving, sewers, drainage, curbs and gutters must be constructed in accordance with approved plans and/or standards and a Site Development Permit approved by the City Engineer.
- G. Building permits for retaining walls shall be obtained as follows:
 - 1. For major walls to be constructed during the mass-grading phase, obtain permit prior to issuance of the Grading Permit.
 - 2. For all other walls, obtain permit prior to issuance of Permits for

structures on the respective lot.

3. No retaining wall (including the footings) shall be constructed within the right of way. Retaining wall shall be designed in a manner to allow adequate site distance.

H. Driveway:

1. Driveway plan and profile shall comply with City Standard Details, specifications and the City's Municipal Code, unless otherwise approved by the City Engineer.
2. The minimum length for on-site driveways shall be in accordance with City code restrictions, but in no case shall they be less than 20 ft. as measured from the garage door to the street right-of-way line.
3. The distance between the property line and the edge of driveway flare shall not be less than 3 feet unless otherwise approved by the City Engineer.

I. Any existing water wells on the property shall be filled and sealed off or otherwise disposed of as directed by the City Engineer.

J. Approval by the applicant's Soils Engineer, the City's Soils Consultant, the Fire District, Sewage District, and the water agency of all improvements and buildings is required prior to City approval of construction plans.

K. There shall be no parking of construction vehicles or equipment on the surrounding residential streets, including all workers vehicles.

L. The applicant shall keep the adjoining streets free and clean of project dirt, mud, materials and debris during the construction period as is found necessary by the City Engineer.

XIV. Validity of Permit and Approval

A. Planning Commission approval is subject to appeal to the City Council within ten calendar days of the approval.

B. All permits and approvals shall expire in one year from the date on which they became effective (unless extended under C) unless a building permit is obtained and construction begun within the one year time. Unless an appeal is filed, the *effective date* of the permit and approval is September 11, 2007.

C. The time extension of the expiration date, September 11, 2008, of a permit or approval can be considered if an application with required fee is filed at least 45 days before the original expiration date. (Otherwise a new application is required.) A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved: Changes in conditions, City policies,

surrounding neighborhood, and other factors permitted to be considered under the law, may require or permit denial.

- D. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Martinez, or other public agency having jurisdiction.
- E. The permittee, Paul Hansen, the project designer, Tom Linn, and/or the property owner shall defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the Planning Commission's decision to approve the proposal. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorneys' fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, Paul Hansen, the project designer, Tom Linn, and/or property owner, the City, and/or the parties initiating or bringing such action.

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