

RESOLUTION NO. 2023-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SAN BRUNO
APPROVING AN ARCHITECTURAL REVIEW PERMIT AND
CONDITIONAL USE PERMIT
FOR THE PROPOSED PROJECT LOCATED AT
1261 CLAREMONT DRIVE**

(APN: 019-014-040)

(UP21-012 and AR21-013)

WHEREAS, on August 19, 2021, and with submittal of numerous plan revisions since the original application, with the latest revisions submitted on December 27, 2022, Brian Wong (“Applicant”) on behalf of Kevin and Cynthia Lee (together, “Owner”) submitted applications for development of a two-story residential addition at 1261 Claremont Drive, in the City of San Bruno and more particularly described as Assessor’s Parcel Number 019-014-040; (“Property”); and,

WHEREAS, the Owner desires to develop a two-story addition on the Property consisting of a ground floor addition of 69 square feet and a second floor addition of 1,124 square feet (“Project”); and

WHEREAS, in order to develop the Project, the Applicant has submitted applications to the City of San Bruno for approval of the following: a Conditional Use Permit and Architectural Review Permit; and

WHEREAS, on October 13, 2022, the Architectural Review Committee reviewed the application and made a recommendation to forward the Architectural Review Permit and Conditional Use Permit with comments to the Planning Commission; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on the Project applications including the Conditional Use Permit and Architectural Review Permit on November 29, 2022, and on said date the Public Hearing was opened, held and closed and the Planning Commission approved the Project with a 5-1-0 vote; and

WHEREAS, on December 7, 2022, a timely letter of appeal, and appeal application to the Planning Commission approval were received; and

WHEREAS, a Notice of City Council Public Hearing was mailed to properties within a 300 foot radius of the project site on December 29, 2022, and duly published in the San Mateo County Daily Journal on December 30, 2022, providing notice of the City Council’s January 10, 2023 public hearing on the Project applications; and

WHEREAS, on January 10, 2023, the City Council of the City of San Bruno, conducted a duly noticed public hearing on the Project applications, including the Conditional Use Permit and Architectural Review Permit, where the public were able to participate and comment in person and remotely via Zoom, and on said date the public hearing was opened, held and closed; and

WHEREAS, the proposed Project has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq., hereafter the "CEQA Guidelines"). This project qualifies for the CEQA Guidelines Exemption Class 1, Section 15301.e.(2) (A): Existing Facilities, where the addition will not result in an increase of more 10,000 square feet and the project is located in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Bruno, based on facts in the staff report, written and oral testimony, and exhibits presented, makes the following findings of fact:

1. With respect to the Architectural Review Permit, the City Council finds:
 - a. That the proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood. (SBMC 12.108.040.D).
 - b. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood. (SBMC 12.108.040.G).
 - c. That any proposed single-family or two-family dwelling conform to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.I).
2. With respect to the Conditional Use Permit, the City Council finds that the project:
 - a. Will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use. (SBMC 12.112.050.B.1)
 - b. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)
 - c. That the proposed development is consistent with the San Bruno General Plan. (SBMC 12.108.050.B.3)

NOW, THEREFORE, BE IT FURTHER RESOLVED that the San Bruno City Council approves the Conditional Use Permit and an Architectural Review Permit for the Project, subject to the conditions of approval attached hereto as Exhibit A.

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I hereby certify that foregoing **Resolution No. 2023 - __**
was adopted by the San Bruno City Council at a regular meeting on
January 10, 2023, by the following vote:

AYES:

NOES:

ABSENT:

Lupita Huerta, City Clerk

Exhibit A

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW PERMIT FOR THE PROJECT LOCATED AT 1261 CLAREMONT DRIVE (APN: 019-014-040)

(UP21-012 and AR21-013)

Community and Economic Development Department – (650) 616-7089

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community & Economic Development Department within 10 days of City Council approval. Until the Summary is filed, Use Permit 21-012 shall not be valid for any purpose. Use Permit 21-012 shall expire on January 10, 2025, two (2) years from the date of City Council approval, unless a building permit has been secured before the two-year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included as a full-size page in the Building Division set of drawings.
3. The request for a Use Permit to allow a residential addition that would exceed the existing floor area by more than 50% shall be built according to plans approved by the City Council, labeled Attachment 6, except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community and Economic Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit.
7. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
8. Prior to the Final Inspection, the site shall be landscaped according to the plans approved by the City Council on January 10, 2023. Any site landscaping damaged during construction shall be replanted to the satisfaction of the Community and Economic Development Director.
9. The applicant shall indemnify, defend, and hold harmless the City, its officers, employees, and agents, from all claims and lawsuits from a third party(s) involving or related to the City's consideration and/or approval of the applicant's application for development.

Public Works Department – (650) 616-7065

10. The building permit plans shall include a Site Plan showing:
 - a. All property line dimensions, setbacks, and easements.
 - b. All existing and proposed grading and drainage improvements. Provide thorough notation on the plan, if there will be any site condition changes pertaining to grading where the existing drainage will be altered.
 - c. All newly paved and unpaved areas shall be designed to meet relevant state codes and City standards. Provide thorough notation on the plan, if there will be any site condition changes pertaining to the surface areas.
11. Indicate and identify the existing and proposed roof downspouts. Stormwater and other on-site drainage, shall be collected and drained to an underground stormwater system, vegetated areas on-site, or through an under curb drain to the gutter per City standards detail ST-03.
12. Show on the plans the existing and proposed lateral services for domestic water, include meter size, in accordance with the applicable California Plumbing Code. If existing meter is undersized the applicant shall apply for a new or upsized meter, which includes payment of water and wastewater capacity charges and service charges, such as, but not limited to, materials and installation fees. These charges are based on the City's current Master Fee Schedule. Show the location and identify the water meter size. If water demand calculations are requested, the estimated water pressure nearest to the property is 45psi.
13. Show on the plans existing and any proposed sanitary sewer laterals (including size) and any existing or new cleanouts, in accordance with the applicable California Plumbing Code.
14. If not present, the applicant has the option to install a sanitary sewer lateral cleanout as per City Standards Detail SS-02. If there is an existing cleanout that does not meet current City Standards, the applicant has the option to replace the sanitary sewer lateral cleanout. Benefits to the applicant for having a current City cleanout at the property line include eligibility to apply for the City's maintenance program for the lower/street portion of the lateral. Maintenance program details are available on the City website at: https://www.sanbruno.ca.gov/gov/city_departments/public_works/wastewater/sewer_lateral_faqs.htm
15. The proposed remodel is greater than 25-percent of the existing square footage, requiring planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Claremont Drive per SBMC 8.24.060. At the current rate, the impact payment required is \$540. If a tree is to be planted, a list of City approved trees will be provided upon request.

16. Any damaged sidewalk, driveway approach, and or curb and gutter within the public right-of-way fronting the property not caused by a City street tree, and any sidewalk, driveway approach, curb and gutter and or curb drain not installed per City standards shall be removed and replaced per City Standard Details ST-01, ST-02, ST-03, and ST- 04. Show on the plans the replacement of any locations where there are any substandard or raised/offset concrete sections greater than or equal to $\frac{3}{4}$ -inch, S.B.M.C. 8.12.010.
17. Obtain an Encroachment Permit from the Public Works Department prior to commencing any work within the City's public right-of-way including construction- related activities such as storage of building materials, placement of porta-potties, etc. S.B.M.C. 8.16.010. For additional information, application and general requirements refer to the City website at: https://www.sanbruno.ca.gov/gov/city_departments/public_works/permits.htm The Encroachment Permit shall be issued prior to issuance of a building permit. Please allow one to two-weeks for City's initial review and processing of the Encroachment Permit Application. Encroachment Permit required for any work within the right-of-way.
18. The work shall conform to the current National Pollutant Discharge Elimination System (NPDES) requirements. S.B.M.C. 12.16.020. Please include the County Best Management Practices (BMPs) sheet within the plan set, which can be found at: <https://www.flowstobay.org/wp-content/uploads/2020/04/Countywide-Program- BMP- Plan-Sheet-June-2014-Update.pdf>
19. Show on the plans how storm water shall be collected and discharged from the proposed addition. Foundations shall be protected from storm water. Drainage to adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary.
20. The 811 'Call 811 Before You Dig' notation shall be placed in a clear and visible location on each plan sheet. Any work that disturbs the ground; such as earthwork, demolition, excavation, grading, and landscape requires homeowners, contractors, sub-contractors, or any person responsible to individually call 811 for underground utility and/or service locations, and to pothole verify/expose utility and/or service prior to commencement of work.

End Conditions