



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 01/09/2019

ITEM NO: 02

DATE: JANUARY 3, 2019

TO: PLANNING COMMISSION

FROM: JOEL PAULSON, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: ARCHITECTURE AND SITE APPLICATION S-16-054. PROJECT LOCATION: 248 JARED LANE. PROPERTY OWNER/APPLICANT: SAM PAN.
REQUESTING APPROVAL FOR CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AND REMOVAL OF LARGE PROTECTED TREES ON VACANT PROPERTY ZONED HR-1. APN 532-34-071.

BACKGROUND:

The Planning Commission considered this application on April 11, 2018 and continued the matter to May 23, 2018 to allow the applicant to address the following:

- Provide more information on cut, fill, and grading as it relates to the placement of the driveway;
- Continue outreach to the neighbors;
- Consider building within the Least Restrictive Development Area (LRDA) or reduce the encroachments outside of the LRDA; and
- Consider reducing massing.

The application was subsequently continued to June 27, 2018 and September 26, 2018 to provide the applicant more time to complete the revisions. The revised application was considered by the Planning Commission on September 26, 2018, at which time the application was continued to November 14, 2018, to allow the applicant to address the following:

- That the home be more sympathetic to the Hillside Development Standards and Guidelines (HDS&G) in terms of:
 - Massing;
 - Three-story façade visible from other residences;
 - Visible front staircase; and
 - Move the massing within the LRDA.

PREPARED BY: SEAN MULLIN, AICP
Associate Planner

Reviewed by: Planning Manager and Community Development Director

BACKGROUND (continued):

- Consider pulling the garage from under the house in order to have a lighter impact on the hillside (i.e., grading);
- Minimize development outside of the LRDA to better comply with the HDS&G. This may mean adjusting the square footage of the house itself so that the encroachment can be reduced;
- Specify whether each tree will remain or not. Eliminate the “intend to preserve” category in the tree plan;
- Eliminate the front staircase, which is not in compliance with the HDS&G;
- Revise the retaining walls to have a more natural appearance. Give the walls a rounded appearance that closely matches the contours of the land. Consider alternative materials that are more natural looking than the proposed Allenblock, such as stone; and
- Address all of architectural consultant’s concerns.

The application was subsequently continued to December 4, 2018 and January 9, 2019 to provide the applicant more time to complete the revisions.

DISCUSSION:

A. Architectural Considerations

The applicant completed the revisions in response to the comments received from the Planning Commission at the September 26, 2018 meeting. The revisions were forwarded to the Town’s Architectural Consultant who provided a final report recommending several changes to improve the revisions (Exhibit 18). In response, the applicant submitted a revised design incorporating the recommendations of the Architectural Consultant. Additionally, the applicant and project architect provided letters of justification responding to the recommendations of the Planning Commission and Architectural Consultant (Exhibits 19 and 20).

The design of the residence has been revised to conform to the limitations of the LRDA. At the suggestion of the Planning Commission, the applicant shifted the attached lower-story garage south to pull it out from underneath the house and reduce the three-story appearance of the west elevation. A comparison of the area outside of the LRDA of the original and revised design is provided below:

DISCUSSION (continued):

Comparison of Area Outside of LRDA			
	Original Design	Revised Design	Difference
House	94 sf	0 sf	-94 sf
Garage	252 sf	835 sf	+583 sf
Amenities*	886 sf	532 sf	-354 sf
Total	1,232 sf	1,367 sf	+135 sf
* Amenities refers to terraces, decks, porches, and stairs.			

As previously proposed, a stairway would provide a connection from the driveway to the mid-level and upper-level of the residence as it traverses east across the front of the house. Responding to the Planning Commission's concern with the original stairway, the revised stairway has been integrated into the overall building form to comply with the HDS&G. A comparison of the floor area of the original and revised design is provided below:

Floor Area Comparison				
		Original Design	Revised Design	Difference
		(square feet)		
Upper Level	Above-Grade	2,560	2,530	-30
	Below-Grade	0	0	0
Middle Level	Above-Grade	229	0	-229
	Below-Grade	2,755	3,009	+254
Lower Level	Above-Grade	0	0	0
	Below-Grade	855	1,153	+298
TOTALS	Above-Grade	2,789	2,530	-259
	Below-Grade	3,610	4,162	+552

In the final report, the Architectural Consultant clarifies that the review of the original design was positive based on the clear architectural style, substantial articulation, and visual richness. The Consultant indicates that the revised design is less successful and provided recommendations for improvement. The applicant has responded by incorporating the Consultant's recommendations into the revised design. The Consultant states that the original design would be visually superior if the other changes desired by the Planning Commission could be incorporated to their satisfaction (Exhibit 18, page 8). The consultant indicates that the curved stairs in the original design could be incorporated into the building as was accomplished with the revised design. In their letters to the Commission, the applicant and architect discuss and provide a comparison of both projects. The applicant also indicates that either design would be acceptable, but their preference is for the original design once the additional recommendations have been incorporated (Exhibits 19 and 20).

DISCUSSION (continued):

B. Retaining Walls

On September 26, 2018, the Planning Commission discussed the proposed retaining walls adjacent to the driveway and provided direction to the applicant to revise them to have a more natural appearance. The applicant has revised the retaining walls, replacing the previously proposed Allenblock construction with concrete walls (Exhibit 20, page 2). The concrete walls would be poured-in-place and clad with natural looking manufactured stone to visually blend into the surrounding hillside. As previously proposed, landscape screening would be planted along the base of each wall to further reduce their visual impact (Exhibit 23, Sheets L-2, L-3, and L-4).

C. Trees

During the September 26, 2018 meeting, the Planning Commission requested that the applicant specify whether each tree will remain or not, eliminating the “intend to preserve” category in the tree plan. The applicant has revised the tree plan per the direction of the Commission (Exhibit 23, Sheets C4, C5, L-1A, and L-1B). The revised tree plan recognizes an additional 100 trees on the site outside of the project area which would remain. As a summary, a comparison of the proposal for the 128 trees included in the original plan against the revised design is provided below:

Summary of Tree Inventory				
Action	Original Design		Revised Design	
Remain	37		82	
Large Protected	4		8	
Protected	33		74	
Remain – impacted by project	29		0	
Large Protected	2		0	
Protected	27		0	
Remove	57		41	
Large Protected	3		1	
Protected	54		40	
Not protected	5		5	
Total	128		128	

DISCUSSION (continued):

D. Grading and Excavation

The cut and fill depths quantities have changed as a result of the design revisions. The majority of the changes are related to excavation located within the revised building footprint. The driveway and retaining wall designs have not changed. It should be noted that there are no limitations on excavation for below-grade square footage. A summary of the grading and excavation is provided in the table below.

Maximum Cut and Fill Depths and Retaining Wall Heights – HDS&G								
	Original Design		Revised Design		Difference		Maximum Allowed	
	Maximum							
	Cut	Fill	Cut	Fill	Cut	Fill	Cut	Fill
House Footprint (Excavation)								
Depth (feet)	24*	0	19*	0	-5	0	8*	3
Driveway (Grading)								
Depth (feet)	15	12	15	12	0	0	4	3
Site Work (Grading)								
Depth (feet)	7	0	4	0	-3	0	4	7
Maximum Retaining Wall Height (feet)	8.3		8.3		0		5	
* – Excludes below-grade square footage								
Bold – requires exception to the HDS&G								

STORY POLES:

The story poles for the project have not been revised and continue to reflect the original design. The applicant has provided elevations showing a massing comparison between the two designs (Exhibit 21). The exhibits show that the revised design would be contained within the massing of the original design, with the exception of the garage. Most of the garage mass would be located below the existing grade, as shown on Sheet A-6 of Exhibit 23. Given the similarities in massing between the two designs and the very limited height of the new massing at the garage as compared to existing grade, the story poles have not been revised.

PUBLIC COMMENTS:

No public comments have been received as of the writing of this report.

CONCLUSION AND RECOMMENDATION:

A. Conclusion

The applicant has responded to the Planning Commission's direction with a revised design and additional information. The Planning Commission should determine whether the revised design and additional information adequately addresses the direction provided at the September 26, 2018 meeting.

B. Recommendation

If the Planning Commission determines that the revised design and additional information adequately address the direction provided at the September 26, 2018 meeting and finds merit with the proposed project, it can approve the application by taking the following actions:

1. An Initial Study, Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) were adopted in 2011 for a similar single-family development application. An Initial Study for the current application concluded that the project is within the scope of the previous project. The Initial Study found that the current project would not result in any new environmental impacts or result in a substantial increase to a previously identified significant environmental impact. All previously identified significant environmental impacts would continue to be mitigated through implementation of the measures included in the adopted MMRP from 2011. An Addendum has been prepared for the proposed application under CEQA Guidelines Sections 15162 and 15164 (previously received under separate cover). The decision-making body shall consider the Addendum with the adopted Mitigated Negative Declaration prior to deciding on the project. No additional CEQA findings are required.
2. Make the finding that due to the constraints of the site, exceptions to the Least Restrictive Development Area, maximum retaining wall heights and lengths, and maximum cut and fill depths are appropriate, and the project is otherwise in compliance with the applicable sections of the Hillside Development Standards and Guidelines (Exhibit 2);
3. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
4. Make the required considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
5. Approve Architecture and Site Application S-16-054 with the conditions contained in Exhibit 3 and the development plans in Exhibit 23.

ALTERNATIVES:

Alternatively, the Commission can:

1. Approve the application with additional and/or modified conditions;
2. Continue the matter to a date certain with specific direction; or
3. Deny the application.

EXHIBITS:

Previously received under separate cover:

Addendum to previously adopted Mitigated Negative Declaration

Previously received with the April 11, 2018 Staff Report:

1. Location Map
2. Required Findings and Considerations (one page)
3. Recommended Conditions of Approval (16 pages)
4. Site Photos (five pages)
5. Color and Materials Sheet, received August 4, 2017 (one page)
6. Letter of Justification, received February 1, 2018 (15 pages)
7. Consulting Architect Report, dated May 15, 2017 (six pages)
8. Applicant's Arborist Report by Ian Geddes, dated August 18, 2016 (29 pages)
9. Consulting Arborist's Peer Review Report by Walter Levison, dated May 5, 2017 (20 pages)
10. Applicant's Arborist Addendum by Ian Geddes, dated October 25, 2017 (seven pages)
11. Applicant's Arborist Addendum by Ian Geddes, dated December 1, 2017 (nine pages)
12. Consulting Arborist's Peer Review Report by Walter Levison, dated December 1, 2017 (19 pages)
13. Public comments received by 11:00 a.m., Friday, April 6, 2018
14. Development Plans, received March 1, 2018 (33 sheets)

Previously received with the September 26, 2018 Staff Report:

15. Revised Required Findings and Considerations (one page)
16. Additional Letter of Justification, received September 4, 2018 (19 pages)
17. Development Plans, received August 29, 2018 (34 sheets)

Received with this Staff Report:

18. Consulting Architect Report, dated November 13, 2018 (eight pages)
19. Letter of Justification – Applicant, received December 20, 2018 (four pages)
20. Letter of Justification – Architect, received December 19, 2018 (two pages)
21. Massing comparison between original and revised project design (five pages)
22. Project Information Sheet by Engineering Division (two pages)
23. Development Plans received December 20, 2018 (20 sheets)

Distribution:

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