



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 09/28/2022

ITEM NO: 2

DATE: September 23, 2022
 TO: Planning Commission
 FROM: Joel Paulson, Community Development Director
 SUBJECT: Requesting Approval for Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. **Located at 15602 Benedict Lane.** APN 424-22-008. Architecture and Site Application S-21-036. PROPERTY OWNER: Alireza Mirbagheri and Shadi Zomorrodi. APPLICANT: Azadeh Masrour. PROJECT PLANNER: Jocelyn Shoopman.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation: Low Density Residential
 Zoning Designation: R-1:8 (Single-Family Residential – 8,000 square-foot minimum lot size)
 Applicable Plans & Standards: General Plan, Residential Design Guidelines
 Parcel Size: 9,645 square feet
 Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential and Mixed Use Commercial	R-1:8, C-1, and CH
East	Residential	Mixed Use Commercial	C-1 and CH
West	Residential	Low Density Residential	R-1:8

PREPARED BY: JOCELYN SHOOPMAN
Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

FINDINGS:

- The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- As required for compliance with the Residential Design Guidelines.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located on the east side of Benedict Lane (Exhibit 1). The property is approximately 9,645 square feet and is developed with an existing 1,387-square foot, single-story residence with a 620-square foot attached garage.

The project is being considered by the Planning Commission due to concerns related to the project's consistency with the Residential Design Guidelines in terms of neighborhood compatibility and the recommendations provided by the Town's Consulting Architect.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the east side of Benedict Lane, approximately 150 feet north of Chirco Drive (Exhibit 1). The property is developed with a single-family residence and attached garage. Single-family residential development abuts the property to the north, south, and west. Commercial development abuts the property to the east.

PROJECT DESCRIPTION (continued):

B. Project Summary

The applicant proposes to demolish the existing 1,387-square foot residence and construct a new 2,882-square foot, one-story single-family residence with an attached 436-square foot garage (Exhibit 9).

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The proposed residence is in compliance with the allowable floor area, building coverage, setbacks, parking, and height requirements for the property. No exceptions are requested.

DISCUSSION:

A. Architecture and Site Analysis

The applicant is proposing to demolish the existing one-story 1,387-square foot ranch style residence and 620-square foot attached garage.

The applicant proposes the construction of a modern style one-story single-family home with 2,882 square feet of house floor area and a 436-square foot attached garage. The height of the proposed building would be approximately 17 feet where a maximum of 30 feet is allowed. The applicant has provided a Letter of Justification summarizing the project (Exhibit 4). The proposed Development Plans are included in Exhibit 9.

The proposed project materials include: smooth stucco walls; a black metal standing seam roof; a wood siding feature above the front entry; aluminum windows; and a metal trellis over the front entry and garage. The Color and Materials Board is included on Sheet A-05.01 of Exhibit 9.

B. Building Design

The proposed residence would be of a modern style, with a black standing seam metal roof, smooth stucco siding, a wood siding feature above the front entry, aluminum windows, and a metal trellis over the front entry and garage (Exhibit 9). In their Letter of Justification (Exhibit 4), the applicant cites an eclectic mix of styles of homes within the immediate neighborhood, which includes ranch, contemporary, and modern styles. The applicant's

DISCUSSION (continued):

letter details their efforts to discuss the project with their neighbors. Lastly, the letter describes the consideration given to the surrounding neighborhood in designing a project that is architecturally compatible.

The Town's Consulting Architect reviewed the proposed residence on April 8, 2022 (Exhibit 5). The Consulting Architect noted that the proposed home is designed in a traditional Eichler-like architectural style. The Consulting Architect identified several issues with the project that were inconsistent with the Residential Design Guidelines. In response, the applicant made two modifications to the design of the residence and provided written responses to the remaining issues and recommendations of the Consulting Architect (Exhibit 6). The recommendations identified by the Consulting Architect are provided below, followed by the applicant's response in *italics*.

1. Lower the height of the entry and roof eaves to bring the design more into scale with its human occupants and the proposed architectural style.

The garage mass measurement is 13 feet and has been designed to this height to provide a visual cover to the roof form behind it. As noted in the Consulting Architect's report, the overall scale of the house is well within the building height of the immediate neighborhood. A metal overhang above the proposed garage was added to reduce the visual scale of the garage mass.

2. Reevaluate all window types and proportions to be consistent with the proposed architectural style.

Window types and proportions were modified to be consistent with the proposed architectural style.

3. Add trim to all windows.

Residential Design Guideline 3.7.4 states that wood trim is encouraged on stucco houses unless the window frames are recessed at least six inches. The proposed window design will be recessed two inches. In addition, there are several other homes in the immediate neighborhood with similar windows to the proposed design.

4. Increase all roof overhangs.

The roof overhang on the left-hand side of the residence was increased to two feet; however, the other section of the roof on the right-hand side was not increased in order to ensure the overall height of the residence is not increased.

DISCUSSION (continued):

5. Consider adding translucent windows adjacent to the entry door.

The proposed floor plan has a closet behind the wall adjacent to the front door. From the interior of the residence, the space is intended as a needed closet which does not allow for a window to be added on the wall. From the outside visual, the plan is to have a large plant or something else visually to cover the blank exterior wall.

6. If additional wall materials such as stone or wood siding are proposed on the front elevation, carry those materials consistently around all sides of the house.

The stone material on the rear elevation is not at the same plane of the stucco, resulting in a plane change between the two materials. In addition, the same stone material is used on both the front and rear elevation of the residence which is consistent with Residential Design Guideline 3.2.2.

In addition to the recommendations identified by the Consulting Architect, two approaches for design revisions were identified to provide traditional variations to the proposed roof form to be more compatible with the immediate neighborhood and consistent with the Town's Residential Design Guidelines. The Consulting Architect provided two approaches to a refined roof form, Approach #1, a hip roof, or Approach #2, a single gable roof, as these were consistent roof forms seen on residences within the immediate neighborhood.

The applicant responded to the Consulting Architect's recommendation to a modified roof form for the residence below:

There are several homes in the greater neighborhood with styles similar to the proposed residence. Therefore, considering the greater neighborhood, the proposed plan is not different from the other homes and complies with the Residential Design Guidelines.

As detailed above, the applicant has made two of the recommended modifications to the design in response to the recommendations made by the Consulting Architect and has provided justification for not making the additional recommended modifications.

C. Neighborhood Compatibility

The immediate neighborhood contains primarily one-story residences, with two, two-story residences. Based on Town and County records, the residences in the immediate area range in size from 1,056 square feet to 3,149 square feet. The floor area ratios (FARs) range from 0.11 to 0.31. The proposed residence would be 2,882 square feet with a FAR of 0.30. Pursuant to Town Code, the maximum allowable square footage for the 9,645-square foot

DISCUSSION (continued):

lot is 3,017 square feet with a maximum FAR of 0.31. The table below reflects the current conditions of the immediate neighborhood.

Address	Zoning	House SF	Garage SF	Total SF	Site SF	Building FAR	Stories
15624 Benedict	R-1:8	3,149	720	3,869	16,515	0.19	1
15588 Benedict	R-1:8	2,992	437	3,429	9,659	0.31	1
15572 Benedict	R-1:8	1,056	400	1,456	9,643	0.11	1
15625 Benedict	R-1:8	1,118	480	1,598	13,941	0.08	1
15603 Benedict	R-1:8	1,545	320	1,865	9,375	0.16	1
15589 Benedict	R-1:8	2,308	400	2,708	9,375	0.25	2
15573 Benedict	R-1:8	1,154	324	1,478	9,375	0.12	1
155651 Benedict	R-1:8	2,104	976	3,080	9,373	0.22	2
15602 Benedict (N)	R-1:8	2,882	436	3,318	9,645	0.30	1
15602 Benedict (E)	R-1:8	1,387	620	2,007	9,645	0.14	1

The proposed residence would comply with the maximum allowed floor area and height for the property and would not be the largest home in the immediate neighborhood in terms of square footage or FAR.

D. Tree Impacts

The Consulting Arborist reviewed the development plans, visited the property, and prepared a report for the project, noting that there are eight protected trees, adjacent to the development, with three of the eight trees being located on neighboring properties (Exhibit 7). The report recommends removal of tree #37 due to its direct conflict with the proposed footprint of the residence. No other trees on the site are proposed for removal. The Draft Conditions of Approval include a condition that all recommendations of the Town Arborist be implemented by the applicant prior to issuance of a Building Permit (Exhibit 3).

E. Neighbor Outreach and Public Comments

The applicant's Letter of Justification provides a summary of their efforts to communicate with their neighbors (Exhibit 4). Story poles and project signage were installed on site by August 29, 2022. Public comments received by 11:00 a.m., Friday, September 23, 2022, are included as Exhibit 8.

DISCUSSION (continued):

F. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for construction of a new 2,882-square foot single-family residence and a 436-square foot attached garage (Exhibit 9). The project is in compliance with the objective standards of the Town Code related to allowable floor area, height, setbacks, lot coverage, and on-site parking requirements. The project was reviewed by the Town's Consulting Architect who provided recommendations for the project to refine the design to be more compatible with the immediate neighborhood and the Town's Residential Design Guidelines (Exhibit 5). In response to the recommendations of the Consulting Architect, the applicant responded to two of the issues identified in the report through revision of the proposed residence and provided justification for not making the additional recommended modifications (Exhibit 6).

B. Recommendation

Based on the analysis above, staff recommends denial of the Architecture and Site application based on concerns related to the project's compatibility with the immediate neighborhood and consistency with the Residential Design Guidelines, as discussed in this report.

C. Alternatives

Alternatively, the Commission can:

1. Approve the application by taking the following actions:
 - a. Make the finding that the proposed project is categorically exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures (Exhibit 2);
 - b. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
 - c. Make the finding that the project complies with the Town's Residential Design Guidelines (Exhibit 2); and

CONCLUSION (continued):

- d. Approve Architecture and Site application S-21-036 with the conditions contained in Exhibit 3 and the development plans in Exhibit 9.
2. Approve the application with additional and/or modified conditions; or
3. Continue the matter to a date certain with specific direction.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Letter of Justification
5. Consulting Architect Report
6. Applicant's Response to Consulting Architect Report
7. Consulting Arborist Report
8. Public Comments received prior to 11:00 a.m., Friday, September 23, 2022
9. Development Plans