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A P P E A R A N C E S:

Los Gatos Planning Commissioners:
Matthew Hudes, Chair
Melanie Hanssen, Vice Chair
Mary Badame
Jeffrey Barnett
Kendra Burch
Kathryn Janoff
Reza Tavana

Town Manager: Laurel Prevetti

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P R O C E E D I N G S:

CHAIR HUDES: We now move to the public hearings portion of our agenda and consider Item 2, which is Architecture and Site Application S-18-052. Project location: 15365 Santella Court. Applicant: Hari Sripadanna. Property owners: Christian and Hellen Olgaard. Project planner is Erin Walters. Requesting approval for construction of a new single-family residence and removal of large protected trees on a vacant property zoned HR-2½:PD. APN 527-09-036.

May I have a show of hands from Commissioners who visited the property under consideration? Any disclosures from Commissioners on this item?

I understand Ms. Walters is ill and I understand that, Ms. Zarnowitz, you'll be giving the Staff Report this evening.

SALLY ZARNOWITZ: Yes, thank you. This is an Architecture and Site Application to construct a new 5,840 square foot, two-story residence in the Highland Planned Development on a vacant lot there. Before you this evening also is a revised fence plan; you might want to note that it was just handed out today so it's at the dais for you.

1 The reason the application is before the Planning
2 Commission is to allow additional consideration of the
3 hillside home, which is the largest in terms of square
4 footage in the Highlands PD, although not in the immediate
5 area, and also approached a threshold for a visible home in
6 the Hillside Development Standards and Guidelines. The
7 project does conform to the Standards and Guidelines and
8 Staff is recommending approval this evening with conditions
9 included in Exhibit 3.
10

11 That concludes Staff's report and we are here to
12 answer any questions.

13 CHAIR HUDES: Okay, thank you. Are there any
14 questions of Staff from the Commissioners? I had one
15 question, if I may? Is the LRDA applicable and is the
16 proposed northern siting, which is an alternative I believe
17 to what was in the development plan, consistent with the
18 LRDA?

19 SALLY ZARNOWITZ: It is consistent with the LRDA,
20 and it is applicable.

21 CHAIR HUDES: Okay, great. Thank you. And those
22 are the only Staff questions I have, so I'm going to invite
23 the Applicant to come forward. The Applicant will have five
24 minutes to present the project and then the Applicant will
25 also have an additional three minutes after we've heard

1 from the public. Please just state your name for the record
2 and if you haven't submitted a card... I think actually we do
3 have cards now. Thank you.

4 HARI SRIPADANNA: Good evening, my name is Hari
5 Sripadanna and I'm the architect for this project.

6 Planning Commissioners, Planning Staff, audience,
7 it's an honor to present this design to you guys. All of
8 you have seen the site and I'm sure if you agree with me
9 it's such a beautiful site and it's an honor to design a
10 home on such a property.

11
12 As I think about this project three things come
13 to my mind, which is the wishes and needs of a homeowner
14 that they want to have in a house, that they envision
15 themselves living in a sustainable net zero green designed
16 home.

17 The Planning Commission and the Planning
18 Department and the Staff, they're obviously concerned with
19 the requirements that the design met and that it's a good
20 neighbor and fit within the hillside community well and met
21 all the design standards, and the Arts and Crafts efforts
22 of the architect who wants to create a sustainable home and
23 a beautiful design for the community, and sometimes these
24 are all at cross purposes, but for this particular project
25 we are really fortunate with our clients and the Staff that

1 I worked from the very beginning. It took us about two
2 years to design this home and I really enjoyed working with
3 every one of you here. It was a good, seamless
4 collaboration that allowed us to create this project.

5 I know there is little time. If I run out of time
6 I will conclude the project at the end of the project
7 conclusion.

8 As you can see, this is the terrain of the whole
9 entire hillside and the Town as you can see the contours.
10 As you can see, these are the flatter parts of the Town and
11 at the Short Road and the Blossom Hill Road the Town rises
12 quite dramatically, and as the geological portions push
13 these mountains up the wind and the rain erode it down so
14 that you can see these rolling, gentle formations that made
15 the terrain possible, which became the formula for the
16 design of a sloping and level, sloping and level sort of a
17 terrain. And you can see the blue lines, which became also
18 important for our visibility analysis, and after the site
19 slopes down it raises up gently and then dramatically falls
20 down.
21

22 As you can see, the same characteristics also
23 follow the property. This is Santella Court and that's the
24 north direction. The property slopes down quite
25 dramatically as you might have seen at the site when you

1 visited today. It levels down somewhat in the middle with a
2 clearing and then levels again up at a higher level after
3 it raises a little bit, and then it slopes out to the
4 hillside.

5 The LRDA lines are one both sides and the site is
6 surrounded by dense, mature tree clusters and a steeper
7 slope that define the LRDA.

8 So, taking all these measures into consideration
9 we came up with this solution of massing, and as you can
10 see we picked up on this idea of the land terrain sloping
11 down and raising up and so did our masses as it sloped down
12 and rose up.

13 The brown areas that you see here are somewhat of
14 the level areas and cleared areas so that we could bring
15 our fire truck turnaround, which is required by the long
16 driveway because of the slope. And as the building rose up
17 we also pushed the masses towards the back so that you
18 could get the screening of the trees that are dense
19 clusters all around at the back.

20 But these are the two main criteria that came
21 about, and you can see this is how we came up with the
22 solution where the lower floor is set at the lower level
23 area and the upper floor is set at the higher level area
24 and we tucked all the massing in between these stairs that
25

1 come into that idea, so the roof is a continuous form that
2 unified the building together so one doesn't know where the
3 first and second floors start and it appears like a smaller
4 design.

5 CHAIR HUDES: Thank you. There may be some
6 questions at this point, and then the public will speak,
7 then there may be opportunity for other questions as well.

8 Commissioners, any questions? I had two questions
9 about the Hillside Design Standards and Guidelines. The
10 first one, did you consider putting part, or a bigger part
11 I should say, of the residence below grade?
12

13 HARI SRIPADANNA: As you can see, we have put a
14 substantial amount of property that could be below grade.
15 What set us for the level of the grade is the maximum
16 height allowed already by cut and fill requirements of Los
17 Gatos, or the lower floor which is 4' cut into the ground
18 and that's set the level of the lower level, and the upper
19 level was set by the upper grade where the land rose up
20 again, and because of those two the building was already
21 set back into the ground as far as it could be, because it
22 will be exposed no matter which way, because the land
23 terrain slopes out quite dramatically after the site and
24 the LRDA is limited in the middle.
25

1 CHAIR HUDES: So you were balancing the amount of
2 cut and fill with the elevation of the property?

3 HARI SRIPADANNA: We initially proposed another
4 two more feet to be set lower and then the Town reminded us
5 that you need to have at least only 4' cut but not more
6 than that at the garage entrance level.

7 CHAIR HUDES: I see. A second question about the
8 hillside design. I'm not as familiar with the materials
9 that you've used as compared to some other ones, so in what
10 way are these materials natural and consistent with the
11 hillside design?
12

13 HARI SRIPADANNA: Sure. I believe we have a
14 materials board that we have submitted. I would be happy if
15 you could circulate that between... So, these are like
16 (inaudible) tile, centered stone panels that are very
17 durable and very well finished and they're available in
18 different types of colors and textures, and these mimic
19 natural earth tones and textures that we picked, which is
20 similar to a rust color and a stone pattern, and these two
21 are the major panels that we see on the property. Anything
22 else is more of a dark bronze metal finish. And so all the
23 colors are very low LRV, including the retaining walls that
24 are exposed stained concrete.
25

1 CHAIR HUDES: Okay, thank you. That's all I had.
2 Yes, Vice Chair Hanssen.

3 VICE CHAIR HANSSEN: I noticed that you are
4 applying for LEED certification. What level?

5 HARI SRIPADANNA: We hope to achieve LEED
6 Platinum, which is an audacious goal, but we have so far
7 met LEED Gold standards with our current points, and as we
8 proceed further along there are additional points that we
9 hope to secure and get to the Platinum, but we already
10 achieved LEED Gold.
11

12 VICE CHAIR HANSSEN: What are some of the
13 defining features that helped you get to LEED Gold level?

14 HARI SRIPADANNA: There are a variety of factors.
15 We are obviously using steel for the project, which is
16 going to be all recycled material. The concrete plaster is
17 going to have recyclable material in it as well. And the
18 amount of energy we are producing for this home and the
19 (inaudible) is so efficient that very little energy would
20 be consumed, so there are a lot of credits that we achieved
21 through that. And we have a live green roof as well as
22 permeable paving, which absorbs all the water, and as our
23 civil engineers will explain we are containing all the
24 water within the property itself so it goes back into the
25 ground and recharges the aquifer as naturally it would. We

1 also have natural lighting, natural ventilation system, and
2 even the pool, We are designing the pool as an energy
3 battery that could take the heat from the home when it's
4 hot and cool the home when we need to, or vice-versa. We
5 are running the water underneath the solar panels to make
6 the solar panels even more efficient. So there are a
7 variety of factors.

8 VICE CHAIR HANSSEN: I thank you for that. If I
9 could ask one more question?

10 CHAIR HUDES: Sure.

11 VICE CHAIR HANSSEN: I did want to ask about the
12 trees. Obviously there is a tree report, but whenever we
13 have the new houses built in the hills there are usually a
14 lot of trees that have to come down, so I'm wondering if
15 you can comment about did you look at the best alternative
16 from the trees' perspective as well as trying to get LEED
17 Gold and get what your client wants?

18 HARI SRIPADANNA: Yes, because when you are
19 applying for LEED certification that's one thing that
20 obviously they will take credits out of you for the trees
21 we would cut, so it would be looked at very carefully, and
22 if you look at the driveway in the beginning, the reason it
23 turned is to save the cluster of trees that are here, and
24
25

1 all the trees that we plan to remove, at least four of them
2 are not of good health.

3 The fire truck turnaround radius and the
4 driveway, we had to do a double wide so that the cars can
5 pass each other because the entrance is so narrow. They
6 took the majority of the trees. The house itself is so
7 slender and snakes around the property to avoid the trees
8 being cut, and so we did the most possible to reduce the
9 amount of trees to be cut, and we're replacing the trees
10 with 40 mature native California trees as well.

11 VICE CHAIR HANSSEN: Okay, thank you.

12 CHAIR HUDES: If I may ask a follow up, and maybe
13 you may want to answer this later, but I walked back on the
14 property again to take a look at specific trees and I'm
15 going to read the numbers of certain trees that I'd like
16 you to comment of whether they are being saved or could be
17 saved. #668, #669, #675, #690, and #691. And if you want
18 you can respond to that later, but I wanted to give you a
19 heads up on those and I could give you the list of those.

20 HARI SRIPADANNA: Okay, I would be happy to.

21 CHAIR HUDES: Thank you. Other questions? Yes,
22 Commissioner Barnett.

23 COMMISSIONER BARNETT: Am I correct that the
24 siding material is not reflective of light in your comment?
25

1 HARI SRIPADANNA: Could you repeat the question
2 again?

3 COMMISSIONER BARNETT: The siding material that's
4 proposed is non-reflective?

5 HARI SRIPADANNA: The siding material? The
6 building material?

7 COMMISSIONER BARNETT: Yes.

8 HARI SRIPADANNA: Yeah, it's not. It's very low
9 LRV value.
10

11 COMMISSIONER BARNETT: It's not proposed to be
12 painted?

13 HARI SRIPADANNA: No, that's the permanent color
14 that would always be there.

15 CHAIR HUDES: Okay, thank you. I'm going to open
16 this to the public now. I have a few cards, and the first
17 one is David Weissman, and then Lee Quintana.

18 DAVID WEISSMAN: The plans show an outdoor
19 fireplace north of the proposed house and within 25' of the
20 LRDA line. Now, what could possibly go wrong with putting
21 an open fire source in the middle of an oak woodland under
22 a flammable tree canopy? In these times of climate change I
23 think an outdoor fireplace is a crazy idea and should be
24 prohibited in such a setting.
25

1 Number two. In the visibility analysis from
2 Selinda Way the proposed house has a surface area with 24%
3 visibility. That's pretty close to the threshold of 24.5%.
4 How close, you might ask? Well, just an extra 20 square
5 feet close. But even so, I was surprised to see that in
6 their analysis the architect included as part of the total
7 surface area the ground-level deck on the east side of the
8 house that significantly juts out behind beyond the house's
9 outline. I guess that in this analysis with so little room
10 for error any way to increase the total surface area would
11 be important. This deck extension should not be counted as
12 part of the total surface area in such a calculation.
13
14 Otherwise, why not count a flag pole, an antenna, a
15 satellite dish, or two false chimneys that stick out and
16 have no contribution to the visibility of the structure?
17 This potential loophole just helps the developer.

18 But there's a bigger problem. On page L-3.0, the
19 Tree Plan, there are four trees that are listed as being
20 both removed and retained, so when it came time for the
21 visibility analysis we shouldn't be surprised that this
22 confusion carried over to that analysis, specifically Tree
23 #671 is used in the screening analysis on page 23 as
24 providing screening, when on page 27 the same tree is shown
25 as being removed. Now, I have no idea as to which way Tree

1 #671 was used in the final calculation, but I submit that
2 this analysis needs to be redone because how can anyone
3 have confidence in the current numbers? Plus, it is almost
4 impossible... I will skip that.

5 Number three. As Staff notes, as proposed the
6 project would create the largest home in terms of countable
7 square footage in the Highlands. The Applicant also notes
8 that the house was moved farther north than the location
9 indicated on the approved PD development plans. This is to
10 accommodate the required fire engine turnaround. The
11 Applicant then touted the proposed linear footprint as a
12 way to save more trees. If the Applicant really wanted to
13 save more trees, and specifically at least the three trees
14 on the north side of the property the Chair just asked
15 about, then they would have proposed a smaller house, a
16 strategy that is totally encouraged by the Hillside
17 Guidelines and should be part of this Commission's
18 decision.
19

20 CHAIR HUDES: Thank you. Any questions? Okay.
21 Thank you. Lee Quintana.

22 LEE QUINTANA: Lee Quintana, 5 Palm Avenue.
23 Compared to the project that you saw at your last Planning
24 Commission meeting for a hillside house this house is far
25 and away a better designed house for a hillside. My

1 comments are going to be with the caveat that I did not
2 have the opportunity to go up and actually look at the
3 house itself or see the story poles or look at it from the
4 design areas of the Town. However, in my opinion it does
5 appear to be a house that is designed to fit into the
6 hillside and to follow the topography of the hillside, and
7 I believe that the below-grade area was used to set the
8 house into the hillside, not as many houses have been used
9 to both set the house into the hillside and expand the
10 square footage, thereby increasing the grading
11 considerably.
12

13 I do have questions about the trees looking at
14 the model and looking at the plans as to whether in fact it
15 does meet the 100' fire safety requirements.

16 I applaud the fact that it's a very sustainable
17 house. The Staff Report indicates that they're considering
18 water harvesting and grey water use but I think I heard the
19 architect say that those are included in the design, so I'm
20 not clear on that.

21 And I agree, the first thing that I looked at was
22 that the visibility is so close to the required that I just
23 wondered whether there was a way to reduce that visibility
24 somewhat by I think there's an area of the house that is
25 quite tall that has 15' or 16' height in the room, although

1 the plans were not really clear on that, easy to read
2 anyway.

3 And as far as not being within the envelope of
4 the PD, if I remember correctly I was on the Commission at
5 that time and that was just to show that it was possible to
6 get a house on the site, it was not necessarily the only
7 place where the house could be set on the site.

8 The last thing I would like to say is that while
9 I agree it would be nice if the house was smaller, but it
10 is within the parameters of the Hillside Design Guidelines.

11 I have not seen the materials, so I don't have
12 any comments on that, but I think because of fire safety we
13 may have to get beyond just having natural materials.

14 CHAIR HUDES: Thank you. Would anyone else like
15 to speak on this project? Okay, I don't have any other
16 cards, so I would invite the Applicant back up for three
17 minutes.

18 HARI SRIPADANNA: Thank you. While he starts the
19 slide collection I would like to say that your Staff has
20 totally reviewed the tree analysis as well as the building
21 square footages and we have gone to extraordinary lengths
22 to verify with the arborist as well for the tree screening,
23 and all the trees that we show in the screening are what
24 they have been, and the observer who has commented on that,
25

1 I would be happy to sit with him and go through the design.
2 The Staff has multiple times reviewed this tree protection
3 plan as well as screening areas and we are within allowable
4 area guidelines and we have made all the right calculations
5 that the Town has asked us to do so.

6 Next. You can see these are the two areas that
7 possibly the project would be seen and, going to the next
8 slide, this is the point I would really like to make to
9 everyone is what you see here is a terrain that rises up
10 before the property begins, so anybody who would be seeing
11 this property would be seeing it about a mile away, so all
12 the discussions we are having are only in abstract because
13 nobody would be traveling around the Town with a 300mm
14 lens.
15

16 So, if you go to the next slide. Same thing
17 happens with this situation. The terrain rises up
18 dramatically before the property begins, and this is a
19 Google section that's available for anybody to verify.

20 Keep going to the next slide. These are all the
21 trees that we have kept and we have tried very hard to keep
22 the other trees as well, but these trees require such a
23 large DBH area, the breast diameter range, that we would
24 not be able to keep these trees and help them survive, so
25 unfortunately we'd have to remove what we have to remove,

1 but as the Commissioner pointed out, #669 is actually there
2 and we've preserved it. All these trees are accounted for
3 and the arborist has checked these trees and we have
4 verified the height canopy and the width of all of these
5 trees, and you can see the pictures of these trees that we
6 have documented and they are absolutely what we present in
7 the design.

8 Keep going. Next slide. And as you can see, these
9 two pictures are from the Blossom Hill area and these two
10 pictures are from Selinda Way area.

11 Go to the next slide, please. This is all the
12 screening that we have calculated for. Only a small portion
13 of this building would be seen with a 300mm camera.

14 Next slide, please. And so only a small portion
15 of the building would be seen with the dark materials that
16 nobody would be able to see because of very low LRA values
17 compared to these homes.

18 Next slide, please. And this is what you see with
19 the naked eye. Nobody would be able to see it closer than
20 that, and I would like to leave you with that impression,
21 because nobody walks around with a 300mm camera.

22 CHAIR HUDES: Thank you. There may be some
23 questions. Yes, Commissioner Janoff.

1 COMMISSIONER JANOFF: Yes, thank you. You
2 mentioned in your earlier discussion that you were
3 replacing the trees removed with 40 additional trees. Can
4 you comment on slide #11, if you would go back two slides,
5 would we be seeing any of the 40 new trees in this view
6 that would represent more coverage?

7 HARI SRIPADANNA: Yes.

8 COMMISSIONER JANOFF: Can you point out where
9 they may be?
10

11 HARI SRIPADANNA: In this specific area we are
12 planting three mature trees, and a lot of trees that are
13 planted on the other side as well, but any more than that
14 on this side area is impossible because they're so dense,
15 and so even this coverage would be very much dramatically
16 reduced.

17 COMMISSIONER JANOFF: Just to follow up, please?
18 Could you be more specific with your pointer with respect
19 to the trees behind the house?

20 HARI SRIPADANNA: Mmm-hmm. Can you go back one
21 more slide out of the site plan? Yeah. One more. So, there
22 are trees that we are planting, three mature trees that we
23 are planting right here in this clear area, and there are
24 quite a lot of trees that are planted in this area as well,
25 but because this area is so dense we do not have... And then

1 we are planting some trees in this area as well, so that's
2 the extent of what sunshine they can get.

3 COMMISSIONER JANOFF: So, what I'm getting at,
4 back to slide #11, which is a little bit easier to see, is
5 the impact of a structure relative to the skyline.
6 Oftentimes when we approach the hillside from these viewing
7 positions what you wind up seeing as you get closer to the
8 property isn't the elevation of the house but it's the
9 roofline that you see quite visibly above the tree line at
10 certain points. I'm probably on that line from Selinda to
11 your property so I'm well aware of what happens to the
12 skyline as these houses get sited at the very top. My
13 question again is could you be more specific with respect
14 to the highest elevations of the roof line behind it? Where
15 might some of your 40 mature trees be planted? If you could
16 show with the pointer, that would be helpful.

18 HARI SRIPADANNA: The trees that we are talking
19 about are planted in this area that will raise up high, and
20 these trees are all protected to increase the visibility of
21 the project, and all the discussion we're having right now
22 with the 15' height is this small portion of the roof that
23 projects out, which is only 5' higher. Otherwise, we're all
24 within the allowable area heights and this discussion we
25 wouldn't be even having because this wouldn't be considered

1 a visible home, because the 18' height of the roof is
2 already applied to most of them. This small area of the
3 roof that comes up is the part that we were asking for the
4 visibility analysis.

5 COMMISSIONER JANOFF: And so just to clarify, I'm
6 looking at it from the Selinda viewing point, the general
7 direction.

8 HARI SRIPADANNA: This is the Selinda viewing
9 point, between these (inaudible).
10

11 COMMISSIONER JANOFF: And you're saying that the
12 40 additional trees you're planting are between the viewing
13 point and front elevation of the house, but not behind it?

14 HARI SRIPADANNA: Here as well.

15 COMMISSIONER JANOFF: There as well?

16 HARI SRIPADANNA: Yes, because we cannot put 40
17 trees in possibly.

18 COMMISSIONER JANOFF: I wouldn't think so.

19 HARI SRIPADANNA: Yeah.

20 COMMISSIONER JANOFF: Okay, thank you.

21 CHAIR HUDES: I had another question about the
22 trees, and I know we're getting specific down to the tree
23 number, but I approach these as a tree-by-tree basis, can
24 we save every tree?
25

HARI SRIPADANNA: Right.

1 CHAIR HUDES: And so just to clarify it, you said
2 that #669 was preserved?

3 HARI SRIPADANNA: Yeah, this one.

4 CHAIR HUDES: Okay. And then Dr. Weissman asked
5 the question about #671. Is that being removed or
6 preserved? Because he pointed out that it's being counted
7 both as screening and as remove.

8 HARI SRIPADANNA: I would like to go back to the
9 slides and point to the slide.
10

11 CHAIR HUDES: Yeah, go ahead.

12 HARI SRIPADANNA: If you go back to the site plan
13 again. Any trees that we show in this area are the only
14 trees we have counted towards the screening, and the
15 pictures are clearly shown here of what they are. So, #671
16 is this particular tree, I believe. This is #670 and then
17 #671 is somewhere nearby, and we have not counted that in
18 the screening. It's possible if there's some typo, but...

19 CHAIR HUDES: Okay, so it is slated to be
20 removed?

21 HARI SRIPADANNA: Yes.

22 CHAIR HUDES: Okay, so that may have been an
23 error. Other questions? Yes, Commissioner Burch.

24 COMMISSIONER BURCH: Well, I guess to that point
25 then there are seven errors, because there are seven trees

1 counted under trees to remain or trees to be removed. Most,
2 I think, are pretty clear that they would obviously have
3 been removed. I mean, they have to be removed to allow for
4 the driveway or the home. I think the questions we're
5 getting are when we are that razor thin to the percentage
6 allowable visibility one tree off could mean that you're
7 over on that. So, I would hope in good faith as you move
8 forward that you would double check these seven, and I'm
9 happy to list them off if you want me to and you make sure
10 that if you are looking at removing them that they do not
11 tip the balance of the percentage shown.
12

13 HARI SRIPADANNA: Absolutely.

14 COMMISSIONER BURCH: So, if you want a list of
15 those later, I'm sure we can provide it to you, but I think
16 it would be good for you to go back and double check that.

17 HARI SRIPADANNA: I will certainly do.

18 CHAIR HUDES: Great. Thank you. Other questions?
19 Commissioner Barnett.

20 COMMISSIONER BARNETT: I wonder if you have a
21 response to the comment concerning the fire safety with the
22 firepit?

23 HARI SRIPADANNA: We will be complying with all
24 the fire safety regulations and what's allowed by the Fire
25 Department and the Building Department for putting the

1 fireplace outdoors, and that outdoor fireplace will have
2 all the safety measure that are required by the code, and
3 so that's one of the questions even the HOA has asked and
4 we have provided the documentation of that and they
5 approved that.

6 CHAIR HUDES: Okay. Other questions? I had a
7 question about the live roof, which is an interesting
8 feature and it sounds like it accomplishes a number of
9 objectives. My question about that is: Is there significant
10 maintenance required? And we know that this house is being
11 constructed for these clients and they will take care of it
12 as they put a lot into the design, but homes get sold
13 later. I'm not that familiar with this type of thing, but
14 how easy would that be for that to fall into disrepair and
15 become a fire hazard rather than a benefit?

17 HARI SRIPADANNA: I can say to you from my own
18 personal experience, my own house has a green roof and it
19 consists of not grass but succulent plants, and these
20 succulent plants actually stop the fire because they are so
21 thick with water that they actually are used and are meant
22 to be considered a fire retardant, and the Fire Department
23 actually approves them as one of the fire retardants.

24 The maintenance part, you would have to weed them
25 occasionally, and that's always the case with any green

1 roof, but that weeding part is no different than mowing the
2 lawn; it's actually less because you probably have to weed
3 it every three months to six months and not every two
4 weeks.

5 CHAIR HUDES: Okay, thank you. I had another
6 question about the geothermal, and we haven't seen that
7 very much in other projects. How complex and how deep do
8 you have to go to get the geothermal effect I think of 60-
9 degrees Fahrenheit?
10

11 HARI SRIPADANNA: So, we have two ways of doing
12 geothermal. One would be doing a horizontal loop, which we
13 have allowed for the driveway; that would be a lot more
14 economical. But we are also looking at the possibility of
15 going down as we drill the piers, because we would be
16 drilling the piers at least 16' below ground. Some of
17 these, depending on the amount of energy needed, would need
18 to go 30-40' for them to get the amount of surface that
19 they would need to contact the earth, but both options are
20 possible.

21 CHAIR HUDES: I see. So, it's part of the normal
22 construction process you incorporate that in the piers?
23

24 HARI SRIPADANNA: Correct.

25 CHAIR HUDES: That's really interesting. Any
other questions? Okay, thank you. I will now close the

1 public portion of the hearing and ask whether Commissioners
2 have any questions of Staff? Yes, Commissioner Badame.

3 COMMISSIONER BADAME: With respect to Dr.
4 Weissman's comments with the deck extension, does the
5 project meet our view analysis standards?

6 SALLY ZARNOWITZ: Our analysis is that it did. I
7 don't have a specific on the deck being part of that,
8 whether if the deck weren't there—that would have been a
9 question for the Applicant—but whether if the deck weren't
10 there something would have been behind it anyway, but our
11 analysis was that it did meet our standards for the view
12 analysis.

13
14 COMMISSIONER BADAME: Thank you.

15 CHAIR HUDES: Yes, Vice Chair Hanssen.

16 VICE CHAIR HANSSSEN: Related to that question,
17 I'm trying to remember from the last time we went through
18 this, when we do a view analysis it's done by the
19 Applicant, correct? And then they have to show it to Staff?

20 SALLY ZARNOWITZ: That's correct.

21 VICE CHAIR HANSSSEN: And that you check their
22 methodology?

23 SALLY ZARNOWITZ: That's correct, yes, so it
24 follows the guidelines for that as well.
25

1 VICE CHAIR HANSSSEN: Do we have any kind of
2 notion of like standard deviation of error, because it is
3 very close to the limit and so if there was an error in
4 calculation then it could put it over, but at the same time
5 we don't want to be holding applicants to a higher standard
6 than the one we put out there, so is it typical with these
7 kinds of things that there could be a range of error or are
8 we fairly confident that the numbers we've seen are
9 correct?
10

11 SALLY ZARNOWITZ: We were confident in these
12 numbers, so I guess it would be... Again, it's before the
13 Commission. If the Commission feels that it's too close to
14 the 24.5%, that's up to the Commission as well. We don't
15 know exactly. I don't think we have an exact number for the
16 margin of error as you're saying.

17 VICE CHAIR HANSSSEN: But we do know they followed
18 the procedure that we've outlined?

19 SALLY ZARNOWITZ: That's correct.

20 VICE CHAIR HANSSSEN: Thank you.

21 CHAIR HUDES: Other questions? Yes, Commissioner
22 Badame.

23 COMMISSIONER BADAME: So, again, if the Planning
24 Commission wasn't comfortable with the possible margin of
25 error but they're still within it the burden of proof is on

1 the Applicant, so if we had an issue with it they would go
2 to Council and it's within the guidelines, so that's that?
3 Am I correct? Burden of proof is Applicant and (inaudible)?

4 SALLY ZARNOWITZ: Correct, and the plans are
5 conditions, the plans have to represent the project
6 accurately.

7 COMMISSIONER BADAME: Thank you.

8 SALLY ZARNOWITZ: I don't know if the attorney
9 has anything to add, but he seems to be nodding.
10

11 ROBERT SCHULTZ: I'm nodding, and I guess the
12 other issue was the tree issue. I mean, the Staff Report is
13 clear on I think it's page three or four that exactly the
14 trees that are going to be removed and you have conditions
15 that every tree will need a Tree Removal Permit, so those
16 are the ones that are coming out even though there seems to
17 be with one of the sheets clarification, but that shows
18 exactly the trees that are going to be removed within the
19 Staff Report and the conditions of approval.

20 COMMISSIONER BADAME: Thank you.

21 CHAIR HUDES: Vice Chair Hanssen.

22 VICE CHAIR HANSSSEN: I should have asked this of
23 the Applicant, but since you've reviewed the (inaudible),
24 so the house is currently...the height is 22' where 25' is
25 allowed unless they're over the view, but I thought I heard

1 him say that there's only a small portion of the roof that
2 was more than 18', because the mitigation would be if they
3 were over the view to make them be at 18', but I think what
4 I heard him say is most of the house is already at 18', is
5 that correct?

6 SALLY ZARNOWITZ: That is correct. There's that
7 kind of small piece that's at the top of the roof, it's
8 kind of like a bird's nest, or the sloping piece that's
9 slightly higher, that's the small portion that is over the
10 18'. Thank you.

11 VICE CHAIR HANSEN: Thank you.

12 CHAIR HUDES: Okay, other questions or comments
13 or a motion, or how would we like to go next on this?
14 Commissioner Burch.

15 COMMISSIONER BURCH: I'll go ahead and start. I
16 want to compliment the design. While it's a more modern
17 design I think it's very sympathetic to the landscape and
18 the way the hillside slopes, which is exactly what I feel
19 like we keep reminding people that they're supposed to do.
20 I believe that the materials selected will make that
21 percentage that we are seeing that will be visible nearly
22 disappear. I do not think that we'll notice it very much at
23 all.
24
25

1 I do think it's unfortunate when you are that
2 close that somebody wasn't more diligent on verifying the
3 trees to be removed or to remain, only because it does wind
4 up bringing a question in peoples' minds about that
5 percentage, however, as I looked at them and just mapped
6 them out they were clearly items that were sitting in the
7 middle of the home or the drive, so therefore they're not
8 to be remained and I do not think that they were probably
9 shown on any image illustrating the visibility.
10

11 I'm going to support the motion. Again, I think
12 the design is very sympathetic to the hillsides and I'm
13 extremely impressed with a home that is going for LEED
14 Platinum; that's very commendable and hopefully something
15 we see more of.

16 CHAIR HUDES: Commissioner Janoff.

17 COMMISSIONER JANOFF: I concur with Commissioner
18 Badame's comments and I would also like to say it's a rare
19 and pleasant experience to see a design come to us that
20 doesn't try to exceed the cut and fill standards and I
21 truly appreciate that, and I'm also happy to hear that the
22 plantings will include trees behind the house so that
23 continues to obscure the overall skyline of the hill.
24

25 I was a proponent of the modern structure that's
the neighboring property and I think it's nice to see

1 another home come into that neighborhood that reflects a
2 more modern aesthetic, and I do think it's very, very
3 sympathetic to the hillside contours and so I will also be
4 supporting the motion.

5 CHAIR HUDES: We are lacking a second for the
6 motion. Do we have a second?

7 COMMISSIONER BURCH: I didn't make a motion.

8 CHAIR HUDES: Oh, I'm sorry.

9 COMMISSIONER BURCH: I was just saying I support
10 the application.
11

12 CHAIR HUDES: I'm way ahead of it.

13 COMMISSIONER BURCH: I wasn't so bold just yet.

14 CHAIR HUDES: Okay. Yes, Commissioner Barnett.

15 COMMISSIONER BARNETT: In my opinion, I'm
16 reviewing the materials, I thought that the application is
17 in total compliance with the Hillside Design Standards and
18 Guidelines and that there is particular merit in the
19 architectural design that's been noted. The sustainability
20 and the minimization of bulk and mass I think all are to be
21 complimented.

22 CHAIR HUDES: Vice Chair Hanssen.

23 VICE CHAIR HANSSEN: I agree with most of the
24 comments that have been made and I also wanted to commend
25 the Applicant. It's not very often that we see an

1 application where they aren't wanting to violate some
2 aspect of our Hillside Standards and Guidelines or code and
3 that seems to be what we're here for, so I was really glad
4 to see that and I had to ask Staff why are we seeing this
5 again? But I think it is prudent for them to have the
6 additional review because the hillsides are that important
7 to the Town of Los Gatos and the view and all of those
8 things, so I'm glad that we had the opportunity to review
9 this.

10
11 But I think the design is great; the consulting
12 architect had no problem with it. It looks terrific. I
13 didn't totally understand the concept of fitting to the
14 slope of the land until the architect explained it, but I
15 think that's really awesome and I actually took several
16 classes for sustainability and I know all about LEED
17 certification and I think that's awesome and we hardly ever
18 see it for residences, so assuming there is a motion to
19 approve I'll be supporting it.

20 CHAIR HUDES: Commissioner Badame.

21 COMMISSIONER BADAME: The Planning Commission
22 doesn't have the expertise to refute the analysis, so I'm
23 going to go ahead and make a motion.

24 I move to approve Architecture and Site
25 Application S-18-053 requesting approval for construction

1 of a new single-family residence and removal of large
2 protected trees on a vacant property zoned HR-2½. I can
3 make the required findings for CEQA. I can make the
4 findings for compliance with the Hillside Design Standards
5 and Guidelines. I can find that it's compliant with the
6 Hillside Specific Plan. I can make the finding that it's in
7 compliance with the approved Planned Development, and these
8 considerations were made in review of Architecture and Site
9 Application Section 29.20.150 of the Town Code.

10
11 CHAIR HUDES: Okay, thank you. Now do I have a
12 second? Commissioner Tavana.

13 COMMISSIONER TAVANA: I'll second that motion.

14 CHAIR HUDES: Further discussion? Yes,
15 Commissioner Barnett.

16 COMMISSIONER BARNETT: I'm a newbie, so forgive
17 me if I'm off course here, but the conditions of approval
18 need to be incorporated into the motion. Is that done
19 automatically?

20 ROBERT SCHULTZ: Yes, you can include those also.
21 That's a good point.

22 CHAIR HUDES: Thank you. So, Maker of the Motion,
23 is that included?

24 COMMISSIONER BADAME: Yes, I believe it's
25 automatically included.

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CHAIR HUDES: And seconder?

COMMISSIONER TAVANA: Second.

CHAIR HUDES: Very good. I will call the question. All in favor? Opposed? Passes unanimously 7-0. Are there appeal rights?

SALLY ZARNOWITZ: Yes, there are. The decision of the Planning Commission is appealable within ten days to the Town Council at the Clerk's Office and with fees paid.

CHAIR HUDES: Okay, thank you.