



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 01/10/2024

ITEM NO: 3

DATE: January 5, 2024

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 with Reduced Setbacks on Property Zoned R-1D. **Located at 212 Thurston Street.** APN 410-15-039. Categorically Exempt Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303(a): New Construction or Conversion of Small Structures. PROPERTY OWNER/APPLICANT: Meleah Guillard. PROJECT PLANNER: Maria Chavarin.

RECOMMENDATION:

Consider approval of a request for demolition of an existing single-family residence and construction of a new single-family residence with reduced setbacks on property zoned R-1D, located at 212 Thurston Street.

PROJECT DATA:

General Plan Designation: Medium Density Residential

Zoning Designation: R-1D

Applicable Plans & Standards: General Plan; Residential Design Guidelines

Parcel Size: 4,671 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Medium Density Residential	R-1D
South	Residential	Medium Density Residential	R-1D
East	Commercial	Neighborhood Commercial	C-1
West	Residential	Medium Density Residential	R-1D

PREPARED BY: Maria Chavarin
Assistant Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The Project is Categorically Exempt Pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15303(a): New Construction or Conversion of Small Structures.

FINDINGS:

- The Project is Categorically Exempt Pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15303(a): New Construction or Conversion of Small Structures.
- As required by Section 29.10.09030(e) of the Town Code for the demolition of an existing residence.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) with the exception of the request for reduced front yard setbacks.
- As required by Section 29.10.265(3) of the Town Code for modification of zoning rules on nonconforming lots, including setback requirements.
- As required by the Residential Design Guidelines that the project complies 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 north side of Thurston Street between N. Santa Cruz Avenue and Monterey Avenue (Exhibit 1). The property is 4,671 square feet and is nonconforming as to size, where 5,000 square feet is required for a parcel in the R-1D zone. The site is developed with a 1,109-square foot single-story residence and a 385-square foot garage. The applicant proposes demolition of the existing one-story single-family residence and construction of a new two-story single-family residence with a cellar (Exhibit 12).

On May 8, 2023, the applicant submitted an Architecture and Site application for the demolition of an existing single-family residence, and construction of a new two-story residence.

BACKGROUND (continued):

The proposed project meets technical requirements of the Town Code including parking, height, and floor area. The project is being considered by the Planning Commission to consider the project's compliance with the Residential Design Guidelines for mass and bulk compared to other homes in the immediate neighborhood, as discussed in Section C below.

The Architecture and Site application was originally scheduled for the Planning Commission hearing date of December 13, 2023. The item was continued to the January 10, 2024 Planning Commission meeting to allow public notice on the project sign consistent with Town policy.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the north side of Thurston Street between N. Santa Cruz Avenue and Monterey Avenue (Exhibit 1). The subject site and surrounding properties to the north, west, and south have a medium density residential land use designation and are developed with one and two-story single-family residences. The neighboring property immediately to the east has a neighborhood commercial land use designation, but is developed with a one-story single-family residence.

B. Project Summary

The applicant proposes demolition of the existing single-family residence and construction of a new 1,632.7-square foot two-story single-family residence with an 875.5-square foot cellar (Exhibit 12). Due to the small lot size, the proposed residence would appear larger in bulk and mass in relation to other residences in the immediate neighborhood. In addition, the proposed residence includes a front setback of seven feet, three inches, where 15 feet is required. The project includes retention of an existing one-car garage in the rear corner of the lot and one proposed on-site parking space.

C. Zoning Compliance

A single-family residence is permitted in the R-1D zone. The subject property is 4,671 square feet and is nonconforming as to size, where 5,000 square feet is required for a parcel in the R-1D zone. The proposed residence is in compliance with the zoning regulations for floor area, height, and on-site parking requirements. The applicant requests an exception to the front yard setbacks.

DISCUSSION:A. Architecture and Site Analysis

The applicant proposes demolition of the existing single-family residence and construction of a 1,632-square foot two-story single-family residence. A portion of the front porch would have a front setback of seven feet, three inches, where 15 feet is required, as discussed in Section F below. The project site has an existing detached one-car parking garage in the rear left corner of the lot which is proposed to remain. The maximum height of the proposed residence is 26.3 feet. The applicant provided a Letter of Justification discussing the project (Exhibit 5).

A summary of the floor area for the existing and proposed residence is included in the table below.

Floor Area Summary

	Existing SF	Proposed SF	Allowed SF
Main Residence			
First Floor	1,109	875.5	--
Second Floor	--	757.2	--
Total	1,109	1,632.7	1,682
Below-Grade Area*	0	875.5	--
Garage	385	0	400
* Pursuant to Sec. 29.10.020, floor area means the entire enclosed area of all floors that are more than four feet above the proposed grade, measured from the outer face of exterior walls or in the case of party walls from the centerline.			

Neighborhood compatibility of the proposed floor area is discussed in Section C below.

B. Building Design

The project consists of a contemporary style residence with warm colors and materials. Proposed exterior materials include: a standing-seam metal roof (dark bronze with a matte finish); real stone veneer; smooth stucco siding; metal guard rails; metal-clad wood windows with factory installed casing frames; roof boards and trim; and metal gutters (Exhibit 4).

The Town's Consulting Architect reviewed the proposed residence on May 16, 2023 (Exhibit 7). The Consulting Architect identified several issues and concerns and provided recommendations for changes to the original design to increase compatibility with the Residential Design Guidelines. In response to these recommendations, the applicant made

DISCUSSION (continued):

several modifications to the design of the residence. The Consulting Architect's recommendations are provided below, followed by the applicant's response in *italics*, the full responses are in Exhibit 8.

Recommendations:

1. Increase the size of the first floor segment over the kitchen window to reinforce the first floor eave and roof line and to improve the front façade compatibility with other homes in the immediate neighborhood.

The entry porch has been enlarged to bring it across in front of the kitchen window as recommended. This extends the lower roof eave line to better align with the adjacent houses and buffers the front 2-story element.

2. Revise the entry to provide an under-the-eave entry similar to other homes in the immediate neighborhood, reinforce the first floor roof line and improve the front façade compatibility with other nearby homes.

The gable-roof at the entry has been removed, as recommended.

3. Select either stucco or horizontal siding and use it consistently on all exterior walls.

The exterior siding has been revised to be 2 materials – stucco and stone. These materials are also used for one of the homes in the immediate neighborhood – 529 Monterey Avenue.

4. Select roofing materials similar to that on other homes in the immediate neighborhood.

Metal roofing is also present in the immediate neighborhood – again on the home at 529 Monterey Ave.

5. Use wood columns on the front entry and back porch in lieu of the proposed stone columns.

Similar to the home at 529 Monterey Avenue, Ms. Guillard would like her home to be more contemporary in style, while still having a more traditional massing (i.e., peaked roofs with eaves). The elevations have been revised to expand the area of stone veneer, including keeping the porch columns as stone.

DISCUSSION (continued):

6. Treat all windows with the same detailing and provide trim consistent with the Residential Design Guideline 3.7.4.

In keeping with the more contemporary styling, the windows will not have trim. This is detailed in the drawings on sheet A2.

C. Neighborhood Compatibility

The immediate neighborhood contains one- and two-story single-family residences. Based on Town and County records, the residences in the immediate area range in size from 1,215 square feet to 3,093 square feet. The floor area ratios range from 0.14 to 0.34. Pursuant to Section 29.40.075 of the Town Code, the maximum Floor Area Ratio (FAR) for the subject property is 0.36 (1,682 square feet). The proposed residence would have an FAR of 0.35 (1,632.7 square feet). The proposed residence would be the fifth largest in terms of house floor area, the largest in terms of FAR, and tallest the immediate neighborhood. The table below reflects the current conditions of the homes in the immediate neighborhood:

Immediate Neighborhood Comparison

Address	Zoning	House Floor Area	Garage Floor Area	Total Floor Area	Lot Size	House FAR	No. of Stories
214 Thurston St	R-1D	1,957	451	2,408	6,534	0.30	2
228 Thurston St	R-1D	2,152	562	2,714	6,398	0.34	2
533 N. Santa Cruz Ave	C-1	1,368	324	1,692	8,712	0.16	1
531 N. Santa Cruz Ave	C-1	1,215	600	1,815	8,712	0.14	1
590 Monterey Ave	R-1D	3,093	899	3,992	10,800	0.29	1
529 Monterey Ave	R-1D	2,858	797	3,655	8,994	0.32	2
212 Thurston St (E)	R-1D	1,109	385	1,494	4,671	0.24	1
212 Thurston St (P)	R-1D	1,632	385	2,017	4,671	0.35	2

The proposed residence would comply with the maximum allowed floor area on the site, would not be the first two-story home, and would not be the largest home in the immediate neighborhood in terms of floor area. However, the proposed residence would be the tallest in the immediate neighborhood by three inches and have the largest FAR.

DISCUSSION (continued):

D. Tree Impacts

Fruit trees are located on the project site. Two fruit trees are noted to be removed from the project site: a 15-inch olive tree located adjacent to the existing concrete driveway and fronting the existing detached garage; and a 12-inch fruit tree located at the rear of the residence. Pursuant to Section 29.10.0970 of the Town Code, fruit trees less than 18 inches in diameter may be removed without a tree removal permit.

E. Parking

Pursuant to Section 29.10.150(c)(1) of the Town Code, the number of required parking spaces for a single-family residence is two parking spaces. A detached one-car garage exists on the lot and would remain. To satisfy the minimum required parking spaces, the proposed project also includes one uncovered parking space outside of the front yard setback.

F. Exception - Setbacks

The applicant is requesting an exception to the required front yard setback in the R-1D zone (Exhibit 6). Pursuant to Town Code, the required front setback in the R-1D zone is 15 feet. The existing residence is nonconforming with the front yard setback requirement and situated three feet, six inches from the front property line. The proposed residence, measured to the stone veneer columns of the front porch, would be situated seven feet, three inches from the front property line. The Town Code allows for modified setbacks for nonconforming lots through an Architecture and Site approval if the deciding body finds the request compatible with the neighborhood.

In Exhibit 6, the applicant provided an aerial photo of the neighborhood context showing the current setbacks of the residences in the immediate neighborhood. Although the proposed residence would not meet the required 15-foot front yard setback, the exception request for the reduced front yard setbacks would be compatible with other properties in the immediate neighborhood and create a more conforming situation than the existing residence.

G. CEQA Determination

The Project is Categorically Exempt Pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15303(a): New Construction or Conversion of Small Structures.

PUBLIC COMMENTS:

Story poles and project signage were installed on the site by November 7, 2023, in anticipation of the December 13, 2023, Planning Commission hearing. The applicant provided a summary of their efforts to communicate with their neighbors (Exhibit 9). Several letters from neighbors are included in Exhibit 10. The applicant provided a response letter addressing the neighbor's concerns in relation to the design of the project (Exhibit 11).

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for demolition of an existing single-family residence, and construction of a new single-family residence. The project is in compliance with the Town Code, with the exception of the reduced front yard setback request. The project would not result in the largest home in the immediate neighborhood in terms of floor area, but would be the tallest, and largest in terms of FAR.

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. 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(a): New Construction or Conversion of Small Structures (Exhibit 2);
2. Make the findings as required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures (Exhibit 2);
3. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) with the exception of the request for a reduced front yard setback (Exhibit 2);
4. Make the findings as required by Section 29.10.265 (3) of the Town Code for modification of zoning rules on nonconforming lots, including setback requirements (Exhibit 2);
5. Make the finding as required by the Town's Residential Design Guidelines that the project complies with the Residential Design Guidelines (Exhibit 2);
6. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
7. Approve Architecture and Site application S-23-009 with the conditions contained in Exhibit 3 and the development plans in Exhibit 12.

CONCLUSION (continued):

C. Alternatives

Alternatively, the Commission can:

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

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Color and Materials Board, Received November 29, 2023
5. Letter of Justification
6. Letter of Justification for reduced setbacks
7. Towns Consulting Architect
8. Applicant's Response to Consulting Architect
9. Applicant's Neighborhood Outreach
10. Public Comments Received Prior to 11:00 a.m., Friday, January 5, 2024
11. Applicant's Response to Public Comment, Received December 4, 2023
12. Development Plans

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