



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/23/2023

ITEM NO: 2

DATE: August 18, 2023

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 Requiring a Grading Permit on Property Zoned R-1:8. **Located at 232 Danville Drive.** APN 523-43-035. Categorically Exempt Pursuant to the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures. Property Owner: Cung Pham and Bien Vo. Applicant: D&Z Design Associates, Inc. Project Planner: Savannah Van Akin.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation: Low Density Residential

Zoning Designation: R-1:8

Applicable Plans & Standards: General Plan and Residential Design Guidelines

Parcel Size: 8,003.75 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: SAVANNAH VAN AKIN
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, Section 15303: 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, Section 15303: 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 structure.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- The project is in compliance with the Residential Design Guidelines for single-family residences not located in hillside areas.

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 Danville Drive, off Blossom Valley Drive (Exhibit 1). The lot is 8,004 square feet with an existing 1,705-square foot single-story residence with a 531-square foot attached garage. The immediate low density residential neighborhood contains mostly one-story ranch style homes.

On September 6, 2022, 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 and attached garage.

The proposed project meets all technical requirements of the Town Code including parking, height, floor area, building coverage, and setbacks. 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. The proposed project is the largest in the neighborhood in terms of floor area, FAR, and height.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the east side of Danville Drive, off Blossom Valley Drive. (Exhibit 1). The immediate low density residential neighborhood contains mostly one-story ranch style homes.

B. Project Summary

The applicant is proposing to demolish the existing 1,705-square foot single-story residence and construct a new 2,637-square foot two-story single-family residence with an attached 558-square foot garage (Exhibit 11). The proposed residence would have a height of 24 feet and eight inches.

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The project meets the objective standards of the zoning code for lot coverage, floor area, height, and setbacks.

DISCUSSION:

A. Architecture and Site Analysis

The applicant is proposing demolition of the existing residence and construction of a two-story single-family residence with 2,637 square feet of living space, and a 558-square foot attached garage. The height of the proposed residence is 24 feet eight inches, where a maximum of 30 feet is allowed. Story poles have been installed and certified to show the massing of the proposed residence.

The proposed project materials include a composition shingled roof and stucco siding (Exhibit 11). The applicant has provided a Project Description and Letter of Justification detailing the project (Exhibit 4). The project plans show an attached Accessory Dwelling Unit (ADU) on the south elevation of the residence. The ADU is not being reviewed as a part of this Architecture and Site Application per State law.

The request is being considered by the Planning Commission to determine compliance with the Residential Design Guidelines for mass and bulk compared to other homes in the immediate neighborhood. The proposed project is the largest in the neighborhood in terms of floor area, FAR, and height.

DISCUSSION (continued):**B. Neighborhood Compatibility**

The immediate neighborhood contains mostly one-story ranch style homes. Based on Town and County records, the residences in the immediate area range in size from 1,602 square feet to 2,497 square feet. The floor area ratios range from 0.20 to 0.32. The proposed residence would be 2,637 square feet with a floor area ratio of 0.33. Pursuant to Town Code, the maximum allowable square footage for the 8,004-square foot lot is 2,641 square feet with a maximum floor area ratio of 0.33. The table below reflects the current conditions of the immediate neighborhood:

ADDRESS	ZONING	HOUSE FLOOR AREA	GARAGE FLOOR AREA	TOTAL FLOOR AREA	LOT SIZE	FAR	NUMBER OF STORIES
309 BLOSSOM VALLEY DR	R-1:8	1,602	418	2,020	8,064	0.20	1
305 BLOSSOM VALLEY DR	R-1:8	2,497	484	2,981	7,885	0.32	2
301 BLOSSOM VALLEY DR	R-1:8	2,098	418	2,516	7,920	0.26	1
224 DANVILLE DR	R-1:8	2,056	420	2,476	7,980	0.26	2
228 DANVILLE DR	R-1:8	1,998	418	2,416	7,980	0.25	1
(E) 232 DANVILLE DR	R-1:8	1,705	531	2,236	8,004	0.21	1
(P) 232 DANVILLE DR	R-1:8	2,637	558	3,195	8,004	0.33	2
236 DANVILLE DR	R-1:8	1602	418	2,020	8,075	0.20	1
235 DANVILLE DR	R-1:8	1705	484	2,189	8,366	0.20	1
231 DANVILLE DR	R-1:8	1602	418	2,020	8,075	0.20	1
227 DANVILLE DR	R-1:8	2056	420	2,476	7,896	0.26	2
223 DANVILLE DR	R-1:8	1705	484	2,189	7,896	0.22	1

The proposed residence would not be the first two-story home; however it would be the largest home in the immediate neighborhood in terms of square footage, FAR, and height.

C. Building Design

The Town's Consulting Architect reviewed the design of the proposed project in a report dated September 9, 2022, and provided a review of the revised plans dated May 5, 2023.

In the Issues and Concerns background section of the Consulting Architect's report dated September 9, 2022 (Exhibit 5), the Consulting Architect noted that the proposed house is well designed with design unity around all sides of the structure. However, is very large in terms of size and bulk compared to homes in the immediate neighborhood, which is not consistent with several of the Town's Residential Design Guidelines.

The Consulting Architect made six recommendations to address consistency of the project with the Residential Design Guidelines, as follows:

DISCUSSION (continued):

1. Select a roof material that is more similar in color, texture, and finish to other homes in the immediate neighborhood.
2. Provide an under-the-eave entry to be like the other home entries in the immediate neighborhood.
3. Reduce the size of the front facade windows on the second story.
4. Provide more information on the window types, material, and trim.
5. Extend the roof overhang on the left side and rear elevations to break up the tall walls.
6. Add tall landscaping along the rear property line consistent with the requirements of Residential Design Guideline 3.11.2 and consider two possible approaches to addressing the issue of the rear terrace privacy intrusion.

The Consulting Architect also provided a second approach, which was included as an option to reduce the building mass at the front of the house. This recommendation was to move the third bedroom on the second floor to the rear, over the proposed Great Room. The applicant decided to apply approach one, rather than working with this second approach.

The applicant revised the plans partially addressing the Consulting Architect's recommendations. The applicant provided a written response to the issues and recommendations (Exhibit 6).

The Consulting Architect conducted a second review (Exhibit 7) and found that the proposed house was similar to the initial design, however, the applicant had made several changes, including modifications to the architectural style to be more compatible with the predominantly Ranch Style homes nearby. Most of the changes were positive, but there were still some concerns regarding mass and bulk of the front facade, compared to other homes in the immediate neighborhood.

The Consulting Architect made three additional recommendations, as follows:

1. Modify the front wall of the two second floor bedrooms to reduce the very front wall facade width to produce bay windows.
2. Match the overhang width and eave height along the central portion of the front facade and continue it across the home entry.
3. Maintain roof form traditional to the architectural style. The proposed long sloped roof over the Great Room is inconsistent with the Residential Design Guidelines which emphasize that the roof forms and details of the home be consistent with the proposed architectural style.

The applicant implemented the first two recommendations and provided the following response (Exhibit 8) to the third recommendation:

DISCUSSION (continued):

By continuing the upper-level gutter / fascia line across the rear elevation of the house and maintaining the roof form, it would be adding "massing" back to the Upper Level. Instead, we have changed the direction of the roof plane over the Great Room which further reduces the rear facing wall massing and is more in character with the architecture.

The project meets the objective standards of the zoning code, and the project design has been revised to improve compliance with the Residential Design Guidelines by:

1. Changing the roof material to be sensitive to the surrounding neighborhood;
2. Reducing the formal entry to under the eave to be sensitive to the surrounding neighborhood;
3. Reducing the size of the front windows on the second story;
4. Extending the roof overhang on the left and rear to break up tall walls;
5. Removing the second-floor balcony to address privacy concerns;
6. Reducing the height; and
7. Modifying the front wall of the of the two second floor bedrooms to reduce the front wall width in attempt to reduce the building massing relative to nearby homes, without reducing substantial floor area.

However, the project is the largest for floor area, FAR, and height in the immediate neighborhood, and is not consistent with the Residential Design Guidelines in regards to height and bulk. The proposed large second floor building mass is out of scale with other homes in the immediate neighborhood and, not consistent with the Residential Design Guideline 3.3.2.

D. Neighbor Outreach

The applicant provided a summary of their efforts to communicate with their neighbors (Exhibit 9). This document also outlines changes made to the plan in response to the meeting with the neighbors to mitigate several of their privacy concerns. Some of the changes made include removing the proposed second floor rear balcony, as well as raising a window sill height on the south side of the home.

E. 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.

PUBLIC COMMENTS:

Story poles and signage were installed on the site and written notice was sent to property owners and tenants located within 300 feet of the subject property. Public comments received by 11:00 a.m., Friday, August 18, 2023, are included as Exhibit 10.

CONCLUSION:

A. Summary

The applicant is requesting approval for demolition of an existing single-family residence and construction of a new single-family residence requiring a grading permit. The project is in compliance with the Town Code, however the project is not in compliance with the Residential Design Guidelines for mass and bulk at the front setback, compared to other homes in the immediate neighborhood.

B. Recommendation

With consideration of the analysis above, staff recommends that the Planning Commission deny the Architecture and Site application based on concerns related to the consistency with the Residential Design Guidelines.

C. Alternatives

Alternatively, the Commission can:

1. Approve the application with additional and/or modified conditions 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 findings as required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures (Exhibit 2);
 - c. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations);
 - d. Make the finding required by the Town's Residential Design Guidelines that the project complies with the Residential Design Guidelines (Exhibit 2);
 - e. 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
 - f. Approve Architecture and Site application S-22-041 with the conditions contained in Exhibit 3 and the development plans in Exhibit 11.
2. Approve the application with additional and/or modified conditions; or

CONCLUSION (continued):

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. Project Description and Letter of Justification
5. Consulting Architect's First Report, dated September 9, 2022
6. Applicant's response to the Consulting Architect's First Report, received April 5, 2023
7. Consulting Architect's Second Report, dated May 5, 2023
8. Applicant's response to the Consulting Architect's Second Report, received May 15, 2023
9. Applicant's neighborhood outreach efforts
10. Public Comments received prior to 11:00 a.m., Friday, August 18, 2023
11. Development Plans, received July 25, 2023