



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/11/2022

ITEM NO: 4

DATE: May 6, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Technical Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. **Located at 16668 Shannon Road.** APN 532-05-002. Architecture and Site Application S-21-039. PROPERTY OWNERS/APPLICANTS: Peter and Cheri Binkley. PROJECT PLANNER: Erin Walters.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:8
Applicable Plans & Standards: General Plan, Residential Design Guidelines
Parcel Size: 15,392 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: Erin Walters
Associate 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 existing structures.
- 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.

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 project site is located on the south side of Shannon Road approximately 83 feet west of Englewood Avenue (Exhibit 1). The subject property is 15,392 square feet and developed with a single-story, 1,806-square foot single-family residence with an attached 500-square foot garage.

On May 3, 2021, the applicant submitted a Minor Residential Development application (MR-21-011) for the construction of a second story addition to an existing single-family residence. After review by staff and the Consulting Architect, it was determined that the proposed project would result in a major change of architecture style and would result in the largest house in terms of square footage in the immediate neighborhood, which requires an Architecture and Site application.

On December 2, 2021, the applicant submitted an Architecture and Site application (S-21-039) for a revised project with a proposed technical demolition of the existing house and construction of a new two-story single-family residence.

BACKGROUND (continued):

On March 15, 2022, Accessory Dwelling Unit Permit (D-22-010) was approved to construct a new detached 810-square foot Accessory Dwelling Unit (ADU) to be located at the rear of the subject property.

The project is being considered by the Planning Commission due to the project proposing the largest house in terms of square footage in the immediate neighborhood.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is 15,392 square feet, located on the south side of Shannon Road approximately 83 feet west of Englewood Avenue (Exhibit 1). The property is developed with a single-family residence and attached garage. Single-family residential development surrounds the property.

B. Project Summary

The applicant proposes to technically demolish the existing house and constructing a new 3,420-square foot, two-story single-family residence with an attached 715-square foot three-car garage, and 450 square-feet of below grade square footage (Exhibit 13). The project is considered a “technical demolition” as the project proposes to remove more than fifty (50) percent of the exterior wall framing. Pursuant to Town Code Section 29.10.020 demolition of non-historic structures means removal of more than fifty (50) percent of the exterior walls. The proposed residence would be the largest in terms of square footage in the immediate neighborhood.

The applicant is also proposing a 500-square foot attached Junior ADU on the second floor of the proposed residence. The proposed Junior ADU is not part of this application and will be reviewed under a separate ministerial application.

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 for the property. Additionally, the proposed residence is in compliance with height, setbacks, building coverage, and on-site parking requirements. No exceptions are requested.

DISCUSSION:A. Architecture and Site Analysis

The applicant is proposing to technically demolish the existing one-story 1,806 square foot ranch style residence and 500-square foot attached garage.

The applicant proposes the construction of a simplified Mediterranean style two-story single-family home with 3,420 square feet of house floor area, 450 square feet of below grade square footage, and a 715-square foot attached three car garage. The height of the proposed building would be approximately 26 feet, 5 inches where a maximum of 30 feet is allowed. The applicant has provided a Project Description and a Letter of Justification summarizing the project (Exhibit 4). The proposed Development Plans are included in Exhibit 13.

The applicant is also proposing a 500-square foot attached Junior ADU on the second floor of the proposed residence. Per State law the proposed Junior ADU is not part of this application and will be reviewed under a separate ministerial ADU Permit application. However, as shown in the table below, the approved detached ADU (890 square feet), plus the proposed Junior ADU (500 square feet) exceeds the 10 percent bonus square footage allowed for ADUs, and therefore 110 square feet counts toward the maximum house floor area, listed below as "Countable Junior ADU Square Footage."

A summary of the floor area for the existing residence and proposed residence is included below:

Floor Area			
	Existing SF	Proposed SF	Maximum Allowed SF
Main House - 1 st Floor	1,806	2,480	
Main House - 2 nd Floor	0	750	
Attic	0	80	
Countable Junior ADU Square Footage	0	110*	
Below Grade Square Footage	0	450	Exempt
Total	1,806	3,420	4,108
Attached Garage	500	715	1,091
Detached ADU	0	810	Max size 1,200
Attached Junior ADU	0	500	Max size 500
ADU Total	0	1,310 -110 countable SF*= 1,200	10% ADU increase – 1,200 Max Total

DISCUSSION (continued):

The proposed project materials include smooth stucco walls; concrete roof tiles; wood columns and iron railings at the rear seconds story balcony; wood trim; metal and glass front door; and wood sectional garage doors. The Color and Materials Board is included as Exhibit 5.

B. Building Design

Minor Residential Development Permit Application – Two-Story Addition

On July 22, 2021, Town's Consultant Architect reviewed the proposed two-story addition to an existing single-family residence for Minor Residential Development Permit application (Exhibit 7). The two-story addition proposed at total of 4,033 square feet.

The Town's Consulting Architect stated that the project consists of a significant increase of the existing house on the site, and a major change in architectural style. The site is relatively large, and surrounded by other similar sized parcels, some which have seen the addition of larger homes. The Consulting Architect stated that overall, the proposed design is well done with substantial integrity on all sides (Exhibit 7). The architect stated that the proposed design would have taller elements near the front setback line than the other new larger homes nearby, but the house would be setback forty feet.

The Consulting Architect made the following six recommendations:

1. Extend projecting base consistently around all sides of house;
2. Select windows that have sash widths consistent with the scale of the house (e.g. vinyl cover wood), and recess windows from exterior wall face;
3. Reassess all window trim sizes to be consistent, and of a size appropriate to the scale of the house and each window;
4. Consider cast stone trim instead of stucco-covered foam for a higher quality of finish at the windows and other projecting trim;
5. For windows showing divided panes, use true or simulated divided light, and
6. Add substantial landscaping in the driveway island similar to that which existed previously.

Due to the major change in architectural style of the proposed residence and the project resulting in the largest square footage in the immediate neighborhood the project required an Architecture and Site application.

DISCUSSION (continued):*Architecture and Site Application – New Two-Story Residence*

The applicant applied for an Architecture and Site application and resubmitted a revised design for a technical demolition of the existing house, to construct a new two-story residence with an attached three car garage, below grade square footage, and an attached Junior ADU on the second floor. The Junior ADU is not part of this review. Figure 1 and Figure 2 below compare the front elevations of the original two-story addition design and the revised new two-story residence design.

	
Figure 1. Original Minor Residential Permit Application New Second Story Addition Proposed Square Feet: 4,033 s.f.	Figure 2. Revised Design- Architecture and Site Application New Two-Story Residence Proposed Square Feet: 3,420 s.f.

The revised two-story residence was reduced in size by 613 square feet for compatibility with the immediate neighborhood. The revised project adds a 500-square foot attached Junior ADU occupying the rear left portion of the second floor, which is not a part of this review.

On December 16, 2021, the Town's Consulting Architect reviewed the new two-story residence for Architecture and Site application (Exhibit 8). The Town's Consulting Architect restated that overall, the proposed design is well done with substantial integrity on all sides. That the proposed design would be smaller in floor area and building mass than the initial design reviewed in July 2021. The Consulting Architect found that the design does a much better job of relating to the immediate neighborhood, and the front façade would be softened by substantial articulation, and an emphasis on the first-floor roof eave line.

The Consulting Architect made seven recommendations, and they are summarized below. The applicant's response to each recommendation follows in *italics* and are included in Exhibit 9.

1. Simplify the front façade by eliminating the second-floor bay window and match other rectangle windows.

DISCUSSION (continued):

- *The front façade was simplified as recommended by removing the bay window in favor of a rectangular window.*
- 2. Raise the first-floor eave on the front and right-side elevation to provide a common eave line height.
 - *The first-floor eave heights were changed to have a common eave height.*
- 3. Refine the rear elevation by using wood columns, beams, bases, and column caps in lieu of the proposed stucco. Also, open up the sides of the second-floor balcony.
 - *The rear balcony now has wood beams in lieu of stucco as recommended and the sides were opened.*
- 4. Provide uniform eave heights around all facades.
 - *Uniform eave heights were adopted.*
- 5. Carry the projecting base consistently around all sides of the structure.
 - *The projected base was removed instead of carrying it around to all sides as it became awkward with window placements.*
- 6. Provide additional buffer landscaping, retain the existing landscape area along the right property line, and use modular driveway paving.
 - *The existing driveway is not changing. The applicant has planted new trees in the front landscaping area.*
- 7. Use casement windows with wood trim and if the applicant desires divided light windows on the front façade, they should be repeated on other facades.
 - *Windows were updated to be turn and tilt to maximize environmentally friendly air ventilation. The window will not be divided.*

The applicant has addressed all of the Consulting Architect's recommendations with the exception of using modular driveway paving. The applicant will not be modifying the existing driveway.

C. Neighborhood Compatibility

The subject property is 15,392 square feet and the maximum allowable floor area is 4,108 square feet for the residence and accessory structures, and 1,091 square feet for the garage. The maximum allowable Floor Area Ratio (FAR) for the residence and any accessory structure is 0.26. The table on the following page reflects the current conditions of the residences in the immediate neighborhood based on County records and the proposed project.

DISCUSSION (continued):

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Residential SF*	Garage SF	Total SF**	Lot Area SF	Residential FAR	No. of Stories
16689 Shannon Road	R-1:8	1,280	360	1,640	9,265	0.14	1
16675 Shannon Road	R-1:8	2,727	503	3,230	9,833	0.28	2
16667 Shannon Road	R-1:8	1,634	437	2,071	9,229	0.18	1
16653 Shannon Road	R-1:8	2,600	560	3,160	10,035	0.26	1
16639 Shannon Road	R-1:8	2,128	482	2,610	8,037	0.26	1
16690 Shannon Road	R-1:8	1,988	484	2,472	12,331	0.16	1
16680 Shannon Road	R-1:8	2,803	962	3,765	16,387	0.17	2
16301 Englewood Ave.	R-1:20	2,139	480	2,619	13,023	0.16	1
16302 Englewood Ave.	R-1:20	2,788	534	3,322	14,299	0.19	1
16668 Shannon Road (P)	R-1:8	3,420	715	4,135	15,392	0.22	2
16668 Shannon Road (E)	R-1:8	1,806	500	2,306	15,392	0.12	1
* Residential square footage does not include garages.							
**The total square footage numbers do not include below grade square footage.							

The property sizes within the immediate neighborhood range from 8,037 square feet to 16,387 square feet. Based on Town and County records, the residences in the immediate neighborhood range in size from 1,280 square feet to 2,803 square feet. The FAR of the residences in the immediate neighborhood range from 0.14 to 0.28. The applicant is proposing a 3,420-square foot residence and a FAR of 0.22 on a 15,392-square foot parcel. The proposed project would be the largest residence in terms of square footage by 617 square feet. The proposed project would not be the largest FAR in the immediate neighborhood.

The applicant has provided a Letter of Justification for the proposed two-story single-family residence, and justification for neighborhood compatibility (Exhibit 4). The applicant states that there are other two-story homes in the immediate neighborhood. The Town's Residential Design Guidelines define the immediate neighborhood as the two residences located on each side of the subject property and the five residences located across the street. The applicant describes that the subject property is larger than the properties located across the street on Shannon Road, located within the immediate neighborhood. The applicant provides an example of a larger lot located behind the subject house at 16317 Englewood located outside of the defined immediate neighborhood with a building size of 3,203 square feet, similar to the proposed project. The applicant initially designed the two-story addition to almost the maximum allowable FAR of 4,033 square feet, but have since reduced the project to 3,420 square feet.

The applicants describe that although the proposed residence is the largest square footage in the immediate neighborhood by 617 square feet it is not over the maximum allowable

DISCUSSION (continued):

FAR or the largest FAR in the immediate neighborhood. The proposed square footage will accommodate the applicant's home offices and provide extra space for grandparents to stay to provide childcare during the applicant's work hours.

The applicants describe how the building setbacks and roof line soften the mass of the second story. The proposed house is set back approximately 16 feet further than the adjacent residences. The front setback, overall lot size, and front landscaping reduce the size and appearance from Shannon Road making it compatible with the neighborhood.

D. Tree Impacts

The Town's Arborist prepared a report for the site and made recommendations for the project (Exhibit 10). The applicant is not proposing to remove any existing on-site trees and all trees are proposed to remain and be protected. Arborist recommendations for tree protection have been included in the Conditions of Approval (Exhibit 3).

E. Neighbor Outreach

The applicants have indicated that they have shared the project plans with surrounding neighbors as outlined in Exhibit 11. The applicants have provided a summary of their outreach and the neighborhood's responses. Included in the outreach summary is a letter of support from a neighbor.

F. CEQA Determination

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. At time of preparation of this report, four public comments in support of the project have been received (Exhibit 12).

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for the technical demolition of an existing single-family residence and the construction of a new two-story

CONCLUSION (continued):

single-family residence. The proposed residence would be the largest in terms of square footage by 617 square feet in the immediate neighborhood. The proposed project is not the largest FAR in the immediate neighborhood. 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 to address the consistency of the project with the Residential Design Guidelines. The applicant addressed all of the Town's Consulting Architect's recommendations with the exception of modifying the existing driveway material. The project is consistent with the Zoning and General Plan Land Use designation for the property. The application was referred to the Planning Commission because the residence would be the largest in terms of square footage in the immediate neighborhood.

The applicant has provided a Project Description and Letter of Justification for the proposed two-story residence, describing the design's compatibility with the immediate neighborhood and positive neighborhood feedback (Exhibit 4).

B. Recommendation

Based on the analysis above, staff recommends denial of the Architecture and Site application based on concerns related to size, neighborhood compatibility, 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 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) (Exhibit 2);
 - 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-21-039 with the conditions contained in Exhibit 3 and the development plans in Exhibit 13.

CONCLUSION (continued):

2. Approve the applications 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. Project Description and Letter of Justification, dated April 20, 2022
5. Color and Materials Board
6. Site Photographs
7. Consulting Architect's Report, dated July 22, 2021
8. Consulting Architect's Report, dated March 22, 2021
9. Applicant's response to the recommendations of the Consulting Architect, March 2, 2022
10. Town Arborist's Report, dated April 28, 2022
11. Applicant's Outreach Summary, dated March 1, 2022
12. Public Comments
13. Development Plans

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