MINUTES
SARATOGA PLANNING COMMISSION

DATE: Wednesday, March 26, 2008
PLACE: Council Chambers/Civic Theater, 13777 Fruitvale Avenue, Saratoga, CA
TYPE: Regular Meeting

Chair Hlava called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Commissioners Cappello, Hlava, Kumar, Kundtz, Nagpal, Rodgers and Zhao
Absent: None
Staff: Director John Livingstone, Associate Planner Shweta Bhatt and Assistant City Attorney Bill Parkin

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – Regular Meeting of March 12, 2008.

Motion: **Upon motion of Commissioner Nagpal, seconded by Commissioner Cappello, the Planning Commission minutes of the regular meeting of March 12, 2008, were adopted with edits to pages 6, 7 and 11. (7-0)**

ORAL COMMUNICATION

There were no Oral Communications.

REPORT OF POSTING AGENDA

Director John Livingstone announced that, pursuant to Government Code 54954.2, the agenda for this meeting was properly posted on March 20, 2008.

CONSENT CALENDAR

There were no Consent Calendar items.

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PUBLIC HEARING - ITEM NO. 1

APPLICATION #PDR07-0018 (398-30-015) LEE, 18853 Allendale Avenue: The applicant requests Design Review approval to remove an existing two-story single-family residence and construct a new approximately 6,015 square foot, one-story, single-family residence with a proposed height of approximately 21 feet. The net lot size is approximately .92 acres. The site is zoned R-1-40,000. (Christopher Riordan)

Mr. John Livingstone, Community Development Director, presented the staff report as follows:

- Reported that the applicant is seeking Design Review approval to allow the demolition of an existing single-family residence and the construction of a new 6,015 square foot single-family residence with basement and a maximum height of 21 feet.
- Described the architectural style as Mediterranean Revival using stucco with limestone accents, aluminum clad wood windows. The garage will have a wood grain appearance but will be a fiberglass material. Copper roofs will be utilized for bay windows and dormers. The roofing will be clay tile.
- Explained that staff has added Condition #13 that requires the applicant to submit a roof tile color sample with more neutral brown colors prior to issuance of Building permits for approval by the Community Development Director.
- Stated that two trees are impacted. The arborist has approved the removal of one 16-inch plum tree that is both in poor health and located within the building envelope. A 20-inch Coast Live Oak will require protective fencing during construction.
- Listed the energy features as including energy star appliances, roof tiles that are energy efficient, dual-pane windows, dormers that add natural light into areas of the residence, drought resistant landscaping and having down spouts run into landscape areas.
- Said that this project is consistent with Design Review requirements and recommended that the Planning Commission approve this request.

Commissioner Nagpal pointed out that a gate is still included on the plan.

Director John Livingstone said yes. He added that the Planning Commission could condition that the gate be subject to final approval by the Community Development Director unless it does not want the gate included at all.

Commissioner Rodgers pointed out that there is area within the entry at 19 feet in height. She asked if that area has been double counted against floor area.

Director John Livingstone replied yes. He added that the project architect could verify this.

Commissioner Nagpal pointed out that the garage color is called "Mesa Red" on the color board but mahogany in the staff report.

Director John Livingstone explained that staff felt that the color looked more like mahogany than a "red" color and said he would defer to the architect.

Chair Hlava asked staff how large is the basement.

Director John Livingstone replied that the architect could confirm but it appears from the plan to be 1,658 square feet.

Commissioner Kundtz asked about the roof tile color.

Commissioner Nagpal asked which condition deals with the roof tile color approval.

Director John Livingstone replied Condition #13.

Commissioner Nagpal said that they are to be earth tones.

Commissioner Cappello said neutral colors.

Commissioner Zhao asked staff if the applicant had been approached about including a second unit.

Director John Livingstone replied, yes, but the applicant was not interested.

Chair Hlava opened the public hearing for Agenda Item No. 1.

Mr. Lee, Applicant and Property Owner:
- Reported that this project has been in the planning stages over the last six to eight months.
- Added that he hired Studio2 to design the home.

Mr. Tam, Project Architect:
- Said that the garage door color name is confusing.
- Added that he brought a sample tonight that he feels is the best match to the window frame.
- Explained that as to the roof color, they want to find a color to compliment the house and work well in this neighborhood.
- Assured that they also want to stay away from orange.
- Distributed photographs of homes with tile roofs nearby.
- Advised that the roofing they have selected has some darker tiles to help them blend.
- Explained that his client wants to have a fence surrounding the property with a gate at the driveway.
- Said that he would defer to the project landscape architect to discuss stacking space available at the outside of the gate.

Commissioner Nagpal explained that this is not a gated neighborhood. She asked if Mr. Lee would be comfortable not having a gate.

Mr. Tam explained that they lowered the gate. The fence is just three feet high and the gate is five feet high.

Commissioner Nagpal mentioned that the applicant had said he would be okay without the fence and gate during the site visit.

Mr. Lee explained that if it is not allowed in Code to have them, he would not. However, his preference is to have the fence (three feet tall) with gate (five feet tall). He added that the City's recommendation as far as setback for the gate is totally acceptable for him.

Commissioner Rodgers asked Mr. Lee why this fence with gate is so important. Is it for aesthetic purposes or due to other concerns?

Mr. Lee said that he really could not quantify. He said his wife prefers to have this fence with gate. She and her elderly mother are home alone during the day. They are more confident in their security with this fence and gate. He added that he agrees that most houses in the neighborhood are without this type of fencing but there are two homes with higher fencing than he is proposing.

Commissioner Nagpal suggested that some sort of vegetation be used to turn this into green fencing.

Mr. Lee agreed that vegetation would be acceptable.

Commissioner Rodgers assured Mr. Lee that Saratoga is a very safe community and she hopes the Lee family is not afraid.

Mr. Lee agreed but suggested that there must be a little room for personal judgment here. He added that security includes keep cars off site that might be driven onto the property in order to turn around.

Director John Livingstone pointed out that according to the landscape plan there are lavenders proposed in front of the three-foot tall fencing.

Commissioner Nagpal asked how far the gate is set back.

Chair Hlava asked if a car stopped in front of the gate would be completely off Allendale.

Landscape Architect replied that the setback is 15.5 feet that allows one car to stack.

Director John Livingstone said that 18 to 19 feet is the typical parking space length.

Commissioner Nagpal asked if the setback is for both sides of the "U".

Director John Livingstone replied yes.

Commissioner Kundtz asked how much of a problem it might be to set back the gate by another three feet on both sides.

Landscape Architect said it shouldn't be difficult to move it back another three feet to 18-feet.

Commissioner Rodgers asked what the concrete color would be for the driveway.

Mr. Tam replied, an earth tone color.

Commissioner Rodgers asked about the light wells for the basement and whether there would be stairs included.

Mr. Tam replied yes. There are stairs and a couple of windows.

Commissioner Rodgers asked if there would be a fireplace.

Mr. Tam said that there would be gas fireplaces.

Commissioner Rodgers thanked Mr. Tam for using gas. She added that she was looking on the plan for the chimney(s).

Chair Hlava asked if the condition limiting wood burning fireplaces to one per structure is included in the conditions for this project.

Director John Livingstone directed the Commission to Condition 3B.

Commissioner Nagpal said that plan sheet (L2) has the details for the columns and fence. She asked if this is black.

Mr. Tam said that it is black wrought iron.

Chair Hlava expressed appreciation for the installation of story poles.

Mr. Lee:

- Thanked the Planning Commission for its site visit.
- Said it is his hope that this home would be considered a great addition to the City of Saratoga.
- Thanked the Commission for its time.
- Assured that the true color is different from the sample.
- Stated his hope that the Planning Commission will allow them to have their preference on roof tile color.

Commissioner Rodgers asked where the chimneys would be located, how many there would be and what they would look like.

Mr. Tam explained that none are proposed.

Chair Hlava closed the public hearing for Agenda Item No. 1.

Chair Hlava said that it appears the two key issues are roof tile color and gates.

Commissioner Kundtz said he could make all necessary findings. He said that he is happy to stay with the proposed roof tile color and defers to the Community Development Director for proper gate depth location.

Commissioner Nagpal:

- Said that there is already a condition in place regarding roof tile.
- Suggested adding approval of the garage door color there too as well as the driveway concrete color.
- Said that she had hoped this applicant would eliminate the gate but said she understands their need to include it.
- Welcomed the Lees to Saratoga.

Chair Hlava said that she is okay with the roof color. It has enough variation and tone. She expressed support to verify the color of the garage door.

Director John Livingstone said that the description in the staff report was changed because the proposed color looks more wood like than it does red. He suggested removing the condition regarding roof color if the Planning Commission is okay with it.

Commissioner Cappello said he is okay with the proposed roof.

Commissioner Nagpal recounted that she had once considered a similar roof but ended up going one shade down. She added that seeing the sample this evening helped. She reiterated that she is more concerned with the fence although it is not part of Design Review.

Chair Hlava suggested the removal of Condition 13 and add that the Community Development Director will look at gate placement to allow sufficient room for queuing.

Commissioner Kumar asked about the consideration of concrete color.

Chair Hlava said that it is not necessary.

Motion: **Upon motion of Commissioner Cappello, seconded by Commissioner Kundtz, the Planning Commission granted Design Review approval to allow the construction of a new single-family residence on property located at 18853 Allendale Avenue, as modified, by the following roll call vote:**

AYES:	**Cappello, Hlava, Kumar, Kundtz, Nagpal, Rodgers and Zhao**
NOES:	**None**
ABSENT:	**None**
ABSTAIN:	**None**

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PUBLIC HEARING - ITEM NO. 2

APPLICATION #PDR07-0010 (503-16-017) LU, 13414 Surrey Lane (Address changed to 13426 Surrey Lane): The applicant requests Design Review approval to demolish the

existing home and construct a new two-story home. The proposed structure will be approximately 5,515 square feet and approximately 25-feet, 11-inches tall. The gross lot size is 47,480 square feet and the site is zoned R-1-40,000. Design Review is required pursuant to City Code Section 15-45.060. (Shweta Bhatt)

Ms. Shweta Bhatt, Associate Planner, presented the staff report as follows:

- Reported that the applicant is seeking Design Review approval to allow a new two-story residence.
- Explained that the original address (13414) has been changed to 13426 Surrey Lane at the request of the owner.
- Said that the existing two-story home would be demolished and a 5,515 square foot home constructed with a maximum height of 25 feet, 11 inches.
- Described the materials as consisting of beige stucco, stone veneer accents, shingle roofing and carriage style wooden garage door.
- Stated that the original proposal required the removal of eight trees. As modified, the project now requires the removal of just three Ordinance sized trees that include one Coast Live Oak and two Monterey Pines. The Coast Live Oak tree is dead. Replacements for the two Pines must be installed prior to building final.
- Pointed out that the landscaping plan includes provisions for 27 new trees on site.
- Reported that one neighbor had a comment about fencing along the western property line. The applicant is not proposing any fencing along this property line but the applicant has agreed to work with the adjacent neighbor on any future fencing proposals.
- Recommended that the Commission find this project to be Categorically Exempt under CEQA and that a resolution be adopted approving this project.

Commissioner Kundtz asked if the color board is incorporated as part of the approved project. He pointed out that one issue is a white versus earth tone garage door.

Planner Shweta Bhatt said that the Commission could elect to condition the color of the garage door.

Chair Hlava opened the public hearing for Agenda Item No. 2.

Mr. Lu, Applicant and Property Owner:

- Expressed his appreciation for the time taken in considering his request.
- Stated that he likes this neighborhood and has visited with neighbors to discuss his proposal and received feedback.

Commissioner Nagpal asked about the proposal for white wood windows or earth tone colored window trim.

Mr. Lu said that he would use the same color scheme as the garage door.

Chair Hlava closed the public hearing for Agenda Item No. 2.

Chair Hlava suggested an added condition regarding the color of the garage door and windows, requiring earth tone versus white, since the material board includes white.

Commissioner Cappello asked if anything needs to be added on the issue of fencing on the western property line? Is this issue resolved? Is the neighbor satisfied?

Planner Shweta Bhatt said that the applicant is not proposing fencing at that property line.

Mr. Jones, adjacent neighbor to the west on Surrey Lane, explained that there is no problem remaining as he and Mr. Lu agree on the fencing issue.

Motion: **Upon motion of Commissioner Nagpal, seconded by Commissioner Cappello, the Planning Commission granted Design Review approval to allow the construction of a new two-story single-family residence on property located at 13426 Surrey Lane, with an added condition calling out the use of earth tone colored garage door and windows, by the following roll call vote:**

AYES: **Cappello, Hlava, Kumar, Kundtz, Nagpal, Rodgers and Zhao**
NOES: **None**
ABSENT: **None**
ABSTAIN: **None**

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PUBLIC HEARING - ITEM NO. 3

APPLICATION #PDR07-0016 (517-08-025) ESTAHBANATI, 20731 St. Charles Street: The applicant requests Design Review approval to demolish the existing home and construct a new two-story home. The proposed structure will be approximately 2,530 square feet and approximately 22-feet, 8.5-inches tall. The gross lot size is 6,012 square feet and the site is zoned R-1-10,000. Design Review is required pursuant to City Code Section 15-45.060. (Shweta Bhatt)

Ms. Shweta Bhatt, Associate Planner, presented the staff report as follows:

- Reported that the applicant is seeking approval for a new two-story home on an approximately 6,012 square foot lot that slopes up from the street. The existing home would be demolished.
- Described the architectural style as originally being Mediterranean but was later revised to be the currently proposed Craftsman.
- Advised that the applicant has provided a revised color rendering.
- Reported that the applicant contacted neighbors and received feedback, both for and against this project.
- Said that what appears to be a vacant lot to the east is actually the rear yard of the adjacent parcel.
- Said that issues raised by neighbors include the opinion that the proposed home is not compatible with the neighborhood; it is a two-story; it has drainage problems; and concerns about accuracy of the story poles.
- Reported that there is a certified report from the Civil Engineer on the site drainage. Sub-terrain drainage would be implemented.
- Said that no protected trees will be removed.

- Explained that the project is Categorically Exempt under CEQA and recommended that the Commission adopt a resolution approving this Design Review request.

Commissioner Cappello pointed out that the forms signed by neighbors look different than usual. Who put them together?

Planner Shweta Bhatt explained that the applicant prepared the forms.

Commissioner Cappello asked if it is typical that the applicant uses his own form.

Planner Shweta Bhatt said that a template is provided but applicants are free to use and create their own form.

Commissioner Kumar asked if a retaining wall is required at the back of this property.

Planner Shweta Bhatt said yes. There will be retaining walls at the rear of the property in the landscaped area.

Commissioner Rodgers said that the rear setback is 34 feet and the house goes back to 20 feet. Is it possible to push the house on the lot any further?

Planner Shweta Bhatt said that the applicant proposed a greater rear setback. She reminded that this is a lot with a substandard width and depth.

Commissioner Nagpal asked if topography and lot alignment are taken into consideration.

Planner Shweta Bhatt replied correct.

Chair Hlava opened the public hearing for Agenda Item No. 3.

Mr. M. Estahbanati, Applicant and Property Owner:

- Thanked the Planning Commission for its site visit and staff for its assistance.
- Said that this is a special location in the area.
- Stated that a Modern Craftsman architectural style would fit into this neighborhood.
- Reported that he had used the "Field Study of American Houses," as a resource.
- Reminded that the frontage is just 50 feet.
- Advised that he had lowered the garage down and created a two-story on the right side.
- Said that additions such as the porch, truss and shingles ware a nice touch.
- Informed that a letter from Ms. Jenni Taylor gave him some good suggestions that were reasonable and included:
  - The columns on the windows upstairs are too much. Therefore, he removed them and will replace them with shutters.
  - The use of river stone would be more rustic and an improvement to the plan.
  - Siding versus stucco. Although most homes on St. Charles are stucco, he has revised his plan to incorporate 8-inch wide wood siding per Ms. Taylor's recommendation.
  - Agreed to use wood windows with true dividers.
  - Agreed to use a simpler roof material and is suggesting Presidential.

- Said that people on St. Charles have approved his design and signed the form.
- Assured that it would be a good fit.
- Reported that there are existing issues with the neighbor to the right. Their house is lower while his house stands higher.
- Suggested that he might be able to go two to three feet lower. However, it would cost more than $100,000 to excavate the whole lot by four feet.
- Stated that he has tried to work with his neighbors and is happy to reduce height by two to three feet, four feet if necessary.
- Assured that the water would be controlled with a French drain around the house.
- Pointed out that being a lower lot, more water is collected on his lot that comes from lots above.
- Reminded that the neighbor to the back did not want a fence. Therefore he is proposing wrought iron with trees to create a green fence. However, the neighbor changed his mind and now supports a six-foot high redwood fence.
- Explained that the proposed master bedroom window causes concern for the neighbor over potential view of their house.
- Advised that if the house goes down by four feet then the top of the fence would be at 14 to 15 feet. Otherwise, he can change to a square window rather than the proposed bay window.

Chair Hlava:
- Said that the site could easily go down by two feet without being too huge an expense or problem.
- Added that it might become a problem for staff if the site were to be lowered by as much as four feet.

Mr. M. Estahbanati said that the excavation would be about $20,000 and retaining walls and containment of water would be other related expenses.

Commissioner Cappello asked if lowering by two or three feet would still require retaining walls and site drainage as well.

Mr. M. Estahbanati replied yes. He added that this is a 9.5 percent sloped lot and that he does need retaining walls as he wants to have a level backyard area.

Commissioner Cappello asked for verification that four feet would be more costly and extensive a process.

Mr. M. Estahbanati:
- Replied yes.
- Said that there is no major retaining wall on the right side except at the back of the lot where one approximately three-feet high would be necessary.
- Explained that the neighbors have already gone down in grade by three to four feet. Therefore, the fence on top of the retaining wall equals a taller fence.

Commissioner Rodgers said that there are two areas that come down. Is that 10-feet from top to bottom?

Mr. M. Estahbanati said that the existing wall would continue by 15 to 20 feet. This is a two to one slope with retaining wall. The maximum retaining wall allowed is five feet. He said that it is common in this area to have retaining walls.

Commissioner Rodgers asked Mr. M. Estahbanati if he had considered expanding out in the rear yard on the first floor instead of using a second floor.

Mr. M. Estahbanati said that the backyard is pretty high.

Commissioner Rodgers suggested perhaps not the entire second floor but just the master bedroom downstairs.

Mr. M. Estahbanati said that his idea was to have no part of his house located in front of that neighbor's house so as not to obscure their view.

Director John Livingstone cautioned that the concept of lowering the house presents some issues, including trees. He added that the maximum height of a retaining wall allowed is five feet. He said the project would have to be completely engineered.

Commissioner Zhao asked if limiting the lowering to just two feet would create the same problems.

Director John Livingstone said that it would still create retaining wall issues in the rear of this site as well as tree issues.

Commissioner Nagpal added that if the house design were to be lowered, it would have to come back to this Commission.

Director John Livingstone:
- Agreed.
- Said that the applicant would have to be creative and would lose more back yard.
- Added that it is staff's policy to avoid retaining walls right on property lines.
- Said that if worked out with heights, the Planning Commission, etc., it might be the way to go.

Mr. M. Estahbanati said that the trees on the back are protected. One tree on the corner is just two to three years old.

Mr. Keith Rieken, Resident on Lomita Avenue:
- Said that this is complicated.
- Said that he lives in an historic neighborhood.
- Expressed a problem with this proposed Modern Craftsman architecture in this neighborhood.
- Said that this is too large a home and impacts the compatibility of this neighborhood.

- Said he hopes to see a review of changes.

Mr. Bill Brown, Resident on Oak Street:
- Said he is at the corner of Oak and 6th Street.
- Advised that he is a builder.
- Pointed out that this is a neighborhood that consists of natural materials with homes that are designed and built by the people who live in them now.
- Informed that the developer did not talk to him and he is curious whom he talked to.
- Stated that he is pro-development but anti-cookie-cutter style architecture.
- Said this home would block sunlight into adjacent homes and that windows face neighbor's homes downhill.
- Admitted that the street view seems to be pretty nice but the downhill view looks more apartment-like than Craftsman style.
- Stated that lowering the house by four to five feet would help.
- Reported that he builds basements all the time.
- Questioned what green elements are included and said it is an important role of the Commission to require such elements.
- Volunteered to serve on any future green-related panels to offer his expertise.
- Pointed out that the driveway is very steep and could be dangerous as people will not be driving out but rather backing out of it.

Chair Hlava asked how steep it is.

Director John Livingstone said that per the plan sheet C-2, it appears to be at 18 percent.

Commissioner Nagpal said that the rendering gives the impression of being flat.

Mr. John Hollingsworth, Resident on Oak Street:
- Said that his home is located behind the subject site.
- Expressed appreciation for the applicant's efforts.
- Said that including siding at the back would be ideal.
- Said that the house is too large for this lot as currently designed.
- Suggested that dropping the height down by four feet would give a less massive house on this sized lot. That would be his preferred approach.
- Said he does not prefer the idea of moving the house back but does prefer moving it down the lot.
- Said that he has no problem with retaining walls as long as they have no adverse impact on his pool.

Chair Hlava asked Mr. John Hollingsworth if his home is the one with the porch and river rock.

Mr. John Hollingsworth replied yes.

Ms. Jeanne Alexander, Resident on Oak Street:
- Said that a big wall full of windows is not attractive.
- Stated that this home is too high and massive. It is not a very attractive house.

- Suggested either lowering it or not having it be two stories.

Commissioner Nagpal asked Ms. Jeanne Alexander if she is referring to the left elevation.

Commissioner Cappello asked Ms. Jeanne Alexander if she sees the rear elevation.

Ms. Jeanne Alexander replied she could see the side and rear elevations from her home.

Commissioner Rodgers asked Ms. Jeanne Alexander to verify that her backyard lot is not separate from her home lot.

Ms. Jeanne Alexander said that it represents one lot not two.

Ms. Jenni Young Taylor, Resident on Oak Street:
- Stated that she is a 45 year resident of this area.
- Expressed her disappointment and disagreement that the Heritage Preservation Commission did not choose to do a historic evaluation of this structure and site. Instead there was a rush to demolish, which is sadly typical of Saratoga.
- Stated that this is a history-saturated area.
- Said that she is ashamed of this hasty uninformed decision not to do a historic study.

Commissioner Nagpal pointed out that the applicant has taken many of Ms. Taylor's comments to heart and plans to revise his drawings accordingly. She asked Ms. Taylor if there are any other details or recommendation she can offer to the Design Review aspect of this proposal.

Ms. Jenni Young Taylor said that fish tail shingling is not appropriate.

Commissioner Kumar asked Ms. Jenni Young Taylor if there is similar architecture elsewhere on St. Charles.

Ms. Jenni Young Taylor:
- Said that she is not sure what Modern Craftsman is.
- Said that there are homes using Queen Anne Cottage style, Pioneer Farm House, Spanish Colonial and Tudor architecture.

Commissioner Rodgers asked Ms. Jenni Young Taylor if there is a possibility that there could be Native American artifacts on this site.

Ms. Jenni Young Taylor said there could be.

Commissioner Rodgers asked Ms. Jenni Young Taylor what is historic stucco?

Ms. Jenni Young Taylor replied stucco with tile roof.

Ms. Marilyn Marchetti, Resident on 6th Street:
- Advised that this property looks into her backyard.

- Said that she likes the idea of a Craftsman style home, which is popular in Saratoga.
- Stated that this is an eclectic street.
- Thanked the applicant for his sensitivity to the neighborhood.
- Said that the driveway is set back to allow parking.
- Suggested placing a concrete pad near the street to place garbage cans for pickup rather than to place them on the street on collection day.
- Suggested requiring screening on three sides of the house to be installed before final sign off.

Mr. Walt Marchetti, Resident on 6th Street:
- Said that the applicant did approach him and he signed off on the petition.
- Said that he and his wife are for change as long as all issues to mitigate impacts on the adjacent neighbors are met.
- Stated that they want better than what is there right now.

Mr. Paul Ginouves, Resident on 6th Street:
- Reminded that the Commissioners have been in his backyard.
- Said that his big concern is mass as seen from his backyard.
- Added that with the height of the floor, the house will look into his back yard.
- Said that the property needs to be lowered substantially.
- Pointed out that his first floor is at 101 feet. If this lot were at the same level, it would eliminate a lot of concerns on his part.
- Distributed a photograph with a possible design for a lot such as this one.
- Said that the front is one story but the roofline is two stories high. This is unnecessary and increases the bulk of the home.
- Reported that multiple sets of plans, each different, have been distributed. Neighbor compare sets.

Commissioner Nagpal asked Mr. Paul Ginouves if he would like to see some screening along his fence line.

Mr. Paul Ginouves replied yes, he would like to see landscaping on all sides of the property. This screening should be a burden of this developer and not the neighbors. He stated that he does not want to be a victim of a "drive by" developer.

Chair Hlava pointed out that Mr. Paul Ginouves' house is a complete two story. She asked what the square footage of his home is.

Mr. Paul Ginouves said that it is about 2,800 square feet.

Commissioner Hlava asked what is his lot size.

Mr. Paul Ginouves replied that he believes his lot is 8,000 square feet. He added that his home is less monolithic with its peaked roof rather than a big wall.

Commissioner Rodgers asked Mr. Paul Ginouves if the house were lowered by four feet to a 100 foot level, would that create a canyon appearance at the back of this lot.

Mr. Paul Ginouves said it would create an earthen berm.

Mr. Ray Persico, Resident on 6th Street:
- Said that he has issues with the mock up, driveway and height of house.
- Said he has been unable to get a good set of plans.
- Added that there are no elevation stakes at the mock up.
- Stated that there is no consistent information on any plans.
- Said they need to see a good engineered drawing, as it is difficult to see if this mock up is accurate. The land is at 99.6 feet at street level and 107.3 at the driveway floor. There is a 25-foot setback and five feet to the pavement. That's a steep driveway on a 25 percent slope.
- Said that it looks like the building is a foot too tall. The garage floor elevation is 107.3 and the top of the roof is at 134.4 feet. Therefore, there is 27.1 feet from the garage floor to the top of the house.
- Said that the worse problem with this house is the way it towers over Paul's yard and invades their property.
- Suggested reducing the grade by four feet.

Ms. Sue Persico, Resident on 6th Street:
- Stated her concern about the bulk and mass of this project.
- Added that it has an impact on Paul and Gwen and Ron and Linda.
- Suggested the height be lowered as much as possible.
- Supported use of wood siding all around.

Mr. Ron Ringsrud, Resident on 6th Street:
- Stated that his concern is not colors and materials but rather the massiveness of the structure on this 100 x 50 foot sloped lot.
- Said that the proposal to lower the height sounds really good.
- Suggested that this be worked out between neighbors.
- Pointed out that the applicant will not live here.
- Said that they should build into the lot rather than on top of the slope.

Ms. Linda Ringsrud, Resident on 6th Street:
- Thanked the Commission for the time and attention paid to this project.
- Said that it is hard to understand such a project with words rather than drawings.
- Said that the mass is too huge for this lot.
- Expressed concern that the driveway will be unusable.
- Suggested that design elements of the old house be incorporated.
- Said that perhaps the garage can be brought down at the front of the property, which would bring the house down by 10 feet.
- Reiterated that review of a project like this works more visually than with words.

Chair Hlava said that it appears Ms. Ringsrud is recommending the garage on the lower half, with living space to the left and a single-story house into the back.

Ms. Linda Ringsrud said that the applicant had advised her that he could not advertise basement space as living space in the real estate world.

Mr. M. Estahbanadi:

- Said that a basement is a big issue for this area, which is located at the bottom of a foothill.
- Said that water from above drains down here and that the soils engineer did not recommend a basement.
- Said that this is a 6,000 square foot lot with a proposed 1,600 square foot home.
- Pointed out that the neighbors have maximum sized homes that are taller than he is proposing.
- Assured that he has tried to do everything he can for them and appears to get no credit for those efforts from them.
- Said that residents on St. Charles were very supportive.
- Reiterated his pledge to use wood siding all around the house.
- Advised that he provided a letter outlining all green elements for this project, which was included in the staff report.
- Said that the height is 27 feet from the bottom of the garage to the top. He lowered the garage.
- Assured that this is not a bulky house.
- Reminded that site engineering is usually decided after the design is approved. It is the next phase of the project.

Commissioner Rodgers asked Mr. M. Estahbanadi what is the percentage of slope for the driveway.

Mr. M. Estahbanadi replied 18 percent and pointed out that it is a 35-foot long driveway.

Commissioner Rodgers asked Mr. M. Estahbanadi if he is willing to install concrete pads for the garbage cans.

Mr. M. Estahbanadi replied yes.

Chair Hlava closed the public hearing for Agenda Item No. 3.

Chair Hlava suggested that the Commissioners begin their discussion on the issues of style and appearance first and where it is on the lot next.

Commissioner Nagpal said that the grading issues should be considered first in case there are serious issues.

Commissioner Kundtz agreed with Commissioner Nagpal that the grading is one of the most critical issues. Grading dictates whether major architectural changes might be needed.

Commissioner Rodgers said that the Commission needs to give the applicant guidance.

Chair Hlava:
- Said that the applicant has been very amiable.
- Reminded that he has removed the extra pediment over the window and went with shutters instead.
- Said that the roof is not an issue.
- Said that she is not sure that wood siding is necessary all around the house and might actually make it stick out more.

Commissioner Cappello said he could go either way on the issue of wood siding versus stucco. He said that stucco appears to be the option of choice in this neighborhood. He has no preference one way or the other.

Commissioner Nagpal:
- Said that this is a constrained lot. It is a 6,000 square foot lot with a 10 percent slope and very difficult side and rear setbacks.
- Added that it is also within a very unique neighborhood.
- Said that she has heard from a lot of neighbors who would like to see wood siding and said she would prefer it.
- Said that it is great that the applicant has agreed to most of the design ideas provided by Jenni.
- Added that it creates a more traditional Craftsman home that includes roof, stone, use of river stone, use of 8-inch wide wood siding, no column on the second story, shutters, windows with true divided light, letter outlining green features, pad for garbage and screening on all three sides.
- Said that this boils down to one issue, the design for the slope.
- Said that the concern is the slope between the street and driveway.
- Stated that she is concerned if this is the best design for the topography of this lot, a constrained lot.

Chair Hlava asked Commissioner Nagpal what is she suggesting? That the applicant starts over?

Commissioner Nagpal:
- Stated that it is hard to design here but there is the question if there is a better design for this lot.
- Stressed that the driveway will be a challenge.
- Said that there is the question of whether this can be designed to get the garage underneath.
- Stated that she wished this project had been considered at a Study Session as there are some elevation issues here.

Commissioner Rodgers said she agrees.

Chair Hlava asked if the design was okay.

Commissioner Nagpal replied that she is not sure that she is ready to make Design Review findings for a variety of reasons. She added that the design and site constraints are tied.

Commissioner Cappello:
- Reminded that there is nothing to prevent a two-story home unless there is an overlay in place. Right now there is just one area in Saratoga with such an overlay.
- Said that there are always privacy issues with a two-story, especially on small lots.
- Agreed that this is a unique small lot here.
- Said that avoiding unreasonable impacts on views and privacy is the standard to be met.
- Pointed out that this applicant has eliminated most of the two-story portions impacting the two rear neighbors.
- Said that the bow window is troublesome for some neighbors so he is more inclined to eliminate that box for a flat window.
- Stated that more can be done to avoid interference with privacy impacts.
- Added that he thinks lowering the height is one way.
- Said that a whole slew of issues have come up and must be addressed.
- Said that he is inclined to ask for a continuance to rework the height.
- Stated that he can make the Design Review findings in all other areas including bulk and height issues.
- Reminded that this house is similar to others in the neighborhood.
- Reiterated that his only issue is privacy impacts.

Commissioner Zhao:
- Said that question is whether the style is compatible.
- Said that she has no preference on the issue of siding versus stucco.
- Pointed out that all houses around this site are stucco.
- Stated that the way the house is right now is compatible with the neighborhood in an aesthetic point of view. She is okay with the style as it is now.

Commissioner Kundtz:
- Said that the compromises made by the applicant are a step in the right direction.
- Added that lowering the house takes away bulk and height issues.
- Expressed concern that lowering the site by four to five feet without seeing how it might affect retaining walls.
- Reiterated that lowering addresses bulk issues.
- Said that a model might be necessary to show what this would look like.

Commissioner Rodgers:
- Stated that this is a wonderful neighborhood that is quite a resource for the community and area.
- Pointed out that this house was in bad shape.
- Stated that she is impressed with the progress being made to fit this house into this neighborhood. Craftsman style is nice in this area.
- Said that use of stucco is fine here and cautioned that use of too much river rock could make the house look too busy.

- Said that this is a smaller house.
- Said that including a garbage pad and getting rid of the dovetail detail from the second floor sounds like a good idea.
- Said that she likes the garage door that includes divided light windows.
- Said that a couple of things bother her. One is that the large blank wall facing the neighbors. As a result she is concerned that the house might be too dark.
- Suggested breaking up the area, providing light for that side of the house. She said that perhaps the glass could be frosted or clearstory.
- Said that this is a good starting place for this design but she has concerns about the driveway and garage. She would like to reduce the slope of the driveway, perhaps by lowering only half the house or flipping the garage to the other side of the house.
- Said she is fine with the style.
- Said that this is a tight lot next to other tight lots and compromises are necessary that are reasonable.

Chair Hlava:
- Said that the driveway is steep but only 35 feet long. She has no problem with the driveway.
- Said that as for Design Review findings, there is not excessive bulk. The house is compatible with the neighborhood and is smaller than the two houses next to it. There are no views and privacy impacts as the existing home's windows already look into their backyard. This is an existing condition. What is proposed is not significantly different that what they have now.
- Said that given the size of the lot, the fact it is on a hill, it is difficult to dig down into the hill.
- Said that she can find that the project is preserving the natural landscaping. Digging would make all issues worse.
- Supported the suggestion to change the bay window into a flat window.
- Stated that she can make all findings as the house is proposed with changes that the applicant has already agreed to make.

Commissioner Nagpal suggested trying to go with the contours of the hill.

Chair Hlava said that that would have more impact on adjacent neighbors. She reiterated that with the changes proposed, she could make the findings to support the house in the location it is at.

Commissioner Kumar:
- Said he was initially concerned with the small lot size but finds that this proposed house is much smaller than is permissible on this lot.
- Agreed that the applicant has been willing to make changes and is listening to the neighbors.
- Stated that privacy is a logical concern but there is currently a two-story home there and the issues already exist today.
- Said that he can make the Design Review findings.

Commissioner Zhao:

- Said that she too can make the Design Review findings. The applicant has made a lot of concessions to address neighbor concerns.
- Added that the slope of the driveway is of concern but if Code allows a driveway with that slope that solves her concern.
- Said that the applicant is willing to change the bay window in the master bedroom into a flat window.
- Questioned the claim of excessive bulk and height, as this project is compatible with the neighborhood and is not excessive in bulk.
- Stated that she can make Findings D and E. She can make all findings as is with the changes already offered.
- Said she can support this project.

Commissioner Rodgers:
- Said that she has problems with Finding E, compatible bulk and height.
- Said that privacy impacts could be resolved by removing the bay window.
- Agreed that the driveway slope is legal.

Chair Hlava said that the bay window is not entirely being removed but rather just the side view windows. She pointed out that it appears that four Commissioners can make the Design Review findings.

Commissioner Cappello said that he can make them but it would be easier if the elevation were to be lowered. He said while it is difficult to make Finding A (privacy), he still can make it.

Commissioner Rodgers asked if it should be referred to the City Engineer or Community Development Director.

Commissioner Nagpal said that new plans would be necessary to see impacts of lowering the height of the lot.

Commissioner Zhao said that if it were more than two feet lower, it would be worse.

Director John Livingstone:
- Pointed out that a lot of good feedback has been received from the neighbors and the applicant has accepted many recommendations.
- Said that as far as grading, four feet may be too much. One to two feet may be okay. It is possible that there can be some lowering with minimum effects.

Chair Hlava asked Director John Livingstone if he is okay with an approval of this Design Review with a condition to have the lowering of the grade evaluated to the satisfaction of the Community Development Director.

Director John Livingstone replied no. He said he wants to have plans for the finished product with all changes prepared and included in a packet that comes back to this Commission for

final review and approval. This way the neighbors get a final look and everyone is on the same page.

Commissioner Cappello said that this type of project is the perfect candidate for a Study Session.

Commissioner Kundtz pointed out that all the discussion has been on the cosmetic appearance facing St. Charles and not to the privacy impacts to the neighbors to the side and rear.

Commissioner Nagpal suggested that the applicant be asked if he wants a continuance or an up or down vote.

Mr. M. Estahbanadi said that he supports a continuance but as soon as possible.

Commissioner Nagpal asked Mr. M. Estahbanadi if he feels he has enough feedback.

Chair Hlava asked Mr. M. Estahbanadi if he accepts a continuance.

Mr. M. Estahbanadi asked if it could be to the next meeting.

Director John Livingstone said that it should be to a date uncertain to make sure that a complete package is ready. The project would be renoticed. He suggested that Mr. M. Estahbanadi get the updated plans in as soon as possible to expedite the process.

Commissioner Zhao asked Mr. M. Estahbanadi if he prefers a date certain.

Mr. M. Estahbanadi said no. He added that he would work with neighbors.

Motion: **Upon motion of Commissioner Nagpal, seconded by Commissioner Kundtz, the Planning Commission CONTINUED CONSIDERATION TO A DATE UNCERTAIN a request for Design Review approval to allow the construction of a new two-story, single-family residence on property located at 20731 St. Charles Street. (7-0)**

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DIRECTOR'S ITEMS

Director John Livingstone announced that the new owners of the Quito Village Center held a meeting with the Quito Village Neighborhood Association and provided initial draft development proposals for the Center.

COMMISSION ITEMS

Commissioner Kumar asked if the site visits were going to be held on Mondays.

Chair Hlava replied no. They still will occur on Tuesdays. Council conducts their tours on Mondays. She announced that a Housing Element Update Meeting would be held in April with participants from other nearby West Valley communities.

COMMUNICATIONS

There were no Communications Items.

ADJOURNMENT TO NEXT MEETING

Upon motion of Commissioner Kundtz, seconded by Commissioner Cappello, Chair Hlava adjourned the meeting at approximately 10:19 p.m.

MINUTES PREPARED AND SUBMITTED BY:
Corinne A. Shinn, Minutes Clerk