



**TO: HONORABLE CITY COUNCIL**

**FROM: HILLARY GITELMAN, DIRECTOR, PLANNING AND COMMUNITY ENVIRONMENT**

**DATE: MARCH 27, 2017**

**SUBJECT: AGENDA ITEM NUMBER 8: PUBLIC HEARING: 670 Los Trancos Road [16PLN-00266]: Site and Design Review to Allow the Construction of a new Single Family House and Guest House With a Total of Approximately 10,960 Square Feet of Floor Area. Environmental Assessment: Categorically Exempt From CEQA Pursuant to Guidelines Section 15303 (New Construction or Conversion of Small Structures). Zoning District: OS**

The above referenced agenda item is for the proposed construction of a new two-story residence, guest house, and associated site improvements on the vacant property at 670 Los Trancos Road. Some members of the public have provided written comments on the application, with a few expressing concerns that the project is not compliant with the Municipal Code due to the proposed accessory structure/guest house and the visibility of the house from the Arastradero Preserve.

The purpose of this memorandum is to respond to some of the key points identified in the public comment letters.

- Residence Visible from Parkland

A point was raised that the project is not consistent with Open Space Development Review Criterion #1, which states: *“The development should not be visually intrusive from public roadways and public parklands. As much as possible, development should be sited so it is hidden from view.”* While the proposed project is clearly subject to this criterion, there is some subjectivity in evaluating the project for compliance. The code states the development “should not be visually intrusive” and “as much as possible, development should be sited so it is hidden from view” [Emphasis added]. This language is distinguished from other more objective code language, such as compliance with a height limit.

The subject property is located at a clearing on a hill, and contains less tree cover than many of the nearby homes in the Hewlett Tract. There are other property features that limit the placement of the residence of the lot including the property slope, setbacks, among others. The applicant has taken steps to mitigate the visibility of the project by dropping portions of the home below grade and adding landscaping, including ten blue oaks, to screen the house, but the home will be visible from the Arastradero Preserve. In its review, The Planning and Transportation Commission found that while the home will be visible, the project would not be visually intrusive and the applicant's efforts to minimize the impact were sufficient.

With this action item, the City Council will evaluate the project to determine whether this issue is sufficiently addressed or if the project requires further refinement or conditions to comply with this criterion.

- **Residence Relationship to the Hilltop Ridgeline**

Comments have also expressed concerns that the project is not consistent with Open Space Development Review Criterion #2, which states: *"Development should be located away from hilltops and designed to not extend above the nearest ridgeline."* The subject parcel is located on a hilltop. In the past, conformance with this standard was determined based on whether the roofline of a proposed structure was below the highest portion of the ridgeline when viewed at elevation. The subject project has been designed consistent with that approach. To achieve compliance, the applicant is locating the house away from the ridgeline and dropping portions of the home below grade. From the commenters' perspectives, downslope on the hiking path, the structure does appear to extend above the ridgeline. The Planning and Transportation Commission considered the proposed home with respect to this criterion and explored the possibility of requiring additional trees. However, the Commission ultimately found that further project modifications were unwarranted and that the project complied with this criterion. The Council in its review of the project will consider the project's compliance with this code provision.

- **Concern Regarding the Accessory Structure Being Used as an Accessory Dwelling Unit (ADU)**

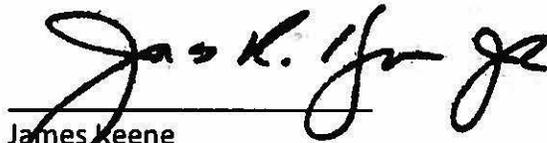
Several letters have expressed the opinion that the proposed accessory structure is an ADU, which would not be permitted on the site given the existing provisions of the Municipal Code. This issue has been evaluated in the staff report. The proposed accessory structure complies with applicable zoning regulations and the project plans have been revised to remove the kitchenette which was previously proposed. Neither

the current ADU regulations nor the planned ordinance would permit an ADU on this property. Further details on this structure are provided in the Council staff report for the project.



For:

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