



**CONSENT CALENDAR**

**Agenda Item # 3**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 22, 2020

**Subject:** Resolution No. 2020-32: Appeal of a Design Review Application – 126 Mount Hamilton Avenue

**Prepared by:** Calandra Niday, Assistant Planner

**Reviewed by:** Jon Biggs, Community Development Director

**Approved by:** Chris Jordan, City Manager

**Attachments:**

1. Resolution No. 2020-32

**Initiated by:**

Eugene M. Hyman at 142 Mount Hamilton Avenue, Appellant

**Previous Council Consideration:**

None

**Fiscal Impact:**

None

**Environmental Review:**

This project is categorically exempt from environmental review under Section 15303 of the California Environmental Quality Act because it involves the construction of a single-family dwelling in a residential zone.

**Policy Question for Council Consideration:**

- Does the Council concur with the modifications made to the attached resolution?

**Summary:**

- October 2, 2019 – Design Review Commission directed the applicant to modify the project.
- April 15, 2020 – The project was approved by the Design Review Commission; however, technical issues interfered with members of the public being able to access the Ring Central Meeting. Due to this, the item was rescheduled for consideration at another meeting.
- On May 20, 2020 – The Design Review Commission reconsidered the project at a public hearing and voted to approve a design review application for a new two-story house at 126 Mount Hamilton Avenue.
- On June 1, 2020 – The neighbor, Eugene M. Hyman, at 142 Mount Hamilton Avenue, filed an appeal of the Design Review Commission's action. Given this, the City Council is now considering the design review application.

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**Reviewed By:**

City Manager

City Attorney

Finance Director

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**Subject:** Appeal of a Design Review Approval for a Two-Story Residence at 126 Mount Hamilton Avenue

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- August 25, 2020-the City Council upheld the appeal in part and remanded the item back to the Community Development Director or his designee to reduce the bulk, mass and scale of the second floor.

**Staff Recommendation:**

Adopt Resolution No. 2020-32

**Background**

On August 25, 2020, the City Council reviewed the appeal of the Development Review Committee's approval of a new single-family home at 126 Mt. Hamilton and upheld the appeal in part and remanded the item back to the Community Development Department for further study. After review by the Community Development Director for conformance with City Council direction, the item will be placed on the next available City Council agenda. To create a clear administrative record for the project, the City Attorney recommended a revised resolution be prepared. City staff recommend adoption of Resolution 2020-32

**Options**

- 1) Adopt Resolution 2020-32

**Advantages:** A clear administrative record will be prepared and specific direction to the Community Development Department regarding the revised project.

**Disadvantages:** There is no disadvantage to giving the applicant and staff clear direction.

- 2) Direct staff to revised the resolution and bring the item back to the October 13, 2020

**Advantages:** Additional edits can be made to the resolution

**Disadvantages:** Additional project delays could occur and final resolution by the existing city council might not occur prior to November 2020.

**Recommendation:** City staff recommends Option 1.

**RESOLUTION NO. 2020-32**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
TO UPHOLD THE APPEAL IN PART AND REQUIRE THE APPLICANT TO  
MODIFY THE NEW TWO-STORY RESIDENCE AT 126 MOUNT HAMILTON  
AVENUE AND RETURN TO COUNCIL FOR FINAL REVIEW AND  
APPROVAL**

**WHEREAS**, the City of Los Altos received a development application from Studio S Squared Architecture Inc., for a new two-story residence, which includes Design Review Application SC19-0010, referred herein as the “Project”; and

**WHEREAS**, said project is exempt from environmental review because it involves the addition to a single-family dwelling in a residential zone in accordance with Section 15301 of the California Environmental Quality Act of 1970 as amended (“CEQA”); and

**WHEREAS**, the Design Review Application was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

**WHEREAS**, the Design Review Commission held duly noticed public meetings on April 15, 2020 and May 20, 2019, at which all public comment were duly considered; and

**WHEREAS**, the Design Review Commission made positive findings per the Zoning Code Section 14.76.060 and approved the two-story design review application; and

**WHEREAS**, a timely appeal was filed by Eugene Hyman on June 1, 2020 and

**WHEREAS**, at a duly noticed public meeting on August 25, 2020, the City Council thoroughly and extensively evaluated and considered all information and evidence presented by the applicant and appellant, as documented in the record, including, without limitation, in the staff report presented to City Council, and based upon such review, found the appellant had presented sufficient evidence to support to modify the design review application; and

**WHEREAS**, the location and custodian of the documents or other materials, which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby upholds the appeal in part, subject to the findings and conditions attached hereto as Exhibit “A” and incorporated by this reference and directs that the applicant:

- 1- Work with the Community Development Director and Planning Division staff to revise the second story of the proposed residence to achieve a reduction in the appearance of bulk and mass of the second story by eliminating a number of wall planes that face the street, moving the second story towards the back of the house

further away from the front of the structure in an attempt to reduce the overall scale and to simplify the roof design; and

2- After review of the revised development plans by the Community Development Director and to his satisfaction that said plans meet the intent of the City Council, to bring the project back for review before the full City Council at the next available City Council meeting.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 22<sup>nd</sup> day of September 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Jan Pepper MAYOR

Attest:

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Andrea M. Chelemengos, MMC, CITY CLERK