



DATE: March 15, 2017

AGENDA ITEM # 5

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 17-SC-03 – 150 Formway Court

RECOMMENDATION:

Deny design review application 17-SC-03 subject to the listed findings

PROJECT DESCRIPTION

This is an appeal of an administrative design review denial for a new one-story house. The project includes demolition of an existing house and construction of a new 3,422 square-foot one-story house. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION:	Single-Family, Residential
ZONING:	R1-10
PARCEL SIZE:	11,384 square feet
MATERIALS:	Membrane flat roof, board and batten siding, cement plaster siding, eldorado stone veneer, wood clad windows, steel front door, dark bronze anodized garage door, and wood trim and details

	Existing	Proposed	Allowed/Required
COVERAGE:	2,761 square feet	3,645 square feet	3,984 square feet
FLOOR AREA:			
First floor	2,567 square feet	3,422 square feet	3,880 square feet
SETBACKS			
Front	27.3 feet	25.2 feet	25 feet
Rear	25.2 feet	25.3 feet	25 feet
Right side	10.1 feet	10.2 feet	10 feet
Left side	9.75 feet	10.2 feet	10 feet
HEIGHT:	15.5 feet	19.75 feet	20 feet

BACKGROUND

Application History

The City requires design review for all new construction, additions and exterior alterations on single-family properties. For projects that are one-story and under 20 feet in height, design review is processed administratively by Planning staff. In the event that an administrative design review application is denied, the decision may be appealed to the Design Review Commission.

On November 1, 2016, a design review application for a new one-story house at 150 Formway Court was submitted. During the initial review of the application, staff identified the scale, bulk and mass of the proposed house as being out of character with the surrounding neighborhood. Over the next three months, staff worked with the architect and owners to revise the design in order to comply with the City's Single-Family Residential Design Guidelines and meet the design review findings. However, following multiple rounds of review, staff was still unable to find that the revised house design met the required design review findings. Thus, on February 1, 2017, the design review application was denied. Following the action taken by the staff to deny the project, an appeal was filed by the owners.

Neighborhood Context

The subject property is located in a Diverse Character Neighborhood, as defined in the City's Residential Design Guidelines. The houses in this neighborhood have varied setbacks and characteristics with different architectural styles and massing. However, the houses also have some similar characteristics such as low eave lines and the use of rustic materials. In Diverse Character Neighborhoods, good neighbor design has its own design integrity while incorporating some design elements and materials found in the neighborhood. However, a new house should maintain an appropriate relationship to houses in the neighborhood.

DISCUSSION

Denial Findings

The administrative design review denial is based on the following design review findings per Section 14.76.050 of the Zoning Ordinance:

- The orientation of the proposed main structure, in relation to the immediate neighborhood, will NOT minimize the perception of excessive bulk; and
- General architectural considerations, including the size and scale of the design, and the architectural relationship with other buildings have NOT been incorporated in order to insure the compatibility of the project with the character of adjacent buildings.

According to the Residential Design Guidelines, a house should be designed to fit the lot and should not result in a home that stands out in the neighborhood. The project proposes an 11-foot plate height along the right (west) side elevation, which creates a bulky form that is out of scale with neighboring residences and the surrounding setting.

The height and proportions of the front elevation and entry elements, combined with the stone veneer material, creates a bulky and dominant vertical emphasis that is inconsistent with the low scale of surrounding residences. The combination of the structure's height, proportions and materials results in a structure that does not minimize the perception of excessive bulk and is out of scale with the surrounding neighborhood.

Appeal

The owners submitted a letter outlining the basis for why the design of their proposed one-story house complies with the Residential Design Guidelines and meets the required design review findings (Attachment C). The owners and architect assert that the denial should be overturned for the following reasons: 1) the visual appearance of the proposed design only affects a neighbor on the left and the two neighbors on right side of the house; 2) any impacts from the front entry on neighbors is negligible due to trees along the left property line; 3) the existing house and the proposed house are similar roof forms; 4) the architectural relationship of the structure results in a 11-foot tall plate heights, which is one-foot greater than the existing house; 5) the proposed structure is adjacent to a two-story house at 160 Formway Court; and 6) a neighbor, an architect, at 160 Formway Court supports the project.

Alternatives

This appeal application is *de novo*, which means that the Design Review Commission may consider all aspects of the project and is not limited to the appeal concerns. If the Commission disagrees with the staff action, the Commission could: 1) make positive design review findings and approve the project; or 2) modify the project and/or conditions in order to make positive design review findings. If the Commission votes to approve this project, standard conditions pertaining to tree protection, grading and drainage, green building, fire sprinklers, water efficient landscaping and undergrounding utilities should be incorporated.

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.

PUBLIC CONTACT

A public meeting notice was posted on the property and mailed to eight nearby property owners on Formway Court and Doud Drive.

Cc: Ion and Cristina Bitu, Owners
Eugene Sakai, Applicant and Architect

Attachments:

- A. Application
- B. Area, Vicinity and Public Notification Maps
- C. Correspondence

Design Review Commission
17-SC-03 – 150 Formway Court
March 15, 2017

FINDINGS

17-SC-03 – 150 Formway Court

With regard to the new two-story house, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code:

- a. The orientation of the proposed main structure, in relation to the immediate neighborhood, will NOT minimize the perception of excessive bulk; and
- b. General architectural considerations, including the size and scale of the design, and the architectural relationship with other buildings have NOT been incorporated in order to insure the compatibility of the project with the character of adjacent buildings.

ATTACHMENT A



CITY OF LOS ALTOS GENERAL APPLICATION

Type of Review Requested: (Check all boxes that apply)

Permit # 1107473

<input type="checkbox"/> One-Story Design Review	<input type="checkbox"/> Commercial/Multi-Family	<input type="checkbox"/> Environmental Review
<input type="checkbox"/> Two-Story Design Review	<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Variance	<input type="checkbox"/> Use Permit	<input type="checkbox"/> R1-S Overlay
<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Tenant Improvement	<input type="checkbox"/> General Plan/Code Amendment
<input type="checkbox"/> Tentative Map/Division of Land	<input checked="" type="checkbox"/> Sidewalk Display Permit	<input type="checkbox"/> Appeal
<input type="checkbox"/> Historical Review	<input type="checkbox"/> Preliminary Project Review	<input type="checkbox"/> Other:

Project Address/Location: 150 FORMWAY COURT, LOS ALTOS, CA

Project Proposal/Use: SINGLE FAMILY RESIDENCE Current Use of Property: SINGLE FAMILY RESIDENCE

Assessor Parcel Number(s): 170-31-034 Site Area: 11,384 S.F.

New Sq. Ft.: 3,421.9 Altered/Rebuilt Sq. Ft.: N/A Existing Sq. Ft. to Remain: N/A

Total Existing Sq. Ft.: 2,567.1 Total Proposed Sq. Ft. (including basement): 3,421.9

Applicant's Name: EUGENE H. SAKAI

Telephone No.: (408) 998 - 0983 Email Address: ESAKAI@STUDIOS2ARCH.COM

Mailing Address: 1000 SOUTH WINCHESTER BLVD.

City/State/Zip Code: SAN JOSE, CA, 95128

Property Owner's Name: ION and CRISTINA BITA

Telephone No.: 617-909-0392 Email Address: cristina.bita1@gmail.com

Mailing Address: 4338 WATSON CIRCLE

City/State/Zip Code: SANTA CLARA, CA 95054

Architect/Designer's Name: EUGENE H. SAKAI

Telephone No.: (408) 998 - 0983 Email Address: ESAKAI@STUDIOS2ARCH.COM

Mailing Address: 1000 SOUTH WINCHESTER BLVD.

City/State/Zip Code: SAN JOSE, CA, 95128

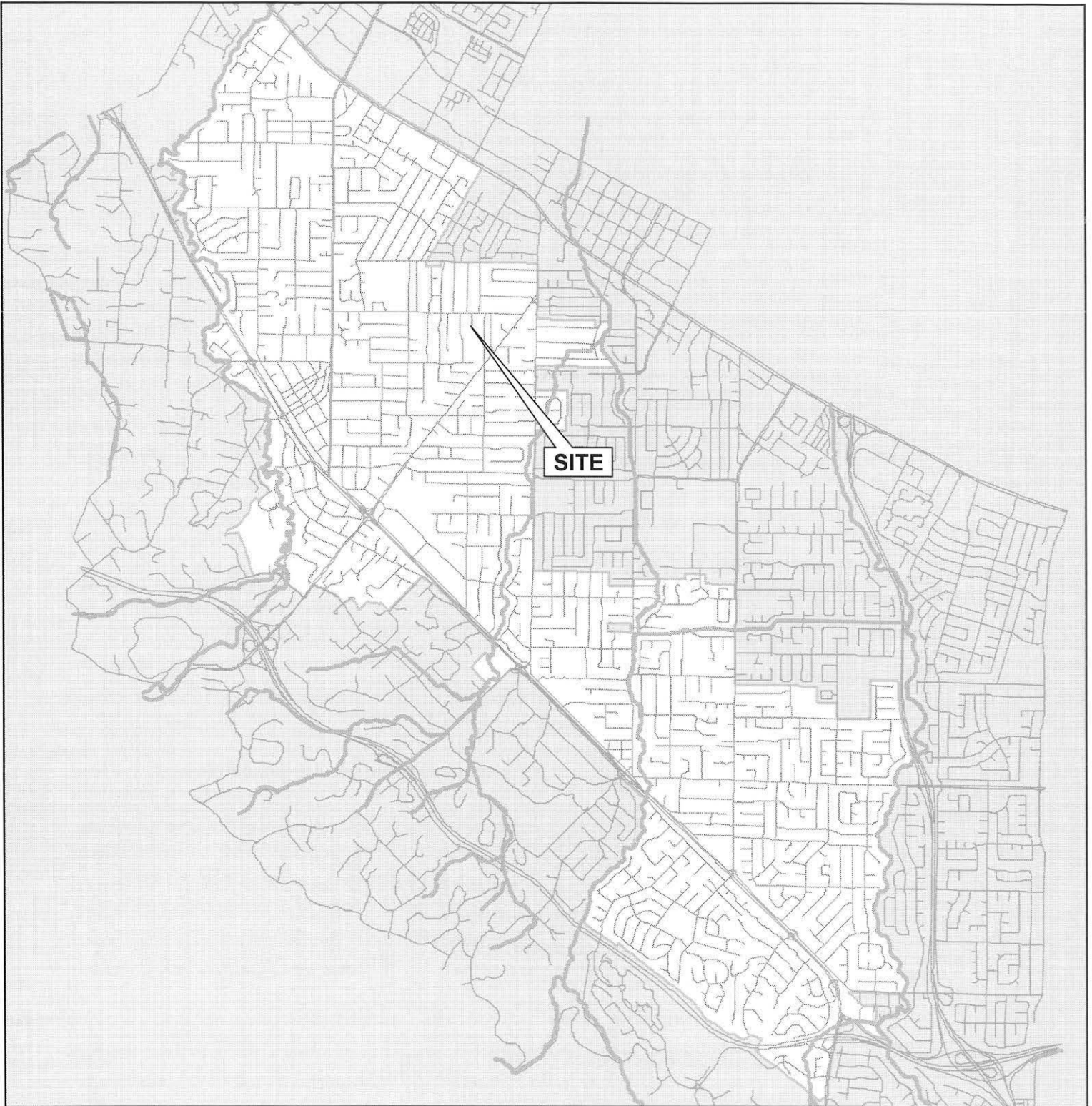
*** If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. ***

(continued on back)

17-SC-03

ATTACHMENT B

AREA MAP



CITY OF LOS ALTOS

APPLICATION: 17-SC-03
APPLICANT: E. Sakai
SITE ADDRESS: 150 Formway Court

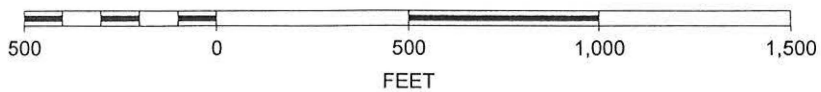


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



CITY OF LOS ALTOS

APPLICATION: 17-SC-03
APPLICANT: E. Sakai
SITE ADDRESS: 150 Formway Court

150 Formway Court Notification Map



ATTACHMENT C

Cristina and Ion Bită
4338 Watson Circle
Santa Clara, CA 95054
(617) 966-3567

City of Los Altos - Planning Department
Community Development Dept. Planning Division
One North San Antonio Road
Los Altos, CA 94022

February 3, 2017

To: Los Altos Design Review Committee

Re: 150 Formway Court Design Review



We bought our house at 150 Formway Ct. at the end of Sept. 2015 and decided to remodel the old structure in order to create a lasting home for us and our children for many years to come in the Los Altos community. An important factor in our decision to move to Los Altos was having our kids (10 and 7 at that time) grow up and go through school in a family oriented neighborhood, with the proximity of our house to Almond Elementary and LA highschool adding comfort we're making the right decision.

After many many months, during which the remodel plan evolved into a new construction plan due to difficulties in saving and integrating portions of the existing structure, we and our architect, Eugene Sakai, were able to finally submit a proposal to the Planning Committee in Oct. 2016. We were optimistic that now we have line of sight and a chance to have our children start school and to move in the new house by end of 2017 (we currently live in Santa Clara). We prioritized keeping the design as a single level to minimize the review schedule and be able to get to construction stage ASAP. Unfortunately, almost 4 months have passed and we find ourselves still at this initial stage despite all the efforts made to interpret and address the feedback received from the Planning Committee.

We understood that the main concerns stem from the expected impact on our neighborhood caused by the perceived size of the house. As described with more technical information in the letter submitted by our architect, we all worked hard to address these concerns through 3 design revisions that included significant changes and reviews of the proposed designs with our 2 neighbors who further provided letters of support (notably with our neighbor at 160 Formway being a practicing architect and highlighting in his note the challenging conditions of our property lot and looking forward to having the proposed design built and welcoming us in the neighborhood). During these iterations we made multiple sacrifices by:

- increasing complexity of the structure: e.g. adding stepped roof on the kitchen side.
- loosing functionality: we gave up the only attic space available in this house, originally hidden behind the L-shaped wall feature, and the patio is now only partially covered as its width had to shrink upon adding the stepped roof, leaving one side of the patio exposed to the elements.
- loss of esthetics: by reducing the entrance height, and natural lighting in the foyer.

We made all these sacrifices and provided rapid feedback to the Planning office with a goal to ensure the proposed design will be acceptable while at the same time aiming to minimize further schedule impact.

Despite all this work in the past 3-4 months, we again received back negative comments and a recommendation to submit the design to the DRC. We are thus writing this letter to kindly ask for your review of our proposed design and help us find a way forward.

For completeness, we summarize the key points raised in the last round of feedback, and why we think they are addressed in the submitted design.

1) Perception of excessive bulk for main / central portion of the structure.

Our house is located on a “half cul-de-sac” since Formway Ct runs along Almond Elementary. The map below and picture help better describe our neighborhood - houses line up one side of Formway Ct and are facing the side of the school: a fenced wall with tall trees running the length of this alley. Thus, the visual appearance of the proposed designs only affects the 2 neighbors on the left and right sides of our house (located at the round end of the cul-de-sac), as there is no residence across the street but a tree lined fence as shown in Figure 1(b) photo.



Figure 1 (a) Map of area around 150 Formway Ct, showing view (b) across the street (tree-lined side of Almond Elementary campus), and view (c) toward the existing house.

This layout has made it quite difficult for us to understand where the perception of excessive bulk stems from. Not only that there are no residences across the street, but our side neighbors at 140 and 160 Formway both praised the proposed design and took the time to write letters of support that were submitted alongside our application. Nonetheless, as described in detail in Mr. Sakai's letter, to address the concerns

raised by the Planning Office, we made significant changes during these 3 design iterations (dropping heights of central elements, removing a segment of the L-shape stone wall, removing the attic, etc.).

Unfortunately, the last response from the Planning Office (dated Feb 1st, 2017) again mentioned a perception of excessive bulk. Given the significant changes we already made during these 3 iterations, the fact that our lot is surrounded by four 2-level houses and only one single level house (Figure 1a), and that our immediate neighbors reviewed and supported our proposal, we would like to ask your help review the proposed design and re-evaluate its suitability.

2) Architectural relationship with other buildings

We understood this comment as having to do with the size of structure, which we discussed in the previous point, but also including a specific reference to the 11ft plate height on the west side, towards the 160 Formway neighbor.

The general concern for integration in the neighborhood was brought up since the first response we received from the Planning Office. As described in the previous sections and in detail in Mr. Sakai's letter, we made significant efforts to address this concern area including for example:

- introducing a stepped roof on the kitchen side towards our 140 Formway neighbor
- changing the central design in multiple stages to reduce entrance height
- asking help from our landscape architect (Greg Ing) to review and address the feedback received for privacy concerns on the right side of the house, towards 160 Formway.

The most recent letter from the Planning office also includes a specific reference to the 11ft plate height on the right hand side of the house (west). Given that this part of the design is only 1ft taller vs. the old house, that our neighbors on this side (at 160 Formway) have a 2 story house separated by tall fig trees, and further that our neighbor, a practicing architect, reviewed our design plans in detail and confirmed his support, we felt that our proposal will be harmonious with the immediate neighborhood. We further reviewed the feedback about this side of the house with both Mr. Sakai and with Mr. Greg Ing, our landscape architect, to ensure that the design proposal will integrate well with our neighbor's. Given this, and the significant changes made in the rest of the house, we felt that we properly addressed the concerns raised by the Planning Office on the topic of "compatibility with the character of adjacent buildings".

We would like to thank you for taking the time to review our application, and we look forward to your help clarify the best way forward.

Thank you,

Cristina and Ion Bită



Studio S² Architecture, Inc.

1000 South Winchester Blvd.

San Jose, CA 95128

ph: (408) 998-0983

fax: (408) 998-0982

esakai@studios2arch.com

February 3, 2017

**City of Los Altos
Planning Department**

Community Development Dept. Planning Division
One North San Antonio Road
Los Altos, CA 94022

Re: 150 Formway Court (Cristina and Ion Bitu Residence) Design Review
Committee (DRC) Appeal of Project Denial
Studio S Squared job# 15-042
Permit No: 1107473

Honorable members of the Los Altos Design Review Committee:

Thank you for taking the time to review our application. Below is our written response to appeal the denial issued by Los Altos Planning.

PROJECT BACKGROUND: We originally submitted our formal design review package to Los Altos Planning on 10.17.2016. Subsequent to that submittal, we have made numerous revisions at the suggestion of staff Planner Sean Gallegos and his colleagues, in an effort to both garner staff approval and avoid going to DRC. The dates of these submittals are as follows:

DATE	DESCRIPTION
10.17.2016	Initial DR submittal
11.30.2016	Initial Planning staff comments received
12.05.2016	Meeting with Sean Gallegos on site to discuss design comments in letter
12.06.2016	Revised design sent via email to Sean Gallegos
12.14.2016	Revised design sent via email to Sean Gallegos
01.12.2017	Revised design sent via email to Sean Gallegos
02.01.2017	Sean Gallegos issues letter of denial

Changes we have made from the initial submittal include the following:

1. we have lowered the Foyer roof and stone feature wall by 2 feet.

Before:



After:

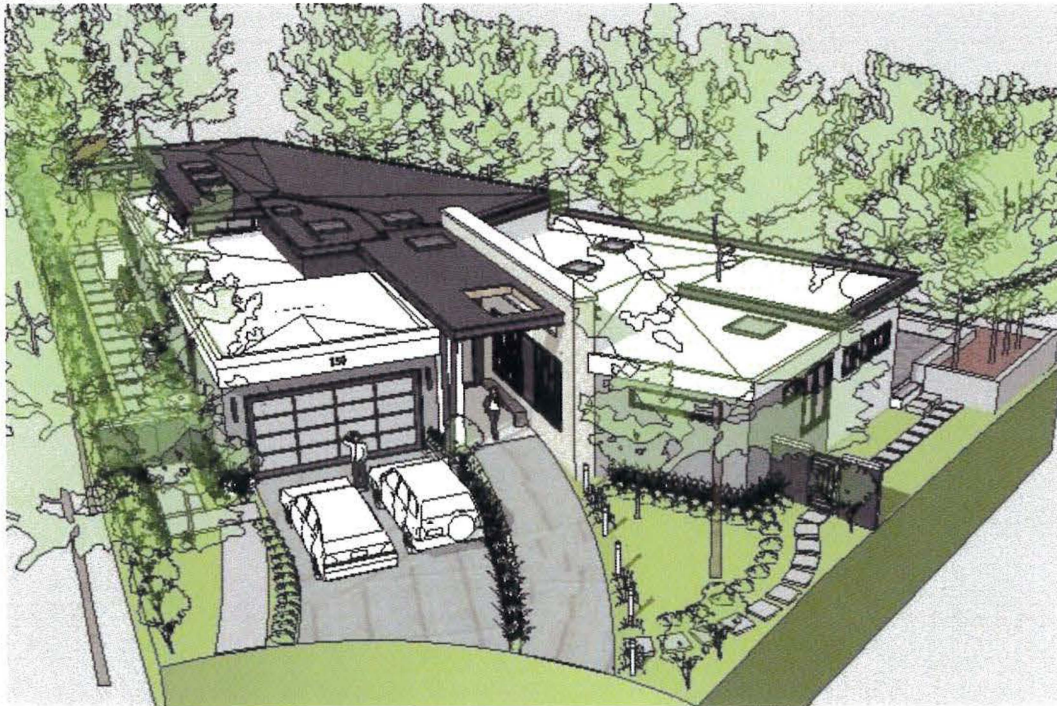


2. this stone wall was originally an "L" shape and 55 feet long, we removed 20 feet of this stone wall, making the wall straight instead of an "L" and 35 feet long.

Before:



After:



3. At the left (east) elevation adjacent to the single story property at 140 Formway Court, we took the planning department's recommendation and reduced the 13' plate height to 9' high for the entire left elevation for a horizontal distance of 10' from the left property line, creating a lowered ceiling on the interior above the kitchen that is 5' wide. Furthermore, there are existing trees screening at this area and we are proposing high windows to eliminate privacy impacts at this area. Lastly, any new visual impacts on this neighbor are negligible, as they already have a mature/healthy grove of trees screening the subject property at the left side. The proposed design has been reviewed by this neighbor and we have attached their letter of support.

Before:



After:



4. At the east elevation covered patio, we revised the design to open up the patio at the side facing 140 Formway Court to reduce bulk and mass.

Before:



After:



Staff has repeatedly expressed concern about the stone wall that leads to the front entry as an item foreign to the neighborhood and one that should be greatly reduced in height or eliminated. The owners and we would like to retain the stone wall as a signifier for the entry door, which is not very visible from the street either in the existing or proposed condition.



With the narrow frontage of this lot created by its cul-de-sac condition and unusual shape, easily finding the front door and providing an interesting vertical element to break up the predominantly horizontal lines is an important part of our design. We feel the stone is an appropriate material here, as its color and texture will add a natural material and shadow play to the elevation, and naturally draw the visitor and their eye towards the entry walkway.

We do not believe that neighborhood compatibility stems from replicating elements from neighboring projects, and that eclectic neighborhoods like these can support interesting and unique visual elements, even if there is not a direct analogue within view.

With regard to neighborhood impact and contextual compatibility, we would like to raise the additional following points for consideration, as these points also informed our design:

- **EXISTING HOUSE AND PROPOSED ARE SIMILAR IN ROOF FORM:** The existing house has a variety of complex architectural and roof forms with mostly flat but some pitched roofs. The proposed design also has a variety of plate heights but these are all flat roofs.

- **EXISTING HOUSE AND PROPOSED ARE SIMILAR IN MASSING:** The existing house massing is tall in the middle with a variety of vaulted ceiling spaces. Our proposed design is similarly taller in the middle than at the sides.
- **EXISTING HOUSE AND PROPOSED ARE SIMILAR IN STYLE AND LESS MASSIVE THAN A HOME WITH PITCHED ROOFS:** The existing house is very contemporary in style and was probably very "cutting edge" in its day. If this house had a standard 4:12 pitched roof, the house would have more bulk in the form of unused attic space and the ridge would be 21'-9" tall, or 4'-0" taller than our tallest element (stone feature wall). Even at a minimal 3:12 slope the ridge would be 20'-0" tall, or 2'-3" taller than the stone feature wall.
- **EXISTING HOUSE AND PROPOSED ARE SIMILAR IN HEIGHT AT THE RIGHT SIDE:** The proposed right (west) plate height is only one foot higher than the existing house. The neighboring house at this side at 160 Formway Court is a two story house and is taller than the proposed design. Furthermore, there are existing trees screening at this area and we are proposing high windows to eliminate privacy impacts at this area. The proposed design has been reviewed by this neighbor and we have attached their letter of support.
- **EXISTING HOUSE AND PROPOSED ARE SIMILAR IN HEIGHT AT THE LEFT SIDE:** The proposed left (east) plate height is 6 inches lower than the existing house. The neighboring house at this side at 140 Formway Court is a single story house with 8'-9' plate height. Furthermore, there are existing trees screening at this area and the neighbor and our client both feel that these trees are adequate to provide privacy. The proposed design has been reviewed by the neighbor in 140 Formway Court and we have attached their letter of support.
- **EXISTING CONTEXT IS GENERALLY LARGER THAN OUR PROPOSED:** All residences in the vicinity are 2 stories except the subject property and 140 Formway Ct. See sheet A0.5.
- **EXISTING CONTEXT IS STYLISTICALLY CONSISTENT WITH OUR PROPOSED:** Of the 5 homes on Formway Court, 3 of these are contemporary or modern in styling.

In conclusion, the proposed project is a contemporary design similar to the character of the existing structure, and most of the neighboring houses. The proposed project is lower in height than the majority of the neighboring houses, with dense landscape screening on both sides and high windows for mutual privacy. The proposal is consistent with the neighborhood with its predominantly

horizontal lines, with only the stone entry wall being a vertical aesthetic feature which does not create any compatibility or scale impacts.

Thank you very much for your review and consideration.

Sincerely,

A handwritten signature in dark ink, appearing to be 'EHS' or similar, followed by a period.

Eugene H. Sakai, AIA, LEED AP
President, Studio S² Architecture, Inc.

cc: Cristina and Ion Bitu

Att: letter from neighbors at 140 and 160 Formway Court

----- Forwarded message -----

From: **Shachar Tassa** <stassa@google.com>

Date: Wed, Dec 14, 2016 at 9:48 PM

Subject: Re: Letter of Support - 150 Formway Ct House Plans

To: Cristina Bitá <cristina.bitá1@gmail.com>

Cc: Ion Bitá <ion.bitá@gmail.com>

Hi Cristina and Ion,

Cheryl and I have reviewed the plans you shared and have no objections at this time. Thanks again for sharing and including us in the process.

Warm Regards,

Cheryl and Shachar Tassa

140 Formway Ct

Los Altos, CA 94022

650-948-1501

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- **Shachar Tassa**
- Director, GSL Strategy & Operations
- Google, Inc.
- stassa@google.com
- 650.787.8484

December 15, 2016

Mr. David Kornfield
Planning Services Manager
Los Altos Planning Division
1 North San Antonio Road
Los Altos, CA 94022
(650) 947-2750

Re: Design of proposed new residence at 150 Formway Court, Los Altos, CA 94022

Dear David,

My wife, Eunice Ueda Louie, and I reside at 160 Formway Court, a 2-story house built and owned by Eunice's father, Makoto Ueda. It's the house where Eunice grew up in the 1970's, and will someday be ours. The proposed new house at 150 Formway Court will be immediately south of ours, sharing a side yard with our garage.

We've reviewed the house design as documented in the DD Review set dated December 15, 2016. Based on these documents, my wife and I have no objections to the design of this new home. It is contemporary, but attractive, properly scaled, and appears to conform to all existing requirements for building setbacks, height limits, and daylight plane per the zoning code. As a practicing architect, I can appreciate the challenges of this particular site, and believe the current design is a well-considered and appropriate design solution.

Thank you for your work to preserve and enhance the character of our neighborhoods in Los Altos. We look forward to seeing this new house built and to welcoming the Bita Family to our neighborhood.

Sincerely,

A handwritten signature in dark ink, appearing to read 'DLouie', with a large, sweeping flourish extending from the end of the signature.

12.15.16

David A. Louie, AIA
160 Formway Court
Los Altos, CA 94011
dlouie_aia@yahoo.com