

**MINUTES OF THE REGULAR MEETING OF THE DESIGN REVIEW
COMMISSION OF THE CITY OF LOS ALTOS, HELD ON WEDNESDAY,
NOVEMBER 7, 2018 BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE
NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

PRESENT: Chair Harding, Vice-Chair Kirik, Commissioners Bishop and Glew
ABSENT: Commissioner Ma
STAFF: Planning Services Manager Dahl and Senior Planner Golden

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. Design Review Commission Minutes

Approve minutes of the regular meeting of October 3, 2018.

Action: Upon a motion by Commissioner Glew, seconded by Vice-Chair Kirik, the Commission approved the minutes from the October 3, 2018 regular meeting.

The motion was approved (4-0) by the following vote:

AYES: Chair Harding, Vice-Chair Kirik, Commissioners Bishop, and Glew

NOES: None

ABSENT: Ma

PUBLIC HEARING

2. 18-V-05 and 18-SC-14 – Simon Ilkhani – 901 Madonna Way

Variance to allow for a daylight plane encroachment and reduced second story setback for a new two-story house. The project includes a variance to encroach into the right-side daylight plane and second story setback of 12 feet where a 17.5-foot setback is required and design review for a new two-story residence which includes 2,018 square feet at the first story and 2,235 square feet at the second story. *Project Planner: Golden*

Senior Planner Golden presented the staff report, recommending denial of variance and design review applications 18-V-05 and 18-SC-14 subject to the listed findings.

Project applicant Simon Ilkhani presented the project and made his case for approving the variance and design review. Property owner Stephanie Peng also spoke in support of the project.

Public Comment

None.

Action: Upon a motion by Vice-Chair Kirik, seconded by Commissioner Bishop, the Commission denied variance and design review application 18-V-05 and 18-SC-14 per the listed findings.

The motion was approved (3-1) by the following vote:

AYES: Chair Harding, Vice-Chair Kirik, and Commissioners Bishop

NOES: Glew

ABSENT: Ma

3. 18-V-06 – Richard Heley – 714 Arroyo road

Variance to allow for increased height, reduced setbacks and a daylight plane encroachment for an existing accessory structure (treehouse) located in the rear yard of the property at 714 Arroyo Road. The variance would allow the accessory structure (treehouse) to exceed the 12-foot height limit, encroach into the accessory structure daylight plane and encroach into the side and rear yard setbacks. *Project Planner: Dahl*

Planning Services Manager Dahl presented the staff report and noted that staff did not have a recommended action for the variance.

Property owner/applicant Richard Heley presented the project, stating that the structure was designed to be a tree house or play structure that was exempt from Zoning and Building Code requirements; there are no windows facing the neighbors; and there is a special circumstance because it is located within the tree, should be considered an exempt play structure and they received poor guidance from staff. Property owner Katie Heley also spoke, disclosing her role on the PARC (Parks and Recreation Commission) and noting that the City needs to take accountability for inaccurate guidance that was provided.

Public Comment

Neighbor Eric Schmidt expressed opposition to the variance, noting that it does not comply with the Zoning Code, is very close to their shared property line and will decrease the value of his property.

Neighbor Mike Camicia expressed opposition to the variance, noting that the structure is huge and clearly visible from his living room and bedroom windows.

Neighbor Nadine Camicia expressed opposition to the variance, noting that the structure is very large and negatively impacts her property

Neighbor Chris Demassa expressed opposition to the variance, noting that the structure is very intrusive, will likely exist on the property for decades, and will significantly impact adjacent property values.

Neighbor Ron Ligon s expressed opposition to the variance, noting that it is not a play structure, the City is not at fault in this situation and a project of this size should require a permit.

Action: Upon a motion by Commissioner Bishop, seconded by Vice-Chair Kirik, the Commission denied variance application 18-V-06 and directed the applicant to rebuild the accessory structure in compliance with the City's Municipal Code.

The motion was approved (4-0) by the following vote:

AYES: Chair Harding, Vice-Chair Kirik, Commissioners Bishop, and Glew

NOES: None

ABSENT: Ma

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Chair Harding adjourned the meeting at 8:40 PM.

Zachary Dahl, AICP
Planning Services Manager