

Town of Hillsborough
Planning Department

Memorandum

Date: June 2, 2010

To: **Architectural and Design Review Board**
(ADRB) Members

From: Elizabeth S.R. Cullinan, Director of Building and
Planning

Subject: ADRB Meeting – June 07, 2010
**Item #13 - 3115 Ralston Avenue – Brewer
Development LLC (Habitat Architecture / Michael
Callan Landscape)**

On April 7, 2008 the Architecture and Design Review Board (ADRB) conducted a Preliminary Review for the project for design review purposes. The Board commented favorably on the architecture and design of the project and requested that the applicant address and demonstrate the visual impacts of the proposed tennis court and retaining walls from Pinehill Road and stressed the importance of material selection specifically for the tennis court wall. The ADRB also noted the height of the proposed chimneys and detail, a discrepancy in the renderings and plans of the porte-cochere arches, and recommended incorporation of the rendering detail into the design plans.

On May 3, 2010 the ADRB received presentations from Staff, the applicant and the public regarding the environmental and design aspects of the proposal to demolish an existing two story residence and construct a new two story Mediterranean style residence of approximately 12,717 square feet in floor area (16.82% Floor Area Ratio) and associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces. The project also included on site grading of approximately 3595 cubic yards of cut and 2660 cubic yards of fill earth material with approximately 935 cubic yards of exported earth materials.

The design of the proposal reviewed is a Mediterranean architectural style with a palette of high quality materials including clad wood windows, Redlands clay tile roof, copper gutters, downspouts and chimney caps, custom garage & entry doors and custom roof eave detailing. The existing and proposed residence are visible from the street and adjacent properties. The proposed residence would be located in generally the same building footprint as the current residence but would be setback further from the two street sides than the existing structures and would exceed setbacks required by the Municipal Code.

On May 3, 2010 the ADRB considered the Initial Study, Draft Mitigated Negative Declaration and Mitigation Monitoring Plan and continued consideration of the environmental determination and design to their June 7, 2010 meeting.

On May 27, 2010 the applicant submitted revised plans including the following:

- ✓ Increased the setback from Ralston Avenue from approximately 55' to 70' at the closest point;
- ✓ Created an "s-shaped" driveway to allow for less direct views of the proposed residence from Ralston Avenue;
- ✓ Created berming along the driveway allowing for the additional screening and the elevation of screen trees;
- ✓ Preserved two oak trees within the front property line setback area;
- ✓ Reduced the total square footage by approximately 1491 or 10% of its original square footage;
- ✓ Reduced the floor area by 902 square feet, resulting in a floor area ratio (FAR) of 15.63%;
- ✓ Relocated the tennis court back approximately 10' additional feet from the Pinehill Road property line.
- ✓ Reduced proposed off-haul of earth materials by approximately 250 cubic yards, due to the tennis court relocation and reduction of basement area.

The resulting revised project description is as follows:

Demolition of an existing residence and construction of a new two story Mediterranean style residence of 11,815.62 square feet in floor area (15.63% Floor Area Ratio) or 12,941.52 square feet in total and associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces. The project also includes on site grading of approximately 3595 cubic yards of cut and 2660 cubic yards of fill earth material with approximately 685 cubic yards of exported earth materials. The design of the proposal is a Mediterranean architectural style with a palette of high quality materials including clad wood windows, Redlands clay tile roof, copper gutters, downspouts and chimney caps, custom garage & entry doors and custom roof eave detailing.

The project site is approximately 2 acres (or 87,692 square feet) in size located at the intersection of Ralston Avenue and Pinehill Road. A two-story residence of approximately 5,066 square feet exists at the site. The existing home is in poor condition.

A Draft Initial Study (IS) and Mitigated Negative Declaration (MND) have been prepared for the project to address potential environmental impacts associated with grading on slopes exceeding 10%. The ADRB is required to consider the IS/MND as well as provide design review of the project. The IS/MND were delivered to the ADRB and the City Council on Monday, April 5th, 2010. Notification of the IS and MND were mailed to property owners within a 500' radius on April 1, 2010. The public review period for the Draft IS/MND was from April 7, 2010 through April 26, 2010. The environmental documents conclude that potential environmental impacts associated with aesthetics, biological resources, hazards and dangerous materials, utilities/services systems, cultural resources, hydrology/water quality, noise, air quality, geology/soils and transportation/traffic can be mitigated to a level of insignificance.

The Draft Mitigated Negative Declaration provides a summary of these potential impacts and their associated mitigation measures.

The California Environmental Quality Act (CEQA) also requires that the Town adopt a Mitigation Monitoring Plan (MMP) in order to insure implementation of mitigation measures presented in the MND.

The Town has reviewed in detail the public comments received regarding the environmental documents. While the conclusions remain that the project will not have a significant environmental impact with proposed mitigations and the previously considered IS and MND sufficiently cover the potential environmental issues associated with this single family residential project, the Town has enhanced the documents as follows:

- ✓ Updated references to square footage as well as floor area ratio statistics.
- ✓ Requirements for a tree protection and replacement plan.
- ✓ Enhanced Transportation and Traffic mitigation measure and analysis of impacts to outline Construction Management Plan parameters.
- ✓ Transportation and Traffic enhancement measures requiring compliance with the Town of Hillsborough Standard Conditions of Approval, a requirement for the parking of construction vehicles on-site, and use of the upper/southern driveway as the primary ingress and egress by construction vehicles.
- ✓ Enhanced measures regarding construction vehicle noise.
- ✓ Enhanced the evaluation of aesthetic impacts including visual depictions.
- ✓ Reformatted sections within the Initial Study to include explanation of impacts and sources with each checklist section.
- ✓ Further clarified sources.
- ✓ Enhanced explanation of air quality impacts.
- ✓ Cited the General Plan policy encouraging the removal of non-native species such as eucalyptus and acacia trees.
- ✓ Enhanced explanation of noise impacts.
- ✓ Memorandums from the Town Consulting Landscape Architect noting sufficiency of landscaping.
- ✓ Memorandum from the Town's City Engineer, Building Official and Police Captain acknowledging traffic, parking and geology as less than significant impacts.

The revisions to the project (which reduced its size and scope) and the enhancements to the documents do not represent a "substantial revision" to the document previously circulated for public review, as that term is defined under CEQA. In order to approve the project, the ADRB first needs to adopt the MND and MMP. In order to adopt the MND and MMP, the ADRB must consider the environmental documents together with any comments received during the public review process and may adopt the MND and MMP for the reasons outlined in the attached Resolution. If the ADRB adopts the Resolution adopting the MND and MMP, they may then consider adopting the Resolution approving the design.

The key elements for design approval are consistency with the Town's General Plan, Zoning Code and Design Guidelines. These documents require that a project be compatible with its neighborhood, consistent with quantitative development standards (i.e. height, setbacks, size), be sensitive to the environment, the topography of the site and surrounding buildings, be of high quality, unique, and historically accurate architecturally. The project appears to meet the requirements and guidelines of these documents for the following reasons:

Neighborhood Compatibility

- ✓ A neighborhood is defined as a district or area with distinctive characteristics that distinguish it from other community areas and that may include physical barriers. It is also defined as the surrounding area or vicinity. Neighborhoods can be defined by viewscape (visibility amongst properties), walkability, previously established social networks and terrain. Staff has conducted a survey of properties within a common viewscape. Additionally, at the request of concerned citizens, Staff has conducted an enhanced survey of properties along Ralston Avenue. These two areas can be considered to be neighborhoods.
- ✓ The proposed residence would be within a neighborhood of grand homes. The visible portion of the structure (the portion above ground level) features an FAR of approximately 14.48%. Additionally, the proposed residence is significantly screened through siting and vegetation.
- ✓ The average size home within the surveyed areas area is approximately 6,000 square feet or 8% FAR, with specific sizes ranging from approximately 2,200 square feet to 20,000 square feet and 4% FAR to 20% FAR. Additionally, the average street setback is between approximately 58' (within the immediate neighborhood survey) to 80', (within the expanded neighborhood survey), with individual properties ranging from 25' to 90' in the immediate neighborhood survey and 25' to 285' in the expanded survey. While the application exceeds the average home size, it is similar in size to a number of homes within both surveyed areas, including within close proximity. Additionally, the Pinehill Road street setback exceeds the average in both surveyed areas and the Ralston Avenue street setback exceeds the survey within the immediate neighborhood and is within an approximate 10' range of the setbacks within the broader survey.
- ✓ Quantitative factors, however, are but one consideration, and are not the sole factor in determining massing impacts on a neighborhood. Architecture, landscaping, siting and terrain are contributing factors to visual impacts of a project. The proposed residence is divided into segments with staggered/varying setbacks, thereby breaking up and reducing the visual appearance and massing.
- ✓ The proposed front elevation facing Ralston Avenue is approximately 185" wide for the first story element and 71' wide for the second story element, while the property line is approximately 337' in width. The proposed left elevation facing Pinehill Road is approximately 157' for the first story element and 71' for the two story element while the property line is approximately 337' in width. Therefore, the proposed elevations do not dominate the view from the streets in terms of building to property line width.
- ✓ Since the left side setback for the residence is approximately 153', generous perimeter landscaping exists at this property line and the site slopes upward from Pinehill Road, the visual massing of the proposed project from Pinehill Road would not be out of character with other homes in the neighborhood. Since the front setback for the residence is approximately 70', the proposed driveway is curvilinear, the elevation is a

small percentage of the property frontage, generous perimeter landscaping exists at this property line and within the front setback area, the massing of the proposed project from Ralston Avenue would not be out of character with other homes in the neighborhood.

The proposed residence would, therefore, represent a less than significant increase in size and massing and be generally compatible with the massing in the neighborhood. Additionally, due to the architecture, the massing, the landscaping and the siting of the proposed residence, the project does not overwhelm the neighborhood and maintains the character of the neighborhood.

Consistency with Quantitative Development Standards:

- ✓ Required setbacks for the property are 35' for street setbacks and 20' for side and rear setbacks. The street setbacks for the proposed residence are proposed at approximately 70' from Ralston Avenue and 153 from Pinehill Road, 22' from the right side setback and 35' from the rear yard setback.
- ✓ The proposed residence would feature a 15.63% FAR, which is significantly less than the generally permitted maximum of 25%. Since the subject site is over an acre, the second acre is subject to a 15% FAR limitation. Accordingly, the maximum floor area permitted under the FAR limitations is 15,694.65 square feet. Thus, the proposed floor area of 11,815.62 is 3,879 square feet below the maximum permitted floor area.
- ✓ The proposed height, coverages and other development standards are consistent with the Hillsborough Municipal Code.

Sensitive to the environment, the topography of the site and surrounding buildings:

- ✓ The project involves the removal of 36 mature trees. Of these trees being removed, 18 trees are twelve inches in diameter at breast height and greater. The majority of these trees are Eucalyptus, are in fair condition, and range from 12" to 26" in diameter, with the removal of one 24" box tree. New planting of 106 new trees ranging from 15 gallon to 48" box sizes is proposed. Additionally, healthy perimeter trees are proposed to be maintained.
- ✓ The proposed residence would occupy roughly the same footprint of the existing two story home. Land disturbance associated with the new home would, therefore, be significantly less than if the residence was located on a different portion of the site.
- ✓ The existing neighborhood consists of a variety of larger home styles. The visual massing of the proposed home as noted above would be consistent with the quality, size and landscaping of surrounding homes.
- ✓ The proposed fencing type (wrought iron and black chain link) and height is also consistent with fencing in the surrounding area.

- ✓ Existing trees in poor condition will be replaced on a nearly 3:1 ratio with larger trees of more appropriate species to the site and the Town.
- ✓ As documented in the IS and MND, the proposed improvements have been designed and environmentally mitigated to facilitate the protection of environmental resources.

High quality:

- ✓ The ADRB and public commentators acknowledged that the proposal is of a high quality design and utilizes quality construction materials such as wood, copper and stone.
- ✓ While the proposal is grand, it is not overly opulent and reflects style and details appropriate to its historical architectural style.

Historically accurate architecturally:

- ✓ The architectural style is presented as Mediterranean. The Mediterranean style of architecture includes the use of arches, courtyards, plain white wall surfaces, wrought iron window grilles, exposed massive chimneys, carved wooden doors, and red tile low pitched roofs. The proposal includes arched windows and doors, wooden doors, tile low pitched roof and high quality materials including clad wood windows, Redlands clay tile roof, copper gutters, downspouts and chimney caps, custom garage & entry doors and custom roof eave detailing. The proposal, therefore, represents an historically accurate style and includes historically accurate high quality construction materials.
- ✓ The proposed design incorporates raw materials such as tile, copper, wood and stone which are common to the architectural style of this residence.

Unique:

- ✓ There is a wide variety of housing styles and sizes within the neighborhood including Tudor, Mediterranean, and French. While the construction materials and traditional Mediterranean architectural style have similarities to other homes in the neighborhood (i.e. stucco, tile, wood windows, copper gutters), the siting and specific architecture of the project is unique to the neighborhood. Specifically, the proposal includes bermed landscaping, a motor court and a Porte cohere.

Attachments:

- A. Resolution Adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan
- B. Resolution Approving the Design of the Project
- C. Revised Draft Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan for ADRB consideration May 03, 2010 (Changes indicated in yellow highlighting)
- D. Revised Project Plans Submitted May 27, 2010
- E. Public Commentary Received After May 3, 2010 ADRB Packet Distribution

RESOLUTION 2010-____

RESOLUTION OF THE ARCHITECTURE AND DESIGN REVIEW BOARD (ADRB) OF THE TOWN OF HILLSBOROUGH ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING PLAN (MMP) FOR A SINGLE FAMILY RESIDENTIAL PROJECT AT 3115 RALSTON AVENUE

WHEREAS, the Architecture and Design Review Board (ADRB) conducted a preliminary review of the design of the residential project at 3115 Ralston Avenue at their regularly scheduled March 1, 2010 meeting; and

WHEREAS, public outreach on the project began January 15, 2010, including mailings, hard copy posting on Town bulletin boards and electronic posting on the Town's website; and

WHEREAS, an Initial Study (IS), Draft Mitigated Negative Declaration (MND) and Draft Mitigation Monitoring Plan (MMP) have been prepared for purposes of the proposed residential project at 3115 Ralston Avenue which indicate that with the proposed mitigation measures, the proposal would not have a significant effect on the environment. The public review period for this IS/MND was from March 12, 2010 through March 31, 2010 ; and

WHEREAS, the IS/MND was re-circulated due to changes in the grading and floor area of the project. The public review period for the subsequent IS and MND was from April 7, 2010 through April 26, 2010; and

WHEREAS, the ADRB has reviewed and considered the draft IS, MND and MMP for the residential project at 3115 Ralston Avenue at a public hearing at their regularly scheduled May 3, 2010 meeting; and

WHEREAS, since publication of the most recent IS and MND, on March 27, 2010 the applicant has submitted the following changes to the project plans:

- ✓ Increased the setback from Ralston Avenue from approximately 55' to 70' at the closest point;
- ✓ Created an "s-shaped" driveway to allow for less direct views of the proposed residence from Ralston Avenue;
- ✓ Created berming along the driveway allowing for the additional screening and the elevation of screen trees;
- ✓ Preserved two oak trees within the front property line setback area;
- ✓ Reduced the total square footage by 1,554 or 10% of its original square footage;
- ✓ Reduced the floor area by 902 square feet, resulting in a floor area ratio (FAR) of 15.63%;
- ✓ Relocated the tennis court back approximately 10' additional feet from the Pinehill Road property line.
- ✓ Reduced proposed off-haul of earth materials by approximately 250 cubic yards, due to the tennis court relocation and reduction of basement area; and

WHEREAS, since the original publication of the Draft IS/MND, the following enhancements have been added to the final IS, MND and MMRP:

- ✓ Mitigation measure number 5 requiring a construction phasing plan and traffic management plan includes additional detail regarding educating construction workers about the speed limit and permitted hours of construction and grading.
- ✓ Updated references to square footage as well as floor area ratio statistics.
- ✓ Requirements for a tree protection and replacement plan.
- ✓ Enhanced Transportation and Traffic mitigation measure and analysis of impacts to outline Construction Management Plan parameters.
- ✓ Transportation and Traffic enhancement measures requiring compliance with the Town of Hillsborough Standard Conditions of Approval, a requirement for the parking of construction vehicles on-site, and use of the upper/southern driveway as the primary ingress and egress by construction vehicles.
- ✓ Construction vehicle noise enhancement measures.
- ✓ Enhanced the evaluation of aesthetic impacts including visual depictions.
- ✓ Reformatted sections within the Initial Study to include explanation of impacts and sources with each checklist section.
- ✓ Further clarified sources.
- ✓ Enhanced explanation of air quality impacts.
- ✓ Cited the General Plan policy encouraging the removal of non-native species such as eucalyptus and acacia trees.
- ✓ Enhanced explanation of noise impacts.
- ✓ Memorandums from the Town Consulting Landscape Architect noting sufficiency of landscaping.
- ✓ Memorandum from the Town's City Engineer, Building Official and Police Captain acknowledging traffic, parking and geology as less than significant impacts; and

WHEREAS, the ADRB has reviewed and considered the draft IS, MND and MMP and application, including the above-noted changes, as well as comments received from the public, for the residential project at 3115 Ralston Avenue at a second public hearing at their regularly scheduled June 7, 2010 meeting.

NOW, THEREFORE, BE IT RESOLVED that the ADRB of the Town of Hillsborough in regular session assembled on June 7, 2010, based on the evidence presented, both written and oral, including the Initial Study and Draft Mitigated Negative Declaration and Mitigated Negative Declaration circulated April 7, 2010 through April 26, 2010 and the Mitigation Monitoring Plan, as well as subsequent revisions to each, the application and supporting documentation, and written and oral testimony given at hearings by the lead agency, City officials and the public, hereby adopts the MND and MMRP and approves the proposal to demolish an existing residence and construct a new two story Mediterranean style residence and associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces. The project also includes on site grading of approximately 3595 cubic yards of cut and 2660 cubic yards of fill earth material with approximately 935 cubic yards of exported earth materials. This determination is based on the following findings and for the following reasons:

1. *Based on the entire record, the ADRB finds that there is no substantial evidence in the record that the proposed project will result in a significant adverse effect to the environment.*

The IS and MND identify any potentially significant environmental impacts associated with the project. The MMRP insures that the project will not harm the environment.

2. *The Environmental Assessment reflects the independent judgment and analysis of the lead agency.*

In consultation with the Engineering Department, the Building and Planning Department and the Police Department, the ADRB has made an informed and independent determination that any environmental impacts associated with the proposal can be mitigated to a less than significant level with the MMRP, conditions of approval and applicable regulations.

3. *The Mitigation Monitoring Plan represents changes or alterations required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to the maximum extent feasible.*

Compliance with the MMP is a condition of project approval. MMP measures result in potentially significant environmental impacts being less than significant.

4. *The revisions to the MND do not constitute a "substantial revision" within the meaning of the CEQA Guidelines (14 CCR §15073.5(b)).*

The additional information and enhanced mitigation measures contained in the revised MND do not create a new significant environmental effect and are not necessary to mitigate a significant environmental effect.

5. *The custodian of the records for this matter is the Hillsborough City Clerk, Town Hall, 1600 Floribunda Avenue, Hillsborough 94010. .*

ADRB Chair, Mark Heine

Attest: Director of Building and Planning

This resolution was adopted by the ADRB of the Town of Hillsborough at its regular meeting held on the 7th day of June , 2010, by the following vote of the members thereof:

| | | |
|----------|--------------|-------|
| AYES: | ADRB members | _____ |
| NOES: | ADRB members | _____ |
| ABSENT: | ADRB members | _____ |
| ABSTAIN: | ADRB members | _____ |

RESOLUTION 10-____

RESOLUTION OF THE ARCHITECTURE AND REVIEW BOARD (ADRB) OF THE TOWN OF HILLSBOROUGH APPROVING THE DESIGN OF A NEW TWO STORY MEDITERRANEAN STYLE RESIDENCE OF APPROXIMATELY 11,816 SQUARE FEET IN FLOOR AREA (15.63% FLOOR AREA RATIO) AND ASSOCIATED LANDSCAPE PLAN INCLUDING NEW PLANTINGS, TREE REMOVAL, NEW TENNIS COURT, SWIMMING POOL AND TERRACES

WHEREAS, the proposal received Preliminary Review by the Architecture and Design Review Board (ADRB) on March 1, 2010. At that time, the Board commented favorably on the architecture and design of the project and requested that the applicant address and demonstrate the visual impacts of the proposed tennis court and retaining walls from Pinehill Road and stressed the importance of material selection specifically for the tennis court wall. The ADRB also noted the height of the proposed chimneys and detail, a discrepancy in the renderings and plans of the porte-cochere arches, and recommended incorporation of the rendering detail into the design plans.

WHEREAS, public outreach on the project began January 15, 2010, including mailings, a neighborhood meeting, hard copy posting on Town bulletin boards, early story pole installation, and electronic posting on the Town's website; and

WHEREAS, an Initial Study (IS), Draft Mitigated Negative Declaration (MND) and Draft Mitigation Monitoring Plan (MMP) have been prepared for purposes of the proposed residential project at 3115 Ralston Avenue which indicate that with the proposed mitigation measures, the proposal would not have a significant effect on the environment.

WHEREAS, after the project was publicly noticed and story poles were installed, several neighbors voiced concerns including inadequacy of street setbacks, privacy and visual impacts, sufficiency of landscaping, accuracy of public notices, and environmental impacts.

WHEREAS, on May 3, 2010, the ADRB considered the formal application with focus on reviewing and hearing information relating to environmental impacts and continued full consideration of the item to their June 7, 2010 meeting.

WHEREAS, since original submittal of the application on February 2, 2010, sixteen different design changes have been made to the proposal as referenced in the "Design Changes April 5th ADRB Meeting", submitted by the applicant.

WHEREAS, on May 27, 2010, the applicant submitted a revised proposal for construction of a residential structure with a floor area of 11,815 square feet (15.63% FAR) or 12,941.52 square feet in total area and associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces. Specific additional revisions include:

- ✓ Increased setback from Ralston Avenue from approximately 55' to 70' at the closest point;
- ✓ An "s-shaped" driveway to allow for less direct views of the proposed residence from Ralston Avenue;
- ✓ Berming along the driveway allowing for additional screening and the elevation of screen trees;
- ✓ Preservation of two oak trees within the front property line setback area;
- ✓ Reduced total square footage by approximately 1,554 or 10%;
- ✓ Reduced floor area ratio (FAR) by approximately 902 square feet;
- ✓ Relocated the tennis court approximately 10' additional feet back from the Pinehill Road property line;
- ✓ Due to the tennis court relocation and reduction of basement area, proposed off-haul of earth materials would be reduced by approximately 250 cubic yards.

NOW, THEREFORE, BE IT RESOLVED that the Architecture and Design Review Board (ADRB) of the Town of Hillsborough in regular session assembled on June 7, 2010, based on the evidence presented, both written and oral, including the application, and supporting documentation and written and oral testimony given at hearings by the lead agency, City officials and the public, approves the construction of a new two story Mediterranean style residence of approximately 11,816 square feet in floor area (15.63% FAR) and associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces based on the following findings and for the following reasons:

1. *The General Plan includes goals and policies to "Continue to review new development proposals to ensure that they do not overwhelm their sites or their neighborhood" and to "Maintain the character of the Town's neighborhoods".*

A neighborhood is defined as a district or area with distinctive characteristics that distinguish it from other community areas and that may include physical barriers. It is also defined as the surrounding area or vicinity. Neighborhoods can be defined by viewscape (visibility amongst properties), walkability, previously established social networks and terrain. Staff has conducted a survey of properties within a common viewscape. Additionally, at the request of concerned citizens, Staff has conducted an enhanced survey of properties along Ralston Avenue. These two areas can be considered to be neighborhoods.

The proposed residence would be within a neighborhood of grand homes. The proposed residence would feature a 15.63% FAR, which is significantly less than the generally permitted maximum of 25%. Since the subject site is over an acre, the second acre is subject to a 15% FAR limitation. Accordingly, the maximum floor area permitted

under the FAR limitations is 15,694.65 square feet. Thus, the proposed floor area of 11,815.62 is 3,879 square feet below the maximum permitted floor area. The visible portion of the structure (the portion above ground level) features an FAR of approximately 14.48%. Additionally, the proposed residence is significantly screened through siting and vegetation.

Required setbacks for the property are 35' for street setbacks and 20' for side and rear setbacks. The street setbacks for the proposed residence are proposed at approximately 70' from Ralston Avenue and 153 from Pinehill Road, 22' from the right side setback and 35' from the rear yard setback.

The average size home within the surveyed areas area is approximately 6,000 square feet or 8% FAR, with specific sizes ranging from approximately 2,200 square feet to 20,000 square feet and 4% FAR to 20% FAR. Additionally, the average street setback is between approximately 58' (within the immediate neighborhood survey) to 80', (within the expanded neighborhood survey), with individual properties ranging from 25' to 90' in the immediate neighborhood survey and 25' to 285' in the expanded survey. While the application exceeds the average home size, it is similar in size to a number of homes within both surveyed areas, including within close proximity. Additionally, the Pinehill Road street setback exceeds the average in both surveyed areas and the Ralston Avenue street setback exceeds the survey within the immediate neighborhood and is within an approximate 10' range of the setbacks within the broader survey.

Quantitative factors, however, are but one consideration, and are not the sole factor in determining massing impacts on a neighborhood. Architecture, landscaping, siting and terrain are contributing factors to visual impacts of a project. Specifically, the proposed residence is divided into segments with staggered/varying setbacks, thereby breaking up and reducing the visual appearance and massing. The proposed residence would, therefore, represent a less than significant increase in size and massing and be generally compatible with the massing in the neighborhood.

Due to the architecture, the massing, the landscaping and the siting of the proposed residence, the project does not overwhelm the neighborhood and maintains the character of the neighborhood.

2. *The Zoning Code states as one of its purposes to "Conserve and protect the natural resources, natural beauty and significant environmental amenities of the town."*

As documented in the IS and MND, the proposed improvements have been designed and environmentally mitigated to facilitate the protection of environmental resources. Additionally, existing trees in poor condition will be replaced on a nearly 3:1 ratio with larger trees of more appropriate species to the site and the Town.

3. *The Town's Design Guidelines emphasize the importance of one-by-one craftsmanship and homebuilding. Specifically, the Guidelines note that "an enviable attribute of Hillsborough is the feeling that no two homes seem to have ever been erected by the same developer" and that a key component in the success of the Town's development pattern of adjacent homes of different styles is the rigor and discipline the architect applies to the selected style.*

There is a wide variety of housing styles and sizes within the neighborhood including Tudor, Mediterranean, and French. While the construction materials and traditional Mediterranean architectural style have similarities to other homes in the neighborhood

(i.e. stucco, tile, wood windows, copper gutters), the siting and specific architecture of the project is unique to the neighborhood. Specifically, the proposal includes bermed landscaping, a motor court and a Porte cochere.

4. *The Town's Design Guidelines characterize Hillsborough's image as including sophisticated design which is rural but stately and displays subtle elegance.*

While the proposal is grand, it is not overly opulent and reflects style and details appropriate to its historical architectural style.

5. *The Town's Design Guidelines state that where feasible, buildings should be sited so as to maximize the view potential from the site while also maximizing the distance from buildings on adjacent properties.*

The proposed siting of the structures and outdoor recreation areas take opportunity of the significant views afforded the site to the west and exceeds setbacks required by the Town. Additionally, the revised plans submitted on May 27, 2010 increase both street setbacks, thereby locating the proposed residence even further from the street-side neighboring properties.

6. *The Town's Design Guidelines state that building massing should generally conform to the buildings in the surrounding vicinity.*

Massing relates to the visual impact of a structure or object. The visible massing (the portion of the structure above ground level) of the proposed residence would be approximately 10,951 square feet or 14.48% FAR. The neighborhood average of FAR is approximately 7% with homes ranging from 2,200 to 10,000 square feet in floor area.

The proposed front elevation facing Ralston Avenue is approximately 185" wide for the first story element and 71' wide for the second story element, while the property line is approximately 337' in width. The proposed left elevation facing Pinehill Road is approximately 157' for the first story element and 71' for the two story element while the property line is approximately 337' in width. Therefore, the proposed elevations do not dominate the view from the streets in terms of building to property line width.

Since the left side setback for the residence is approximately 153', generous perimeter landscaping exists at this property line and the site slopes upward from Pinehill Road, the massing of the proposed project from Pinehill Road would not be out of character with other homes in the neighborhood. Since the front setback for the residence is approximately 70', the proposed driveway is curvilinear, the elevation is a small percentage of the property frontage, generous perimeter landscaping exists at this property line and within the front setback area, the massing of the proposed project from Ralston Avenue would not be out of character with other homes in the neighborhood.

7. *The Town's Design Guidelines acknowledge the importance of historical accuracy, a commitment to the style in the design of all components of the residence, and the use of high quality craftsmanship and building materials appropriate to the design for residential projects in Hillsborough.*

The architectural style is presented as Mediterranean. The Mediterranean style of architecture includes the use of arches, courtyards, plain white wall surfaces, wrought iron window grilles, exposed massive chimneys, carved wooden doors, and red tile low pitched roofs. The proposal includes arched windows and doors, wooden doors, tile low

pitched roof and high quality materials including clad wood windows, Redlands clay tile roof, copper gutters, downspouts and chimney caps, custom garage & entry doors and custom roof eave detailing. The proposal, therefore, represents an historically accurate style and includes historically accurate high quality construction materials.

8. *The Town's Design Guidelines encourage the use of natural/honest materials.*

The project's use of stone, clay and wood reflect the Town's guidelines encouraging the use of natural/honest materials.

9. *The Town's Design Guidelines state that the siting and design of projects should integrate mature and native trees and existing vegetation into the site plan and building design without a significant loss of vegetation.*

The project involves the removal of 36 mature trees. Of these trees being removed, 18 trees are twelve inches in diameter at breast height and greater. The majority of these trees are Eucalyptus, are in fair condition, and range from 12" to 26" in diameter, with the removal of one 24" box tree. New planting of 106 new trees ranging from 15 gallon to 48" box sizes is proposed. Additionally, healthy perimeter trees are proposed to be maintained.

10. *The Town's Design Guidelines state that grading should respect the natural topography of land.*

While the applicant will undergo grading, the grading is below the threshold requiring Council approval. The project and associated grading respects the existing topography of the site by siting the proposed residence on the flatter portions of the site where the existing residence is located and balancing much of the cut and fill onsite.

11. *The Town's Design Guidelines state that landscaping should be designed to define private outdoor space connected to the residence, define the boundaries between the private outdoor space and the more public, or street facing, outdoor space, maximize views and create visual buffer zones between the property and neighboring parcels.*

The proposed landscaping defines the outdoor recreation area consisting of a swimming pool and cabana and creates a private lawn area at the front of the residence. Additionally, proposed landscaping would screen the residence from neighboring properties and public rights-of-way.

12. *Fencing and walls should be compatible with the neighborhood and the architectural style of the building.*

Simple wrought iron fencing is proposed along Ralston Avenue and black vinyl chain link fencing is proposed along Pinehill Road. Wrought iron is commonly used in Mediterranean style homes and these types of fences are commonly seen throughout the neighborhood and would be complemented by landscaping.

13. *Retaining walls should not be higher than 6', except where they are located within an interior setback area, in which case they shall be no taller than 4 1/2'.*

The proposal includes a series of three retaining walls at 4'6" high are proposed to terrace down the hill and one 6' retaining wall at back of tennis court.

14. *The Town's Design Guidelines state that the design and construction of Hillsborough homes should evoke a superior level of craftsmanship and building materials.*

The ADRB and public commentors acknowledged that the proposal is of a high quality design and utilizes quality construction materials such as wood, copper and stone.

15. *The Town's Design Guidelines state that specified building materials and architectural finishes should be appropriate to the architectural style of the residence:*

The proposed design incorporates raw materials such as tile, copper, wood and stone which are common to the architectural style of this residence.

16. *The Municipal Code states that the goal of the ADRB is to encourage design that is responsive to the site, compatible with the surrounding neighborhood, in harmony with the natural environment and in keeping with the character of the Town.*

The proposed residence would occupy roughly the same footprint of the existing two story home. Land disturbance associated with the new home would, therefore, be significantly less than if the residence was located on a different portion of the site. The existing neighborhood consists of a variety of larger home styles. The visual massing of the proposed home as noted above would be consistent with the quality, size and landscaping of surrounding homes. The proposed fencing type (wrought iron and black chain link) and height is also consistent with fencing in the surrounding area. Additionally, existing trees in poor condition will be replaced on a nearly 3:1 ratio with larger trees of more appropriate species to the site and the Town.

17. *The Design Guidelines state that building massing should generally conform to the buildings in the surrounding vicinity.*

While the proposed residence would be larger than the average home size within the neighborhood, it would be located within a neighborhood of grand homes. The proposed residence would feature an FAR of approximately 15.63%, which is significantly less than the generally permitted maximum of 25%. Since the subject site is over an acre, the second acre is subject to a 15% floor area limitation. Accordingly, the floor area permitted under the FAR limitations is 15,694.65 square feet. Thus the proposed floor area is 11,815.62 or 3,879 square feet below the permitted floor area. The visible portion of the structure (the portion above ground level) is approximately 14.48%. The proposed residence is divided into segments with staggered/varying setbacks, thereby breaking up and reducing the visual appearance and massing. Additionally, the proposed residential structures are significantly screened through siting and vegetation. The proposed residence would, therefore, represent a less than significant increase in size and massing and be generally compatible with the massing in the neighborhood.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Architecture and Design Review Board (ADRB) of the Town of Hillsborough in regular session assembled on June 7, 2010, based on the evidence presented, both written and oral, including the application, supporting documentation, and written and oral testimony given at hearings, City officials and the public, hereby approves the construction of a new two story Mediterranean style residence of approximately 11,815.62 square feet in floor area (15.63% Floor Area Ratio) and associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces based on the following conditions:

1. The Project Sponsor/Applicant shall comply with all mitigation and enhancement measures referenced within the Mitigated Negative Declaration adopted on June 7, 2010.
2. Future revisions to the project design that are substantial in nature are subject to review and approval by the ADRB in a public hearing; minor revisions will be subject to the administrative review process.
3. The applicant shall comply with the Town's Standard Conditions of Approval and the TCLA (Town's Consulting Landscape Architect) recommendations.
4. The applicant shall comply with the Town of Hillsborough Standard Conditions of Approval.
5. All construction vehicles shall be parked on site unless otherwise authorized by the Building Official.
6. All construction vehicles shall utilize the upper/southern driveway for ingress and egress unless otherwise authorized by the Building Official.
7. The project sponsor shall implement best management practices to reduce construction noise. The Project Sponsor shall incorporate the following practices into the construction documents to be implemented by the project construction contractor. These control measures, such as installation of noise control devices (e.g., mufflers), selection of quieter machinery, and other noise control measures (e.g., surrounding stationary equipment with noise barriers), would not require major equipment redesign:
 - a. Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
 - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
 - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
 - Locate stationary equipment to minimize noise impacts on the community; and
 - Minimize backing movements of equipment.
 - b. Use quiet construction equipment whenever possible.
 - c. Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible.
 - d. Prohibit unnecessary idling of internal combustion engines.

- e. Select routes for movement of construction-related vehicles and equipment in conjunction with the Hillsborough Building Official so that noise-sensitive areas, including residences and schools, are avoided as much as possible.
 - f. The construction contractor shall send advance notice to neighborhood residents within 50 feet of the project site regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site.
8. To the full extent permitted by law, the applicant shall indemnify, defend, release and hold Town, its councilmembers, officers, agents and employees from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including applicant, (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend or annul any actions of Town, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of project improvements, regardless of whether the actions or omissions are alleged to be caused by Town or applicant, so long as Town promptly notifies applicant of any such claim or action and the Town cooperates in the defense of same.

ADRB Chair, Mark Heine

Attest: Director of Building and Planning

This resolution was adopted by the ADRB of the Town of Hillsborough at its regular meeting held on the 7th day of June , 2010, by the following vote of the members thereof:

| | | |
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| AYES: | ADRB members | _____ |
| NOES: | ADRB members | _____ |
| ABSENT: | ADRB members | _____ |
| ABSTAIN: | ADRB members | _____ |