

Cupertino, CA 95014
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**APPROVED MINUTES OF THE REGULAR MEETING OF
THE DESIGN REVIEW COMMITTEE HELD ON July 18, 2019**

ROLL CALL

Committee Members present: Vikram Saxena, Chair
David Fung, Commissioner

Committee Members absent: none

Staff present: Ellen Yau, Associate Planner
Benjamin Fu, Assistant Director of Community Development

APPROVAL OF MINUTES:

1. September 6, 2018
The minutes of September 6, 2018 were continued for a lack of a quorum
2. December 6, 2018
The minutes of December 6, 2018 were approved as written

ORAL COMMUNICATION:

None

WRITTEN COMMUNICATIONS:

Three emails were received regarding item #3 on the agenda

CONSENT CALENDAR:

None

PUBLIC MEETING:

3. Application No.(s): R-219-03
Applicant: Alfred Devaraj residence
Location: 10713 Larry Way APN: 316-02-007

Residential Design Review for a new 4,170 square foot, two-story, single family residence with a rear facing balcony located in an R-1A district.

Design Review Committee decision final unless appealed.

Staff Member Yau explained that the subject property is in the Linwood Acre neighborhood. Lots R-1A districts are usually larger and meant enforce a semi-rural setting in a neighborhood. The Ordinance requires that any development on these lots be approved by the Design Review Committee rather than by Staff as is the case with typical residential design application projects. The applicant is proposing to tear down the existing two-story home and build a new one. The proposed new home does not exceed the maximum allowed lot coverage area or floor area ratio. R-1A lots are required to have larger setback areas than R-1 lots. The proposed home will not encroach into the required setback areas. The second story balcony will be at the rear of the house abutting the Apple Campus property. The property owner

is required to plant trees to mitigate any privacy concerns from the second story windows. As the proposed development meets all the requirements of the Ordinance, Staff supports approval of the project.

Chair Saxena confirmed that the trees along the southern edge of the property were because the neighbor asked for them. Staff member Yau stated that the trees are required to be planted. Since the property abuts the Apple Campus, not trees are required there and the neighbor to the north waived the tree planting requirement, so the trees will be planted along the southern property line

Commissioner Saxena opened the Public Comment period.

Terry Griffin

Ed Auch

Commissioner Saxena closed the Public Comment period.

To address the comments from the speakers, Commissioner Fung asked about the noticing requirements for this type of project. Staff member Yau explained that per Ordinance 19.12, adjacent neighbors are noticed. Chair Saxena asked if the existing front yard trees on the site could serve as the required privacy plantings. Staff member Yau said that the trees would need to be measured to confirm that they are large enough. Chair asked if the property owner would be willing to plant other trees. Mr. Devaraj said that the Oak tree is very large and there is no room for additional trees in the front. His neighbor does not want any more trees there either. One of the current Conditions of Approval in the Draft Resolution is to maintain the Oak tree and record it as a protected, privacy tree. One of the speakers stated that the language in findings #4 and #5 is slightly different for an R1-A than it is for an R-1 application. As such, the application couldn't be approved. Commissioner Fung and Staff member discussed the language differences. Commissioner Fung felt that the intent of the findings had been met, so the project could be approved. He did ask that the language in the findings be changed to match the language in the R-1A Ordinance.

Chair Saxena asked that the Resolution be modified to include the second front yard tree. Commissioner Fung concurred.

Commissioner Fung asked that the language in the findings be changed to match the language in the R-1A Ordinance. Chair Saxena concurred.

MOTION: Commissioner Fung moved to approve R-2019-03 with the above shown changes to the draft resolution and findings

APPROVE: Chair Saxena

ABSENT: none

ABSTAIN: none

VOTE: 2-0-0

OLD BUSINESS:

None

NEW BUSINESS:

None

Respectfully submitted:

_____/s/Beth Ebben
Beth Ebben
Deputy Board Clerk