

Contact Gregory Mottola  
 TOWN OF ATHERTON 415-989-2100  
 PLANNING COMMISSION APPLICATION



	TYPE OF APPLICATION	FEE
	Appeal	\$750.00
2	Conditional Use Permit/ Special Structure Permit	\$2,684.24
	Environmental Impact Report	Actual cost
	Final Parcel Map	\$2,684.24
	General Plan Amendment	\$5,162.00
	Heritage Tree Removal Permit	\$2,064.80
	Initial Review/Negative Declaration	\$2,064.80
	Lot Line Adjustment	\$1,548.60
	Lot Line Redesignation	\$2,684.24
	School Master Plan	\$774.30
	Tentative Parcel Map	\$2,684.24
	Variance	\$2,684.24
	Zoning Ordinance Amendment	\$5,162.00

SITE ADDRESS: 76 Ridge View Drive APN 073-181-450

Provide a brief description of the proposed project: A new single family residence with a detached guest house and pool.

**PROPERTY OWNER:**

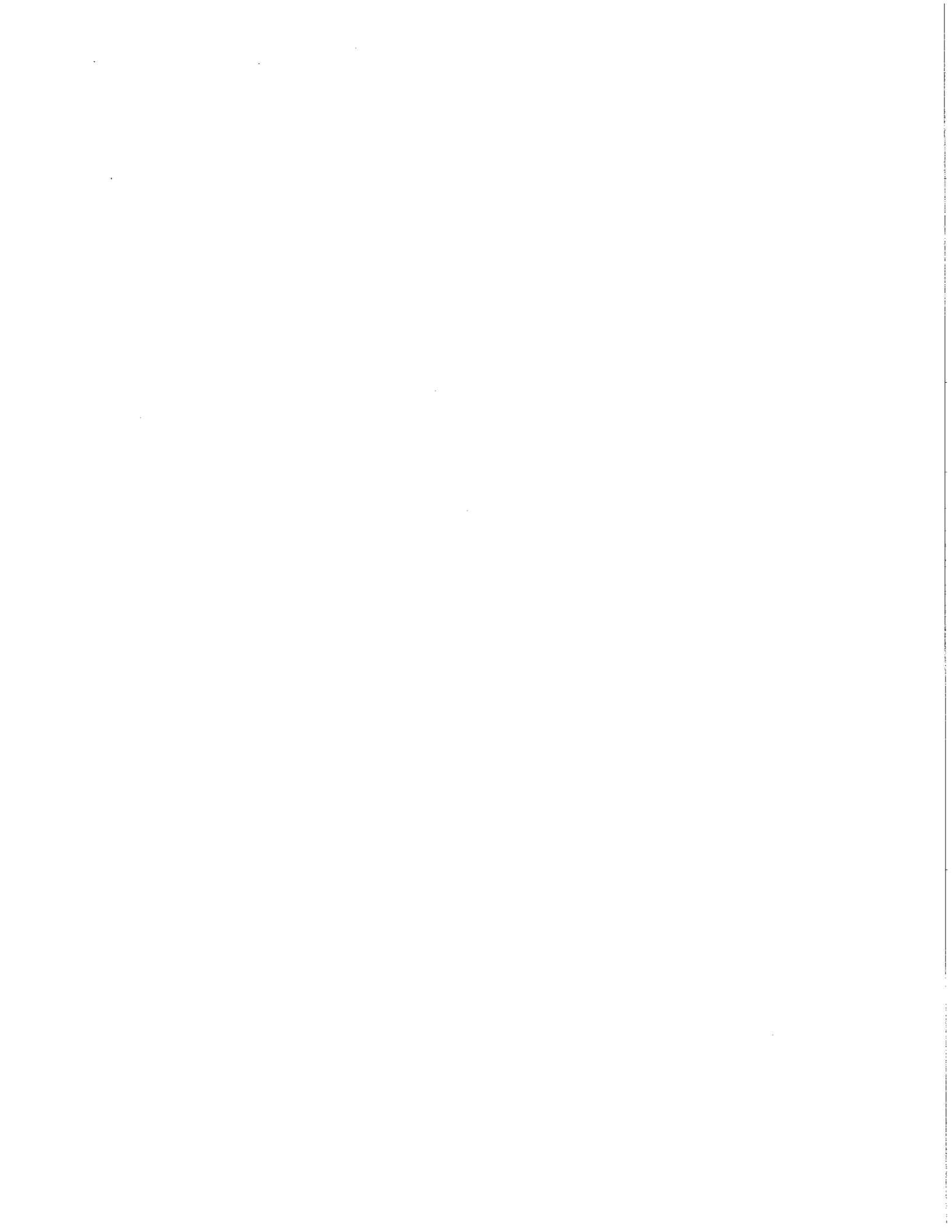
Name: 76 Ridge View Partners, LLC  
 Mailing Address: 76 Ridge View Drive, Atherton, CA, 94207  
 Phone: 415-989-2100  
 Email: 76RidgeViewDrive@gmail.com  
 Signature:

**APPLICANT:**

Name: Gregory Mottola - Bohlin Cywinski Jackson  
 Mailing Address: 49 Geary Street, San Francisco, CA, 94108  
 Phone: 415-989-2100  
 Email: gmottola@bcj.com  
 Signature:

.....  
 FOR CITY COMPLETION:

Amount Paid: \_\_\_\_\_ Received by: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
 Project #: \_\_\_\_\_





**DATE:** PLANNING COMMISSION MEETING OF MARCH 26, 2014

**TO:** THE PLANNING COMMISSION

**FROM:** ANDREA MARDESICH, ASSOCIATE PLANNER

**SUBJECT:** REQUEST FOR A SPECIAL STRUCTURES PERMIT FOR A BASEMENT LOCATED OUTSIDE OF THE FIRST FLOOR FOOTPRINT FOR THE MAIN RESIDENCE AND A SPECIAL STRUCTURES PERMIT TO ALLOW TWO RETAINING WALLS GREATER THAN 6' IN HEIGHT AT 76 RIDGEVIEW DRIVE (APN: 073-181-450)

**RECOMMENDATION:**

Staff recommends that the Planning Commission conduct the public hearing and approve the attached draft Special Structures Permit to allow a basement outside of the first floor footprint for the main residence and to allow two retaining walls greater than 6' in height based on the following findings:

1. The proposed building or structure will not negatively impact neighboring properties with respect to privacy and view.

*Basis for Finding: The additional basement area will not be visible from the exterior and will be located within the main building area. One portion of the basement will allow pedestrian access into the underground garage and not be visible from the right-of-way. The second extension will be located under a deck at the front of the residence, will not be visible from the right of way, and will be minimally visible from neighboring properties. The applicant will be required to provide landscape screening as part of construction of the main residence. The retaining walls will allow an outdoor area to be integrated into the hillside which will ensure that any outdoor activities in that area are below existing grade, maintaining privacy and views.*

2. The proposed building or structure complies with other development standards, restrictions, or limitations for the proposed building or structure, such as height and landscaping screening.

*Basis for Finding: All other aspects of the proposal will have to meet the R1-A Zoning standards, restrictions and limitations and any other applicable aspects of the Atherton Zoning Title.*

3. The granting of the Special Structures Permit is consistent with the objectives of the general plan and this title.

*Basis for finding: "Squaring-off" the basement is consistent with the intent of the Zoning Code. The basement will contain a garage, which will allow more area aboveground for landscaping and screening. Although the proposed extension of the basement is not under the footprint of the first floor of the residence, it is under the deck of the residence and will not be visible from the right-of-way or other properties. The retaining walls will be built into a hillside, thus allowing the patio area to be "tucked" into the hillside at a lower elevation than if it were located on other areas at the site. Specifically, the retaining walls associated with the patio meet the General Plan policy: "privacy is a factor which shall be incorporated into subdivision, subdivision improvements and home design."*

### **INTRODUCTION:**

The subject site is located at 76 Ridgeview Drive, between Alta Vista Drive and Fletcher Drive. The property is situated on a hilltop, is zoned R-1-A and is approximately 54,014 square feet in area (1.24 acres). The existing single family home, carport, and swimming pool will be demolished. The applicant plans to construct a new main residence with a basement and underground garage, a detached guest house, a pool and landscape improvements.

The site slopes uphill from Ridgeview Drive and is surrounded by private residences. There is a 40 foot elevation change across the property. The lot is well screened, with the exception of some light screening along the rear left of the lot. The applicants are proposing a garage within the basement under the main residence. There are two areas where a portion of the basement is extending beyond the footprint of the house (one area for pedestrian access to the garage, and one area where tandem parking is proposed). The total square footage of the basement extending beyond the footprint is 485 square feet.

### **ANALYSIS:**

#### **Special Structure Permit - Basement:**

The applicant proposes to construct a new two-story residence with a partial basement. The proposed new residence is designed in an "L" configuration. The proposed basement will not extend under the entire footprint of the first floor, but rather will be located under one segment of the "L" shaped residence. The basement will be utilized for an underground garage (no detached garage is proposed), a mechanical room, and storage. Atherton Municipal Code Section 17.44.030 requires a Special Structure permit for basements that extend beyond the footprint of the residence. In this case, the total square footage of the basement is actually less than the square footage of the first floor; however, due to the design, the basement does not fall exactly under the footprint of the first floor of the residence.

The following table illustrates the maximum allowable requirements for a basement with a Special Structures Permit:

	<b>Allowed</b>	<b>Proposed</b>
<b>Floor Area Basement</b>	130% of first floor area 3,342 s.f. x 130% = <b>4,347 s.f.</b>	<b>2,449 s.f. – 73%</b>
<b>Percentage Required Under Main Building Footprint</b>	Minimum <b>75%</b>	<b>80%</b>

The existing property contains two driveway approaches. The applicant proposes to utilize the leftmost driveway approach and abandon the other driveway approach. The garage doors will be oriented to the left side of the property, will not be visible from street view, and will be inset from the first floor above.

As indicated, the basement is proposed at 2,449 square feet, which is approximately 73% of the first floor. The basement level is proposed to extend approximately 10'-2" beyond the front elevation of the first floor above. The basement area extension will be under a new deck area and will include a decorative stone foundation wall that matches the proposed residence. This portion of the basement extension is approximately 398 square feet and will accommodate tandem parking for two vehicles. The second basement extension is proposed to extend approximately 5'-6" along the rear of the residence to accommodate exterior access to the basement garage level and is 87 square feet. The basement extension will be covered with patio above.

The residence is designed in an "L" configuration and the basement extensions are within the "squaring off" are of this "L" shaped house. As noted above, the basement will not extend under the full area of the first floor above and each basement extension is rather minor in area. It is Staff's opinion that the proposed basement is reasonable in size, is designed to fit in with the site and meets the intent of the zoning code. All other aspects of the proposed basement will comply with the Zoning code. No lightwells are proposed and the driveway approach is designed to be screened from the public right-of-way.

Kevin Kielty, Town Arborist, reviewed the proposed plans and conducted a site inspection. He noted that three Eucalyptus trees will be removed at Staff level due to the poor condition of the trees. There are three large oaks on site, all of which will be protected and maintained. There are several smaller (non-heritage) trees within the buildable area that will be removed

Special Structure Permit – Retaining Walls:

The applicant is also requesting a Special Structures Permit to allow retaining walls greater than 6' in height. At the rear of the property the applicant is proposing a detached guest house, a pool and spa. On the right side, near the rear of the property there is significant grade change and it is here that the applicant is proposing to create a sunken patio. Rather than adding fill to create a level area, the applicant would like to cut into the hillside to create the patio. The wall that will run parallel to the rear property line would be a maximum height of 8' (80' in length). The wall that would run along the side of the property and meet this wall to form an "L" and create the patio would be a maximum height of 6'-6" (34' in length).

Staff is supportive of this request. The sunken patio will allow for use of that portion of the site without creating noise issues for surrounding neighbors. Specifically, the hillside will help buffer any noise coming from that location.

There has been one public comment from the neighbor located immediately to the rear of the property at 45 Melanie Lane. The neighbor has no concerns with either the walls or the basement, but asked the applicant to contact him regarding placement of the spa. He also expressed concern with the soil in the area based on his own construction experience, and noted a strong design will be required for the wall. The applicant will be required to submit a soils report and engineered plans for the wall to meet Town standards.

### **CONCLUSION:**

In order to grant the Special Structures Permits for the basement and retaining walls, the Planning Commission would need to make the finding that the proposal would be appropriate under the General Plan of the Town and the Commission shall consider any unique conditions of the property, trees, shrubs, screening, the effect of the proposed construction on neighboring properties both as to privacy and view, and the impact, if any, of the proposed construction on the rural character of the neighborhood.

As noted above, the basement will not be visible from adjacent properties or the right-of-way. Three heritage Eucalyptus trees are proposed to be removed at Staff level and there are several large trees onsite that will remain. As part of construction of the main residence, the applicant will be required to submit a landscape screening plan. With this and the existing landscaping, the home will be well screened from adjacent neighbors. The retaining walls will serve to create a sunken patio which will be beneficial to neighbors in terms of privacy and noise, as the hillside will help block any noise and protect their privacy.

### **ALTERNATIVES:**

The Commission has the option to approve, deny or modify each of the two requested Special Structure Permits.

If the Commission were to deny the Special Structures Permit request for the basement, the applicant would need to reduce the size of the basement to just under the first floor of the main residence.

If the Commission were to deny the Special Structures Permit for the retaining walls, the applicant would need to redesign this portion of the yard to be in conformance with the Municipal Code, with 6' maximum height retaining walls.

### **FISCAL IMPACT:**

All costs covering the processing of this application are paid for by the applicants.

### **ENVIRONMENTAL IMPACT:**

The proposal has been determined to be exempt from the provisions of the California

Environmental Quality Act (CEQA) pursuant to CEQA Sections 15303, Class 3, which permits construction of a new single family residence.

**FORMAL MOTION:**

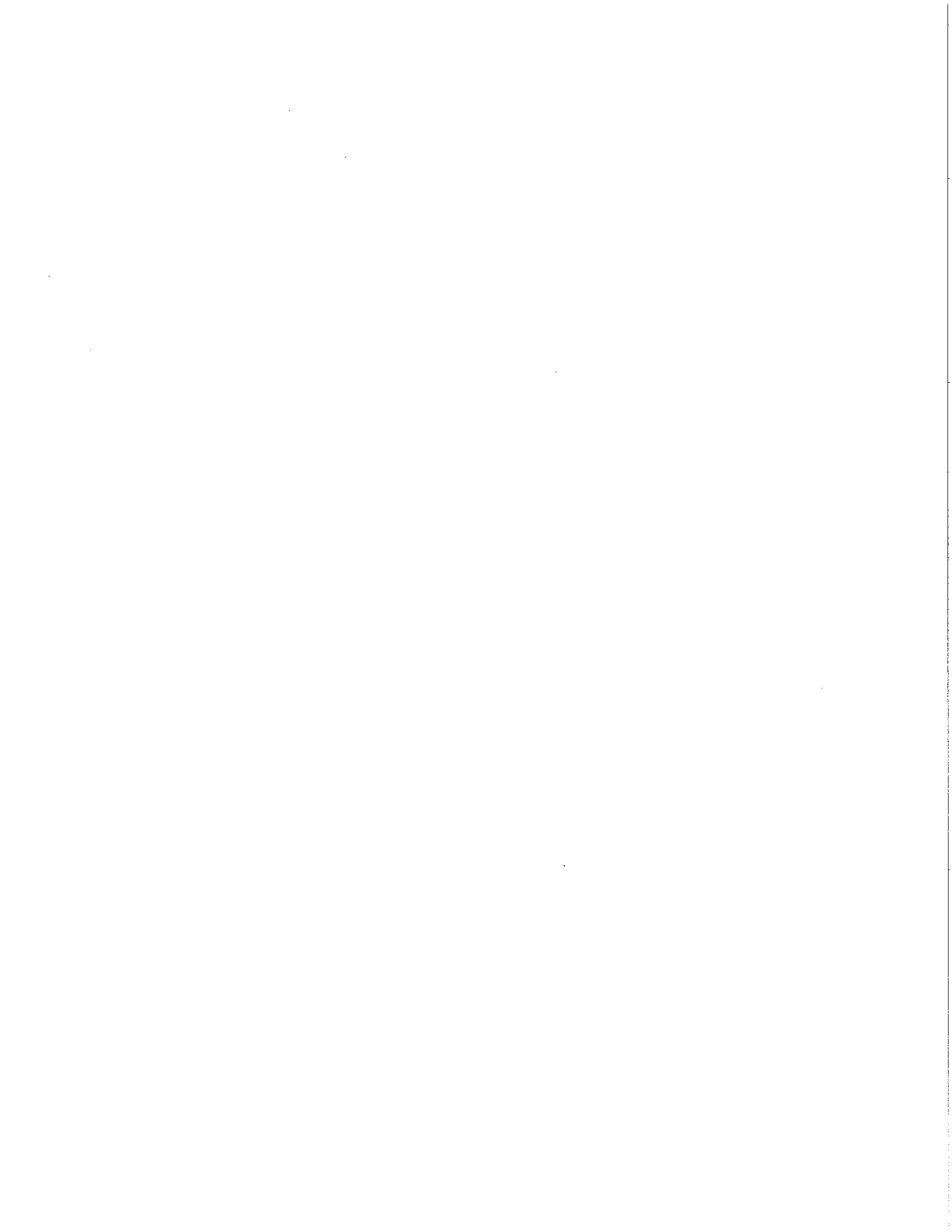
I move that the Planning Commission approve the Special Structures Permit at 76 Ridgeview Drive based on the findings and for the reasons enumerated in the staff report, subject to the conditions listed in the draft Special Structures Permit to allow a basement outside of the footprint of the first floor.

I further move that the Planning Commission approve the Special Structures Permit at 76 Ridgeview Drive based on the findings and for the reasons enumerated in the staff report, subject to the conditions listed in the draft Special Structures Permit to allow the construction of a sunken patio with retaining walls greater than 6' in height at the rear of the yard.

/s/ Andrea Mardesich  
Andrea Mardesich, Associate Planner

**Attachments:**

1. Draft Special Structures Permit for a basement
2. Draft Special Structures Permit for retaining walls
3. Letter of Request from Bohlin Cywinski Jackson, dated February 26, 2014
4. Plans Prepared by Bohlin Cywinski Jackson, dated March 26, 2014  
(Floor Plans and Retaining Wall Elevations 11 x 17)  
(Site plan, elevations- full size)







## Town of Atherton

Town Administrative Offices

91 Ashfield Road

Atherton, California 94027

650-752-0500

Fax 650-688-6528

---

**TOWN OF ATHERTON  
PLANNING COMMISSION  
Draft SPECIAL STRUCTURES PERMIT- BASEMENT LOCATED OUTSIDE OF  
THE FOOTPRINT OF THE FIRST FLOOR**

THIS IS TO CERTIFY THAT the Atherton Planning Commission at a regular meeting thereof, held on Wednesday, March 26, 2014 did grant a Special Structures Permit to 76 Ridgeview Partners, LLC for a basement under the main residence at 76 Ridgeview Drive Avenue pursuant to Atherton Municipal Code Section 17.15 and 17.44 (Assessor's Parcel Number 073-181-450). The Permit was approved subject to the following conditions:

1. Construction shall be in strict compliance with the plans prepared Bohlin Cywinski Jackson, dated March 26, 2014 and as reviewed by the Planning Commission on March 26, 2014. Any substantive changes to the plans shall be reviewed by the Planning Commission.
2. This and all other present and future improvements to the property shall comply with R1-A zoning provisions and other applicable ordinances.
3. The applicant shall submit a landscape screening plan and tree protection plan to the written satisfaction of the Town Arborist.
4. This Special Structures Permit shall be valid for one year from the effective date. If no permit is issued by that time, the proposal may need to return to the Planning Commission, per the discretion of the Town Planner.

---

Lisa Costa Sanders  
Deputy Town Planner

Effective Date: \_\_\_\_\_  
Atherton, CA



## Town of Atherton

Town Administrative Offices

91 Ashfield Road

Atherton, California 94027

650-752-0500

Fax 650-688-6528

---

**TOWN OF ATHERTON  
PLANNING COMMISSION  
Draft SPECIAL STRUCTURES PERMIT**

THIS IS TO CERTIFY THAT the Atherton Planning Commission at a regular meeting thereof, held on Wednesday, March 26, 2014 did grant a Special Structures Permit to 76 Ridgeview Partners, LLC pursuant to Atherton Municipal Code Sections 17.15 and 17.46 to allow construction of retaining walls greater than 6' in height to create a sunken patio at 76 Ridgeview Drive (Assessor's Parcel Number 073-181-450). The Permit was approved subject to the following conditions:

1. Construction shall be in strict compliance with the plans prepared Bohlin Cywinski Jackson, dated March 26, 2014 and as reviewed by the Planning Commission on March 26, 2014. Any substantive changes to the plans shall be reviewed by the Planning Commission.
2. This and all other present and future improvements to the property shall comply with R1-A zoning provisions and other applicable ordinances.
3. The applicant shall submit a landscape screening plan and tree protection plan to the written satisfaction of the Town Arborist.
4. This Special Structures Permit shall be valid for one year from the effective date. If no permit is issued by that time, the proposal may need to return to the Planning Commission, per the discretion of the Town Planner.

---

Lisa Costa Sanders,  
Deputy Town Planner

Effective Date: \_\_\_\_\_  
Atherton, CA

# Bohlin Cywinski Jackson

Peter Q. Bohlin, FAIA  
Bernard J. Cywinski, FAIA (1940-2011)  
Jon C. Jackson, FAIA  
W. Dan Haden III, AIA  
Frank W. Grauman, FAIA, LEED AP  
William D. Loose, AIA  
Cornelius J. Reid, III AIA  
Karl A. Backus, AIA  
Gregory R. Mottola, AIA  
C. Roxanne Sherbeck, AIA  
Robert E. Miller, FAIA, LEED AP  
Raymond S. Calabro, AIA  
David Murray, AIA  
Steven D. Chaitow, AIA, LEED AP BD+C

February 26, 2014

Atherton Planning Commission  
Town Council Chambers  
94 Ashfield Road  
Atherton, CA 94027

SUBJECT: Special Structures Permit - 76 Ridge View Drive

To Whom It May Concern:

On behalf of our clients at 76 Ridge View Drive, I am sending this letter conjointly with the application for two Special Structures Permits to be considered at the Planning Commission Hearing scheduled for March 26th. The project we have been developing with our clients is a new single family residence with a detached guest house and pool. It will replace an existing residence and pool. The hillside property is approximately 1.24 acres and roughly rectangular in shape measuring approximately 250 feet wide by 200 feet deep. The maximum elevation change is close to 40 feet from the northwest corner to the northeast corner of the property over a distance of 200 feet.

In designing this residence we have taken care to balance the needs of our clients with our respect for the significantly sloped site. The resulting strategy relies on a series of retaining walls that terrace the site. This creates usable space while approximately following the existing slope. The majority of these walls comply with the Atherton Municipal code that governs them. As the site reaches its peak at the northwest corner, however, a pair of retaining walls exceeds the 6' height stipulated in the code. The purpose of this is to maintain the existing grade where the lot abuts two neighboring properties and to create a usable space. On the uphill side these walls are very short (6-18 inches) and will be very difficult to see from the adjacent lower properties to the north and west. On the downhill side they are very far from the street (more than 150 feet) and will be shielded by several layers of vegetation, and a large heritage oak. In short, the full height of these walls will be difficult to see by anyone other than our clients and their guests. It is for these walls that we request one Special Structures Permit.

We are also requesting a second Special Structures Permit for the extension of the basement beyond the footprint of the first floor. The design of the basement, which is located entirely below the Average Natural Grade for the site, and approximately only half of the allowable maximum footprint for the basement, is keeping the program as compact and functional as possible. As designers, we are very concerned about the visibility of the basement, and we have made an effort to integrate it into the site by introducing both low and tall planting that will screen the wall and minimize its visibility. The orientation of the garage doors towards the south, have been carefully located to minimize the visual impact from the street as well as maximize the amount of green space in the front yard. As can be seen in our Basement Plan (A2.01), the garage extends in two directions. The extension to the west provides access to the garage by foot.

Architecture Planning Interior Design  
Wilkes-Barre/Pittsburgh/Philadelphia/Seattle/San Francisco

49 Geary  
San Fran  
415-989-1

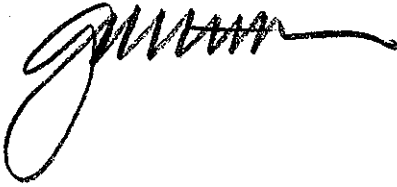
Attachment 3

## Bohlin Cywinski Jackson

From the street this extension will be impossible to see. Additionally, the top of this volume will be completely concealed by a patio surface. The eastern extension provides for vehicular access, in which cars will be parked in tandem to help minimize the basements overall width. An occupiable deck, integral to the design, covers the top of this extension and continues across the full length of the first floor bedrooms. The basement wall facing the street will look much like the landscape walls throughout the site, thereby blending the building and the sitework together with earth and vegetation concealing much of this wall.

We appreciate you taking the time to review our project at 76 Ridge View Drive and for your consideration of the two Special Structures Permits that we have requested. If you would like any additional information in advance of the meeting on March 26th, we would be happy to provide it.

With best regards,

A handwritten signature in black ink, appearing to read 'G. Mottola', with a long horizontal flourish extending to the right.

Gregory R. Mottola, AIA  
Principal