



DATE: July 16, 2014

AGENDA ITEM # 3

TO: Design Review Commission
FROM: Zachary Dahl, Senior Planner
SUBJECT: 14-V-05 – 195 Coronado Avenue

RECOMMENDATION:

Approve variance application 14-V-05 subject to the findings and conditions

BACKGROUND

This project was originally considered by the Design Review Commission on July 2, 2014. Following the public hearing and discussion, the Commission voted unanimously to continue the project with direction to simplify the design of the garage addition to be more compatible with the existing house. The meeting minutes are included in Attachment A and the agenda report is included in Attachment B.

DISCUSSION

The applicant has revised the design of the garage addition to remove the smaller gable element, simplified the roof plan and enlarged the size of the two-car garage. The project plans also include the survey from Wilson Land Surveys, which verifies the existing and proposed setback at the garage. With these changes, the project design appears to meet the intent of the Commission's direction. Thus, staff recommends approval of the front yard setback variance request subject to the findings and conditions.

Cc: Greg Jack, D&G Residential Builders, Applicant
Sanjay and Maya Kapoor, Owners

Attachments

- A. Design Review Commission Meeting Minutes, July 2, 2014
- B. Design Review Commission Agenda Report, July 2, 2014

FINDINGS

14-V-05 – 195 Coronado Avenue

With regard to the variance to allow a front yard setback of 20 feet where 25 feet is required, the Design Review Commission finds the following in accordance with Section 14.76.060 of the Municipal Code:

- a. That the granting of the variance is consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02;
- b. That the granting of the variance is not detrimental to the health, safety, or welfare of persons living or working in the vicinity or injurious to property or improvements in the vicinity; and
- c. That a special circumstance applicable to the property exists due to the irregular shape and functionally shallow depth of the subject property, and the strict application of the required front yard setback deprives this property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications.

CONDITIONS

14-V-05 – 195 Coronado Avenue

1. The approval is based on the plans received on July 9, 2014 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. If more than 50 percent of the structure is removed, altered, damaged and/or destroyed, it shall be brought into compliance with the Zoning Code.
3. The applicant/owner agrees to indemnify, defend, protect, and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.

MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW COMMISSION
OF THE CITY OF LOS ALTOS, HELD ON WEDNESDAY, JULY 2, 2014, BEGINNING
AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS
ALTOS, CALIFORNIA

ESTABLISH QUORUM

PRESENT: Chair BLOCKHUS, Vice-Chair KIRIK, Commissioners MOISON and
WHEELER
ABSENT: Commissioner MEADOWS
STAFF: Planning Services Manager KORNFIELD

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 June 18, 2014.

The minutes were deferred to the end of the meeting.

2. **14-SC-20 – K. and K. Hanson – 186 University Avenue**

Conversion of the first-story (675 square feet) of an existing three-story house into a second living unit. *Project Planner: Dahl*

MOTION by Commissioner WHEELER, seconded by Commissioner MOISON, to approve design review application 14-SC-20 subject to the staff report findings and conditions.
THE MOTION CARRIED UNANIMOUSLY (4/0).

DISCUSSION

3. **14-SC-17 – W. Hui and S. Chang – 178 Santa Rita Court**

Design review for a new, two-story house. The project includes 2,055 square feet on the first story and 1,138 square feet on the second story. *Project Planner: Dahl*

MOTION by Commissioner WHEELER, seconded by Commissioner MOISON, to continue design review application 14-SC-17 to the July 16, 2014 Design Review Commission meeting.
THE MOTION CARRIED UNANIMOUSLY (4/0).

PUBLIC HEARING

4. **14-V-05 – D&G Residential Builders, Inc. – 195 Coronado Avenue**

Variance request to allow a front yard setback of 20 feet, where 25 feet is required for an addition of 260 square feet to an existing one-story house. *Project Planner: Dahl*

Planning Services Manager KORNFIELD presented the staff report, recommending approval of variance application 14-V-05 subject to the findings and conditions.

Property owner Sanjay Kapoor spoke in support of the variance request, stating that the property was functionally shallow and that increasing the scope of the project to remodel or expand the house in other areas was not desired or practical.

Resident Abby Ahrens stated the variance would not be noticed, that the lot is not a standard rectangular shape and she supported the variance request. There was no other public comment.

The Commission discussion included such topics as:

- The potential traffic visibility on the curved street;
- Similar setbacks on other properties;
- Alternatives to avoid a variance;
- The need for a licensed land survey;
- The garage design should be simplified to remove the second gable; and
- Although circumstances of lot shape were not that unusual, support for the project given the surroundings.

Property owner Maya Kapoor stated that the staggered garage setback was intended to minimize appearance and is similar to others in the area.

MOTION by Vice-Chair KIRIK, seconded by Commissioner MOISON, to continue variance application 14-V-05 to the July 16, 2014 Design Review Commission meeting with the following direction to:

- Simplify the design of the garage addition to be more compatible with the existing house.
- THE MOTION CARRIED UNANIMOUSLY (4/0).

5. Design Review Commission Minutes

Approve minutes of the regular meeting of June 18, 2014.

MOTION by Commissioner WHEELER, seconded by Commissioner MOISON, to approve the minutes of the June 18, 2014 regular meeting as-amended by Planning Services Manager KORNFIELD. THE MOTION CARRIED UNANIMOUSLY (4/0).

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Chair BLOCKHUS adjourned the meeting at 8:46 PM.

ATTACHMENT B



DATE: July 2, 2014

AGENDA ITEM # 3

TO: Design Review Commission
FROM: Zachary Dahl, Senior Planner
SUBJECT: 14-V-05 – 195 Coronado Avenue

RECOMMENDATION:

Approve variance application 14-V-05 subject to the findings and conditions

PROJECT DESCRIPTION

This project is a variance to allow a front yard setback of 20 feet where 25 feet is required for an addition to an existing one-story house. The project would add 260 square feet to the existing house. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION:	Single-Family, Residential
ZONING:	R1-10
PARCEL SIZE:	12,143 square feet
MATERIALS:	Match existing – composition shingle roof, stucco siding, board and batten siding, wood trim and carriage style garage doors

	Existing	Proposed	Allowed/Required
COVERAGE:	3,554 square feet	3,789 square feet	4,250 square feet
FLOOR AREA:	3,345 square feet	3,605 square feet	3,964 square feet
SETBACKS:			
Front	25 feet	20 feet	25 feet
Rear	25 feet	N-A	25 feet
Right side	10 feet	N-A	10 feet
Left side	10 feet	N-A	10 feet
HEIGHT:	16 feet	N-A	20 feet

BACKGROUND

The subject property is located on the block of Coronado Avenue past Cherry Avenue, which is an S-curved street that ends in a cul-de-sac. Due to the curved shape of the street, many of the properties in this neighborhood are irregularly shaped and it appears that some of these properties have garages with reduced front and exterior side yard setbacks.

DISCUSSION

The project is an addition and remodel that includes extending the garage five feet forward and converting the rear of the garage into a pantry and laundry room. The project was originally designed to meet the front yard setback of 25 feet; however, a survey of the property found that the existing garage has a front setback of 26 feet, not 30 feet. Due to the small scope of their project, the owners are seeking a variance to allow the garage to encroach into the front yard setback. A letter from the owners that provides additional information about the variance request is included in Attachment A.

Staff finds that the variance is consistent with the objectives of the City's zoning plan and maintains an appropriate relationship among land uses. The property is functionally a shallow lot and the frontage along the street curve pushes the house further back than those on either side; thus, allowing a 20-foot front yard setback would maintain an appropriate building setback relationship with the structures on adjacent properties. A minimum 20-foot setback to the face of the garage would ensure that there is adequate space in the driveway for a vehicle to park without encroaching into the public street, which is consistent with Zoning Code requirements for garages facing a public street.

Staff finds that the variance is not injurious to persons or properties in the vicinity. Allowing the garage to have a front yard setback of 20 feet will not result in any impacts that would be detrimental to the health, safety or welfare of persons living or working in the vicinity, or to any single-family residential properties since it is adjacent to an open space area.

There is a special circumstance applicable to the property due to the irregular shape and functionally shallow depth of the lot (95 feet). A standard depth of a lot in the R1-10 District is at least 100 feet. Strict application of the required front yard setback could deprive this property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications since it appears that other properties in the neighborhood have reduced front and exterior side yard setbacks.

CORRESPONDENCE

Five letters expressing support for the variance from neighboring property owners were submitted (Attachment C). A sixth neighbor at 258 Cherry Avenue (corner of Cherry Avenue and Coronado Avenue) also called staff and verbally expressed support for the variance.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the Environmental Quality Act because it involves a single-family use in a residential zone.

Cc: Greg Jack, D&G Residential Builders, Applicant
Sanjay and Maya Kapoor, Owners

Attachments

- A. Application
- B. Maps
- C. Correspondence

FINDINGS

14-V-05 – 195 Coronado Avenue

With regard to the variance to allow a front yard setback of 20 feet where 25 feet is required, the Design Review Commission finds the following in accordance with Section 14.76.060 of the Municipal Code:

- a. That the granting of the variance is consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02;
- b. That the granting of the variance is not detrimental to the health, safety, or welfare of persons living or working in the vicinity or injurious to property or improvements in the vicinity; and
- c. That a special circumstance applicable to the property exists due to the irregular shape and functionally shallow depth of the subject property, and the strict application of the required front yard setback deprives this property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications.

CONDITIONS

14-V-05 – 195 Coronado Avenue

1. The approval is based on the plans received on June 17, 2014 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. If more than 50 percent of the structure is removed, altered, damaged and/or destroyed, it shall be brought into compliance with the Zoning Code.
3. The applicant/owner agrees to indemnify, defend, protect, and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.



CITY OF LOS ALTOS
GENERAL APPLICATION

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

Permit # 1106144

<input checked="" type="checkbox"/> One-Story Design Review	<input type="checkbox"/> Sign Review	<input type="checkbox"/> Multiple-Family Review
<input type="checkbox"/> Two-Story Design Review	<input type="checkbox"/> Sidewalk Display Permit	<input type="checkbox"/> Rezoning
<input checked="" type="checkbox"/> Variance(s)	<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 type="checkbox"/> Preliminary Project Review	<input type="checkbox"/> Appeal
<input type="checkbox"/> Subdivision Map Review	<input type="checkbox"/> Commercial Design Review	<input type="checkbox"/> Other:

Project Address/Location: 195 Coronado Ave

Project Proposal/Use: RESIDENTIAL

Current Use of Property: RESIDENTIAL

Assessor Parcel Number(s) 167-31-002 Site Area: _____

New Sq. Ft.: 260 Remodeled Sq. Ft.: 100 Existing Sq. Ft. to Remain: 2883

Total Existing Sq. Ft.: _____ Total Proposed Sq. Ft. (including basement): _____

Applicant's Name: D & G Residential Builders, Inc. Greg Jack

Home Telephone #: _____ Business Telephone #: 408-835-5520

Mailing Address: 320 Bachman Ave

City/State/Zip Code: Los Altos Ca 95030

Property Owner's Name: Sanjay + Maya Kapoor

Home Telephone #: 650-218-9577 Business Telephone #: 650-520-3596

Mailing Address: 195 Coronado Ave

City/State/Zip Code: Los Altos, Ca 94022

Architect/Designer's Name: D & G Telephone #: _____

*** 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. ***

To Whom It May Concern,

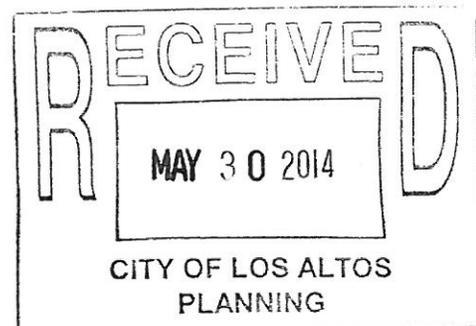
Thank you for your consideration for a variance. We previously received a building and over the counter planning approval & paid the permit fees to pull the garage forward as well as to perform some other cosmetic and small structural changes to the interior of the house. Our designer had used previously prepared & city approved drawings and after receiving permit approval, we began to demolish the garage. In the permit approval package, there was also a condition to obtain an official surveyor report. Unfortunately, the new surveyor report suggests our garage cannot move forward by more than 1 to 3 feet because of setback requirements. We cannot proceed with the project with these limitations so we want to ask for a variance. Because of some of the reasons below, we do not think the variance grants us a special privilege:

- Many homes, on our street and adjoining streets, do not appear to be in compliance with the setback rules. **Please see: 216 Coronado, 205 Coronado, 215 Coronado and 185 Coronado. Also, the structure on 215 Live Oak appears to be in violation of the setback rule.**
- Our lot is quite odd-shaped. While the midpoint of the front of the lot to the midpoint of the back of the lot appears to be greater than 100 feet, a straight line from the front to the back is measured to be closer to 95 feet. This suggests we may be eligible for a variance.
- Lastly, the lot itself is in an older subdivision in Los Altos. We are told that these subdivisions may not have had clear property lines -- if one simply walks around the neighborhood, nearly all homes have developed their property (e.g., landscaping, etc.) into the supposed right-of-way. It's entirely possible that the latest surveyor report may not be accurate because of the age of the subdivision.

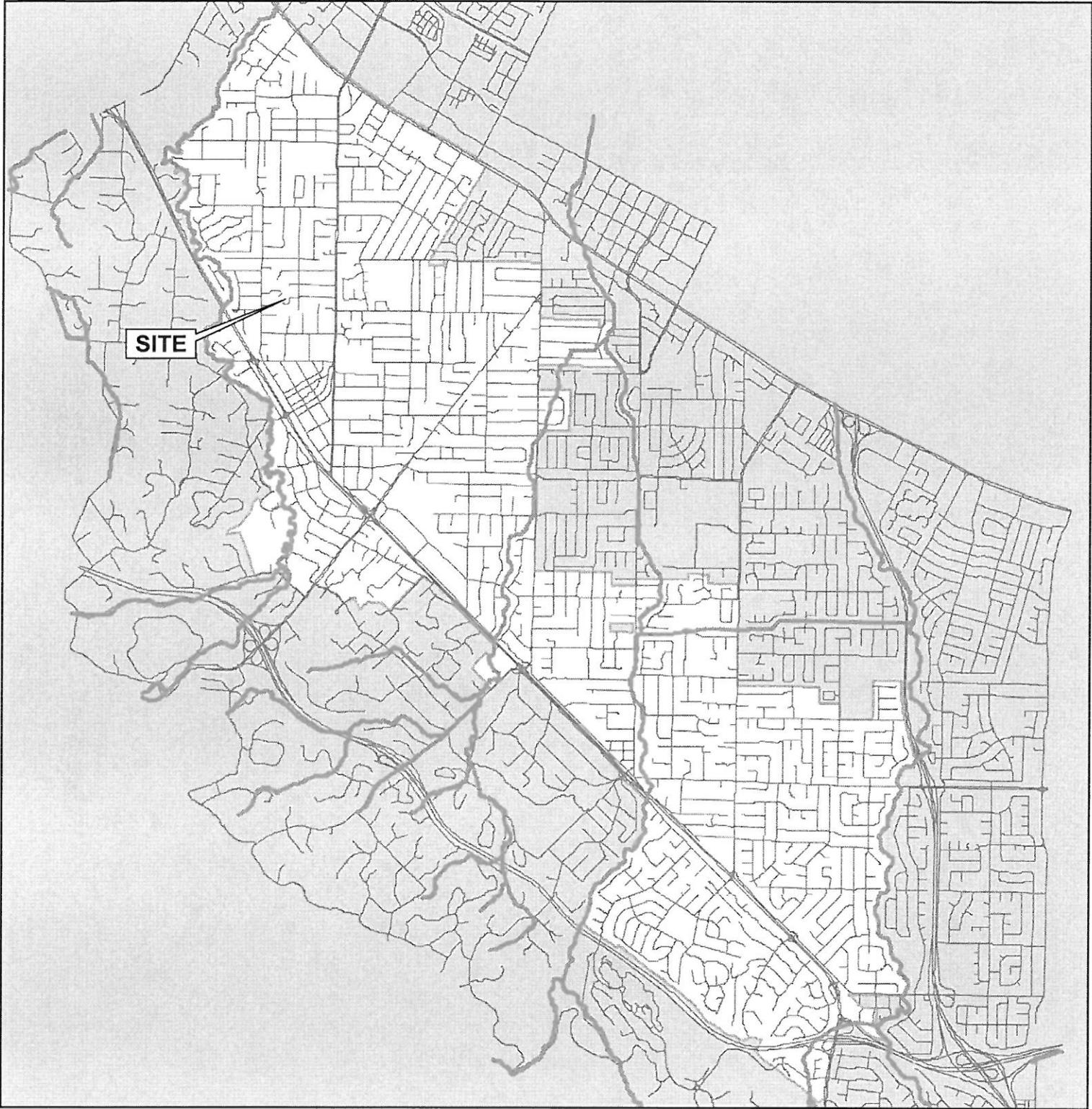
We hope you will approve this variance request. We've already incurred expenses of nearly \$20,000 and we know this can't be a reason to grant a variance, but it's scary to imagine there's a possibility we could lose the value of this expense.

Thanks again,

Sanjay and Maya Kapoor
195 Coronado Ave



AREA MAP



CITY OF LOS ALTOS

APPLICATION: 14-V-05
APPLICANT: D&G Residential Builders, Inc./S. and M. Kapoor
SITE ADDRESS: 195 Coronado Avenue

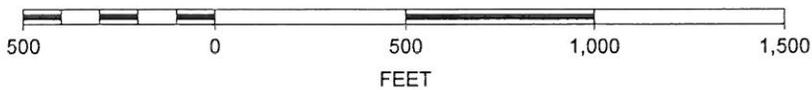


Not to Scale

VICINITY MAP



SCALE 1 : 6,000

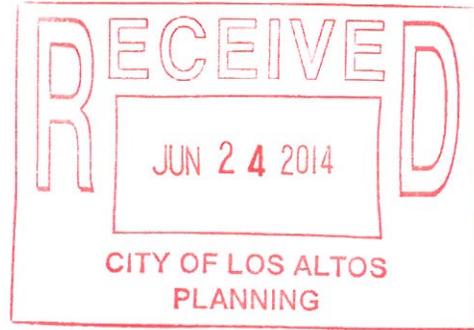


CITY OF LOS ALTOS

APPLICATION: 14-V-05
APPLICANT: D&G Residential Builders, Inc./S. and M. Kapoor
SITE ADDRESS: 195 Coronado Avenue

ATTACHMENT C

To: The Design Review Commission
Date: June 20, 2014
Re: 195 Coronado Ave Variance Application
From: Philip and Linda Curtis



We support the granting of a variance for the 195 Coronado Ave project. We understand the setback from the front line of the property will now be 20 feet, instead of 25 feet. We believe this grants similar privileges enjoyed by other houses on the same street and on adjacent streets, where many homes have setbacks of less than 25 feet. Further, we understand that the 195 Coronado Ave lot is quite odd shaped with a very narrow backyard and a curved front yard. We are excited to see an improvement in the curb appeal of the 195 Coronado Ave home, from a new garage to new landscaping. The immediate neighborhood is undergoing many renovations, including the construction of a new house, which will continue to maintain and increase property values. We believe this minor project will be consistent with this trend. We hope you will support the request for variance.

Regards,

A handwritten signature in black ink, appearing to read "Phillip and Linda Curtis". The signature is fluid and cursive, with a small checkmark at the end.

Phillip and Linda Curtis

185 Coronado Ave

To: The Design Review Commission
Date: June 20, 2014
Re: 195 Coronado Ave Variance Application
From: Jack and Barbara *Tooley*, 215 Coronado



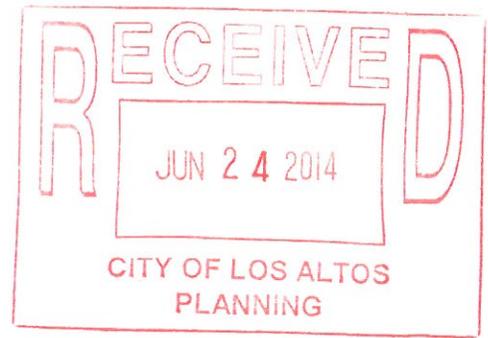
We support the granting of a variance for the 195 Coronado Ave project. We understand the setback from the front line of the property will now be 20 feet, instead of 25 feet. We believe this grants similar privileges enjoyed by other houses on the same street and on adjacent streets, where many homes have setbacks of less than 25 feet. Further, we understand that the 195 Coronado Ave lot is quite odd shaped with a very narrow backyard and a curved front yard. We are excited to see an improvement in the curb appeal of the 195 Coronado Ave home, from a new garage to new landscaping. The immediate neighborhood is undergoing many renovations, including the construction of a new house, which will continue to maintain and increase property values. We believe this minor project will be consistent with this trend. We hope you will support the request for variance.

Regards,

Jack Tooley
Jack and Barbara *Tooley*

215 Coronado Ave

To: The Design Review Commission
Date: June 20, 2014
Re: 195 Coronado Ave Variance Application
From: Rich and Allison Rao, 206 Coronado Ave.



We support the granting of a variance for the 195 Coronado Ave project. We understand the setback from the front line of the property will now be 20 feet, instead of 25 feet. We believe this grants similar privileges enjoyed by other houses on the same street and on adjacent streets, where many homes have setbacks of less than 25 feet. Further, we understand that the 195 Coronado Ave lot is quite odd shaped with a very narrow backyard and a curved front yard. We are excited to see an improvement in the curb appeal of the 195 Coronado Ave home, from a new garage to new landscaping. The immediate neighborhood is undergoing many renovations, including the construction of a new house, which will continue to maintain and increase property values. We believe this minor project will be consistent with this trend. We hope you will support the request for variance.

Regards,

A handwritten signature in black ink, appearing to read "Rich and Allison Rao". The signature is fluid and cursive, with a large initial "R" and "A".

Rich and Allison Rao

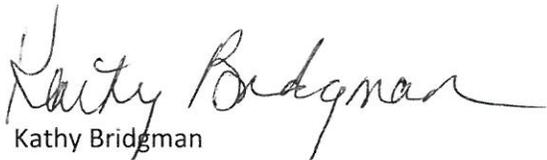
206 Coronado Ave

To: The Design Review Commission
Date: June 20, 2014
Re: 195 Coronado Ave Variance Application
From: Kathy Bridgman, 205 Coronado Ave



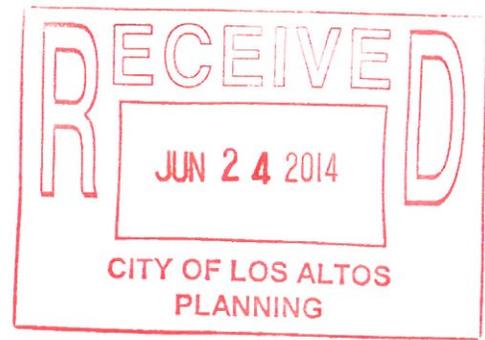
I support the granting of a variance for the 195 Coronado Ave project. I understand the setback from the front line of the property will now be 20 feet, instead of 25 feet. I believe this grants similar privileges enjoyed by other houses on the same street and on adjacent streets, where many homes have setbacks of less than 25 feet. Further, I understand that the 195 Coronado Ave lot is quite odd shaped with a very narrow backyard and a curved front yard. I am excited to see an improvement in the curb appeal of the 195 Coronado Ave home, from a new garage to new landscaping. The immediate neighborhood is undergoing many renovations, including the construction of a new house, which will continue to maintain and increase property values. I believe this minor project will be consistent with this trend. I hope you will support the request for variance.

Regards,


Kathy Bridgman

205 Coronado Ave

To: The Design Review Commission
Date: June 20, 2014
Re: 195 Coronado Ave Variance Application
From: Larry Yu and Heather Goodwin



We support the granting of a variance for the 195 Coronado Ave project. We understand the setback from the front line of the property will now be 20 feet, instead of 25 feet. We believe this grants similar privileges enjoyed by other houses on the same street and on adjacent streets, where many homes have setbacks of less than 25 feet. Further, we understand that the 195 Coronado Ave lot is quite odd shaped with a very narrow backyard and a curved front yard. We are excited to see an improvement in the curb appeal of the 195 Coronado Ave home, from a new garage to new landscaping. The immediate neighborhood is undergoing many renovations, including the construction of a new house, which will continue to maintain and increase property values. We believe this minor project will be consistent with this trend. We hope you will support the request for variance.

Regards,

Two handwritten signatures in black ink. The first signature is "Larry Yu" and the second is "Heather Goodwin".

Larry Yu and Heather Goodwin

175 Coronado Ave

