



DATE: December 16, 2015

AGENDA ITEM # 3

**TO:** Design Review Commission  
**FROM:** Sierra Davis, Assistant Planner  
**SUBJECT:** 15-SC-49 – 25 Doud Drive

**RECOMMENDATION:**

Approve design review application 15-SC-49 subject to the findings and conditions

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**PROJECT DESCRIPTION**

This is a design review application for a new second living unit. The project includes the conversion of a 288-square-foot accessory structure to a second living unit in the rear yard. The following table summarizes the project's technical details:

**GENERAL PLAN DESIGNATION:** Single-family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 19,564 square feet  
**MATERIALS:** Wood shake roof, stucco siding, wood trim

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required*</b>
<b>LOT COVERAGE:</b>	4,491 square feet	No Change	6,847 square feet
<b>FLOOR AREA:</b>			
Main house	4,235 square feet		
Second living unit	288 square feet		
Total	4,523 square feet	No Change	4,706 square feet
<b>SETBACKS:</b>			
Front	180 feet	No Change	25 feet
Rear	19 feet	No Change	7.5 feet
Right side	15 feet	No Change	2.5 feet
Left side	57 feet	No Change	2.5 feet
<b>HEIGHT:</b>	12 feet	No Change	12 feet

\*Setbacks and height reflect accessory structure requirements for detached accessory structures in the rear yard.

## **BACKGROUND**

### **Neighborhood Context**

The subject property located at the end of Doud Avenue, at the intersection of Doud Drive and Edith Avenue, with the rear of the property abutting Almond Elementary School. The subject property is approximately half an acre (20,000 square feet) and exceeds the minimum size, depth and width requirements for single-family residential lots within the R1-10 zoning district, in a neighborhood of varying lot sizes and shapes. The neighborhood has a consistent Ranch style house character, with low plate heights and simple roof forms (low-pitched gable and hipped roofs), rustic materials, with wood siding dominant. There are no known second living units in the immediate area.

## **DISCUSSION**

### **Development and Design Standards for Second Living Units**

As outlined in the Municipal Code, the design standards for second living units include meeting the current development regulations of the residential zoning district where it is located R1-10, ensuring that the unit is clearly subordinate to the main house, screened from the street and two additional parking spaces (one covered) provided on the property.

The 19,564-square-foot site exceeds the minimum lot size of 15,000 square feet for a detached secondary dwelling unit in the R1-10 zoning district. The project complies with the City parking requirements, with the existing two-car garage located in the main house providing one covered parking space for each dwelling. The driveway provides the two uncovered parking spaces for each dwelling.

The size and location at the rear of the site makes the second living unit subordinate to the main house. The existing detached accessory structure and exterior building materials of the second living unit are compatible with the design and materials used on the main house. The entrance to the second living unit faces the front of the lot, but is screened from street view by the house and fence.

### **Unit Size and Occupancy Limits**

Since the second living unit is less than 640 square feet, if it is rented the code requires that it be rented at below market rate, to individuals at the low-income level. The Code also requires a deed restriction that no more than two persons shall reside in the second living unit, and that either the principal living unit or the second living unit shall be the principal residence of the owner(s) of the property. This is included as a condition of approval.

### **Privacy and Landscaping**

The existing structure has greater than required setbacks which help mitigate any potential privacy impacts to adjacent properties. There is also existing vegetation along the rear property line and a six-foot tall fence with one-foot of lattice to mitigate views of the existing structure.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from environmental review under Section 15303 of the Environmental Quality Act because it involves the construction of a single-family land use. Under state law, second living units are considered a single-family land use.

## **PUBLIC CONTACT**

A public meeting notice was posted on the property and mailed to 12 nearby property owners on Doud Avenue, Edith Avenue and Covington Road.

Cc: Brian Aspland and Daniela Vrnoga, Property Owners  
Henry Rullier, Inhabiture Design

### Attachments:

- A. Application
- B. Area, Vicinity and Public Notification Maps

## FINDINGS

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1. With regard to design review for the second living unit, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code:
  - a. The proposed structure complies with all provision of this chapter;
  - b. The height, elevations, and placement on the site of the proposed structure, when considered with reference to the nature and location of residential structures on adjacent lots, will avoid unreasonable interference with views and privacy and will consider the topographic and geologic constraints imposed by particular building site conditions;
  - c. The natural landscape will be preserved insofar as practicable by minimizing tree and soil removal; grade changes shall be minimized and will be in keeping with the general appearance of neighboring developed areas;
  - d. The orientation of the proposed structure in relation to the immediate neighborhood will minimize the perception of excessive bulk;
  - e. General architectural considerations, including the character, size, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials, and similar elements have been incorporated in order to insure the compatibility of the development with its design concept and the character of adjacent buildings; and
  - f. The proposed structure has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.
  
2. With regard to the new second living unit, the Design Review Commission finds the following in accordance with Section 14.14.030 of the Municipal Code:
  - a. The second living unit will provide a public benefit because the proposed second living unit will be maintained as affordable for a low-income household;
  - b. Appropriate administrative measures, including disclosure of the maximum rent allowed and the income level of the occupant(s), have been required which will ensure that if the second living unit is rented or leased, it will be at a rate which is affordable to a person or persons of low-income levels as required by Section 14.14.040, and that the income level of the resident(s) of the second living unit meets the appropriate limits for a very low-income household as determined by the city based on state and federal guidelines;
  - c. Required parking areas are located on the site;
  - d. The parcel size is adequate in size to maintain a second unit and related parking in terms of its status as an accessory use both visually and functionally; and

- e. Appropriate conditions have been applied as necessary to ensure that the second living unit will not adversely impact neighboring property owners due to:
  - i. Inappropriate location, amount, and/or design of on-site parking;
  - ii. Inappropriate location with respect to the character of the existing neighborhood;
  - iii. Excessive noise potential, particularly when neighboring homes are in close proximity;
  - iv. An excessive number of second living units in the vicinity;
  - v. Insufficient screening of the unit; and
  - vi. Lack of compliance with the floor area ratio, setback, lot coverage, and other development standards of the R1 zoning districts.

## CONDITIONS

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1. The approval is based on the plans received on December 4, 2015 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. A deed restriction shall be recorded setting forth the occupancy requirements that not more than two persons shall reside in the second living unit and that the principal residence of the property owner shall be maintained on the property.
3. Exterior lighting on the second living unit shall be shrouded or directed downward.
4. Fire sprinklers may be required pursuant to Section 12.10 of the Municipal Code.
5. The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.
6. **Prior to Building Permit submittal, the plans shall contain/show:**
  - a. The conditions of approval shall be incorporated into the title page of the plans.
  - b. The location of any air conditioning units on the site plan and the manufacturer's specifications showing the sound rating for each unit.
  - c. Compliance with the New Development and Construction Best Management Practices and Urban Runoff Pollution Prevention program, as adopted by the City for the purposes of preventing storm water pollution (i.e. downspouts directed to landscaped areas, minimize directly connected impervious areas, etc.).
  - d. A deed restriction, per Condition No. 2, shall be recorded in a form approved by city staff.
7. **Prior to final inspection:**
  - a. All rear yard landscaping, shall be maintained and/or installed as shown on the approved plans and as required by the Planning Division.
8. **At the time an initial rental contract is executed:**
  - a. The owner shall furnish the tenant(s) with a written disclosure of the maximum rent allowed in order for the unit to meet the affordability requirements for a person or person(s) of low income level. The maximum rent disclosure shall be signed by the tenant(s) and a copy retained by the property owner.

- b. The tenant(s) shall execute an affidavit certifying that their household income level currently meets the requirements of the use permit and this article. The affidavit shall be signed by the tenant(s) and a copy retained by the property owner.
- c. Upon request, the property owner shall furnish a copy of the signed rent disclosure, rental contract/lease and tenant affidavit to the city.
- d. The property owner shall ensure that the property and improvements thereon are maintained in a commonly acceptable manner as determined by the planning department.
- e. The property owner shall ensure that unreasonable noise disturbances do not occur.



# ATTACHMENT A

## CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1100951

<input type="checkbox"/> One-Story Design Review	<input type="checkbox"/> Commercial/Multi-Family	<input type="checkbox"/> Environmental Review
<input type="checkbox"/> Two-Story Design Review	<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Variance	<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"/> Sidewalk Display Permit	<input type="checkbox"/> Appeal
<input type="checkbox"/> Historical Review	<input type="checkbox"/> Preliminary Project Review	<input checked="" type="checkbox"/> Other: <u>Second living unit.</u>

Project Address/Location: 25 Doud Dr.

Project Proposal/Use: Residential Current Use of Property: Residential

Assessor Parcel Number(s): 170-31-031 Site Area: 19,564 S.F.

New Sq. Ft.: 0 Sq. Ft. Altered/Rebuilt Sq. Ft.: 288 S.F. Existing Sq. Ft. to Remain: 288 S.F.

Total Existing Sq. Ft.: \_\_\_\_\_ Total Proposed Sq. Ft. (including basement): \_\_\_\_\_  
Conversion of (E) accessory structure (no new footage).

Applicant's Name: Henry Pullier / Inhabiture. Design

Telephone No.: 650.324.0688 Email Address: hrullier@inhabiture.com

Mailing Address: 3630 El Camino Real 2nd Floor.

City/State/Zip Code: Palo Alto, CA 94306.

Property Owner's Name: Brian Asplund & Daniel Vrnoga

Telephone No.: (650) 882-2903 Email Address: brian279@hotmail.com

Mailing Address: 25 Doud Dr. (370) 704-9866.

City/State/Zip Code: Los Altos, CA.

Architect/Designer's Name: Same. Inhabiture. Design (ABOVE).

Telephone No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

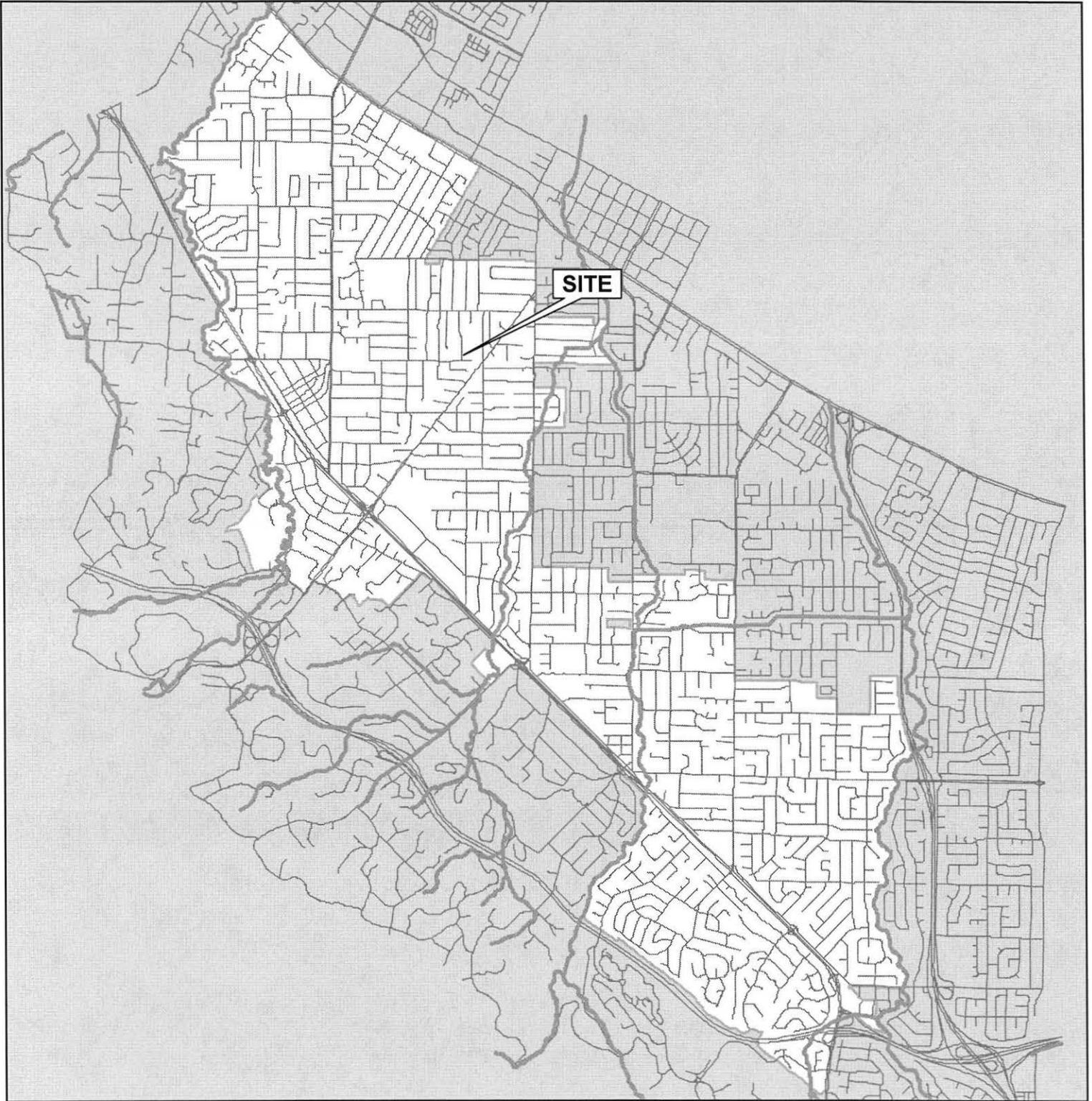
Mailing Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

\*\*\* 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. \*\*\*

(continued on back)

# AREA MAP



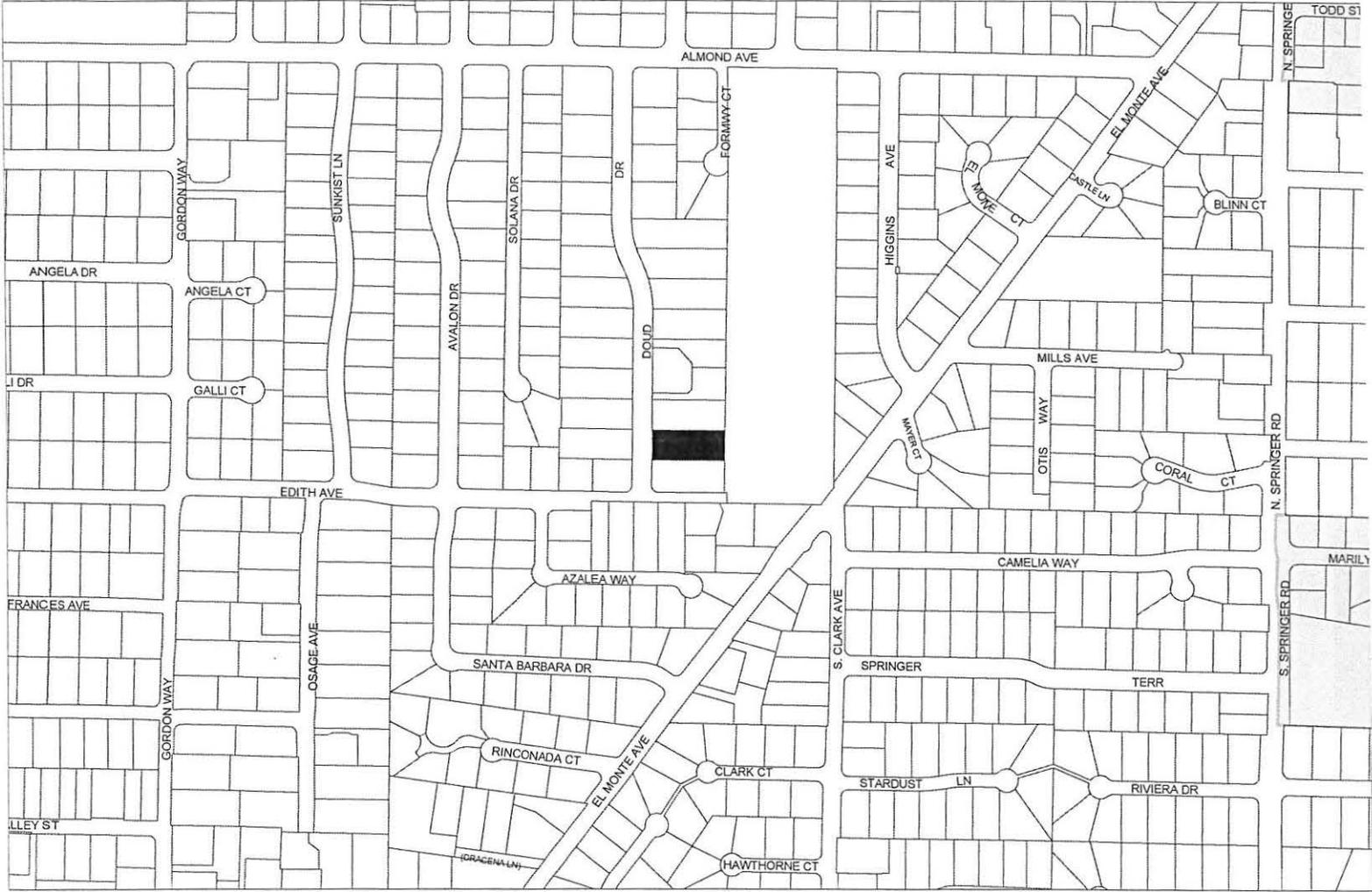
## CITY OF LOS ALTOS

**APPLICATION:** 15-SC-49  
**APPLICANT:** Inhabiture Design/ B. Aspland and D. Vrnoga  
**SITE ADDRESS:** 25 Doud Drive

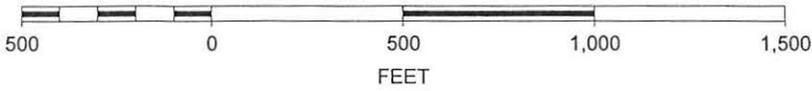


Not to Scale

# VICINITY MAP



SCALE 1 : 6,000



## CITY OF LOS ALTOS

**APPLICATION:** 15-SC-49  
**APPLICANT:** Inhabiture Design/ B. Aspland and D. Vrnoga  
**SITE ADDRESS:** 25 Doud Drive

# 25 Doud Drive Notification Map



SCALE 1 : 1,500

