



DATE: April 20, 2016

AGENDA ITEM # 5

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 15-SC-47 – 240 Marich Way

RECOMMENDATION:

Approve design review application 15-SC-47 subject to the findings and conditions

PROJECT DESCRIPTION

This is a design review application for a new two-story house. The proposed project will include 2,141 square feet on the first story and 1,198 square feet on the second story. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-family, Residential
ZONING: R1-10
PARCEL SIZE: 9,559 square feet
MATERIALS: Concrete tile roof, stucco siding, precast trim and details, vinyl windows and wood carriage garage doors

| | Existing | Proposed | Allowed/Required |
|--|-------------------|---------------------|-------------------------|
| LOT COVERAGE: | 1,854 square feet | 2,427 square feet | 2,867 square feet |
| FLOOR AREA: | | | |
| First floor | 1,746 square feet | 2,141 square feet | |
| Second floor | N/A | 1,198 square feet | |
| Total | 1,746 square feet | 3,339 square feet | 3,345 square feet |
| SETBACKS: | | | |
| Front | 47 feet | 25 feet | 25 feet |
| Rear | 23.5 feet | 30.75 feet | 25 feet |
| Right side (1 st /2 nd) | 12 feet/ N/A | 20.5 feet/23.5 feet | 10 feet/17.5 feet |
| Left side(1 st /2 nd) | 9 feet/ N/A | 10.5 feet/23.5 feet | 10 feet/17.5 feet |
| HEIGHT: | 12.5 feet | 25 feet | 27 feet |

BACKGROUND

Neighborhood Context

The subject property is located in a Diverse Character Neighborhood, as defined in the City's Residential Design Guidelines. The subject site is located on the south side of Marich Way between Jordan Avenue and Panchita Way. The immediate neighborhood contains a range of design styles including simple Ranch houses and more complex two-story houses. The house designs are more eclectic closer to Jordan Avenue and tend to become more consistent toward Panchita Way. Along the street, there is a significant amount of mature landscape, but no distinct street tree pattern.

DISCUSSION

Design Review

According to the Design Guidelines, in Diverse Character Neighborhoods, good neighbor design has its own design integrity while incorporating some design elements, materials and scale found in the neighborhood).

The project uses a contemporary style with its form and materials. The design has integrity due to the coordination of design elements, detailing and symmetry. The design elements include the hipped roofs, projecting entry, and low horizontal eave lines. The building materials are concrete roof tiles, stucco siding, precast trim and wood carriage garage doors, which are formal in appearance, high quality materials and appropriate for the architectural design and character of the area. Overall, the project does a good job of integrating forms and elements from the neighborhood while still establishing its own design integrity.

The proposed project is sensitive to the scale of the neighborhood and incorporates similar forms and materials found within the neighborhood context. The project has low finished floors, ten-foot wall plate heights at the first floor and nine-foot wall plate heights at the second floor. The design incorporates multiple hipped roof forms, a projecting porch, and deep and lower first floor eave lines to break up the massing. The second floor is centered over the first story and visually softened by being recessed within the roofline of the structure. While the building appears complex in massing and roof form, it works within the Diverse Character neighborhood setting because the scale of the architectural elements and roof forms are within the range of houses in the immediate neighborhood context.

Privacy

On the left (east) side elevation, there are three windows: two medium-sized windows in the master bedroom with four-foot, six-inch sill heights and one larger window located in a bedroom with a three-foot, six-inch sill height. Due to the placement and sill height of the master bedroom windows, the proposed master bedroom windows do not create unreasonable privacy impacts. The window in the bedroom is oriented toward the front yard of the neighboring property, which would not be considered an unreasonable privacy concern.

On the right (west) side elevation, there are three windows: one window in the bedroom bathroom with a five-foot sill height, one window in the bedroom with a three-foot, six inch sill height, and one window in the master bathroom with four-foot, six-inch sill height. Since the windows have a side yard setback of 23.5 to 33 feet and the windows are oriented towards two flag lot driveways, the windows do not create unreasonable privacy impacts. Therefore, as designed, staff finds that the project maintains a reasonable degree of privacy

On the rear (south) elevation, there are four windows, including one window in the master bedroom closet, two windows in the master bathroom and two windows in the master bedroom. The four windows have a three-foot, six-inch or five-foot sill heights. Although the sill height of the windows in the master bathroom and bedrooms are lower than the maximum allowable egress sill height (44 inches), privacy impacts are diminished with the window being setback 30 feet from the rear property line and 20 to 36 feet from the interior side property line. Therefore, as designed, staff finds that the project maintains a reasonable degree of privacy

Landscaping

There are eight trees on the property. The project proposes removal of four trees in the front and rear yards: the birch, Japanese mock orange tree and liquid amber (Nos. 2, 3 and 7) trees due to being located in the building footprint and the apple tree (No. 1) due to its poor condition.

A comprehensive landscaping plan for the property has been provided that incorporates ten new trees, front yard landscaping and screening trees. The landscaping plan includes maintaining the redwood tree (No. 4), deodar cedar tree (No. 5), birch tree (No. 6) and citrus tree (No. 8). To soften the impact and view from the street, two crepe myrtle street trees and one western redbud tree are proposed in the front yard. The project meets the City's landscaping regulations and street tree guidelines with the new landscaping and hardscape. Since the new landscaping area exceeds 500 square feet, it is required to comply with the City's Water Efficient Landscape Regulations.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15303 of the California Environmental Quality Act because it involves the construction of a single-family house in a residential zone

PUBLIC CONTACT

A public meeting notice was posted on the property and mailed to 10 nearby property owners on Marich Way.

Cc: Ket Le, Applicant and Architect
Yanhua Mao, Property Owners

Attachments:
A. Application

Design Review Commission
15-SC-47 – 240 Marich Way
April 20, 2016

- B. Neighborhood Compatibility Worksheet
- C. Area, Vicinity and Notification Maps

FINDINGS

15-SC-47 - 240 Marich Way

With regard to design review for a new single-family structure, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code that:

- 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.

CONDITIONS

15-SC-47 – 240 Marich Way

GENERAL

1. Approved Plans

The approval is based on the plans and materials received on April 1, 2016, except as may be modified by these conditions.

2. Protected Trees

The following trees (Nos. 4, 5 and 6), the proposed street trees and privacy screening trees shall be protected under this application and cannot be removed without a tree removal permit from the Community Development Director.

3. Encroachment Permit

An encroachment permit shall be obtained from the Engineering Division prior to doing any work within the public right-of-way including the street shoulder.

4. New Fireplaces

Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed in all new construction pursuant to Chapter 12.64 of the Municipal Code.

5. Landscaping

The landscape plan is subject to the City's Water Efficient Landscape Regulations pursuant to Chapter 12.36 of the Municipal Code.

6. Fire Sprinklers

Fire sprinklers shall be required pursuant to Section 12.10 of the Municipal Code.

7. Underground Utilities

Any new utility service drops shall be located underground from the nearest convenient existing pole pursuant to Chapter 12.68 of the Municipal Code.

8. Indemnity and Hold Harmless

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.

PRIOR TO ISSUANCE OF BUILDING OR DEMOLITION PERMIT

9. Tree Protection

Tree protection fencing shall be installed around the dripline, or as required by the project arborist, of the following trees (Nos. 4, 5 and 6) as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

PRIOR TO BUILDING PERMIT SUBMITTAL

10. Conditions of Approval

Incorporate the conditions of approval into the title page of the plans.

11. Tree Protection Note

On the grading plan and/or the site plan, show all tree protection fencing and add the following note: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."

12. Water Efficient Landscape Plan

Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations.

13. Green Building Standards

Provide verification that the house will comply with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code and provide a signature from the project's Qualified Green Building Professional Designer/Architect and property owner.

14. Underground Utility Location

Show the location of underground utilities pursuant to Section 12.68 of the Municipal Code. Underground utility trenches shall avoid the drip-lines of all protected trees unless approved by the project arborist and the Planning Division.

15. Air Conditioner Sound Rating

Show the location of any air conditioning units on the site plan and the manufacturer's specifications showing the sound rating for each unit.

16. Storm Water Management

Show how the project is in 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.).

PRIOR TO FINAL INSPECTION

17. Landscaping Installation

All landscaping, street trees and privacy screening trees shall be maintained and/or installed as shown on the approved plans and as required by the Planning Division.

18. Green Building Verification

Submit verification that the house was built in compliance with the City's Green Building Ordinance (Section 12.26 of the Municipal Code).

19. Water Efficient Landscaping Verification

Provide a landscape Certificate of Completion verifying that the landscaping and irrigation were installed per the approved landscape documentation package.



ATTACHMENT A

CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1106946

| | | | | | |
|-------------------------------------|--------------------------------|--------------------------|----------------------------|--------------------------|-----------------------------|
| <input type="checkbox"/> | One-Story Design Review | <input type="checkbox"/> | Commercial/Multi-Family | <input type="checkbox"/> | Environmental Review |
| <input checked="" 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 type="checkbox"/> | Other: |

Project Address/Location: 240 Marich Way, Los Altos

Project Proposal/Use: Build new 2-story home Current Use of Property: Existing 1-story home

Assessor Parcel Number(s): 170-03-046 Site Area: 9559 sq. ft.

New Sq. Ft.: 3339 sq. ft. Altered/Rebuilt Sq. Ft.: _____ Existing Sq. Ft. to Remain: 0 sq. ft.

Total Existing Sq. Ft.: 1854 sq. ft. Total Proposed Sq. Ft. (including basement): 3339 sq. ft.

Applicant's Name: Ket Le

Telephone No.: 408-209-8775 cell Email Address: kettle1@yahoo.com

Mailing Address: 793 Kyle Street

City/State/Zip Code: San Jose, CA 95127

Property Owner's Name: Yanhua Mao

Telephone No.: 858-220-5517 Email Address: maoyanhua@gmail.com

Mailing Address: 5447 Dekker Ter

City/State/Zip Code: Fremont CA 94555

Architect/Designer's Name: Ket Le

Telephone No.: 408-209-8775 cell Email Address: kettle1@yahoo.com

Mailing Address: 793 Kyle Street

City/State/Zip Code: San Jose, CA 95127

*** 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)



ATTACHMENT B

9405

NEIGHBORHOOD COMPATIBILITY WORKSHEET

In order for your design review application for single-family residential remodel/addition or new construction to be successful, it is important that you consider your property, the neighborhood's special characteristics that surround that property and the compatibility of your proposal with that neighborhood. **The purpose is to help you understand your neighborhood before you begin the design process with your architect/designer/builder or begin any formal process with the City of Los Altos.** *Please note that this worksheet must be submitted with your 1st application.*

The Residential Design Guidelines encourage neighborhood compatibility without necessarily forsaking individual taste. Various factors contribute to a design that is considered compatible with a surrounding neighborhood. The factors that City officials will be considering in your design could include, but are not limited to: design theme, scale, bulk, size, roof line, lot coverage, slope of lot, setbacks, daylight plane, one or two-story, exterior materials, landscaping et cetera.

It will be helpful to have a site plan to use in conjunction with this worksheet. Your site plan should accurately depict your property boundaries. The best source for this is the legal description in your deed.

Photographs of your property and its relationship to your neighborhood (see below) will be a necessary part of your first submittal. Taking photographs before you start your project will allow you to see and appreciate that your property could be within an area that has a strong neighborhood pattern. The photographs should be taken from across the street with a standard 35mm camera and organized by address, one row for each side of the street. Photographs should also be taken of the properties on either side and behind your property from on your property.

This worksheet/check list is meant to help *you* as well as to help the City planners and Planning Commission understand your proposal. Reasonable guesses to your answers are acceptable. The City is not looking for precise measurements on this worksheet.

Project Address 240 MARICH WAY

Scope of Project: Addition or Remodel _____ or New Home X

Age of existing home if this project is to be an addition or remodel? _____

Is the existing house listed on the City's Historic Resources Inventory?

NO

Address: 240 MARICH WAY
Date: 11/12/15

What constitutes your neighborhood?

There is no clear answer to this question. For the purpose of this worksheet, consider first your street, the two contiguous homes on either side of, and directly behind, your property and the five to six homes directly across the street (eight to nine homes). At the minimum, these are the houses that you should photograph. If there is any question in your mind about your neighborhood boundaries, consider a radius of approximately 200 to 300 feet around your property and consider that your neighborhood.

Streetscape

1. Typical neighborhood lot size*:

Lot area: 11,475 SF square feet
Lot dimensions: Length 225 feet
Width 51 feet

If your lot is significantly different than those in your neighborhood, then note its: area 9559 SF, length 116'-6", and width 82'-0".

2. Setback of homes to front property line: (Pgs. 8-11 Design Guidelines)

Existing front setback if home is a remodel? _____
What % of the front facing walls of the neighborhood homes are at the front setback 60 %
Existing front setback for house on left 27 ft./on right 25 ft.
Do the front setbacks of adjacent houses line up? YES

3. Garage Location Pattern: (Pg. 19 Design Guidelines)

Indicate the relationship of garage locations in your neighborhood* only on your street (count for each type)

Garage facing front projecting from front of house face 5
Garage facing front recessed from front of house face 1
Garage in back yard 3
Garage facing the side _____
Number of 1-car garages 1; 2-car garages 8; 3-car garages _____

Address: 240 MARICH WAY
Date: 11/12/15

4. Single or Two-Story Homes:

What % of the homes in your neighborhood* are:

One-story 5 OF 9

Two-story 4 OF 9

5. Roof heights and shapes:

Is the overall height of house ridgelines generally the same in your neighborhood*? NO

Are there mostly hip X, gable style X, or other style X roofs*? (ALL DIFFERENT ROOF TYPES)

Do the roof forms appear (simple) X or complex _____?

Do the houses share generally the same eave height NO?

6. Exterior Materials: (Pg. 22 Design Guidelines)

What siding materials are frequently used in your neighborhood*?

0 wood shingle 4 stucco 5 board & batten 0 clapboard
0 tile 0 stone 0 brick 0 combination of one or more materials
(if so, describe) _____

What roofing materials (wood shake/shingle, asphalt shingle, flat tile, rounded tile, cement tile, slate) are consistently (about 80%) used?

_____ COMP.
If no consistency then explain: SHINGLE USED ON 7 HOMES,
1 CONC. TILE AND 1 METAL ROOFING

7. Architectural Style: (Appendix C, Design Guidelines)

Does your neighborhood* have a consistent identifiable architectural style?

YES NO

Type? 0 Ranch 0 Shingle 0 Tudor 0 Mediterranean/Spanish
0 Contemporary 0 Colonial 0 Bungalow 0 Other

Address: 240 MARICH WAY
Date: 11/12/15

8. Lot Slope: (Pg. 25 Design Guidelines)

Does your property have a noticeable slope? NO

What is the direction of your slope? (relative to the street)

Is your slope higher _____ lower same in relationship to the neighboring properties? Is there a noticeable difference in grade between your property/house and the one across the street or directly behind?

9. Landscaping:

Are there any frequently used or typical landscaping features on your street (i.e. big trees, front lawns, sidewalks, curbs, landscape to street edge, etc.)?

NO TYPICAL LANDSCAPE FEATURES

How visible are your house and other houses from the street or back neighbor's property?

SOME ARE VISIBLE DUE TO LOCATION, SOME ARE NOT AS VISIBLE SINCE THEY ARE LOCATED FURTHER BACK.

Are there any major existing landscaping features on your property and how is the unimproved public right-of-way developed in front of your property (gravel, dirt, asphalt, landscape)?

MAINLY GRASS AT FRONT PROPERTY, AND THERE IS A 14'-0" WIDE DIRT SIDEWALK AT FRONT OF PROPERTY NEXT TO THE STREET

10. Width of Street:

What is the width of the roadway paving on your street in feet? 26 FT

Is there a parking area on the street or in the shoulder area? YES, ON DIRT SIDE-WALK

Is the shoulder area (unimproved public right-of-way) paved, unpaved, grave, landscaped, and/or defined with a curb/gutter? GRAVEL/DIRT SHOULDER AREA

Address: 240 MARICH WAY
Date: 11/12/15

11. What characteristics make this neighborhood* cohesive?

Such as roof material and type (hip, gable, flat), siding (board and batten, cement plaster, horizontal wood, brick), deep front yard setbacks, horizontal feel, landscape approach etc.:

I WOULD DESCRIBE THIS NEIGHBORHOOD AS ECLECTIC WITH MANY DIFFERENT ARCHITECTURAL STYLES AND AN EQUAL MIX OF 1-STORY AND 2-STORY HOMES.

General Study

- A. Have major visible streetscape changes occurred in your neighborhood?
 YES NO
- B. Do you think that most (~ 80%) of the homes were originally built at the same time?
 YES NO
- C. Do the lots in your neighborhood appear to be the same size?
 YES NO
- D. Do the lot widths appear to be consistent in the neighborhood?
 YES NO
- E. Are the front setbacks of homes on your street consistent (~80% within 5 feet)?
 YES NO
- F. Do you have active CCR's in your neighborhood? (p.36 Building Guide)
 YES NO
- G. Do the houses appear to be of similar size as viewed from the street?
 YES NO
- H. Does the new exterior remodel or new construction design you are planning relate in most ways to the prevailing style(s) in your existing neighborhood?
 YES NO

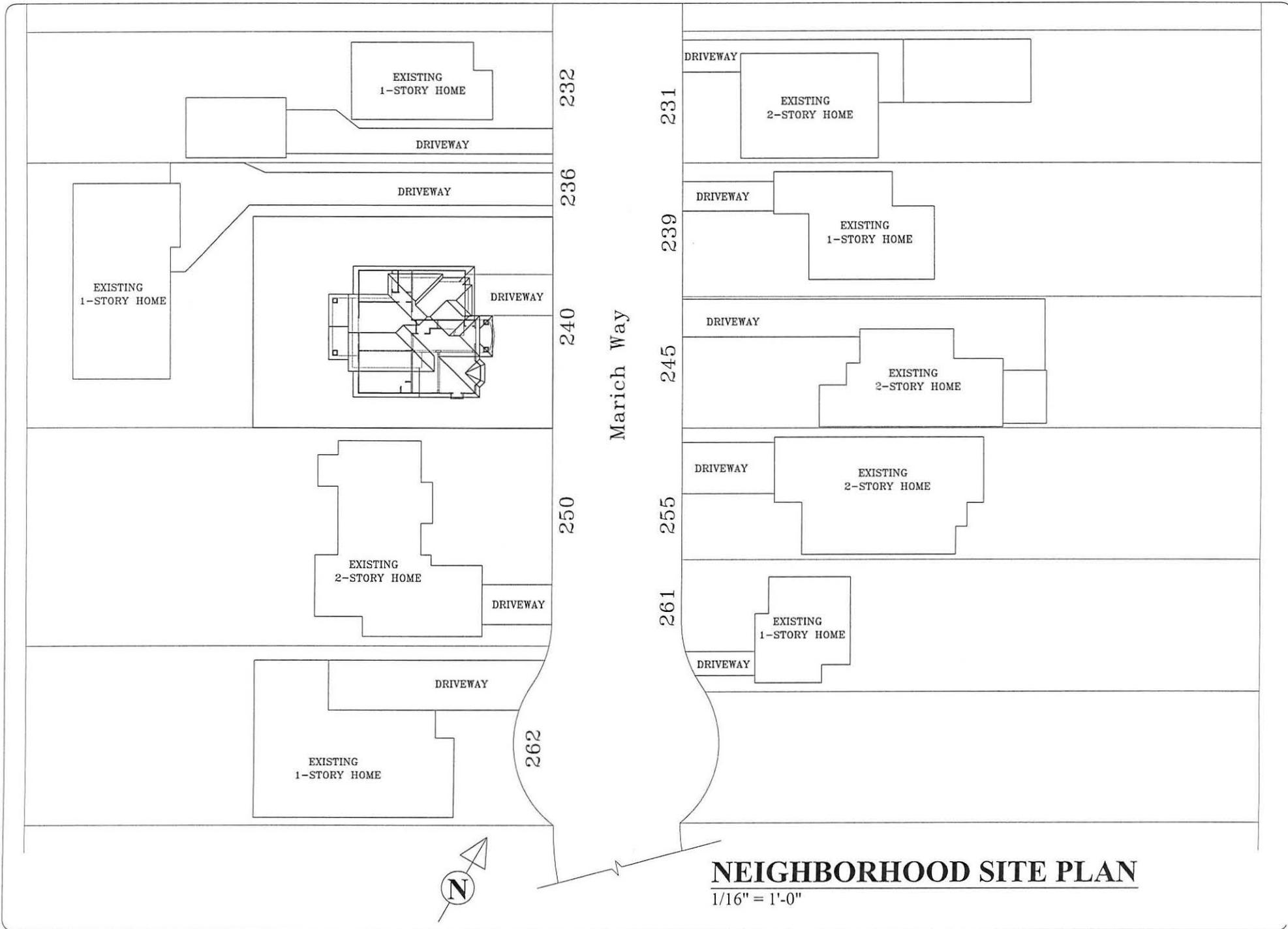
Address: 240 MARICH WAY

Date: 11/12/15

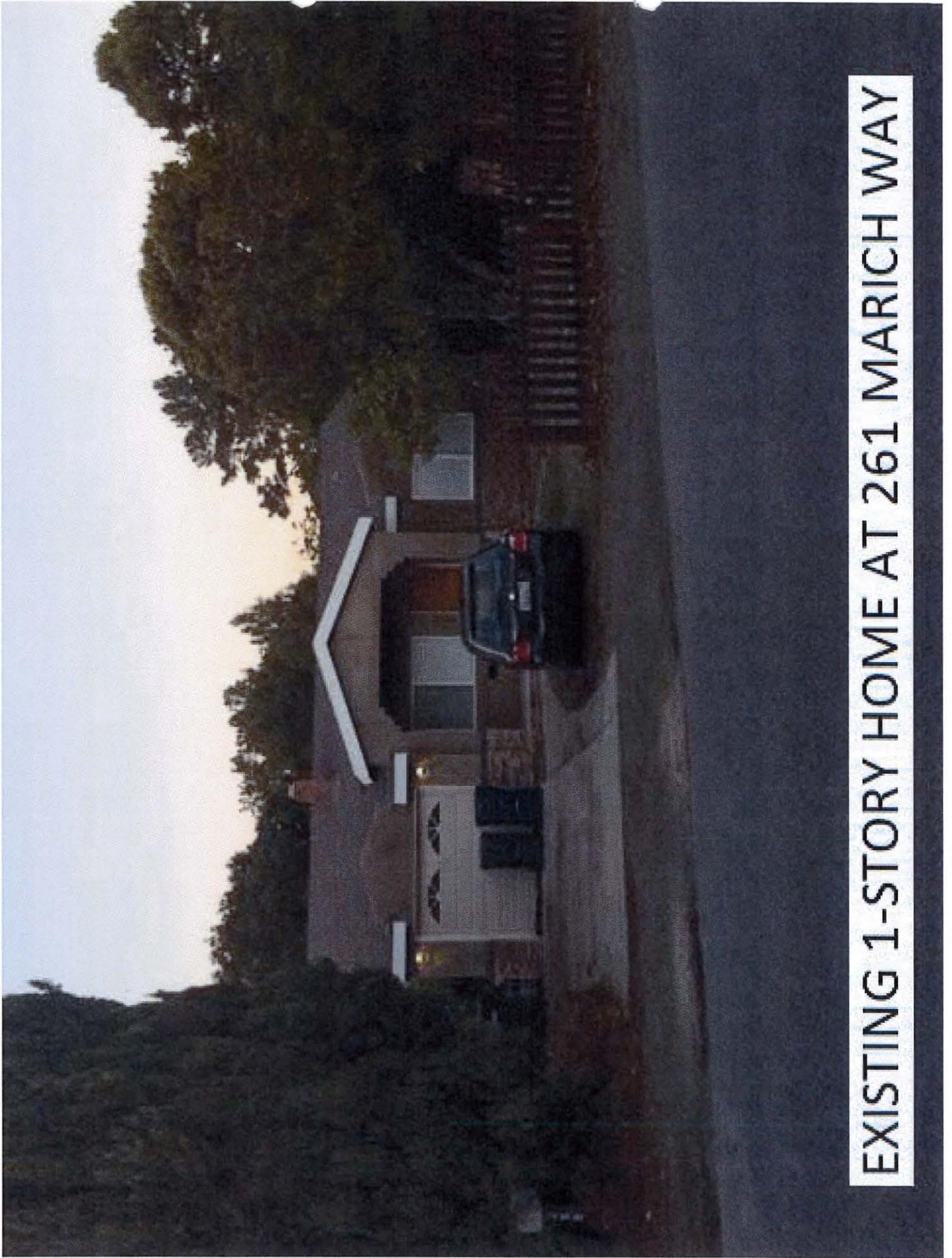
Summary Table

Please use this table to summarize the characteristics of the houses in your immediate neighborhood (two homes on either side, directly behind and the five to six homes directly across the street).

| Address | Front setback | Rear setback | Garage location | One or two stories | Height | Materials | Architecture (simple or complex) |
|------------|---------------|--------------|-----------------|--------------------|--------|--------------|----------------------------------|
| 232 MARICH | 25 FT | 50 FT | REAR | 1-STORY | 16 FT | WOOD SIDING | SIMPLE |
| 236 " " | 27 FT | 18 FT | FRONT | 1-STORY | 15 FT | WOOD SIDING | SIMPLE |
| 250 " " | 27 FT | 120 FT | FRONT | 2-STORY | 28 FT | STUCCO | SIMPLE |
| 262 " " | 23 FT | 90 FT | REAR | 1-STORY | 16 FT | WOOD SIDING | SIMPLE |
| 231 " " | 25 FT | 100 FT | REAR | 2-STORY | 26 FT | WOOD SIDING | SIMPLE |
| 239 " " | 30 FT | 130 FT | FRONT | 1-STORY | 10 FT | WOOD SIDING | SIMPLE |
| 245 " " | 38 FT | 100 FT | REAR | 2-STORY | 26 FT | STUCCO | SIMPLE |
| 255 " " | 30 FT | 110 FT | FRONT | 2-STORY | 26 FT | STUCCO | COMPLEX |
| 261 " " | 20 FT | 160 FT | FRONT | 1-STORY | 15 FT | STUCCO/STONE | SIMPLE |
| | | | | | | | |



NEIGHBORHOOD SITE PLAN
1/16" = 1'-0"



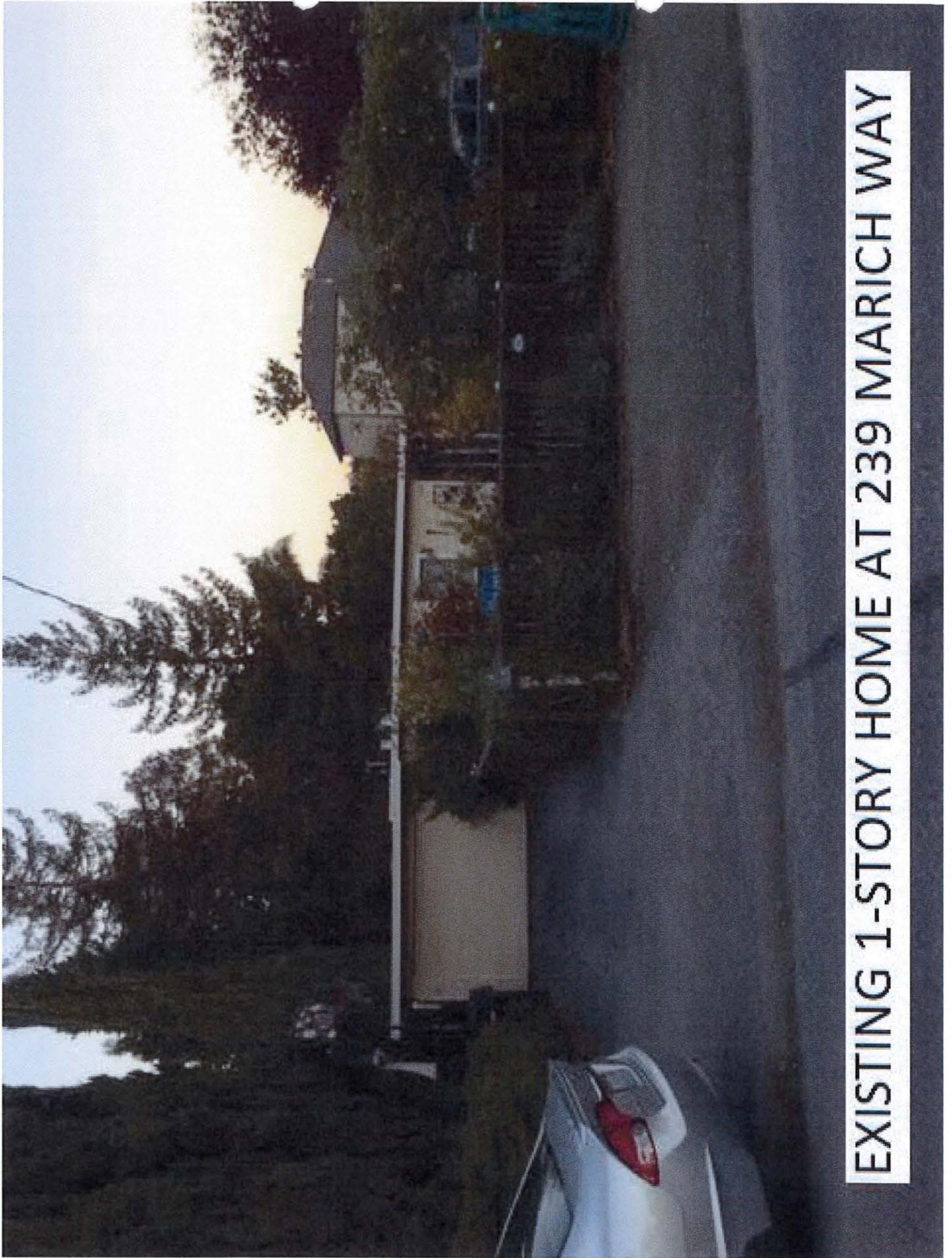
EXISTING 1-STORY HOME AT 261 MARICH WAY



EXISTING 1-STORY HOME AT 262 MARICH WAY



EXISTING 1-STORY HOME AT 232 MARICH WAY



EXISTING 1-STORY HOME AT 239 MARICH WAY



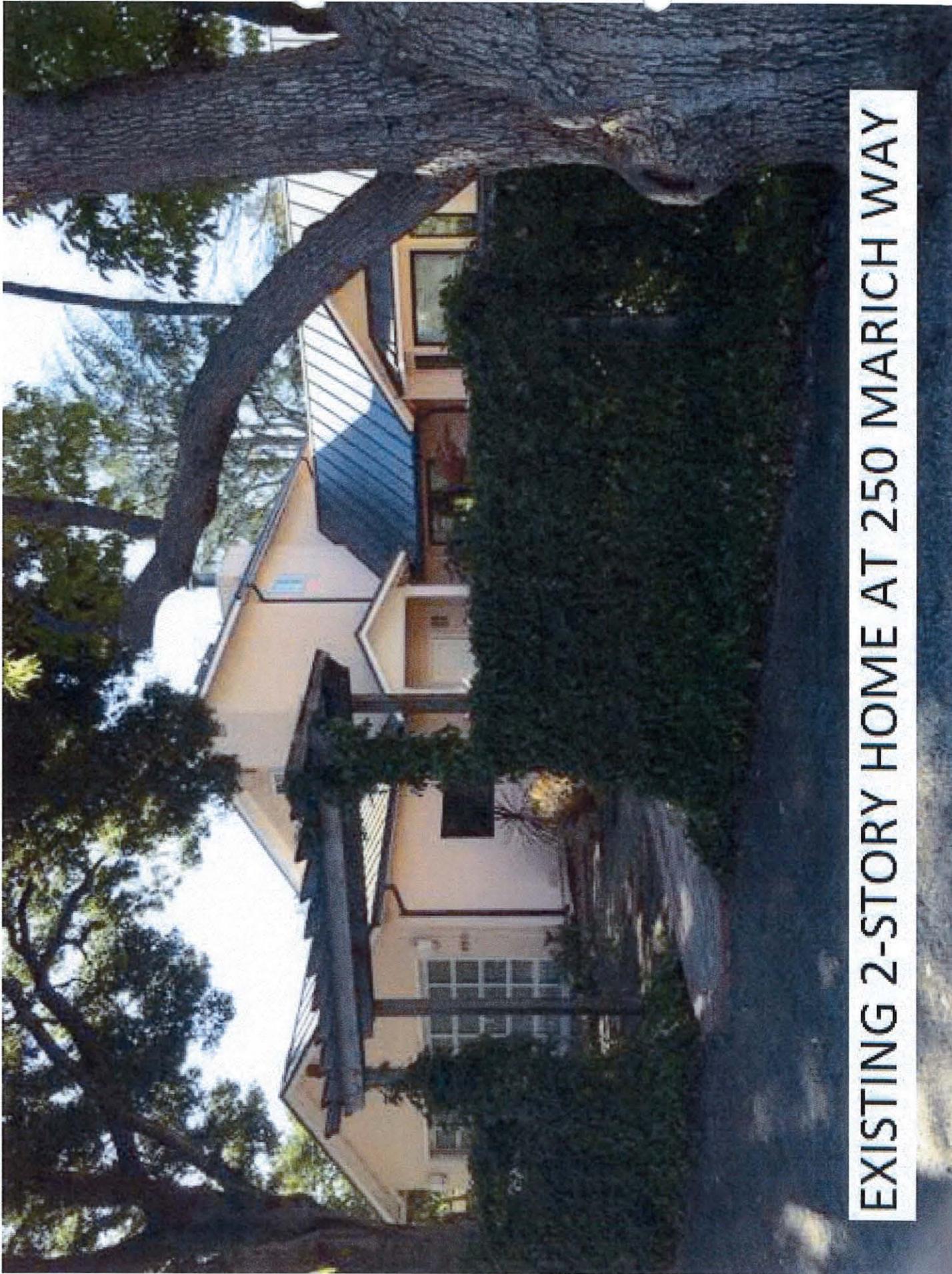
EXISTING 1-STORY HOME AT 236 MARICH WAY



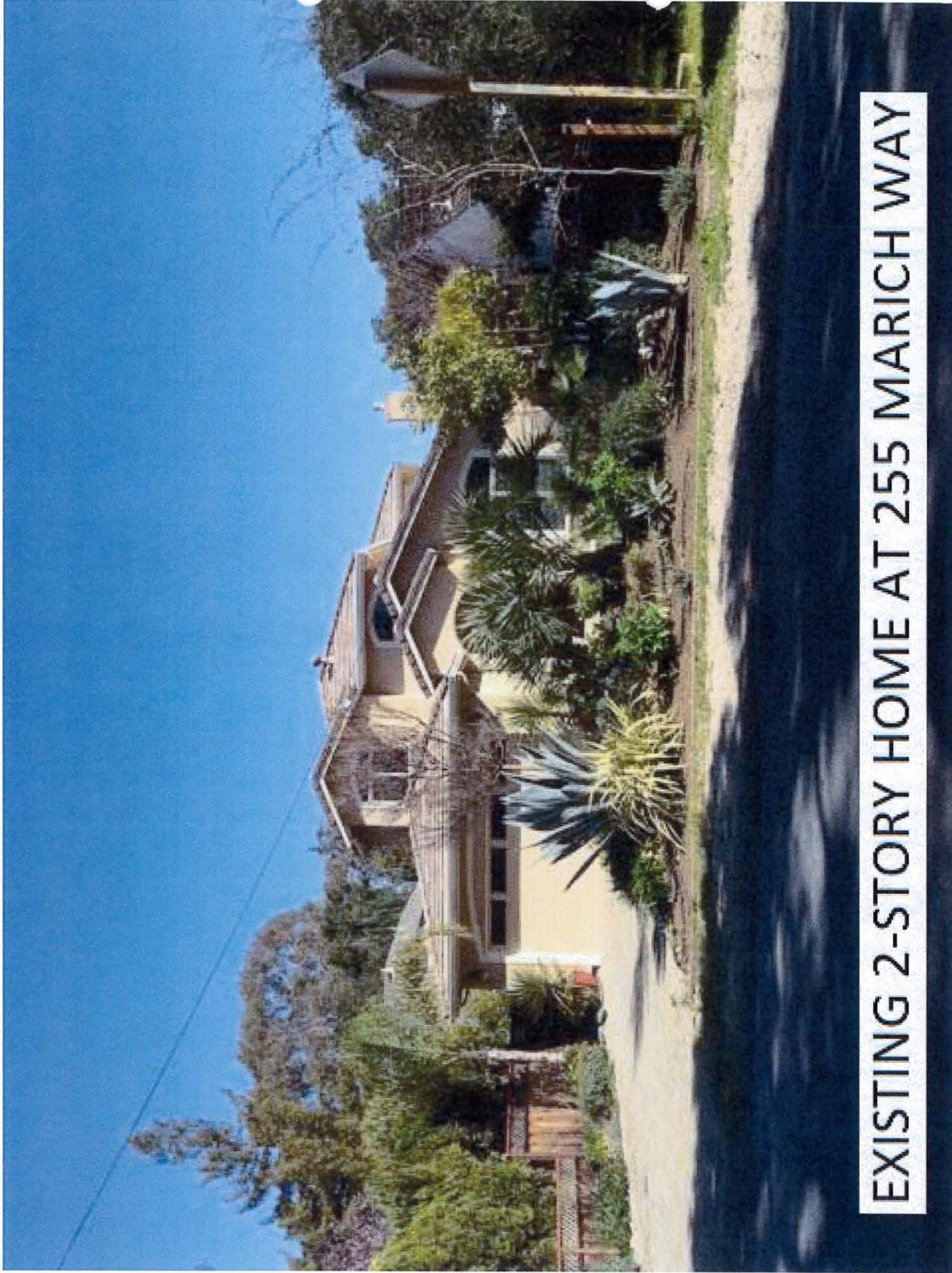
EXISTING 2-STORY HOME AT 245 MARICH WAY



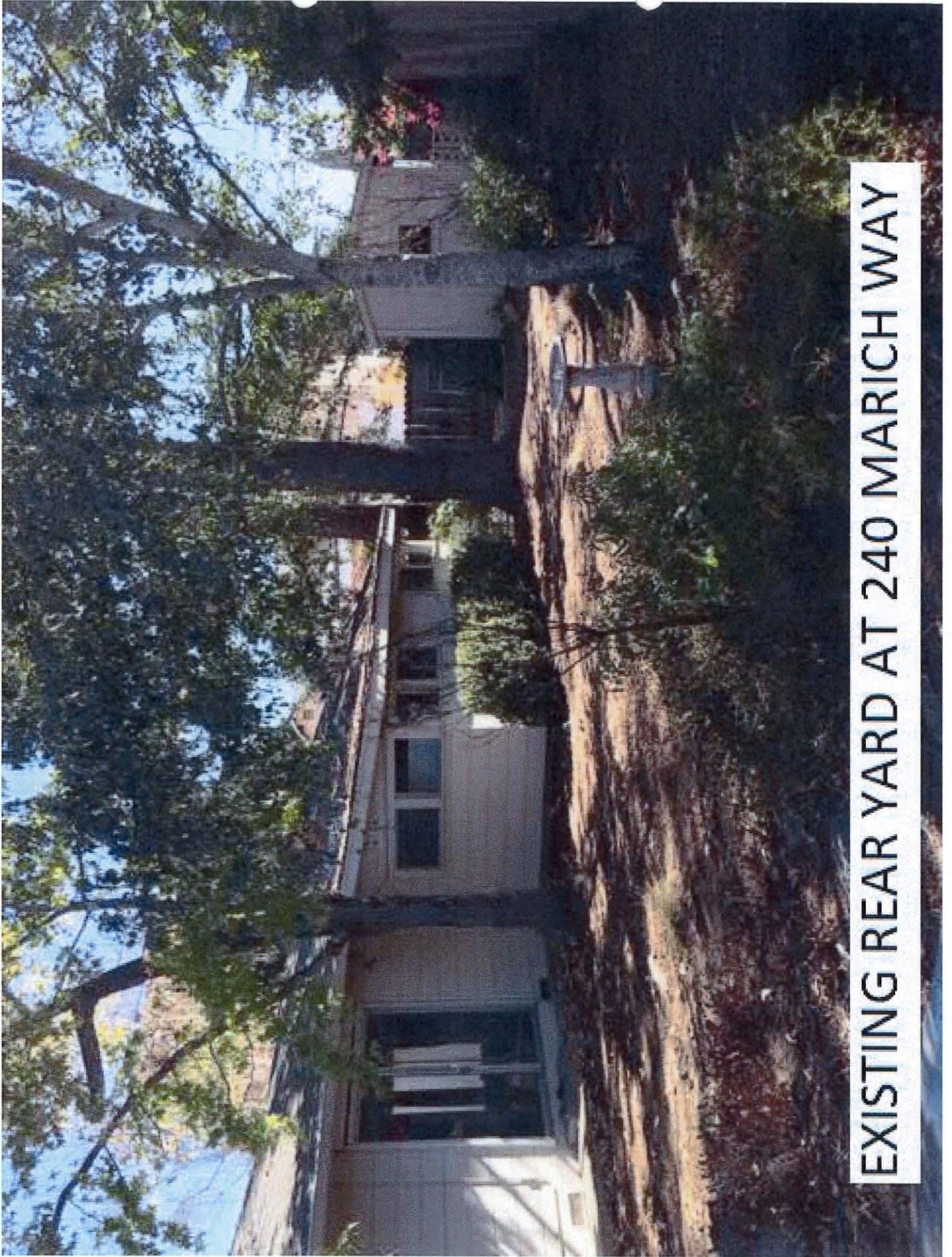
EXISTING 2-STORY HOME AT 231 MARICH WAY



EXISTING 2-STORY HOME AT 250 MARICH WAY



EXISTING 2-STORY HOME AT 255 MARICH WAY

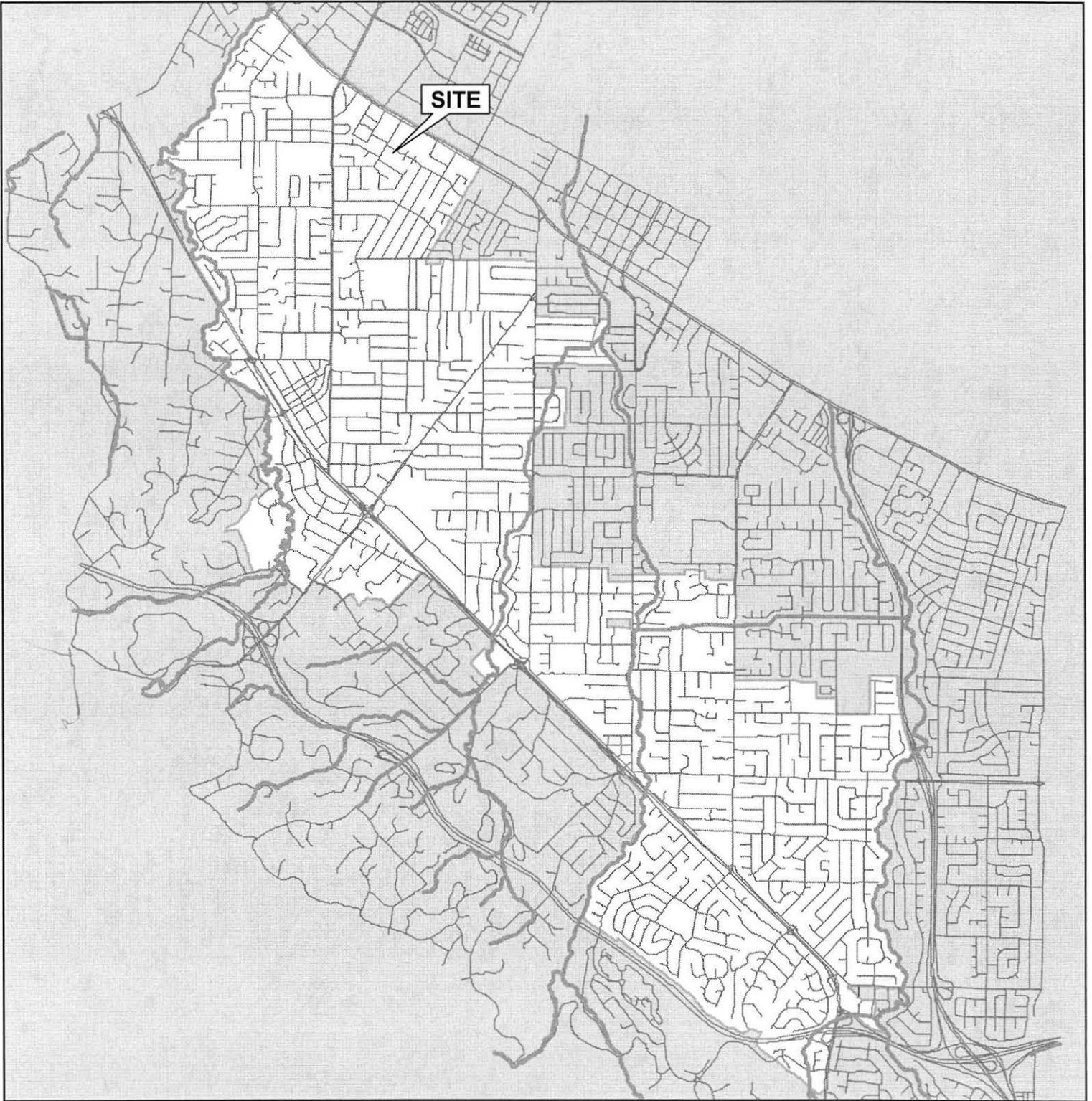


EXISTING REAR YARD AT 240 MARICH WAY



EXISTING 1-STORY HOME AT 240 MARICH WAY

AREA MAP



CITY OF LOS ALTOS

APPLICATION: 15-SC-47
APPLICANT: K. Le/ Y. Mao
SITE ADDRESS: 240 Marich Way

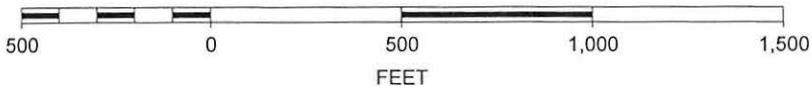


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



N



CITY OF LOS ALTOS

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APPLICANT: K. Le/ Y. Mao
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