



DATE: August 31, 2016

AGENDA ITEM # 4

TO: Design Review Commission
FROM: Sierra Davis, Assistant Planner
SUBJECT: 16-SC-32 – 600 Spargur Drive

RECOMMENDATION:

Approve design review application 16-SC-32 subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review application for a new second living unit and carport. The project includes the demolition of a detached garage and the construction of a new 800 square-foot second living unit and 348 square foot carport. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-family, Residential
ZONING: R1-10
PARCEL SIZE: 19,233 square feet
MATERIALS: Asphalt composition roof, stucco siding, horizontal wood siding, all material to match existing main structure

	Existing	Proposed*	Allowed/Required
LOT COVERAGE:	2,002 square feet	2,792 square feet	6,732 square feet
FLOOR AREA:			
Main house	1,404 square feet	1,404 square feet	
Detached garage	536 square feet	348 square feet	
Second living unit	N/A	800 square feet	
Total	1,940 square feet	2,552 square feet	4,751 square feet
SETBACKS:			
Front	N/A	58 feet (to carport)	25 feet
Rear	N/A	25 feet	25 feet
Right side	N/A	67 feet	10 feet
Left side	N/A	10 feet	10 feet
HEIGHT:	N/A	18 feet	18 feet

*Setbacks and height are for the accessory structures and not existing house.

BACKGROUND

Neighborhood Context

The subject property is located at the end of Spargur Drive, before the transition to Hollingsworth Drive. The subject property is approximately half an acre and exceeds the minimum size, depth and width requirements for single-family residential lots within the R1-10 zoning district. The subject lot is larger than adjacent properties because it is located on the curve of the street and has a greater lot depth. The neighborhood has a consistent Ranch style house character, with low scale homes, horizontal eave lines, and consistent setbacks. There is an existing single-story, Ranch-style house on the property with a detached garage. 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, single family) ensuring that the unit is clearly subordinate to the main house and screened from view from the street, and that there are two additional parking spaces (one covered) provided on the property.

The property is 19,233 square feet in size, which 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 for two dwelling units (main house and second living unit) by providing two uncovered spaces in the driveway and two covered spaces in the new carport.

The size and location at the rear of the site makes the second living unit subordinate to the main house. The proposed design and exterior building materials of the second living unit are compatible with the design and rustic materials used on the main house. The entrance to the second living unit faces the front of the lot, but is located behind the carport, which effectively screens it from the street.

Height

The second living unit is proposed with a height of 18 feet, which exceeds the maximum 12-foot height limit for accessory structures. The Design Review Commission may approve a height of up to 18 feet when the structure is located entirely within the main structure's building envelope and the additional height is necessary in order to establish architectural compatibility with the main structure. The main structure has a roof pitch of 8:12, which is steeper than the average roof pitch of a ranch style house. The accessory structure has a proposed roof pitch of 7:12 to relate to the design of the main structure while meeting the 18 foot height limit.

Unit Size and Occupancy Limits

Since the second living unit exceeds 640 square feet, if it is rented, the Code requires that it be rented at below market rate, to individuals at the very 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. These requirements are included as conditions of approval.

Privacy and Landscaping

The second living unit should not create any unreasonable privacy impacts because the entry and living space is oriented toward the middle and rear of the lot and away from the left side property line. To enhance the privacy to the neighboring lot on the left side, the fence should be replaced with a six-foot tall solid fence with at least one-foot of open lattice (Condition 2).

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 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 11 nearby property owners on Spargur Drive, Jay Street, and North Clark Avenue.

Cc: Daryl V. Harris, RH Associates, Architects
C.P. Hu and Wendy Dea, Owners

Attachments:

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

FINDINGS

16-SC-32 – 600 Spargur Drive

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 accessory structure with a height of 18 feet, the Design Review Commission finds the following in accordance with Section 14.06.120(B)(6) of the Municipal Code that:
 - a. The accessory structure is located entirely within the main structure's building envelope; and
 - b. The additional height is necessary in order to establish architectural compatibility with the main structure.
3. 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 very 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

16-SC-32 – 600 Spargur Drive

GENERAL

1. **Approved Plans**

The approval is based on the plans and materials received on July 21, 2016, except as may be modified by these conditions.

2. **Fencing**

A six-foot tall solid fence, with one foot of lattice on top shall be installed along the south (left side) property line.

3. **Exterior Lights**

Exterior lighting on the second living unit shall be shrouded or directed downward.

4. **Second Living Unit Deed Restriction**

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.

5. **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.

6. **Fire Sprinklers**

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

7. **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

8. **Record Deed Restriction**

A deed restriction, per Condition No. 4, shall be recorded in a form approved by city staff.

PRIOR TO BUILDING PERMIT SUBMITTAL

9. **Conditions of Approval**

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

10. **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.

11. 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.

12. 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

13. Landscaping Installation

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

14. 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).

SECOND LIVING UNIT RENTAL TERMS

15. 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 very-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.
- g. The very-low income affordability of the second living unit shall be maintained at all times.



ATTACHMENT A

CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1107324

<input 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 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 checked="" type="checkbox"/> Other: <u>Second Living Unit</u>

Project Address/Location: 600 SPARGUR DRIVE

Project Proposal/Use: DETACHED SECONDARY DWELLING UNIT

Current Use of Property: ONE STORY RESIDENCE W/ ATTACHED GARAGE

Assessor Parcel Number(s) 170-20-039

Site Area: 19,233 SF Total Existing Square Feet: 1,940 SF

Total Proposed Square Feet (including basement): 2,552 SF

Applicant's Name: DARYL V. HARRIS, AIA RH ASSOCIATES, ARCHITECTS

Home Telephone #: NA Business Telephone #: (530) 268-3055

Mailing Address: 22867 SUNSET RIDGE DRIVE

City/State/Zip Code: AUBURN, CA 95602

Property Owner's Name: C.P. HU & WENDY DEA

Home Telephone #: 650-450-7782 Business Telephone #: _____

Mailing Address: 600 SPARGUR DRIVE

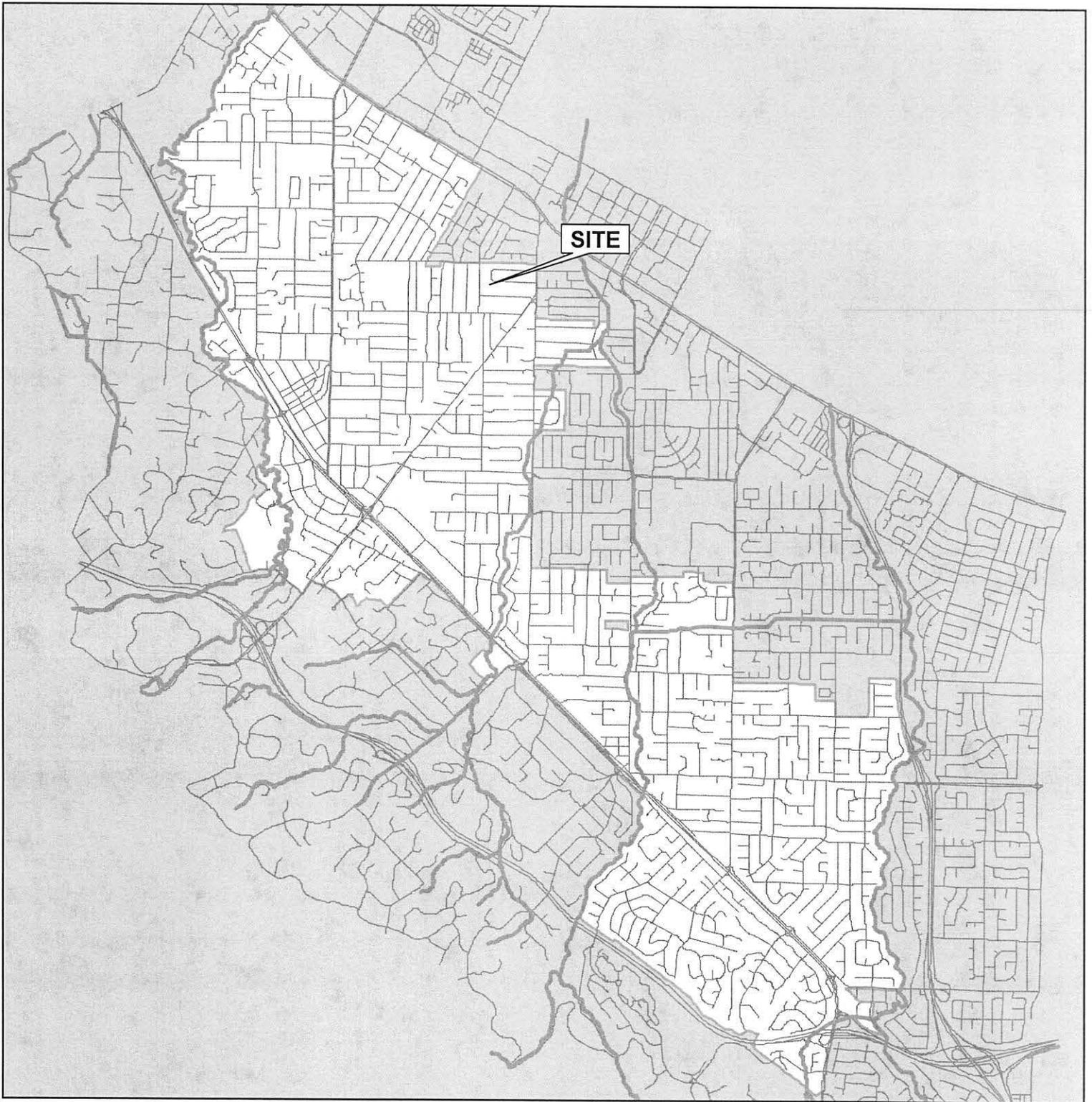
City/State/Zip Code: LOS ALTOS, CA 94022

Architect/Designer's Name: DARYL V. HARRIS, AIA Telephone #: (530) 268-3055

*** 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: 16-SC-32
APPLICANT: D. Harris, AIA/ C.P. Hu and W. Dea
SITE ADDRESS: 600 Spargur Drive



Not to Scale

VICINITY MAP



SCALE 1 : 6,000



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