



DATE: October 27, 2014

AGENDA ITEM #3

**TO:** Historical Commission  
**FROM:** Lily Lim, Assistant Planner  
**SUBJECT:** 14-H-06 - 439 Rinconada Court

**RECOMMENDATION:**

Approve Historic Alteration Permit 14-H-06 subject to the findings and conditions

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**PROJECT DESCRIPTION**

The project is requesting approval of alterations to a designated Historic Landmark property. The scope of work includes the addition of a laundry room on the first floor, a new deck at the rear of the home, demolition of the existing detached garage, and construction of a new detached garage. The project will also require approval by the Design Review Commission of a variance to allow an encroachment into the required side yard setback and exceeding the maximum allowable floor area.

**BACKGROUND**

On April 28, 2003, the City Council designated the structure a Historic Landmark. The Stick and Queen Anne style house was constructed in 1895 under the ownership of David Farnsworth. The 200 acre ranch was known as Farnsworth Farms until approximately 1988. It was later known as the “Farnsworth Meyer house” after Paul Meyer. The structure was preserved based on age, architectural merits, its historical associations with an early settler of the area and a citizen prominent in the political formation of the City. Additional information regarding the historic significance of the structure can be found in the attached historic property evaluation (Attachment A).

**DISCUSSION**

Due to the Historic Landmark designation of the main structure, a Historic Alteration Permit must be granted by the Historical Commission for the scope of work before it can move forward to the Design Review Commission for consideration of the variance. In order to make the findings to approve the permit, the Commission must find that the work complies with the Historic Preservation Ordinance, does not adversely affect the physical integrity or the historic significance and is in compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

The project includes the addition of a 51 square-foot laundry room on the first floor, a six-foot deep by 17-foot wide deck, demolition of the existing detached garage, and construction a new detached garage in the right rear corner of the property. The addition of a laundry room is minor

in scope and located on the left (west) side of the structure. The laundry room will be located behind existing portions of the structure and will not be visible from the street.

A new six-foot deep by 17-foot wide deck is proposed to the rear (north) of the home and will be accessed from the kitchen by new French doors. The French doors will replace an existing window, which will be preserved for future use. Given its location on the structure, the proposed deck will not be visible from the street and will not detract from the visual character of the historic structure. This will require removal of an existing window and reconstructing a small portion of the existing wall.

A variance is required in order to allow the addition to continue the existing non-conforming side yard setback and to exceed the maximum allowable floor area. The existing structure has a non-conforming side setback of eight feet, nine inches, where a 10-foot setback is required. Currently, the existing floor area ratio is 140 square feet over the allowable maximum per the Code. With the addition of the laundry room, the floor area ratio will be approximately 191 square feet over the allowable maximum. The addition will be architecturally compatible with the existing structure and uses the same materials to integrate the design. Due to the minor nature of the project, staff did not require review by a certified historic professional.

The existing non-historic detached garage will be demolished from the current location behind the existing main structure. A new detached garage, of the same size, will be constructed in the northwest corner (right rear corner) of the property. As proposed, the new garage is located within the public utility easement. Staff has directed the applicant to relocate the structure outside of the easement. Since the detached garage is not historically significant on this property, the construction of a new garage will not adversely affect the physical integrity or the historic significance of the main structure, staff recommends approval of the historic alteration permit.

CC: Walter Chapman, Applicant and Designer  
Scott and Deanne Miller, Property Owners

Attachments

- A. Historic Property Evaluation – 439 Rinconada Court
- B. Letter from Applicant
- C. Arborist Report

## FINDINGS

14-H-06 – 439 Rinconada Court

With regard to the Historic Alteration Permit for the project at 439 Rinconada Court, the Historical Commission finds the following in accordance with Section 12.44.150 of the Municipal Code:

- A. The project complies with all provisions of the Historic Preservation Ordinance Chapter 12.44);
- B. The project does not adversely affect the physical integrity or the historic significance of the subject property; and
- C. The project is in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

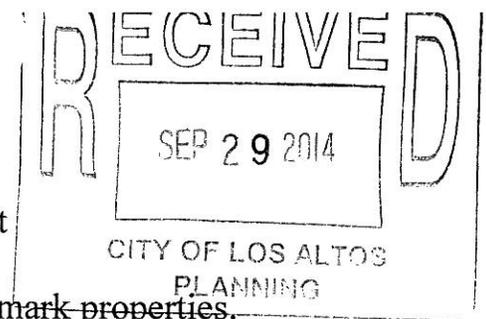
## CONDITIONS

14-H-06 – 439 Rinconada Court

1. The approval is based on the plans received on October 23, 2014 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. The applicant shall relocate the proposed garage out of the existing public utility easement.
3. The proposed French patio doors shall be architecturally compatible with the existing windows.

# ATTACHMENT A

Rinconada Court  
Side Yard Setback Variance request



439 Rinconada Court is one of the City of Los Altos's landmark properties. Originally built in roughly 1895. The house has maintained its integrity for over a hundred 15 years even though the property has been whittled away over time. The most recent reconfiguration of the original estate was the subdivision that resulted in the creation of Rinconada Court. This subdivision left the historical house on an unusually shaped parcel which required the granting of numerous exceptions to city zoning rules to accommodate the residence.

The most significant of these exceptions was the floor area ratio that was created. A residence of this size 5,856 sq. ft. when including all floor levels, basement and garage would normally have required a lot size of 31,061.5 sq. ft. However the subdivision only provided a parcel of 12,940 sq. ft. so the existing structures currently exceeds the allowed floor area ratio by 1,530 sq.ft.

The property owners wish to add a modest laundry on the main floor of the house this would result in an increase of floor area of 51 sq.ft. In order to address this increase they are proposing to remove an existing garage that has a floor area of 611 sq.ft. when the attic space is included. Although under current zoning rules the attic space would not be included in the floor area, by building code it meets the requirement of floor area and clearly creates the mass of a two story structure. This garage would be replaced with a single story garage of 441 sq.ft. resulting in a net reduction of 119 sq.ft. While the total square footage of structures would still exceed the allowable, there would be a reduction of total square footage for the property.

There is another issue associated with the laundry room addition. This issue is also a result of another exception that was allowed when the subdivision was approved. The side yard setback for a two story is normally 17'-6" however the subdivision resulted in a setback of 13'-9". If the subdivision had provided the proper setback of 17'-6" there would be sufficient room for the proposed single story laundry room. As proposed a portion of the laundry room would encroach 1'-3" into the required 10' setback. The proposed addition would require a variance for this encroachment and possibly a variance for floor area even though as proposed there would be a reduction in overall square footage by reducing the scale of the detached Garage.

The historical integrity of the site will be improved with the removal of the detached garage which was built in 1989. The current garage visually detracts from the historical homes presence on Riconada Court and provides a false sense of historical context. The modest addition to create a functional laundry room on the left side rear corner of the structure, however would only be visible from the rear and left side yards of the property. This addition and the introduction of a set of French doors with a deck to provide direct access to the rear yard, will have no impact on the prominent elevations of the house, yet will provide for amenities associated with a modern home.

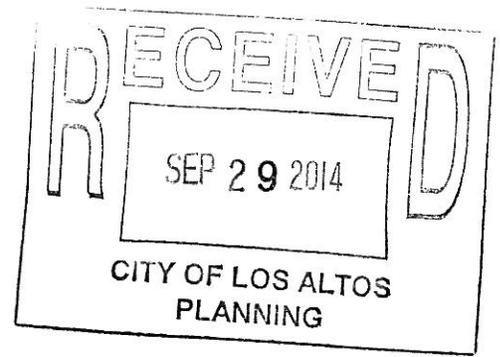
Thank you for your consideration in this matter.

Walter Chapman  
Chapman Design Associates

# ATTACHMENT B

**Michael L. Bench**  
Consulting Arborist  
(831) 594-5151

7327 Langley Canyon Road  
Prunedale, California 93907



**Review of the Existing Trees  
Near Proposed Construction  
Deanna Miller Residence  
439 Riconada Court  
Los Altos, California**

### **Assignment**

I was asked by Deanna Miller to review the risks to the existing trees by the proposal to remove the existing garage and to construct a new garage.

A Site Plan prepared by Chapman Design was provided for this review, which I have used to illustrate the relationships between proposed construction and the existing trees. This version of the Site Plan did not show the location of the existing driveway. I have added the existing driveway to the Site Plan, because this was needed to show the relationships of some construction aspects to Trees # 2, 3, and 4. Although I included Tree # 5, but this specimen is located on a sloped lawn and would not likely be exposed to risk by the proposed construction. I have titled this site plan mark-up as the Tree Map, which is included in the attachments.

### **Observations**

The plan proposes to accomplish the following objectives:

- (1) To demolish the existing Garage;
- (2) To demolish an existing concrete slab in the area proposed for a new garage;
- (3) To construct a new Garage;
- (4) To up grade the existing driveway.

There are 5 trees in the area proposed for this construction. These 5 trees are listed by number on Field Data Sheet, which follows this text. This Data Sheet provides the basic information about each tree, including the species, the trunk diameter(s), height, spread, health, and an estimate of structural integrity. The health and structural integrity is rated on a scale of 1-5: (1) Excellent, (2) Good, (3) Fair, (4) Poor, (5) Extremely Poor.

The initial question concerning this project was whether or not the construction of the new garage would be feasible at the location proposed on the north side of Tree # 1. To answer this question, I asked that a trench be dug by hand between the trunk of this tree and the proposed new garage. I emphasized the fact that roots in this trench must not be damaged until I could inspect them. This trench was dug at the edge of the existing concrete slab for a distance of approximately 20 feet across the root zone of Tree # 1. The trench was dug at a depth of 15-16 inches, because that depth was the proposed depth of the footing for the new garage.

I inspected the roots in this trench on June 27, 2014. All of the roots in this exploratory trench were ½ inch in diameter or smaller. As a result of this finding, I am able to report that it was entirely possible to construct the new garage at the proposed location, without significant damage to Tree # 1.

Although this version of the Site Plan does not show the proposed new driveway, Mrs. Miller stated that Tree # 2 would be in conflict with the new driveway. Tree # 2 is a sub-dominant specimen, growing in fairly dense shade of surrounding trees, including the shadow cast by Trees # 1, 3, and 4. If Tree # 2 is not directly in conflict with the new driveway, it would no doubt suffer severe root losses should the new driveway be constructed by typical methods (soil stabilization, soil compaction, durable surfacing).

There are a sizable number of additional trees on the property, but they are located a good distance from this proposed construction.

### **Tree Protection Plan**

1. The most significant feature of a Tree Protection Plan at most locations is temporary Tree Protective Fencing. However, in this case, Tree # 1 has fencing between it and the existing driveway on the west side of the trunk. On the north side of the trunk of Tree # 1, there is another existing 6 foot wood fence. No protective fencing would be required for Tree # 2 should it be removed. Trees # 3 and 4 are located adjacent to the existing driveway, in which Tree Protective Fencing would not provide a significant benefit. Tree # 5 is located on a slope and a distance from the driveway. For this reason, it does not appear that Tree # 5 would be exposed to any risk.

2. I suggest that the trunks of Trees # 3 and 4 be covered by 2X4 boards soldiered around the trunk and tied together on the north and east sides of their trunks to approximately 8 feet above grade. An option would be to wrap the trunks with "Wattle". This would be covered by a wrap of orange or yellow caution plastic fencing. This would provide limited physical protection, but would provide a good visual reminder that these trees are protected and must not suffer any bark injuries.
3. There must be no grading, trenching, or surface scraping inside the driplines of protected trees, unless specifically approved by a certified arborist.
4. If underground utilities would be installed linking the residence to the new garage, it will be essential that the trenches be a radius distance of 10 times the trunk diameter away from the trunks of existing trees. If this cannot be achieved, a certified arborist must be consulted, who must approve the location of the trenching or recommend an alternative method.
5. Materials must not be stored, stockpiled, dumped, or buried inside the driplines of protected trees.
6. Excavated soil must not be piled or dumped, even temporarily, inside the driplines of protected trees.
7. Any pruning must be done by an arborist certified by the ISA (International Society of Arboriculture) and according to ISA, Western Chapter Standards, 1998.
8. Any pathways or other hardscape (excluding the new driveway) inside the driplines of protected trees must be constructed completely on top of the existing soil grade without excavation. Fill soil may be added to the edge of finished hardscape for a maximum distance of approximately 2 feet from the edges to integrate the new hardscape to the natural grade.
9. The sprinkler irrigation must not be designed to strike the trunks of trees, because of potential high risk of disease infection.
10. Landscape irrigation trenches must be a minimum distance of 10 times the trunk diameter from the trunks of protected trees.
11. Landscape materials (cobbles, decorative bark, stones, fencing, etc.) must not be installed directly in contact with the bark of trees because of the risk of serious disease infection.

439 Riconada Court  
Los Altos, CA

12. The plants that are planted inside the driplines of oak trees must be of species that are compatible with the environmental and cultural requirements of oaks trees. A publication about plants compatible with California native oaks can be obtained from the California Oak Foundation, 1212 Broadway, Suite 810, Oakland 94612.

Respectfully submitted,



Michael L. Bench, Consulting Arborist  
International Society of Arboriculture Certification # WE 1897A  
American Society of Consulting Arborists Member

Attachments: List of Trees  
Tree Map  
Assumptions and Limiting Conditions