DATE: February 1, 2017

AGENDA ITEM # 2

TO: Design Review Commission

FROM: Zachary Dahl, Planning Services Manager – Current Planning

SUBJECT: 16-V-11 and 16-SC-47 – 200 University Avenue

RECOMMENDATION:

Approve variance application 16-V-11 and design review application 16-SC-47 subject to the listed findings and conditions

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PROJECT DESCRIPTION

This is an application with variances to allow for reduced setbacks and design review for a two-story addition to an existing one-story house. The project includes variances to allow: 1) a side yard setback of 10 feet where 25 feet is required, 2) a setback of seven feet, three inches from the existing second living unit where 10 feet is required and 3) a portion of the structure to encroach into the right side daylight plane, and design review for an addition of 1,628 square feet on the first story and 1,450 square feet on the second story. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION:	Single-Family, Residential
ZONING:	R1-20
PARCEL SIZE:	26,763 square feet
MATERIALS:	Match existing – slate roof, semi smooth finish stucco siding, aluminum clad wood windows, cedar wood garage door, and wood shutter and trim details

	Existing	Proposed	Allowed/Required
COVERAGE:	1,834 square feet	4,912 square feet	6,691 square feet
FLOOR AREA:			
First floor	997 square feet	2,624 square feet	
Second floor	-	1,430 square feet	
Second living unit	676 square feet	676 square feet	
Shed structures	59 square feet	59 square feet	
Total	1,732 square feet	4,789 square feet	5,426 square feet
SETBACKS:			
Front	57 feet	57 feet	30 feet
Rear	58 feet	39 feet	35 feet
Right side	30 feet	10 feet	25 feet[1]
Left side	57 feet	44 feet	25 feet
HEIGHT:	24 feet	27 feet	27 feet

[1] The required side yard setbacks in the R1-20 District increase from 20 feet to 25 feet for both the first and second stories when the overall height of the structure exceeds 22 feet.

BACKGROUND

Neighborhood Context

The subject property is located on the western side of University Avenue, just north of the intersection with Burke Road. This block of University Avenue is adjacent to Lincoln Park and Foothill Expressway to the east, with large single-family lots and Adobe Creek to the west. The site is approximately 15 feet lower than University Avenue and accesses the street via a narrow curving driveway with a bridge that crosses Adobe Creek. Since many of the houses on this block of University Avenue have large front yard setbacks, sloping topography and are screened from view by mature vegetation and large trees, the neighborhood context is considered Diverse Character. Due to the diverse character of this neighborhood and the limited visual relationships between the houses on each property, a Neighborhood Compatibility Worksheet was not required.

Property History

The subject property was originally part of a larger parcel that was located in the Town of Los Altos Hills with frontage on Old Altos Road. In 1995, the property was annexed into the City of Los Altos and subdivided into two parcels. As a condition of the annexation, the base density of the property was designated at two dwelling units per acre and it was zoned R1-20 to ensure that the site was not further subdivided. Parcel A (200 University Avenue) obtained an access easement to University Avenue across the adjacent property at 220 University Avenue to establish its current driveway. Parcel B, which fronts on Old Altos Road, was purchased by the owners of 220 University and is developed with a swimming pool and cabana structure, but no primary residential dwelling unit.

The existing main house on the site was originally built as a guest house before the property was subdivided and while it was under the jurisdiction of Los Altos Hills. Once the property was subdivided, it became the primary dwelling unit on the site. The existing second living unit was approved by the City in 1996. The approval included variances to allow for the structure to exceed the accessory structure height limit of 12 feet, encroach into the accessory structure daylight plane and waive the covered parking requirement. This structure also encroaches into the right side yard setback area and would require a variance under the City's current Zoning regulations.

DISCUSSION

Variances

The applicant is requesting three variances as part of a proposed two-story addition to the existing one-story main house. The first would allow for a right (west) side yard setback of 10 feet where the R1-20 District requires a minimum setback of 25 feet, the second would allow for a separation between the main house and the second living unit of seven feet, three inches where a minimum of 10 feet is required, and the third would allow for a portion of the new addition to encroach into the required daylight plane along the right side property line. Due to the fact that the Adobe Creek corridor is located along the front and left side of the site, more than half of the site is encumbered by a drainage and conservation easement and within a 100-year floodplain, and all neighboring properties within the City are zoned R1-10, which allows for reduced side yard setbacks, the variances are being requested. A letter from the applicant which provides additional information about the variance request is included as Attachment B and a floodplain assessment for the property is included as Attachment C.

In order to approve a variance, the Commission must make three positive findings pursuant to Section 14.76.060 of the Zoning Code:

1. The granting of the variance will be consistent with the objectives of the City's zoning plan;
2. That the granting of the variances will not be 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
3. Variances from the provisions of this chapter shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

When the site was annexed into the City, it was assigned a Zoning designation R1-20 to establish a maximum density of two units per acre to comply with a required condition from the Town of Los Altos Hills when the site was de-annexed. However, all surrounding properties in the City of Los Altos are designated as R1-10, so it consistent with the objectives of the Zoning plan to apply site standards that are aligned with the R1-10 District.

The variances will not be detrimental to persons living or working in the vicinity or injurious to any properties in the vicinity. Due to the surrounding topography, creek corridor and existing mature vegetation, the proposed addition is minimally visible from any adjacent streets or properties.

There is a special circumstance applicable to the property since it is located within a 100-year floodplain, is significantly encumbered with a drainage and conservation easement, and has the Adobe Creek corridor located on the north and east portions of the site. Strict application of the R1-20 District setback requirements would create an odd-shaped and constrained building envelope that would deprive the property of the ability to build a reasonably sized dwelling unit and strict application of the daylight plane would further limit the ability to construct a reasonably size second story addition. Application of the R1-10 District regulations would be consistent with the privileges enjoyed by other properties in the vicinity since all adjacent properties in the City of Los Altos are designated R1-10.

Design Review

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

The existing house has a French Country inspired architectural design and the two-story addition matches this style. The addition includes a new entry foyer, two-car garage, four bedrooms, four bathrooms and common areas for the house. Since the property is located within a 100-year floodplain, the height of the first story finish floor ranges between three and five feet above grade. This taller finish floor elevation along with the second story footprint aligned with the first story wall lines results in a project with more of a vertical emphasis and taller scale. However, the project does use a mansard roof design to reduce the appearance of the second story and this type of simple massing is consistent with the French Country architectural design style.

The project materials, which are high quality and match those on the existing house, include slate tile roofing, smooth stucco siding, aluminum clad wood windows, cedar wood shutters and garage door and precast stone details. Attachment E includes the project's material board. Overall, the project has individual design integrity, maintains a reasonable relationship with the surrounding properties and is an appropriate design within this diverse character neighborhood setting.

While the tall finished floor, bulk and mass of the second story, and scale of this design may go beyond the thresholds outlined in the Residential Design Guidelines, the location and constraints of this site allow for greater flexibility. Thus, the proposed two-story addition is appropriate in this location and meets the intent of the required Design Review findings.

Privacy and Landscaping

Due to the orientation of the house, which is not parallel to most of the adjacent property lines, and the existing topography and mature vegetation, the proposed second story windows have very limited views toward any of the adjacent properties. The south and east elevations do not create any potential privacy impacts since they face the Adobe creek corridor and are screened by mature trees and the sloping creek embankment. The west elevation is screened by the existing second living unit and many mature trees. The north elevation includes three medium sized windows above the first floor – one in a bathroom, one in a closet and one in the stairwell. Due to the passive use of these windows and the existing mature trees, they will have very limited views toward the adjacent property and do not create an unreasonable privacy impact.

The project includes a driveway extension to access the new garage and some new landscaping around the perimeter of the house, but all existing trees, except for two smaller ornamental trees, and most of the existing landscaping on the property will be maintained. Since the site includes many mature trees and the existing landscaping is in reasonable condition, the project meets the City's landscaping regulations and street tree guidelines. The project is not subject to the City's Water Efficient Landscape Ordinance since it is an addition to an existing house and includes less than 2,500 square feet of new landscape area.

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 dwelling in a residential zone.

PUBLIC CONTACT

A public hearing notice was published in the *Town Crier*, posted on the property and mailed to all property owners within 500 feet of the project site. The mailed notice included 32 property owners in Los Altos and Los Altos Hills.

Cc: Abigail Ahrens, Applicant and owner
Jonathan Mansour, Architect

Attachments:

A. Application
B. Cover Letter
C. Floodplain Assessment
D. Area, Vicinity and Public Notification Maps
E. Materials Board

FINDINGS

16-V-11 and 16-SC-47 – 200 University Avenue

1. With regard to approving the setback and daylight plane variances, the Design Review Commission finds the following in accord with Section 14.82.050 of the Municipal Code:

   a. The granting of the variances is consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02 because the project maintains an appropriate relationship with the adjacent properties and is consistent with the intent of the R1-10 District regulations;

   b. The granting of the variances will not be detrimental to the health, safety, or welfare of persons living or working in the vicinity or injurious to property or improvements in the vicinity because the project is well screened and minimally visible from any adjacent public streets or nearby properties; and

   c. There is a special circumstance applicable to the property since it is located within a 100-year flood zone, is significantly encumbered with a drainage and conservation easement, and has the Adobe Creek corridor located on the north and east portions of the site. Strict application of the R1-20 District setback requirements would create an odd-shaped and constrained building envelope that would deprive the property of the ability to build a reasonably sized dwelling unit and strict application of the daylight plane would limit the ability to construct a reasonably size second story addition. Application of the R1-10 District regulations would be consistent with the privileges enjoyed by other property in the vicinity since all adjacent properties in the City of Los Altos are designated R1-10.

2. With regard to the two-story addition to an existing one-story house, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code:

   a. The proposed addition complies with all provision of this chapter;

   b. The height, elevations, and placement on the site of the addition, 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 addition in relation to the immediate neighborhood will minimize the perception of excessive bulk and mass;

   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 addition has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

CONDITIONS

16-V-11 and 16-SC-47 – 200 University Avenue

GENERAL

1. **Approved Plans**
   This approval is based on the plans received on December 6, 2016 and January 25, 2017, and the written application materials provided by the applicant, except as may be modified by these conditions.

2. **Encroachment Permit**
   Obtain an encroach permit issued from the Engineering Division prior to doing any work within the public street right-of-way.

3. **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.

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

5. **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.

6. **Exterior Copper**
   All copper roofs, gutters and/or downspouts, and other architectural copper shall drain to a landscaped area and comply with the "Requirements for Copper Roofs and Other Architectural Copper" handout.

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 BUILDING PERMIT SUBMITTAL

8. **Conditions of Approval**
   Incorporate the conditions of approval into the title page of the plans.

9. **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."

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. **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.

12. **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.

13. **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 ISSUANCE OF BUILDING OR DEMOLITION PERMIT

14. **Tree Protection**
    Tree protection fencing shall be installed around the dripline of all existing trees that are in proximity to the area of construction, 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 FINAL INSPECTION

15. **Landscaping Installation**
    All landscaping and trees shall be maintained and/or installed as shown on the approved plans and as required by the Planning Division.

16. **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).

ATTACHMENT A

CITY OF LOS ALTOS

GENERAL APPLICATION

Type of Review Requested: *(Check all boxes that apply)* Permit # 1107440

	One-Story Design Review		Commercial/Multi-Family		Environmental Review
X	Two-Story Design Review		Sign Permit		Rezoning
	Variance		Use Permit		R1-S Overlay
	Lot Line Adjustment		Tenant Improvement		General Plan/Code Amendment
	Tentative Map/Division of Land		Sidewalk Display Permit		Appeal
	Historical Review		Preliminary Project Review		Other:

Project Address/Location: 200 UNIVERSITY AVENUE

Project Proposal/Use: SINGLE FAMILY Current Use of Property: SINGLE FAMILY

Assessor Parcel Number(s): 175-25-064 Site Area: 26,763.66

New Sq. Ft.: 2,982 Altered/Rebuilt Sq. Ft.: -0- Existing Sq. Ft. to Remain: 1,000 GUEST 640 GARDEN 32

Total Existing Sq. Ft.: 1,672 Total Proposed Sq. Ft. (including basement): -0-

Applicant's Name: ABIGAIL AHRENS

Telephone No.: (650) 303-6773 Email Address: abby@teamabigail.com

Mailing Address: 329 SO SAN ANTONIO ROAD - SUITE 6

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

Property Owner's Name: Abby Ahrens, TRUSTEE

Telephone No.: _____ Email Address: _____

Mailing Address: _____

City/State/Zip Code: _____

Architect/Designer's Name: JONATHAN MANSOUR

Telephone No.: (408) 218-1251 Email Address: jonathanmansour@sbcglobal.net

Mailing Address: use above

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 finaled prior to obtaining your building permit. Please contact the Building Division for a demolition package. * * *

(continued on back)

16-V-11 and 16-SC-47

ATTACHMENT B

200 University Avenue

The History

In 1982 the historic property at 220 University was subdivided and I purchased the land on the other side of the creek being approximately 1.3 acres fronting Old Altos Road in Los Altos Hills.

Years passed and although plans for a main residence and a guest house were created and approved only the slate roofed guest house of 1,000 square feet (under Los Altos Hills rules) was constructed.

Chuck and Nan Geshke purchased the historic 220 residence and made a rather unusual request of me. Would I sell them half of my property so that they might be able to have an entertaining rear yard. While I was willing, the task seemed daunting. I applied to Los Altos Hills to be released and Los Altos to be accepted. Taking the request to LAFCO I was ultimately able to change the boundary between the two cities, returning the historic property to the City of Los Altos where it was subdivided in 1996 and half returned to the original estate to be a part of our towns history.

The Grounds

Reached via the new bridge from University, this creek side park of more than a half acre boasts a multitude of mature trees and plantings in a garden setting. Although the drought has been devastating there are more trees than one can count, boxwoods galore, roses, fruit trees and best of all an amazing pool like Bellagio fountain.

Today two small exquisite homes exist with a garden building, the original charming stone bridge that crosses the creek and a stone patio.

It is astonishing that the property is so far below and far away from its' neighbors that for all visual and privacy purposes even a two story addition placed behind the existing one story will have no impact on them.

The smaller trellised guest house will remain as it is. It meets all setbacks and code requirements for size. The larger home will be slightly remodeled and added to so that it might reflect well on its' neighborhood.

Variance...Why

The Town of Los Altos Hills imposed numerous requirements in return for allowing the property to return to Los Altos. The one with the greatest impact today was requiring that the zoning not allow for any further subdivision making it R1-20 in a neighborhood that is all R1-10. While it was common sense that the retained site could not be further divided with its' new access over the bridge from University Avenue the increased setbacks were not considered at that time. The focus was on the Old Altos parcel adjacent to LAH.

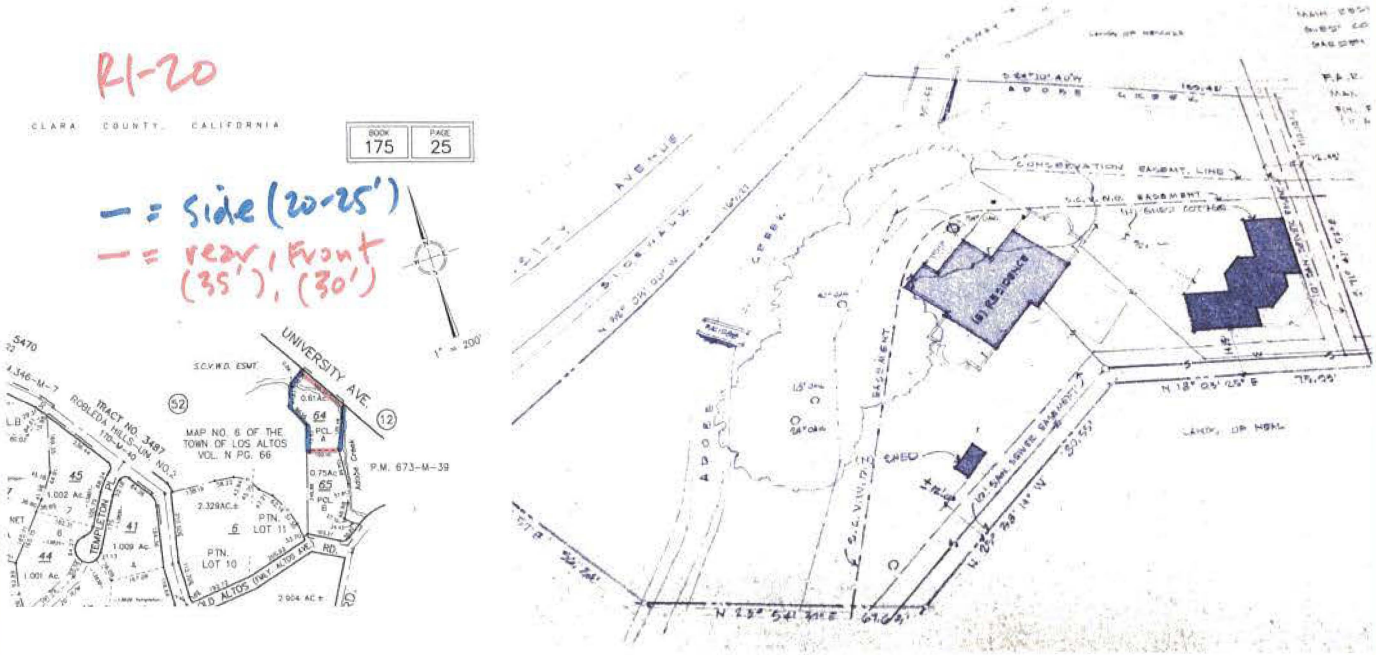
Santa Clara Valley Water District has an easement that covers a majority of the property and severely limits the site. A Conservation easement is also a consideration plus the City has sewer easements running in two different directions.. The site is more than a half acre yet severely encumbered.

Unlike most homes in this zoning, neighbors here are at a distance and considerably higher. Without the variances requested, high quality architecture, a logical floorplan and the environmentally sound retention of the existing slate roof house won't be possible.

The unique shape , topography, setbacks and easements imposed on this parcel definitely deprive the subject property of privileges enjoyed by everyone else. Granting the requests will make this property's development **more consistent** with the neighborhood and thereby not detrimental to the community.

Thank you for your time and consideration,

Abby Ahrens



ATTACHMENT C

BKF 100+ YEARS
ENGINEERS . SURVEYORS . PLANNERS

TECHNICAL **MEMORANDUM**

Date: 09/01/2016 BKF Job Number: 20160134

Deliver To: Abby Ahrens
200 University Avenue
Los Altos, CA

From: Dale Leda, PE

Subject: Proposed Addition – Floodplain Assessment

This memo has been prepared to summarize the results of the Preliminary FEMA Assessment conducted for 200 University Avenue, Los Altos by BKF Engineers. BKF's findings and recommendations for the existing and proposed improvements are based on our review of FEMA Flood Map #06085C0038H, a topographic survey prepared by Wade Hammond, LS (Benchmark: S.C.V.W.D. #288, Elevation: 186.23 NAVD88), and HEC-RAS data for Adobe Creek provided by the Santa Clara Valley Water District.

Having reviewed the topographic survey and FEMA Map, the existing house meets the elevation guidelines outlined in section 12.60.140 of the Los Altos Municipal Code. The existing finished floor elevation of 190.0 ± is approximately two feet higher than the base flood elevation of 188.0 ±.

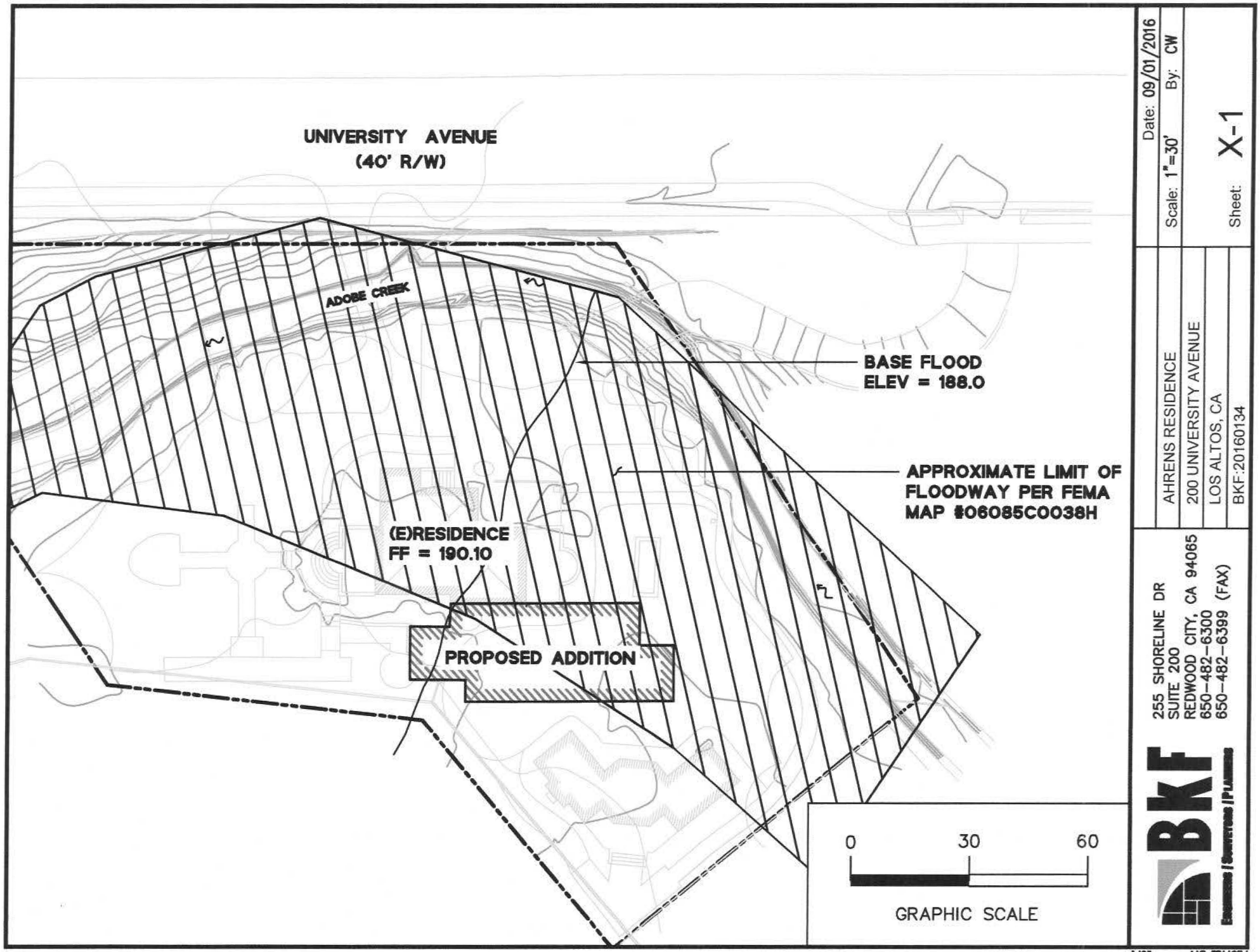
A portion of the proposed addition lies within the floodway as delineated on FEMA Flood Map. Based on section 12.60.190 of the Los Altos Municipal Code, any encroachment into the floodway shall only be permitted if "the encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge." It is our recommendation that this requirement be met by having a raised finished floor using pier and grade beam (or comparable) construction that allows for the passage of water up to 12" above the base flood elevation (See attached exhibits). In addition to constructing the addition in this manner, minor site improvements around the building are required to increase the capacity of the channel due to lost capacity created by the piers.

Once the foundation has been designed and detailed, BKF can review to determine their effect on the floodway capacity. Once complete, we would be able to provide site grading recommendations to maintain an equivalent channel section in the floodway.

Sincerely,

BKF Engineers

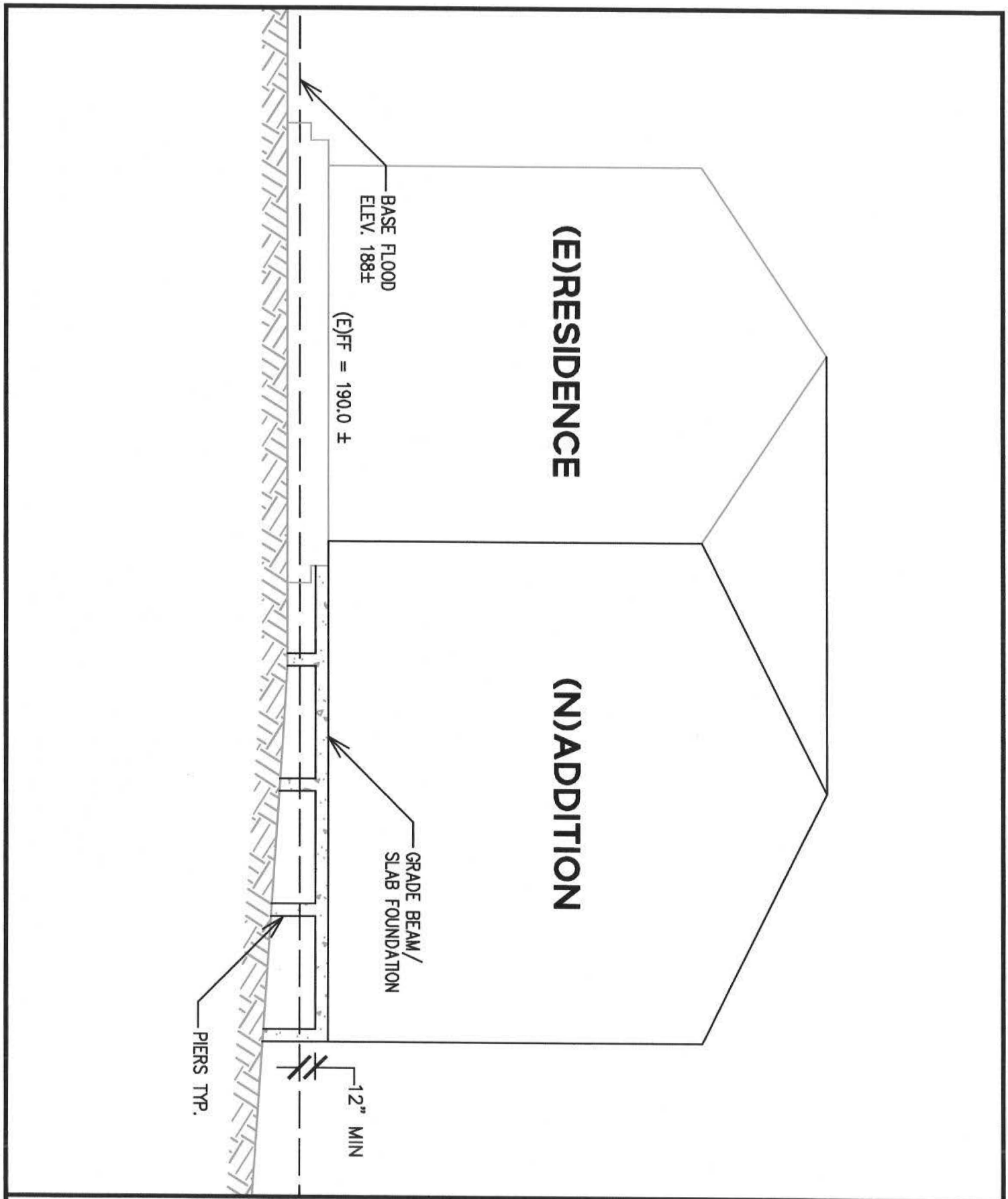
Dale Leda, PE
Project Manager



Date: 09/01/2016
Scale: 1"=30'
By: CW
Sheet: X-1

AHRENS RESIDENCE
200 UNIVERSITY AVENUE
LOS ALTOS, CA
BKF:20160134

BKF
Engineers | Surveyors | Planners
255 SHORELINE DR
SUITE 200
REDWOOD CITY, CA 94065
650-482-6300
650-482-6399 (FAX)

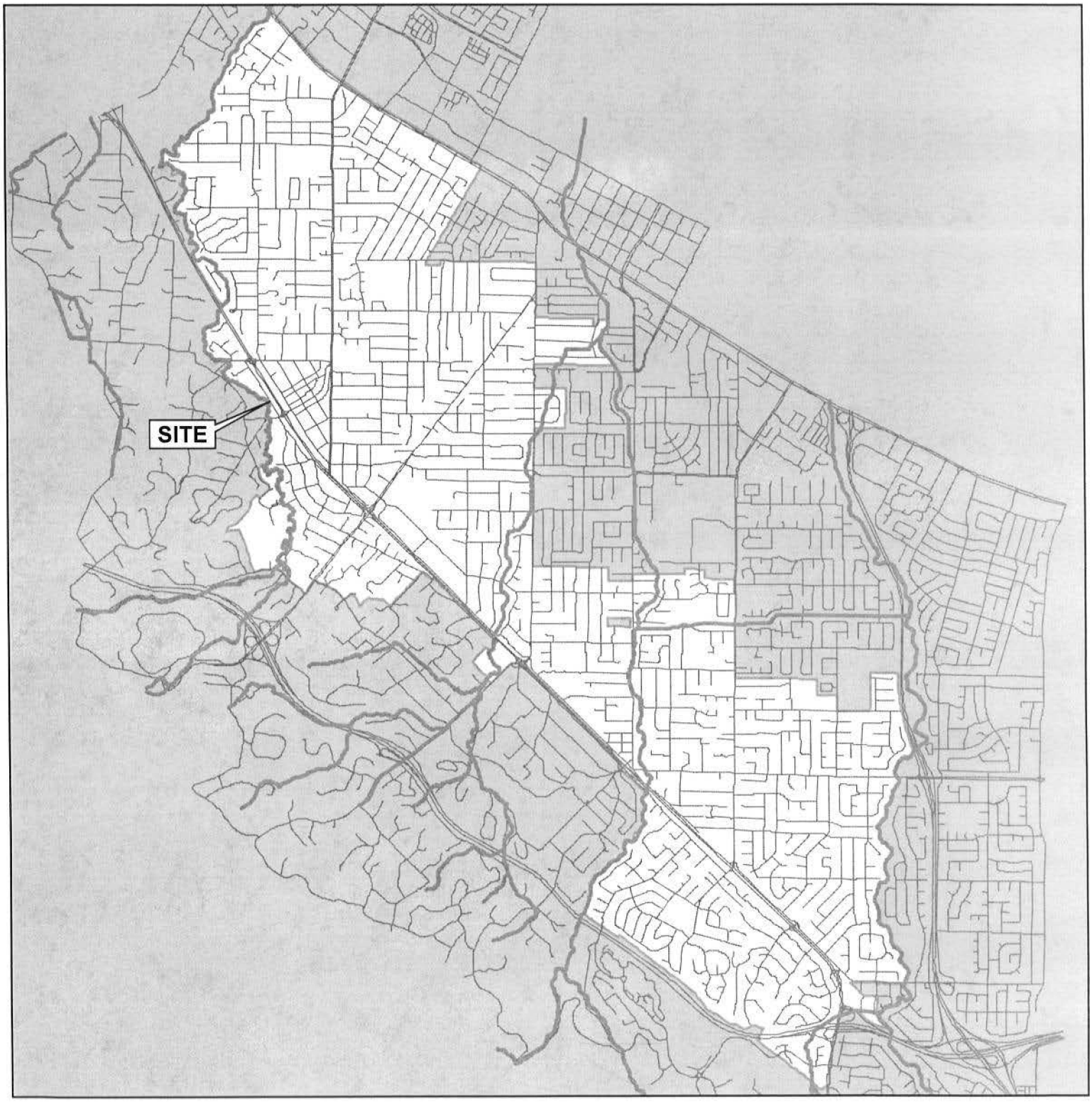


BkF
ENGINEERS | SURVEYORS | PLANNERS
255 SHORELINE DR
SUITE 200
REDWOOD CITY, CA 94065
650-482-6300
650-482-6399 (FAX)

	Date: 09/01/2016
AHRENS RESIDENCE	Scale: NO SCALE By: CW
200 UNIVERSITY AVENUE	
LOS ALTOS, CA	Sheet: X-2
BKF:20160134	

ATTACHMENT D

AREA MAP



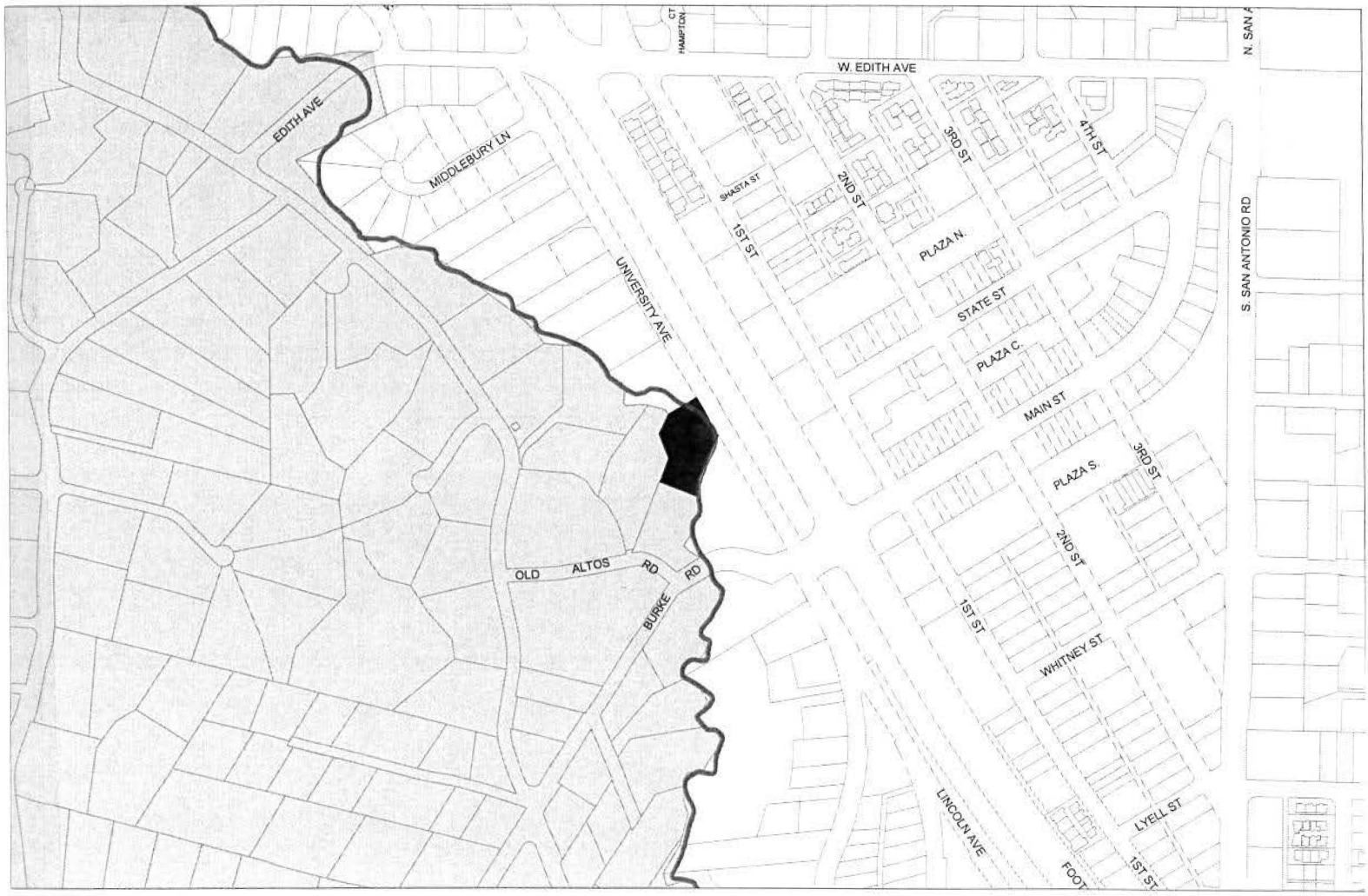
CITY OF LOS ALTOS

APPLICATION: 16-V-11 and 16-SC-47
APPLICANT: A. Ahrens
SITE ADDRESS: 200 University Avenue

N

Not to Scale

VICINITY MAP



SCALE 1 : 6,000

500 0 500 1,000 1,500

FEET

N

CITY OF LOS ALTOS

APPLICATION: 16-V-11 and 16-SC-47
APPLICANT: A. Ahrens
SITE ADDRESS: 200 University Avenue

200 University Avenue 500-foot Notification Map

SCALE 1 : 2,000

100 0 100 200 300

FEET

N

ATTACHMENT E

EXISTING BUILDING VIEW

EXTERIOR MATERIALS

Ⓐ ROOF : NATURAL SLATE BLEND TO MATCH EXISTING

Ⓑ STUCCO: COLOR INTEGRATED SEMI SMOOTH FINISH
COLOR : TO MATCH EXISTING

Ⓒ WINDOWS: ALUMINIUM CLADDED WOOD CASEMENTS
COLOR: WHITE TO MATCH EXISTING

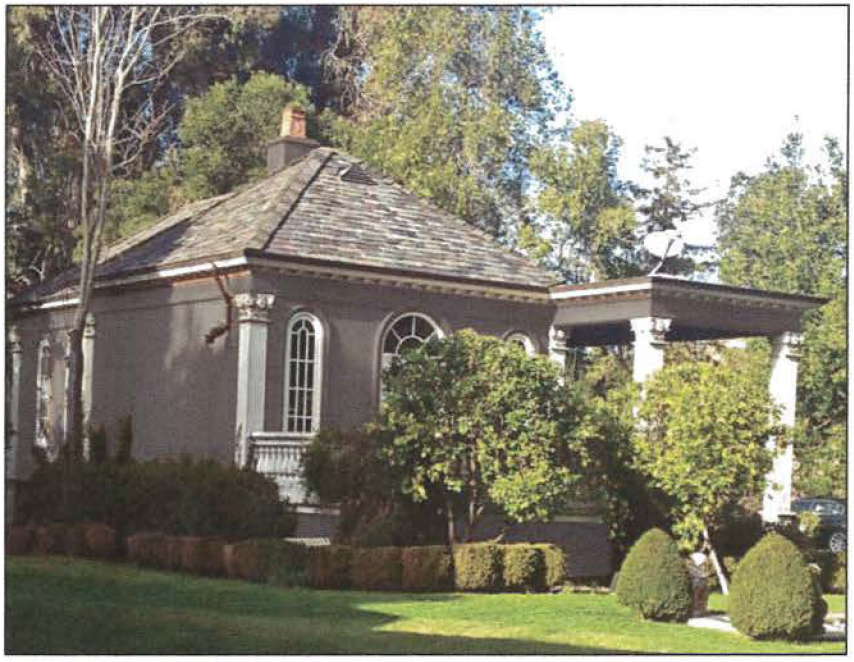
Ⓓ SHUTTERS : SOLID CEDAR WOOD
COLOR: WHITE TO MATCH EXISTING

Ⓔ WOOD PANELING: CEDAR BOARDS
COLOR: TBD

Ⓕ GARAGE DOOR: SECTIONAL WOOD.& CLEARSTORY WINDOWS

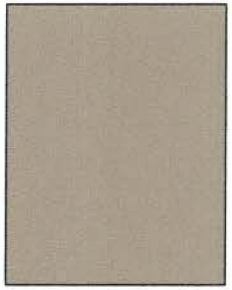
Ⓖ NEW GUARD RAILS AT 2ND FLOOR: WROUGHT IRON
COLOR: BLACK

Ⓗ FLOW THRU COLAPSABLE FLOOD GATES
COLOR: MATCH EXITING

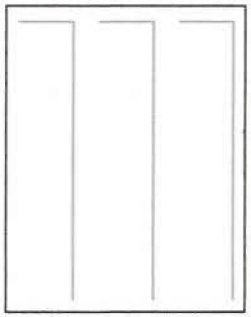


EXISTING BUILDING VIEW

SLATE ROOF (MATCH EXISTING)



STUCCO COLOR (MARCH E.)
278 TRABUCO (LA HABRA STUCCO)



CEDAR WOOD GARAGE DOOR
COLOR: CHEST NUT OR WHITE

COLOR & MATERIAL

200 UNIVERSITY
LOS ALTOS, CA 94022