

DATE: August 14, 2013

AGENDA ITEM # 4

**TO:** Design Review Commission  
**FROM:** Sean K. Gallegos, Assistant Planner  
**SUBJECT:** 13-SC-11 – 24 Oak Street

**RECOMMENDATION:**

Approve design review application 13-SC-11 subject to the listed findings and conditions.

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**PROJECT DESCRIPTION**

This is a design review application for an addition and remodel to an existing single-story, single-family structure. The proposed project will add 320 square feet on the first story and 1,175 square feet on the second story. The following table summarizes the project:

**GENERAL PLAN DESIGNATION:** Single-family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 10,873 square feet  
**MATERIALS:** Composition asphalt shingle, stained cedar siding, stucco finish, wood windows, engineered wood window and trim, copper gutters and wood entry door

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>LOT COVERAGE:</b>	2,371 square feet	2,792 square feet	3,262 square feet
<b>FLOOR AREA:</b>			
First floor	2,307 square feet	2,2627 square feet	
Second floor		1,175 square feet	
Total	2,307 square feet	3,802 square feet	3,805 square feet
<b>SETBACKS:</b>			
Front	25 feet	25 feet	25 feet
Rear	25 feet	25 feet	25 feet
Right side	6.7 feet	20 feet/ 23 feet	10 feet/17.5 feet
Left side	5 feet	17 feet/ 22 feet	10 feet/17.5 feet
<b>HEIGHT:</b>	16 feet	25 feet	27 feet

## **BACKGROUND**

The subject property is located in a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The neighborhood is comprised primarily of one-story, Ranch style structures (low-pitched gable and Dutch gable roofs) that have simple forms and rustic materials. The structures are similar in massing and building footprint with a uniform pattern of 25-foot front yard setbacks. There is not a distinctive street tree and landscape pattern along Oak Street.

## **DISCUSSION**

According to the Design Guidelines, in Consistent Character Neighborhoods, good neighbor design has design elements, materials and scale found within the neighborhood and sizes that are not significantly larger than other structures in the neighborhood. Proposed projects should fit in and lessen abrupt changes.

The proposed structure has an architectural design that relates well to the immediate vicinity. The proposed second story addition is well integrated into the existing contemporary Ranch style using design elements and materials that are compatible with the existing structure and found in the neighborhood. The elements used by the proposal include the medium-pitch, gable roof form, two-car garage, and recessed porch. Overall, the proposal creates well-integrated design that does not create an abrupt change in the neighborhood.

The addition is orientated on the lot to maintain greater than required setbacks for the second story. This is beneficial in a consistent character neighborhood because visually the structure appears less prominent in the context of surrounding properties. The structure is designed with a recessed second story that orients the massing to face the front of the property. The massing when viewed from second-story is stepped back on the sides to reduce its width on the street. The length of the second story walls and windows facing the adjacent properties are designed to minimize the bulk on the neighbors.

The project reduces the perception of bulk and is consistent with the scale of other structures found in the neighborhood. The wide and the four-foot deep front porch emphasize the horizontal profile of the first story. The placement of the second story and low wall plate height help reduce the perception of both mass and bulk from the front elevation. From the rear elevation, there is a trellis and second-story balcony at the rear to help break up the two-story massing. The proposed structure is two feet shorter than the maximum permitted height in a neighborhood with mostly 17- to 20-foot tall, single-story structures. Overall, the two-story design is well integrated, proportioned and articulated to minimize the height and perceived bulk and is therefore appropriate with the neighborhood character.

### **Privacy and Landscaping**

On the left (south) side elevation of the second story, there are two windows: one located in the master bathroom with a three-foot sill height and one located in bedroom No. 3 with a six-foot sill height. The applicant worked with the staff to eliminate a proposed balcony for bedroom No. 3 to respond to a neighbor's privacy concerns. In order to ensure that there are

no unreasonable privacy impacts, the side-facing window is set back considerably (33-feet) and its view is obscured by obscured by the first story ridge. Staff also recommends a fast growing evergreen screening be planted along the left side and rear property lines in order to further minimize privacy impacts (Condition No 3.).

There are two windows on the right (north) side elevation: one window is located in bedroom No. 4 with a sill height of six feet, and one window is located in a bathroom with a three-foot still height. The bathroom window may create a privacy impact due to direct views into an adjacent structure and yards. The applicant worked with staff to incorporate fast growing evergreen screening along the right property line and revised the bathroom window with a higher sill height.

The project also includes a balcony on the rear elevation off the master bedroom. This balcony, which is 13 feet wide and five feet deep, primarily faces the rear yard, but has some exposure to the side property lines. To provide additional privacy screening, the applicant has proposed new Sweetshade trees, Strawberry Madrone trees, Assorted Fruit trees, and Oldham Bamboo along the side and rear property lines. Since, the balcony's size and placement is not integral to the architectural design of the structure and its size creates the potential for noise and privacy impacts, staff recommends the balcony be reduced to a four feet depth (Condition No. 4). As outlined in the Residential Design Guidelines, limiting the depth of a balcony to four feet will create a more passive use area that is less likely to create a privacy impact.

The property contains three Oak trees, located along the front property line, and a mixture of other younger trees. The existing trees in the front yard will remain and satisfy the City's Street Tree requirements. The proposal recommends conditions to incorporate tree protection guidelines to maintain and preserve the trees during construction.

## CORRESPONDENCE

Staff received an email from residents (left (south) side of the subject site) who have the following concerns:

- Non-conforming lot line: The existing structure is five feet from the side property line. As a result, the second story addition accentuates the non-conforming natures and closeness of the proposed structure.

Staff notes that the legal non-conforming structure does not remove more than 50 percent of the existing structure and it does not "alter or enlarge" the existing nonconformity. Therefore, the proposed design is consistent with the nonconforming section (14.66.060-14.66.110) of the Los Altos Municipal Code. The bathroom and bedroom No. 3 windows are located approximately 22 and 30 feet respectively from the side property line, and the views to the left are diminished by the first floor gable roof.

- Privacy: The proposed addition includes windows and a balcony that directly overlooks our backyard.

Staff notes that privacy concerns are discussed under the Privacy and Landscaping Section.

- Removed Protected Trees: The current owner removed trees (including a mature oak tree with a 14-inch diameter).

According to Section 11.04.080 (Protected Trees) of the Los Altos Municipal Code, a protected tree is “any tree with a circumference of forty-eight (48) inches” or a diameter of 15.3 inches. An oak tree with a 14-inch diameter is not protected under the Tree Protection Regulations; therefore, the property owner was not required to obtain a tree removal permit.

- Landscaping: The replacement trees for the landscape plan should be non-deciduous trees that have a minimum height of 16 feet and a six- to eight-foot width when planted providing similar screening to those removed.

Staff notes that the proposed landscaping along the sides and rear property lines, include Sweetshade trees (height of 40 feet), Strawberry Madrone trees (height of 50 feet), Assorted Fruit trees, and English Laurel (height of 15-20 feet). A smaller (minimum 15-gallon) screening plant is recommended to allow plants to establish faster and maintain good plant health.

## MISCELLANEOUS

The proposed trellis is required to maintain a ten-foot side yard setback; however, it proposes a two-foot setback. Staff recommends the trellis be revised to maintain a 10-foot side yard setback (Condition 5).

## 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.

Cc: Amnon Levy, Applicant and Designer  
Michael Brinkman, Owner

### Attachments:

- A. Application
- B. Neighborhood Compatibility Worksheet
- C. Area Map and Vicinity Map
- D. Neighbor Letter from 215 West Edith

## FINDINGS

13-SC-11—24 Oak Street

1. With regard to design review for the two-story structure, the Design Review Commission finds the following in accordance with Section 14.76.050 (A-F) 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.

## CONDITIONS

13-SC-11—24 Oak Street

1. The approval is based on the plans received on August 5, 2013 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. An encroachment permit must be issued from the Engineering Division prior to doing any work within the public street right-of-way.
3. Provide a landscape plan showing a fast growing evergreen landscape screenings or trees along the north, south and west property line. The plants shall be a minimum of 15 gallon in size.
4. Revise the plans for the rear second story balcony to have a depth of four feet.
5. Revise the plans for the trellis to maintain a 10-foot side yard setback.
6. All existing (proposed to remain) and proposed privacy screening and trees along the left, right, and rear property lines, as shown on the site plan are protected under this application and cannot be removed without a tree removal permit from the Community Development Director.
7. **Prior to the issuance of a demolition permit**, install tree protection fencing around the dripline, or as required by the project arborist, of the existing trees in the front yard 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. **The tree protection fencing shall not be removed until the building permit is ready for final.**
8. **Prior to zoning clearance, the project plans shall contain/show:**
  - a. The conditions of approval shall be incorporated into the title page of the plans.
  - b. 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." **The tree protection fencing shall be installed prior to issuance of the demolition permit and shall not be removed until all building construction has been completed.**
  - c. Verification that the house will comply with the City's Green Building Standards (Section 12.66 of the Municipal Code) from a Qualified Green building Professional.
  - d. Fire sprinklers to be installed pursuant to Section 12.10 of the Municipal Code.
  - e. The location of underground utilities pursuant to Section 12.68 of the Municipal Code. Underground utility trenches should avoid the drip-lines of all protected trees.

- f. The location of any air conditioning equipment on the site plan and the sound rating for such equipment.
  - g. Show the measures to comply 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.).
9. **Prior to final inspection:**
- a. All front landscaping and privacy screening shall be maintained and/or installed as required by the Planning Division.
  - b. Submit verification that the house was built in compliance with the California Green Building Standards pursuant to Section 12.66 of the Municipal Code.







# ATTACHMENT A

## CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1105632

<input type="checkbox"/>	One-Story Design Review	<input type="checkbox"/>	Sign Review	<input type="checkbox"/>	Multiple-Family Review
<input checked="" 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 type="checkbox"/>	Other:

Project Address/Location: 24 OAK ST-

Project Proposal/Use: RESIDENCE

Current Use of Property: RESIDENCE

Assessor Parcel Number(s) 167-36-012 Site Area: 10873

New Sq. Ft.: ~~1495.56~~ Remodeled Sq. Ft.: 1945 Existing Sq. Ft. to Remain: \_\_\_\_\_

Total Existing Sq. Ft.: 2370.6 Total Proposed Sq. Ft. (including basement): 3802.56

Applicant's Name: AMNON LEVY

Home Telephone #: 408 209 8346 Business Telephone #: 650 493 7873

Mailing Address: ASHFORD ASSOC. A155 #A EL CAMINO WAY

City/State/Zip Code: PALM ALTO, CA 94306

Property Owner's Name: MICHAEL BRINKMAN

Home Telephone #: 650-924 8443 Business Telephone #: \_\_\_\_\_

Mailing Address: 24 OAK STREET

City/State/Zip Code: LOS ALTOS 94022

Architect/Designer's Name: AMNON LEVY Telephone #: 650 493 7873

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 Department for a demolition package. \* \* \*

(continued on back)





## 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 1<sup>st</sup> 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.

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 24 Oak St

Scope of Project: Addition or Remodel , New Home

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

Is the existing house listed on the City's Historic Inventory? no

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

Date: \_\_\_\_\_

## What constitutes your neighborhood?

There is no clear answer to this question. For the purpose of this worksheet consider first your street and the two contiguous homes on either side of your property and the five to six homes across the street (nine to ten homes). At the minimum, these are the houses that you should photograph. For some, the homes behind you may also be a consideration and 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: 10837 square feet

Lot dimensions: Length 131.48 feet

Width 80.485 feet

If your lot is significantly different than those in your neighborhood, then note its: area \_\_\_\_\_, length \_\_\_\_\_, and width \_\_\_\_\_.

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

? Existing front setback if home is a remodel? 25

cannot measure What % of the front facing walls of the neighborhood homes are at the front setback 50 %

Existing front setback for house on left N/A ft./on right 25 ft.

Do the front setbacks of adjacent houses line up? ABOUT

#### 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 3

Garage facing front recessed from front of house face 1

Garage in back yard 1

Garage facing the side 3

Number of 1-car garages 9; 2-car garages 9; 3-car garages 0

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

Date: \_\_\_\_\_

**4. Single or Two-Story Homes:**

What % of the homes in your neighborhood\* are:

One-story 80%

Two-story 20%

**5. Roof heights and shapes:**

Is the overall height of house ridgelines generally the same in your neighborhood\*? \_\_\_\_\_

Are there mostly hip \_\_\_\_, gable style \_\_\_\_, or other style \_\_\_\_ roofs\*?

Do the roof forms appear simple \_\_\_\_\_ or complex \_\_\_\_\_?

Do the houses share generally the same eave height \_\_\_\_\_?

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

What siding materials are frequently used in your neighborhood\*?

\_\_ wood shingle \_\_ stucco  board & batten \_\_ clapboard  
\_\_ tile \_\_ stone \_\_ brick \_\_ combination of one or more materials  
(if so, describe) \_\_\_\_\_

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

If no consistency then explain: \_\_\_\_\_  
\_\_\_\_\_

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

Does your neighborhood\* have a consistent identifiable architectural style?

YES  NO

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

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

Date: \_\_\_\_\_

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

Does your property have a noticeable slope? N/A

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?

**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.)?

BIG TREES  
\_\_\_\_\_  
\_\_\_\_\_

How visible are your house and other houses from the street?

5% ARE  
\_\_\_\_\_  
\_\_\_\_\_

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)?

DIRT  
\_\_\_\_\_  
\_\_\_\_\_

**10. Width of Street:**

What is the width of the roadway paving on your street in feet? \_\_\_\_\_

Is there a parking area on the street or in the shoulder area? YES

Is the shoulder area (unimproved public right-of-way) paved, unpaved, gravel, landscaped, and/or defined with a curb/gutter? UNPAVED

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

Date: \_\_\_\_\_

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.:

\_\_\_\_\_ *Not cohesive* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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)? 2  
 YES  NO
- F. Do you have active CCR's in your neighborhood? (*p.36 Building Guide*) 2  
 YES  NO
- G. Do the houses appear to be of similar size as viewed from the street? 2  
 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: \_\_\_\_\_  
 Date: \_\_\_\_\_

### Summary Table

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

Address	Front setback	Garage location	One or two stories	Height	Materials	Architecture (simple or complex)
215 EBITH	25	FRONT	1 1/2	~18'	SIDING	ART & CRAFT
34	25	FRONT	1	~14'	SIDING	RANCH
39	25	FRONT	1	~16'	STUCCO	MEDETERAN
50	25	FRONT	1	~18'	STUCCO & STONE	TUDOR
51	25	FRONT	1	~16'	SIDING	RANCH
69	35	FRONT	2	~27'	STUCCO	MED





24 OAK ST.



34 OAK ST.



233 EDITH ✓



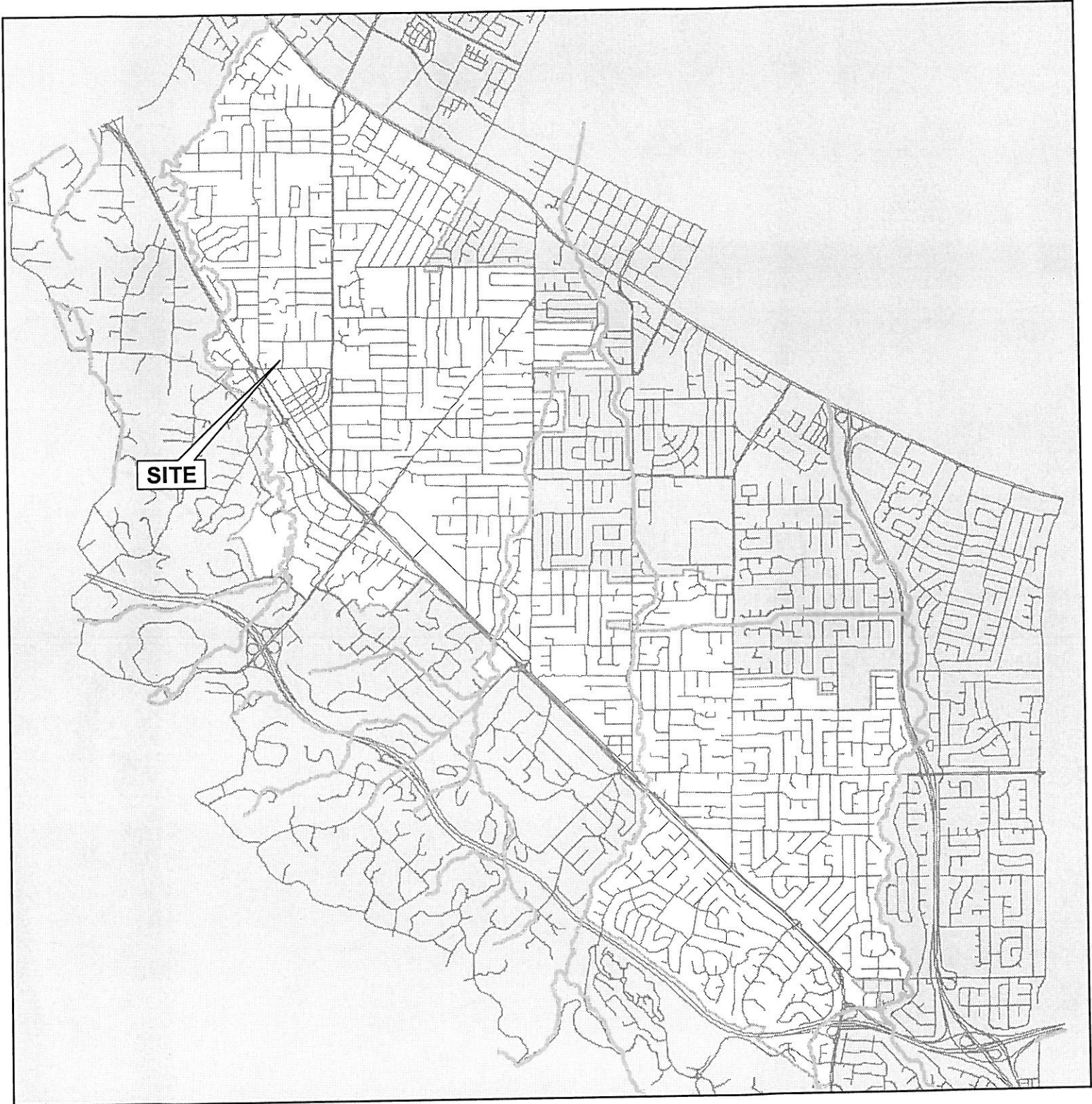
215 EDITH ✓



17 OAK ST. \_\_\_\_\_

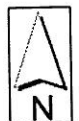


# AREA MAP



CITY OF LOS ALTOS

**APPLICATION:** 13-SC-11  
**APPLICANT:** A. Levy/ M. Brinkman  
**SITE ADDRESS:** 24 Oak Street



Not to Scale

# VICINITY MAP



SCALE 1 : 6,000



## CITY OF LOS ALTOS

**APPLICATION:** 13-SC-11  
**APPLICANT:** A. Levy/ M. Brinkman  
**SITE ADDRESS:** 24 Oak Street

# ATTACHMENT D

David W. Young  
Deborah M. Alcorn  
215 West Edith Ave  
Los Altos, CA 94022



July 9, 2013

Mr. Sean Gallegos  
Associate Planner  
City of Los Altos  
One North San Antonio Road  
Los Altos, CA 94022

Reference: Proposed Second Story Addition for 24 Oak Street, Los Altos

Dear Mr. Gallegos,

Our property is located adjacent to 24 Oak Street with our backyard bordering the Southern lot line of 24 Oak Street. We are expressing our concerns regarding the proposed two story addition to the existing home:

- Non-conforming lot line: the existing structure is ~5 feet from our property line. Additionally, the property line has a "jog" which creates only a 3 foot setback at the rear of the structure. We understand that for a remodel if the existing perimeter structure remains as is, the non-conforming setbacks remain intact. That said, the addition of a second story from our point of view accentuates the non-conforming nature and closeness of the proposed structure.
- Privacy: the proposed addition includes windows and balconies that directly overlook our back yard. Having now spoken with the owner, it is our understanding that the plan is being revised. That said, any widows, glass doors or balconies of any size or depth looking towards/viewing our backyard will impact our privacy.
  - Additionally, the current owner removed trees (including a mature oak tree with ~14" diameter) and hedges that provided significant privacy.
- Landscaping: After reviewing the proposed plan we understand trees will be planted to provide some level of privacy replacing the trees and hedges that were removed. We believe since the trees and hedges that were removed were very mature, trees with similar maturity and screening need to be used. Specifically, non-deciduous trees that have a minimum 16 foot height and 6-8 feet width when planted proving similar screening to those removed.

Please contact us if there are questions or we need to discuss further. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that appears to read "D. Young".

David W. Young

A handwritten signature in black ink that appears to read "D. Alcorn".

Deborah M. Alcorn