



DATE: December 4, 2013

AGENDA ITEM # 2

**TO:** Design Review Commission  
**FROM:** David Kornfield, Planning Services Manager  
**SUBJECT:** 00-SC-107 – 730 S. El Monte Avenue, Lot 2

**RECOMMENDATION:**

Approve modification to design review application 00-SC-107 subject to the listed findings and condition

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**BACKGROUND**

The property owner, which is building out the second parcel of a development, requests a design change to increase the height of the upper level walls by one foot. Staff referred this change to the Commission since it is a substantial change to a Commission-level project. The project was noticed.

This longstanding project was approved in January of 2003 following a protracted design process that eventually included variances for retaining walls behind the structure to help minimize the height of the project. The original design was subject to a subdivision condition that limited the overall height of all structures to a height of 308 feet (mean sea level).

The height limit resulted in an approved structure at an effective height of 27 feet above their average finished grade (approximately 301 feet above mean sea level). This was seven feet below the subdivision height limit and at the relative 27-foot, topographic height limit allowed by the Code. The approval also allowed the partially exposed garage basement with the minimization of the three-story appearance from the street.

**DISCUSSION**

The proposed change would increase the height of upper story by one foot but retain the overall relative height of 27 feet by maintaining same roof forms but flattening a portion. This would result in uniform upper level wall plates of 10.5 feet versus the approved range of wall plates from nine and a half feet to 10.5 feet with an internally stepped floor. The plans include the approved building elevations and the proposed building elevations.

Staff supports this proposed change since it maintains the original design concept and meets the subdivision condition. There should not be any substantial changes to views, bulk or privacy from the slightly taller walls. If the Commission approves this change the original conditions of approval would remain in effect.

Cc: Lawrence Wu, Property Owner  
Rodger Griffin, Designer

Attachments:

- A. Application
- B. Area and Vicinity Maps
- C. Original Conditions of Approval dated February 3, 2003

## FINDINGS

00-SC-07—730 S. El Monte Avenue, Lot 2

With regard to the design modification, the Design Review Commission finds the following in accordance with the relevant elements of Section 14.76.050 of the Municipal Code:

- A. The proposed project 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 orientation of the proposed structure in relation to the immediate neighborhood will minimize the perception of excessive bulk and mass; and
- D. 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.

**CONDITIONS**

00-SC-07—730 S. El Monte Avenue, Lot 2

1. The approval is based on the plans received on November 22, 2013.
2. The conditions of approval dated February 3, 2003 shall remain in effect.



# ATTACHMENT A

## CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1105911

<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 checked="" type="checkbox"/>	Other: <u>MODIFICATION</u>

Project Address/Location: 730 S. EL MONTE AVE.  
 Project Proposal/Use: DESIGN CHANGE - SINGLE FAMILY DWELLING  
 Current Use of Property: SINGLE FAMILY RESIDENCE  
 Assessor Parcel Number(s) 336-02-065 Site Area: \_\_\_\_\_  
 New Sq. Ft.: \_\_\_\_\_ Remodeled Sq. Ft.: \_\_\_\_\_ Existing Sq. Ft. to Remain:   
 Total Existing Sq. Ft.: \_\_\_\_\_ Total Proposed Sq. Ft. (including basement): \_\_\_\_\_

Applicant's Name: LAWRENCE WU  
 Home Telephone #: (CELL) 408-806-0660 Business Telephone #: \_\_\_\_\_  
 Mailing Address: 1319 BLOSSOM HILL RD.  
 City/State/Zip Code: SAN JOSE, CA. 95118

Property Owner's Name: SAME AS ABOVE  
 Home Telephone #: \_\_\_\_\_ Business Telephone #: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip Code: \_\_\_\_\_

Architect/Designer's Name: RODGER GRIFFIN Telephone #: 408-358-3707  
PARAGON DESIGN GROUP

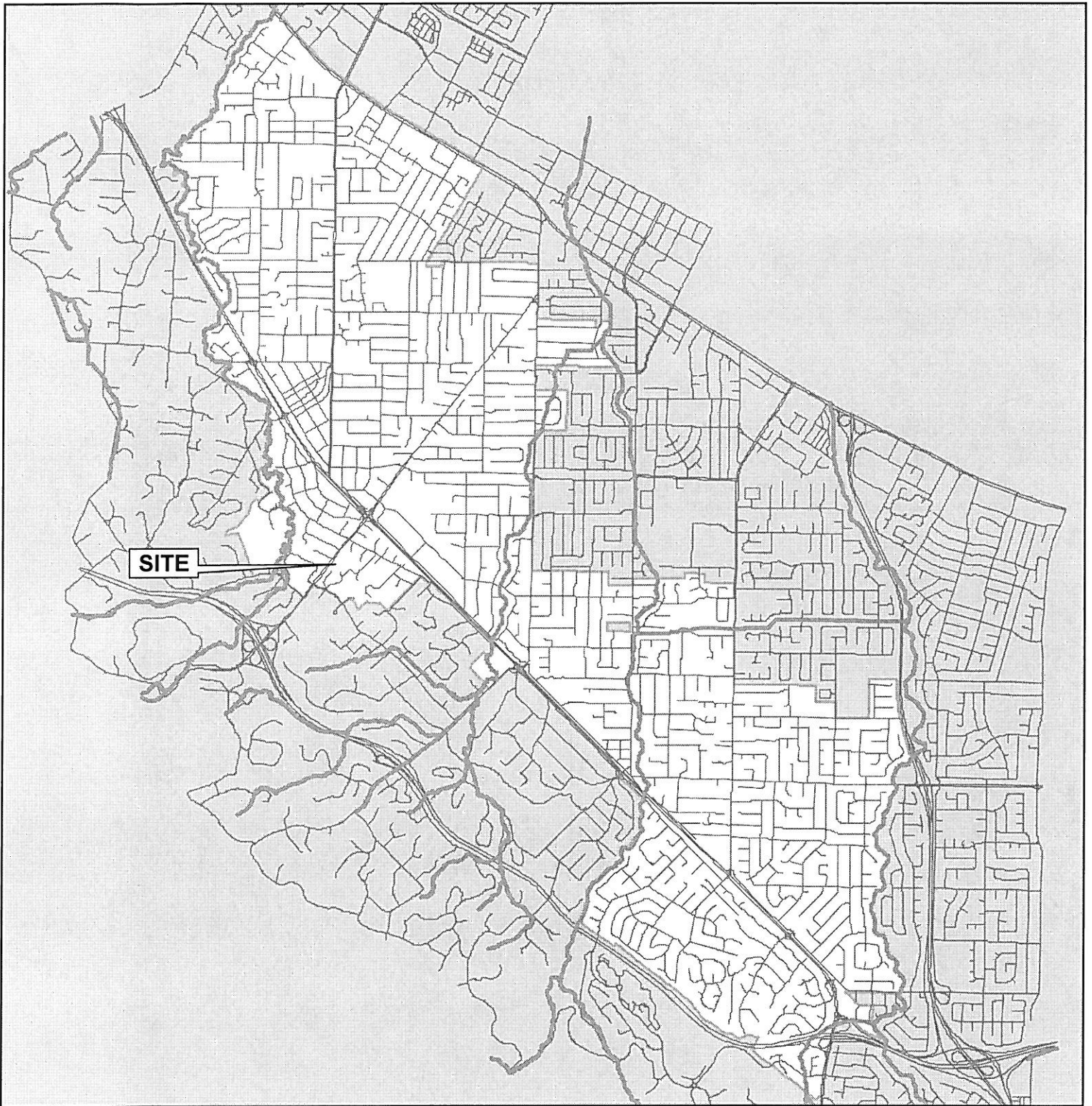
\*\*\* If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. \*\*\*





# ATTACHMENT B

## AREA MAP



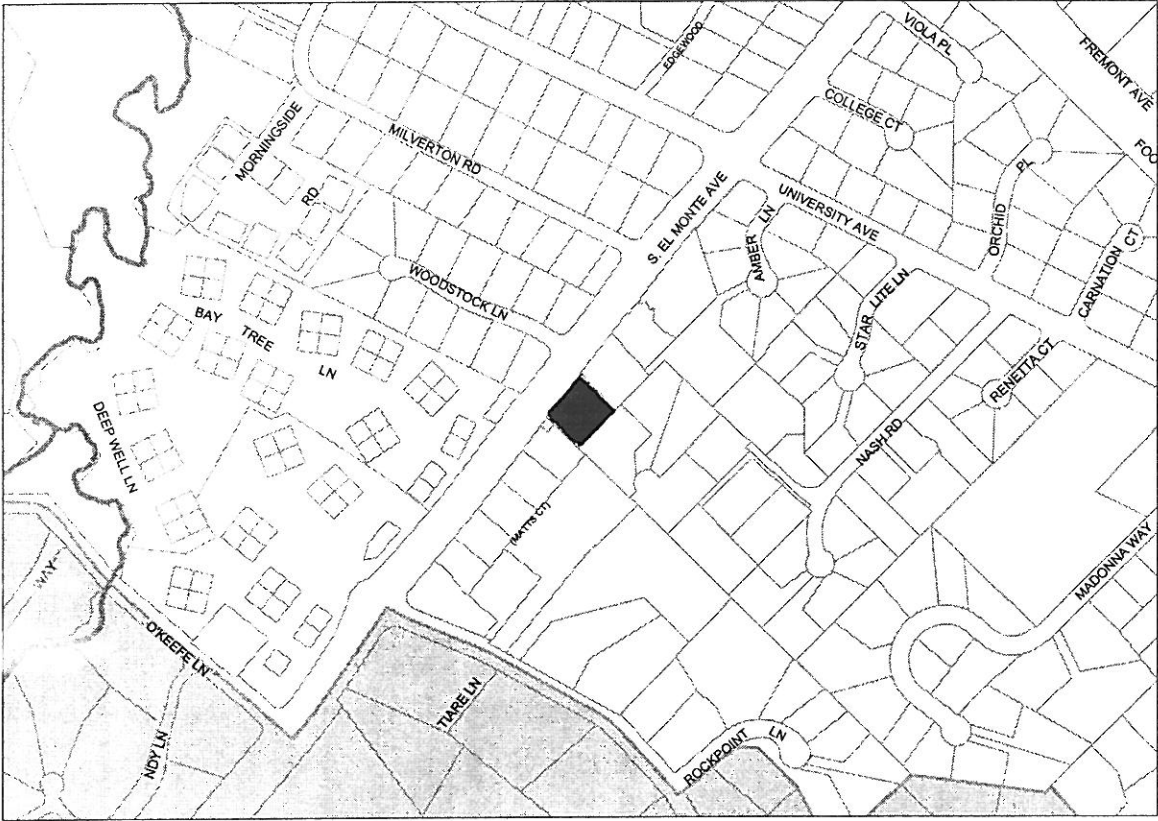
**CITY OF LOS ALTOS**

**APPLICATION:** 00-SC-107  
**APPLICANT:** L. Wu/R. Griffin, Paragon Design Group  
**SITE ADDRESS:** 730 S. El Monte Avenue

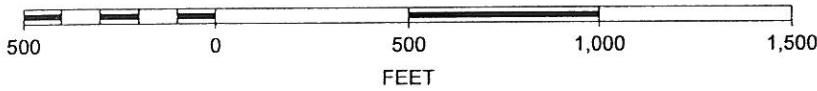


Not to Scale

# VICINITY MAP



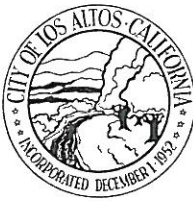
SCALE 1 : 6,000



## CITY OF LOS ALTOS

**APPLICATION:** 00-SC-107  
**APPLICANT:** L. Wu/R. Griffin, Paragon Design Group  
**SITE ADDRESS:** 730 S. El Monte Avenue





# ATTACHMENT C

Community Development Department  
One North San Antonio Road  
Los Altos, California 94022-3087

February 3, 2003

Mealea Men  
1020 Story Road, B  
San Jose, CA 95122

**SUBJECT: 02-V-17 AND 00-SC-107—730 S. EL MONTE AVENUE, PARCEL 2**

Dear Ms. Men:

I am pleased to communicate that at its September 19, 2002 meeting the Planning Commission approved the variance application for the retaining walls and continued the design review application to the Architectural and Site Control Committee. The Committee subsequently approved the design review application on January 15, 2003.

Attached, please find the findings and conditions of approval related to the project. The approvals are contingent upon receiving a building permit within one year of the design review approval date.

Enclosed, please find the submittal requirements and instructions for obtaining the construction permits. If there are any questions, please feel free to call me at (650) 947-2632.

Sincerely,

David Kornfield, AICP  
Associate Planner

DK/tms

Cc: Building Division  
Engineering Division  
Paragon Design Group



## FINDINGS

02-V-17 & 00-SC-107—Parcel 2, 730 South El Monte Avenue

1. The Planning Commission made the following findings pursuant to Section 14.82.050 of the Municipal Code with regard to granting a height variance for the retaining walls:
  - a. That the granting of the variance is consistent with the objectives of the zoning plan;
  - b. That the granting of the variance is not detrimental to the health, safety, or welfare of persons or property in the vicinity; and
  - c. That a special circumstance applicable to the property supporting allowing taller retaining walls is the unusually steep existing topography.
2. The Architectural and Site Control Committee made the following findings in accordance with Section 14.78.010 (D) with regard to the design review application:
  - a. That except where variances were granted the project complies with the zoning code;
  - b. That the height, elevations, and placement on the site of the proposed house, when considered with reference to the nature and location of the residential structures on adjacent lots, will avoid unreasonable interference with views and privacy; and will consider the topographical and geologic constraints imposed by the particular building site conditions;
  - c. That the natural landscape will be preserved where practical, by minimizing tree and soil removal; grade changes will be minimized and will be in keeping with the general appearance of the neighboring developed areas;
  - d. That the orientation of the proposed house in relation to the immediate neighborhood will minimize the perception of excessive bulk;
  - e. That general architectural considerations, including the character, size, scale, and quality of 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. That the structures are designed to follow the natural contours of the site with minimal grading, minimum impervious cover and maximum erosion protection.



## CONDITIONS

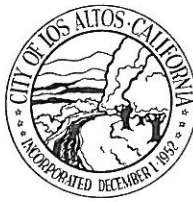
00-SC-107—Parcel 2, 730 South El Monte Avenue

### GENERAL

1. The driveway adjacent to Tree No. 1 shall be built at grade as specified by the project arborist and the grading plan adjusted accordingly as approved by the Planning Division.
2. Tree No. 1 shall be resurveyed to confirm its location within the berm. The grading plan, driveway and retaining walls shall be adjusted as determined necessary by the project arborist.
3. Tree Nos. 1 and 15 shall be protected in accord with Section 11.08.040 of the Municipal Code.
4. Per Chapter 12.64 of the Municipal Code, only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed in all new construction.
5. The height and bulk of the chimneys shall be reduced as approved by the Planning Division.

### PRIOR TO BUILDING PERMIT ISSUANCE

6. An ingress/egress access easement, and common driveway maintenance easement for Parcel 1 and Parcel 2 shall be approved by the Planning Division and recorded at the County Recorder.
7. A new or updated geotechnical report shall be prepared for review and approval by the Building Official. The geotechnical engineer shall approve the grading and foundation plans and be notified prior to starting any grading for the purposes of observation and testing.
8. The Engineering Division shall approve a construction management and truck routing plan.
9. The tree protection measures, as specified in the June 5, 2001 report by Deborah Ellis and as amended, including but not limited to tree protection fencing, special construction methods and site inspections shall be incorporated into the plans as approved by the Planning Division.
10. An erosion control plan shall be developed and incorporated into the plans as approved by the Engineering Division.
11. The applicant shall verify that the drainfield is at least 10 feet above the highest water table as approved by the Engineering Division.



12. The plans shall comply with the Urban Runoff Pollution Prevention Program requirement including but not limited to avoiding direct runoff to the street by using directing runoff through landscaped areas.

#### **PRIOR TO CONSTRUCTION**

13. The side yard fences shall be installed.
14. All tree protection fencing shall be installed and inspected by the project arborist.

#### **DURING CONSTRUCTION**

15. Site inspections of the grading and foundation shall be coordinated with the Engineering Division and the Building Division, as required by the Public Works Director and the Community Development Director.
16. Prior to the foundation inspection the project arborist shall inspect all grading and trenching near any trees specified to remain. The arborist shall provide a written report to the Planning Division verifying that all tree protection measures have been appropriately implemented and no additional measures are necessary for the long-term preservation of the trees.

#### **PRIOR TO FINAL INSPECTION**

17. The project arborist shall inspect all landscaping and grading around all trees specified to remain.
18. The landscape plan shall be substantially implemented as approved by the Planning Division.
19. The Public Works Director shall inspect and require any changes to the landscape to ensure the traffic visibility.
20. The property owner shall provide a copy of the deed restriction recorded with the Barney's of 771 Nash Road addressing the height and maintenance of landscape in the rear yard.