



DATE: April 1, 2015

AGENDA ITEM # 3

TO: Design Review Commission
FROM: Sierra Davis, Assistant Planner
SUBJECT: 15-SC-01 – 1977 Churton Avenue

RECOMMENDATION:

Approve design review application 15-SC-01 subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review application for a two-story, single-family house. The project includes 2,584 square feet on the first-story, 913 square feet on the second-story and 1,516 square feet in a basement.

The following table summarizes the project:

GENERAL PLAN DESIGNATION:	Single-family, Residential		
ZONING:	R1-10		
PARCEL SIZE:	10,000 square feet		
MATERIALS:	Wood siding, cedar shingles, composition shingle roof, wood columns, brick chimney, brick column bases, wood corbels and trim		

	Existing	Proposed	Allowed/Required
LOT COVERAGE:	2,319 square feet	2,886 square feet	3,000 square feet
FLOOR AREA:			
First floor	2,294 square feet	2,584 square feet	
Second floor	N/A	913 square feet	
Total	2,294 square feet	3,497 square feet	3,500 square feet
SETBACKS:			
Front	42 feet	42 feet	25 feet
Rear	37 feet	31 feet	25 feet
Right side (1 st /2 nd)	10 feet	11 feet/21 feet	10 feet/17.5 feet
Left side (1 st /2 nd)	14 feet	12 feet/24 feet	10 feet/17.5 feet
HEIGHT:	16 feet	24 feet	27 feet

BACKGROUND

The property is in a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The houses in the neighborhood context are of a similar design with single-story Ranch style homes and two-story Craftsman style homes with lower plate heights, recessed second stories, and small gable roof elements. The similar forms emphasize horizontal eave lines with gable accents and rustic materials including wood siding and trim, stucco and stone accents. The street tree pattern includes Modesto Ash trees close to the street.

DISCUSSION

According to the Residential Design Guidelines, Consistent Character Neighborhoods have similar architectural character, setbacks and streetscape character. New construction should incorporate good neighbor design which includes similar design elements, materials and scale found within the neighborhood.

The proposed house maintains the existing setbacks and the general footprint of the existing house. The houses in the neighborhood have a greater than required front yard setback and the new house maintains the existing setback of 42 feet. The existing house and adjacent houses are set back farther on the lot with an existing rear yard setback of 37 feet. The proposed house would substantially maintain the setback with a rear yard setback of 31 feet.

The second story is centered over the first story and has similar massing and scale as the adjacent two-story house to the west. The project will maintain the existing grade with a new finished floor height of one-foot and overall height of 24 feet where 27 feet is allowed. Maintaining the existing setbacks, finished grade and relating to the scale and massing of the existing two-story houses in the neighborhood context results in a good neighbor design.

The project incorporates rustic materials that include: wood siding, cedar shingles, composition shingle roof, wood columns, brick chimney and column bases, wood corbels and trim. The design is Craftsman inspired; however, the composition of the structure and the first and second story is more complex. The exterior facade is guided by the interior spaces of the structure; however the high quality materials and details help to clarify the design concept, which is consistent throughout the exterior facade.

Landscaping and Privacy

The street tree pattern will be maintained with the existing Modest Ash near the street. Additionally the plan provides for three new Amur Maple trees in the front yard to buffer the new construction. The landscape plan eliminates the existing circular driveway, which are discouraged as they increase the amount of paved area in the front yard.

The west elevation includes three, second-story windows with one in bedroom No. 2 and two in the loft. The window in bedroom No. 2 is in the front corner of the room and has a sill height of three and one-half feet above the finished floor. The window has views to the adjacent property and the front yard, which do not result in substantial privacy concerns dues to the evergreen screening proposed along the side property line. The loft windows toward the rear of the house have sill

heights of approximately four feet. The windows have views to the adjacent property and toward the adjacent property's rear yard. The landscape plan provides for a continuous evergreen landscape hedge of Prunus Caroliniana along the side property line which will help to mitigate views toward the rear yard.

The east elevation includes two, second-story windows, one in bedroom No. 3 and one in bedroom No. 4. The windows in bedroom No. 3 and No. 4 have sill heights of three and half feet above the finished floor and are in the middle of the elevation. The windows have views over the adjacent neighbor's roof with limited views toward the front and rear of the adjacent property. The landscape plan provides for a continuous evergreen landscape hedge of Prunus Caroliniana along the side property line which will help to mitigate privacy impacts.

The rear elevation includes five windows, one in bedroom 4, one in bathroom No. 3, and three in the loft. The window in bedroom No. 4 is an egress window with a sill height of three feet. An egress window is required in all bedrooms and the applicant has addressed the privacy issues by providing trees and an evergreen hedge along the side and rear property lines. The landscape plan provides for a Manzanita tree on the side property at the rear of the house and two fruitless Olive trees along the rear property line. The trees have a slow growth rate; however, the side and rear property lines also include a Prunus Caroliniana hedge that will provide faster growing landscape mitigation for adjacent neighbors. The window sill heights in bathroom No. 3 and the loft are approximately four feet in height and does not create a substantial privacy concern, the landscaping along the rear property line will help mitigate views to the adjacent properties.

CORRESPONDENCE

Staff received correspondence from the rear neighbors on Farndon Avenue expressing concern regarding the rear facing windows and privacy. The neighbors have requested the following mitigation measures to preserve privacy and provide landscaping that has minimal impact on their views and sunlight.

- Install windows with a minimum sill height of six-feet from finished floor;
- Use opaque glass for the lower parts of windows up to 6 feet in height from the finished floor and provide stationary windows;
- Provide privacy windows on the side and rear of bedroom No. 4;
- Plant trees and shrubs that do not obscure views to the surrounding hills; and
- Plant trees a reasonable distance from the fence so as when the tree is mature the whole tree is contained on the site. Requesting trees that are no taller than 7-8 feet in height to preserve the sunlight on the adjacent properties.

There is a requirement for one egress window in a bedroom, which requires a low sill height with an operable window. An egress window would be required on either the side or rear elevation and in this case the house is designed with the egress window facing the rear yard. A rear facing window with a lower sill height is in accordance with the Residential Design Guidelines because the setbacks and screening opportunities are greater. As mentioned the applicant has provided a landscaping hedge along the side and rear property line to help maintain a reasonable degree of privacy on adjacent properties. The sill heights of the rear facing windows in bathroom No. 3 and the loft could be raised to help mitigate views down into neighboring properties. Staff does not support using obscured glazing for windows as those types of windows are difficult to enforce to address privacy.

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.

PUBLIC NOTICING

This project was noticed to the 11 neighboring property owners in addition to an on-site posting.

Cc: Clifton Wu, Property Owner
Rick Gould, Designer

Attachments:

- A. Application
- B. Neighborhood Compatibility Worksheet
- C. Area Map and Vicinity Map
- D. Correspondence

FINDINGS

15-SC-01 – 1977 Churton Avenue

1. With regard to design review for a two-story, single-family structure, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code that:
 - 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

15-SC-01 – 1977 Churton Avenue

1. The approval is based on the plans received on March 23, 2015 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. The Prunus Caroliniana landscape hedge adjacent to the side and rear property lines, the two Olive trees adjacent to the rear property line, and the Manzanita tree adjacent to the left property line shall be protected under this application and cannot be removed without a tree removal permit from the Community Development Director.
3. The basement shall not contain a kitchen.
4. Obtain an encroach permit issued from the Engineering Division prior to doing any work within the public street right-of-way.
5. 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.
6. 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.
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 tree 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.
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 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.
 - 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 units on the site plan and the manufacturer's sound rating for each unit.
- g. 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.).

9. **Prior to final inspection:**

- a. All front yard, interior side, and rear yard 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 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 # 1106489

<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: 1977 Churton Ave, Los Altos, CA, 94024

Project Proposal/Use: residence

Current Use of Property: residence

Assessor Parcel Number(s) 318-15-025 Site Area: _____

New Sq. Ft.: 4834.98 Remodeled Sq. Ft.: ~~4834.98~~ Existing Sq. Ft. to Remain: _____

Total Existing Sq. Ft.: 2294.1 Total Proposed Sq. Ft. (including basement): 4834.98

Applicant's Name: Clifton Wu

Home Telephone #: 408-417-0170 Business Telephone #: _____

Mailing Address: 1977 Churton Ave, Los Altos, CA, 94024

City/State/Zip Code: Los Altos CA 94024

Property Owner's Name: Clifton Wu

Home Telephone #: 408-417-0170 Business Telephone #: _____

Mailing Address: 1977 Churton Ave

City/State/Zip Code: Los Altos CA 94024

Architect/Designer's Name: Rick Gould Telephone #: 650-520-9215

*** 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)

ATTACHMENT B



City of Los Altos

Planning Division

(650) 947-2750

Planning@losaltosca.gov

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 1st 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. Photographs should also be taken of the properties on either side and behind your property from on your property.

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 1977 Churton Avenue, Los Altos, CA 94024

Scope of Project: Addition or Remodel **or New Home**

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

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

Address: 1977 Churton Avenue
Date: 12/18/2014

What constitutes your neighborhood?

There is no clear answer to this question. For the purpose of this worksheet, consider first your street, the two contiguous homes on either side of, and directly behind, your property and the five to six homes directly across the street (eight to nine homes). At the minimum, these are the houses that you should photograph. 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: 10,000 square feet

Lot dimensions: Length 80 feet

Width 125 feet

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

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

Existing front setback if home is a remodel? _____

What % of the front facing walls of the neighborhood homes are at the front setback 0 %

Existing front setback for house on left _____ ft./on right _____ ft.

Do the front setbacks of adjacent houses line up? _____

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 7

Garage facing front recessed from front of house face 0

Garage in back yard 1

Garage facing the side 0

Number of 1-car garages 8; 2-car garages 8; 3-car garages 0

Address: 1977 Churton Avenue

Date: 12/18/2014

4. Single or Two-Story Homes:

What % of the homes in your neighborhood* are:

One-story 55%

Two-story 45%

5. Roof heights and shapes:

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

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 No?

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) Wood Siding and Stone, Wood Shingles and Stone

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

Asphalt Shingle

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: 1977 Churton Avenue
Date: 12/18/2014

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

Does your property have a noticeable slope? No

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 or directly behind?

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.)?

Front lawns, big trees, landscape to street edge

How visible are your house and other houses from the street or back neighbor's property?

Visible

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)?

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? Paved

Address: 1977 Churton Avenue

Date: 12/18/2014

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.:

roof material, same front yard setbacks, landscape, horizontal feel

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

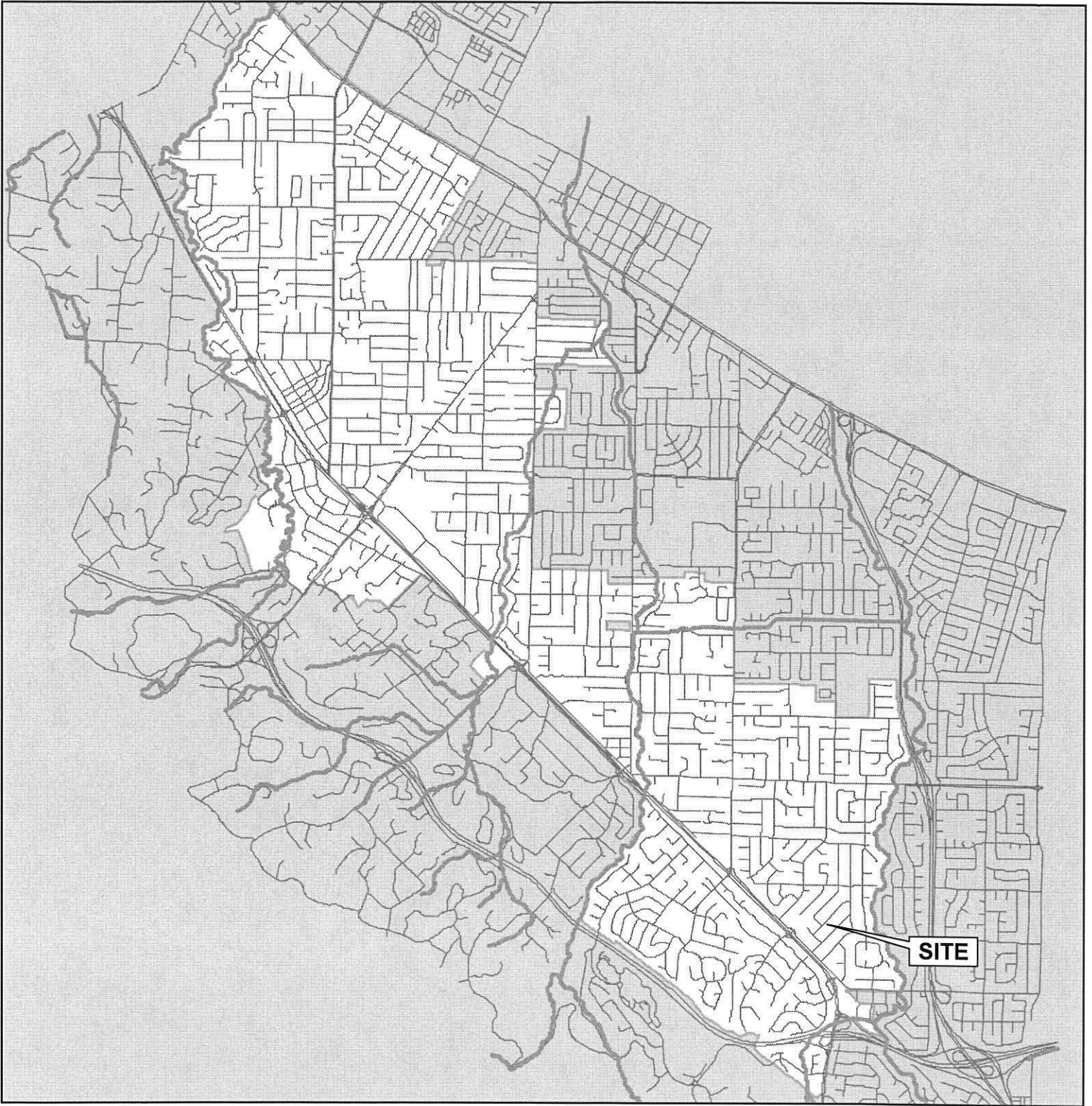
Address: 1977 Churton Avenue
 Date: 12/18/2014

Summary Table

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

Address	Front setback	Rear setback	Garage location	One or two stories	Height	Materials	Architecture (simple or complex)
1971 Churton Avenue	40'	36'	backyard	One	21	wood siding	simple
1965 Churton Avenue	38'	36'	front facing	Two	25	wood siding/brick	simple
1983 Churton Avenue	38'	35'	front facing	Two	24	wood siding/ston	simple
2001 Churton Avenue	40'	40'	front facing	One	15	stucco	simple
1978 Churton Avenue	42'	40'	front facing	One	15	stucco	simple
1972 Churton Avenue	42'	40'	front facing	Two	23	stucco/brick	simple
1966 Churton Avenue	40'	38'	front facing	One	15	stone	simple
1960 Churton Avenue	38'	40'	front facing	One	15	wood siding	simple
1991 Alford Avenue	42'	38'	front facing	One	16	stucco	simple
1992 Farndon Avenue	40'	30'	backyard	One	15	stucco	simple

AREA MAP



CITY OF LOS ALTOS

APPLICATION: 15-SC-01
APPLICANT: C. Wu
SITE ADDRESS: 1977 Churton Avenue

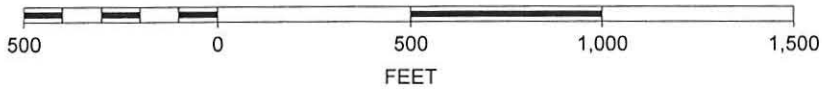


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



CITY OF LOS ALTOS

APPLICATION: 15-SC-01
APPLICANT: C. Wu
SITE ADDRESS: 1977 Churton Avenue

Sierra Davis

ATTACHMENT D

From: Afshin [faridjoo@yahoo.com]
Sent: Tuesday, March 24, 2015 12:08 PM
To: Sierra Davis
Cc: Marjan Shafie
Subject: Concern about 1977 Churton Ave. desing proposal
Attachments: 1977 Churton.pdf

Hi Sierra,

This is Afshin Faridjoo. we talked about the design proposal for 1977 Churton Ave. yesterday and discussed my concerns with the windows facing my house and the tall trees that they have proposed in their design.. attached PDF is the letter that explains my concerns.. and below is the content of the attached pdf.

**Regards,
Afshin**

Date: 3/24/2015

From: Afshin Faridjoo, Marjan Shafie
Address: 1992 Farndon Ave, Los Altos, CA 94024

To: Community Development Department, Los Altos, California

Subject: Plan review and objections for 1977 Churton Ave. Los Altos submitted design

Dear City of Los Altos Planner,

This letter is regarding the new construction plan submitted for 1977 Churton Ave.

My name is Afshin Faridjoo, resident of 1992 Farndon Ave. My house is located right behind the house at 1977 Churton Ave.

After reviewing the two-story proposed plan, I noticed that the design includes a bedroom (Bedroom 4), a bathroom, and a Loft facing my property with a total of 5 windows. These 5 windows look directly into my master bedroom and family room which we spend all of our time.

I also saw a proposal for several trees to be planted at the end of their property. I strongly oppose planting any trees taller than 7 or 8 feet in order to create privacy. These tall trees make my backyard like a closed box and blocks sunlight in the afternoons.

I am requesting the owner to remove the windows from the side that overlooks into my property and redesign the landscape with smaller trees with maximum of 7-8 feet tall.

Other options could be to install smaller windows, 6 feet from the floor or using opaque or frosted glass for the lower part of windows up to 6 feet and being stationary..

These design considerations support both the owner and neighbors' privacy.

Best regards,
Afshin Faridjoo, Marjan Shafie

3/24/2015

Sierra Davis

From: elie@rayonx.us
Sent: Tuesday, March 24, 2015 1:44 PM
To: Sierra Davis
Cc: Elie Semaan
Subject: Protest against 1977 Churton Avenue, Los Altos

Hello Sierra Davis,
I am the owner of 1986 Farndon Avenue, Los Altos.

I am writing to protest the proposed windows in bedroom 4 for the proposed new property at 1977 Churton Avenue, Los Altos.

The windows Mr. Wu is proposing do not provide privacy for him or his neighbors. I suggest for him to reconsider having bedroom 4 with the following options:

- 1)privacy windows (both sides of the room) or
- 2)have opaque glass on both windows, at least the lower part of the window (mix of opaque at the bottom and clear on the top).

I am not denying him a second story but he has to reflect his neighbors wishes. After all we are neighbors.

Again, as stated I suggest privacy windows that are high so he does not see into our property so we can enjoy our property without constantly worrying about who is looking at you.

Aside from considering the privacy windows, he also need to consider planting trees without obscuring our view of the surrounding hills and not feel like boxed in. So the trees must be within reasonable and height and distance from the fence, not too close to the fence.

My concern will be the width of the trees once they are fully grown and who will shelter the responsibility taking care of the trees if they are close to the fence.

Basically the proposed trees have to be planted with enough space to accommodate the full diameter once they are branched out and fully mature to be entirely on this property and the branches are not extending to his neighbors property.

Please call with any questions.

Elie Semaan
408 981 9197
Owner of 1986 Farndon Avenue, Los Altos.
Friendly neighbor
Sent via BlackBerry by AT&T