



DATE: October 3, 2018

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Zachary Dahl, Planning Services Manager
SUBJECT: 17-V-10 and 17-SC-36 – 899 Madonna Way

RECOMMENDATION:

Approve variance application 17-V-10 and design review application 17-SC-36 subject to the listed findings and conditions

PROJECT DESCRIPTION

This application includes variances to allow for increased height, reduced setbacks, encroachments into the daylight plane and an additional story, and design review for a new house with a basement on a vacant lot. The project includes variances to allow: 1) portions of the new house to exceed the 27-foot height limit, 2) reduced second story side yard setbacks on both sides, 3) a portion of the house to encroach into the rear yard setback, 4) encroachments into the daylight plane on both sides and 5) the new house to have three stories; and design review for a new three-story house that is 4,016 square feet in size. The following table summarizes the project’s technical details:

GENERAL PLAN DESIGNATION: Single-Family, Residential
ZONING: R1-10
PARCEL SIZE: 12,742 square feet
MATERIALS: Flat roof, smooth finish stucco siding, aluminum clad wood windows, metal and glass garage door and stucco details

	Existing	Proposed	Allowed/Required
COVERAGE:	-	3,842 square feet	3,823 square feet
FLOOR AREA:			
Upper floor (foyer/garage)	-	608 square feet	
Middle floor (kitchen/family room)	-	1,971 square feet	
Lower floor (bedrooms)	-	1,474 square feet	
Total	-	4,054 square feet	4,024 square feet
SETBACKS:			
Front	-	25.4 feet	25 feet
Rear	-	23.5 feet	25 feet
Right side (1 st /2 nd)	-	8.8 feet/8.8 feet	7.5 feet/13 feet
Left side (1 st /2 nd)	-	7.7 feet/7.7 feet	7.5 feet/13 feet
HEIGHT:	-	35.8 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is located on Madonna Way, which is a long narrow cul-de-sac street that slopes up the hillside from University Avenue. The neighborhood along Madonna Way is considered a Diverse Character Neighborhood as defined in the City's Residential Design Guidelines. Due to the sloping nature of the street and dense vegetation and mature trees, many of the houses have limited visibility from the street and include a mix of architectural styles and sizes.

Property History

The subject property at 899 Madonna Way is a vacant lot that has never been developed. The site was originally part of the property at 901 Madonna Way, which was created as Lot 1 in Tract 3249. This subdivision was approved by the City in 1962 and created the Madonna Way neighborhood. Subsequently, in 1966, a record of survey map was used to split the sit into two parcels, with Parcel A becoming 901 Madonna Way and Parcel B becoming 899 Madonna Way. Since the record of survey was recorded prior to the establishment of the California Subdivision Map Act, a tentative map approved by the City was not required to subdivide the site.

Zoning Conformance

The average width of the subject parcel is 76 feet (see sheet A1), which is below the minimum width of 80 feet for a standard lot in the R1-10 District. For lots that are less than 80 feet in width, described as "narrow lots" in the Zoning Code, there is an allowance for side yard setbacks to be reduced from 10 feet to 10 percent of the average lot width, for any portion of a structure which is one story in height, with 7.5 feet added for any portion of a structure which is two stories in height. The table above provides the effective setbacks for this narrow lot.

DISCUSSION

Variances

As part of their design review application to construct a new single-family house on the site, the applicant is seeking variances to allow for increased height, reduced side and rear yard setbacks, and encroachments into the daylight plane on both sides. The subject property is on a steeply sloping hillside that angles away from Madonna Way. The Madonna Way public right-of-way is significantly wider than the narrow paved street and there is an unimproved shoulder along the property's frontage that ranges from 14 to 17 feet in width. In this shoulder area, the slope drops by 6-8 feet. Overall, from the front property line to the rear corner of the site, there is a drop of approximately 70 feet. Thus, the site poses significant challenges to not only designing the house but also placing the driveway and garage in a way that is functional and usable for accessing Madonna Way.

Due to the challenge of designing a house for this site, a significant amount of time has been spent between staff and the applicant to design a project that meets their needs while also being a proposal that staff could recommend for approval. The design has gone through several iterations to work though issues such as amount of grading, placement of the garage and driveway, size and placement of the exterior deck areas, maximum height and overall design composition. Based on these design revisions and modifications, the project is seeking five variances as outlined below.

Height Variance

The primary variance that is being requested as part of this project is to allow portions of the new house to exceed the 27-foot height limit for the R1-10 District. Given the sloping nature of the site and the challenge in placing a garage that is accessible from Madonna Way, the granting of a height variance is a reasonable request. The proposed design does try and follow the slope of the site by stepping the levels down the hill to follow the topography. But in order for the garage and driveway to be accessible from the street, both elements need to be significantly higher than the existing adjacent grades, and in order for the remaining portion of the house to have a reasonable connection to the garage, portions of each level exceed the 27-foot height limit. The side elevations and cross sections (sheets A10-A12) illustrate the maximum height limit and the portions of the structure that exceed that limit.

It should also be noted that many of the existing houses in neighborhood have heights that exceed the 27-foot height limit. In particular, the adjacent property at 897 Madonna Way received a variance in 2008 to allow for a height of 39.75 feet as part of an addition/remodel to the existing house.

Setback Variances

The applicant is also seeking variances to allow for reduced second story side yard setbacks on both sides and to allow a portion of the house to encroach into the rear yard setback on the right side. The goal of reducing the second story side yard setbacks on both sides is to allow the project design to have a more consolidated footprint and more usable floor plan. On a flat lot in a typical neighborhood environment, a stepped second story setback reduces the appearance of bulk and mass and improves potential privacy impacts on adjacent properties. However, in this hillside setting, the house will appear as a one-story when viewed from the street and does not have any direct adjacencies to sensitive windows or yard spaces on the adjacent lots.

In addition, the project is seeking a variance to allow for a minor encroachment into the right corner of the rear yard setback. Staff originally directed the applicant to design the project to meet the rear yard setback, and the design was revised to pull the building out of this setback. However, the design still includes a support pillar on the patio level and balcony area on the bedroom level that encroach into the rear yard setback. The Code does allow canopies, eaves, overhangs, and similar architectural features to extend into a required rear yard by up to four feet; however, these elements exceed that threshold and require a variance in order to be approved as proposed.

Daylight Plane Variances

The project is also seeking variances to allow the structure to encroach into the daylight planes on both sides. Due to the reduced side yard setbacks, the need to exceed the height limit and the fact that daylight planes are measured from the existing grade, it would be very challenging to design a structure that was within the required daylight planes. Also, as noted above in the setback discussion, daylight planes are used to control bulk and mass in a more typical neighborhood setting. In this type of hillside setting, a daylight plane does not serve the same purpose and becomes very restrictive on a site such as this. The applicant has not shown the daylight planes on the plans since the slope of the site makes it hard to accurately render. However, staff estimates that a small portion of the proposed structure encroaches into the required daylight plane on the left side and a significant portion of the structure encroaches into the daylight plane on the right side.

Story Limit Variance

The last variance being requested is to allow for a three-story house where the R1-10 District limits house to no more than two-stories. As designed, the house has four levels plus a basement. The patio level is open to light and air so it is not counted as floor area, but does count as a story per the Zoning Code since it is usable space in a structure between the surface of a floor and the surface of a floor or roof above, and is not a basement, attic or underfloor space. As illustrated on sheets A11 and A12, the four levels of the house are stepped down the hillside and never have more than three floors directly above one another, thus it is considered a three-story house per the Zoning Code. Staff does have some reservations about supporting a variance to allow the patio level since it adds approximately 2,370 square feet of useable space that doesn't count as floor area and is an amenity that is not utilized by any other houses in the vicinity. However, it is an innovative way to create a functional outdoor space in an area that would otherwise go unused and it results in a minimal expansion of the overall building footprint.

Variance Findings

In order to approve a variance, the Commission must make three positive findings pursuant to Section 14.76.070 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 variance 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.

The granting of the variances is consistent with the objectives of the zoning plan because they will allow for the property to be developed with a single-family house that has a harmonious and appropriate relationship with the surrounding neighborhood, it will establish a safe and workable access to Madonna Way and it will protect and enhance real property values within the City.

The granting of the variances will not be detrimental to persons living or working in the vicinity or injurious to any properties in the vicinity because it is a single-family use and the proposed house has been designed to have appropriate relationships with the surrounding properties and the persons living in those houses.

The variances for increased height, reduced side and rear yard setbacks, encroachments into the daylight plane and more than two stories are reasonable due to the steeply sloping topography of the site, which is considered a special circumstance. Strict application of these provisions of the R1-10 District would deprive the property of constructing an appropriately sized house and adjacent useable outdoor spaces that are enjoyed by other properties in the vicinity and under the identical zoning classification (R1-10).

Design Revisions

The project, as currently proposed, exceeds its maximum allowable lot coverage and floor area by a small amount (see table on page 1). These variances have not been requested by the applicant and they

cannot be supported by staff; however, it appears that these were not intentional and can easily be corrected. As defined by the Zoning Code, lot coverage is the percentage of net site area covered in structures in excess of six feet in height measured to the outside surfaces of exterior walls and the perimeter of any supports. As shown on Sheet A13, the structure's lot coverage goes beyond the outside wall of the bedrooms to the support poles below the balcony area. Staff estimates that the additional lot coverage results in the structure exceeding its limit by approximately 20 square feet.

With regard to floor area, as has been established by the Zoning Code, stairwells are counted as floor area on both levels. As shown on Sheet A13, the kitchen and master bedroom level does not include a portion of the stairs that go to the upper level, resulting in the project exceeding its floor area limit by approximately 30 square feet.

Both of these corrections are not likely to have a noticeable effect on the overall design, so staff has included them as conditions of approval (Condition No. 2).

Design Review

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

The project uses a contemporary inspired architectural design with flat roof elements and a curving flat roof that connects the upper garage to the lower levels. Due to the slope of the site, the house will appear as a one-story structure when viewed from the street. The project utilizes the large flat roof to the north of the family room and master bedroom to create a large balcony space adjacent to the dwelling's common areas. While this design has a large overall bulk, mass and scale, due to the hillside context and limited visibility off of the site, the design appears to reasonable address the City's design review findings related to bulk, mass and neighborhood context.

The project is utilizing high quality materials, such as smooth finish stucco siding, aluminum clad wood windows and a metal and glass garage door, which are integral to the architectural design of the house. The project's material board is included as Attachment D. Overall, the project is compatible with this diverse character neighborhood setting and has an appropriate relationship to the adjacent structures.

However, with regard to minimizing grading and soil removal (findings c and f), staff is concerned that the project scope, which includes a basement below the patio level, will result in too much grading and excavation for a constrained hillside lot of this nature. The project will already result in a significant amount of grading, shoring and retaining walls on the site, it is maximizing its allowable floor area and it will have over 4,300 square feet of usable outdoor spaces. So, to also seek a 1,600 square-foot basement below the swimming pool appears excessive for a constrained hillside lot and inconsistent with the City's design review findings. Thus, staff cannot support this element of the proposed project and has included a condition (no. 2) that requires removal of the basement.

Privacy

The site is situated between two single-family houses, 897 and 901 Madonna Way, and the Los Altos Union Presbyterian Church to the rear (north east). Given the hillside context and existing mature trees and vegetation, there are limited views toward 897 Madonna Way, whose house sits higher on

the hillside and does not have any usable yard spaces on this side of its lot. The house at 901 Madonna Way sits lower than the proposed house, but is angled away from the site in a way that limits many direct views toward its rear yard. This property also has a new two-story house proposal that will be considered by the Commission in the near future, so its yard spaces and windows will be changed from their current conditions. Overall, staff has not identified any issues with window placement or off-site views, and finds that the proposal will maintain a reasonable level of privacy.

Trees and Landscaping

There are a total of 13 oak trees on the project site as well as several additional trees adjacent to the site on neighboring properties. An arborist report was prepared by KIELTY Arborist Services and is included in Attachment C. Sheet L1 of the project plans provides an inventory of the trees and their placement on the site. Four oak trees are proposed for removal due to their conflict with the proposed building footprint. However, staff has identified three additional oak trees that are adjacent to the building that will likely be impacted due to the significant amount of grading that will occur within their driplines. To further evaluate whether or not these trees can be retained or need to be removed, staff has added a condition that the arborist review the grading and drainage plan prior to building permit submittal to determine if they can be retained. If they need to be removed, up to three additional replacement trees will need to be included in the project (Condition No. 12).

Beyond the tree inventory, the landscape plan does not include any details about the new landscaping that will be installed with the project. To ensure that erosion is minimized, plantings that are appropriate for hillside settings should be specified (Condition No. 13). Since the project includes a new house and more than 500 square feet of new landscape area, it is subject to the City's Water Efficient Landscape Ordinance.

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 Notification

A public meeting notice was posted on the property and mailed to 74 property owners within 500 feet of the subject property. The Notification Map is included in Attachment B.

Cc: Simon Ilkhani and Elnaz Masoom, Applicant, Property Owner and Designer

Attachments:

- A. Application and Justification Letter
- B. Area, Vicinity and Public Notification Maps
- C. Arborist Report
- D. Material Board

FINDINGS

17-V-10 and 17-SC-36 – 899 Madonna Way

1. With regard to the variances for reduced setbacks, increased height and encroachment into the daylight plane, the Design Review Commission finds the following in accordance with Section 14.76.070 of the Municipal Code:
 - a. The granting of the variances is consistent with the objectives of the Zoning Code set forth in Chapter 14.02;
 - 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; and
 - c. The variances for increased height, reduced side and rear yard setbacks, encroachments into the daylight plane and more than two stories are reasonable due to the steeply sloping topography of the site, which is considered a special circumstance. Strict application of these provisions of the R1-10 District would deprive the property of constructing an appropriately sized house and adjacent useable outdoor spaces that are enjoyed by other properties in the vicinity and under the identical zoning classification (R1-10).

2. With regard to the new three-story house, the Design Review Commission finds the following in accordance with Section 14.76.060 of the Municipal Code:
 - a. The proposed new house complies with all provision of this chapter;
 - b. The height, elevations, and placement on the site of the proposed new house, 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 new house 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 new house has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

CONDITIONS

17-V-10 and 17-SC-36 – 899 Madonna Way

GENERAL

1. Approved Plans

This approval is based on the plans received on September 24, 2018 and the written application materials provided by the applicant, except as may be modified by these conditions.

2. Design Revisions

- a. The building footprint shall be reduced to not exceed 3,823 square feet to comply with the property's lot coverage requirement.
- b. The proposed house size shall be reduced to not exceed 4,024 square feet to comply with the property's floor area ratio requirement.
- c. The project shall be revised to remove the basement proposed under the patio level.

3. Protected Trees

All existing trees to remain, as shown on Sheet L1, are considered protected and cannot be removed without a Tree Removal Permit approved by the Community Development Director.

4. Landscaping

The project is subject to the City's Water Efficient Landscape Regulations pursuant to Chapter 12.36 of the Municipal Code.

5. Encroachment Permit

An encroachment permit and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

6. Municipal Regional Stormwater Permit Compliance

The project shall comply with the City of Los Altos Municipal Regional Stormwater (MRP)NPDES Permit No. CA S612008, Order No. R2-2015-0049 dated November 19, 2015. The improvement plan shall include the "Blueprint for a Clean Bay" plan sheet as page 2 in all plan submittals.

7. Fire Sprinklers

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

8. Utility Connections

The developer shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site. All new utility service drops shall be located underground from the nearest convenient existing pole pursuant to Chapter 12.68 of the Municipal Code.

9. Sewer Connection

The new sewer lateral connection for the site shall be approved by the City Engineer.

10. 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

11. Conditions of Approval

Incorporate the conditions of approval into the title page of the plans.

12. Tree Protection Notes

The grading plan and the site plan shall show all tree protection fencing and add the following notes:

- a. All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground.
- b. The project shall implement and abide by all tree protection measures proscribed in the Kiely Arborist Services report dated July 3, 2018.
- c. The project arborist shall provide a plan review letter of the grading and drainage plan to ensure that all trees proposed for preservation can be preserved. If additional trees removal is required, appropriate replacement trees should be specified.

13. Water Efficient Landscape Plan

Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations. To minimize erosion, plantings that are appropriate for hillside settings should be specified.

14. Construction Management Plan

The applicant shall submit detailed plans for any construction activities affecting the public right-of-way, include but not limited to excavations, pedestrian protection, material storage, earth retention, and construction vehicle parking, to the City Engineer for review and approval.

15. Grading and Drainage Plan

The applicant shall also submit on-site and off-site grading and drainage plans that include drain swales, drain inlets, rough pad elevations, building envelopes, and grading elevations for approval by the City.

16. 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.

17. 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.

18. 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.

19. Storm Water Management

The project shall comply with the Stormwater Pollution Prevention Measures per Chapter 10.16 of the Los Altos Municipal Code. 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

20. Tree Protection Fencing

Tree protection fencing shall be installed around the driplines of all existing trees to remain as shown on Sheet L1. 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.

21. Sewer Easement Abandonment

The applicant shall abandon the existing sewer lateral easement for 901 Madonna Way and dedicate the new proposed sewer lateral easement along the north-east property line. Once the new sewer easement is dedicated and recorded, a new sewer lateral line shall be installed and connected (according to the proposed plan) for 901 Madonna Way per the City standards. The existing sewer lateral line shall be abandoned and capped at the main sewer line.

PRIOR TO FINAL INSPECTION

22. Landscaping Installation and Verification

Provide a landscape Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package.

23. 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 # 1108037

<input type="checkbox"/>	One-Story Design Review	<input type="checkbox"/>	Commercial/Multi-Family	<input type="checkbox"/>	Environmental Review
<input checked="" type="checkbox"/>	Two-Story Design Review	<input type="checkbox"/>	Sign Permit	<input type="checkbox"/>	Rezoning
<input checked="" type="checkbox"/>	Variance	<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"/>	Sidewalk Display Permit	<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Historical Review	<input type="checkbox"/>	Preliminary Project Review	<input type="checkbox"/>	Other:

Project Address/Location: 899 Maclonna way Los Altos CA 94024

Project Proposal/Use: Single Family Current Use of Property: Vacant Lot

Assessor Parcel Number(s): 336-03-030 Site Area: ~12,700 SF

New Sq. Ft.: 7,073.8 Altered/Rebuilt Sq. Ft.: _____ Existing Sq. Ft. to Remain: _____

Total Existing Sq. Ft.: 0 Total Proposed Sq. Ft. (including basement): 7,073.8

Is the site fully accessible for City Staff inspection? _____

Applicant's Name: Simon Ilkhami

Telephone No.: 650/240-6102 Email Address: Simon@sascobuilders.com

Mailing Address: 1250 Valley Quail Cir

City/State/Zip Code: San Jose CA 95120

Property Owner's Name: Samen Ilkhami & Elnaz Masoom

Telephone No.: 650-240-6102 Email Address: Simon@sascobuilders.com

Mailing Address: 1250 Valley Quail Cir San Jose CA 95120

City/State/Zip Code: San Jose CA 95120

Architect/Designer's Name: Simon Ilkhami

Telephone No.: 650-240-6102 Email Address: Simon@sascobuilders.com

Mailing Address: 1625 The Alameda suite 400

City/State/Zip Code: San Jose CA 95126

** 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)

**Variance Justification Letter For 899 Madonna Way Los Altos
Regarding Roof Height And Over Hang Length**

- 1- Height Variance: portions of the building will exceed the 27-foot height limit

This property, 899 Madonna Way in the city of Los Altos has a down slope from Madonna Way and it is also sloped down from left to right. The slope makes it difficult to comply with the 27' height restriction at most parts of the roof. In order to comply with the height restrictions, we designed a right to left split level and a front to back step down with a S-Curved design roof to follow the natural contours of the land. The height variance will not have a significant impact on the adjacent properties (neighbors). The neighbor on the left (897 Madonna way) is significantly taller than 27ft from natural grade and its footprint is on natural contours greater than our project. The neighbor on the right (901 Madonna way) is more than 50ft away from our property and its footprint is not parallel to our property but closer to 45 degrees relative to our property. This property is surrounded by trees as high as 50' which are located between our property and the adjacent neighbors' properties.

- 2- Second floor side setback Variance: Encroach into the required second story side yard setback on both sides;

Since the 2nd floor is actually the 1st floor from Madonna way, the 2nd floor setback would make the house look awkward and narrow from the street. So based on planning departments recommendations, we designed the house based on side setbacks of 10% of the lot width which is 7'6" on each side of the house for both floors.

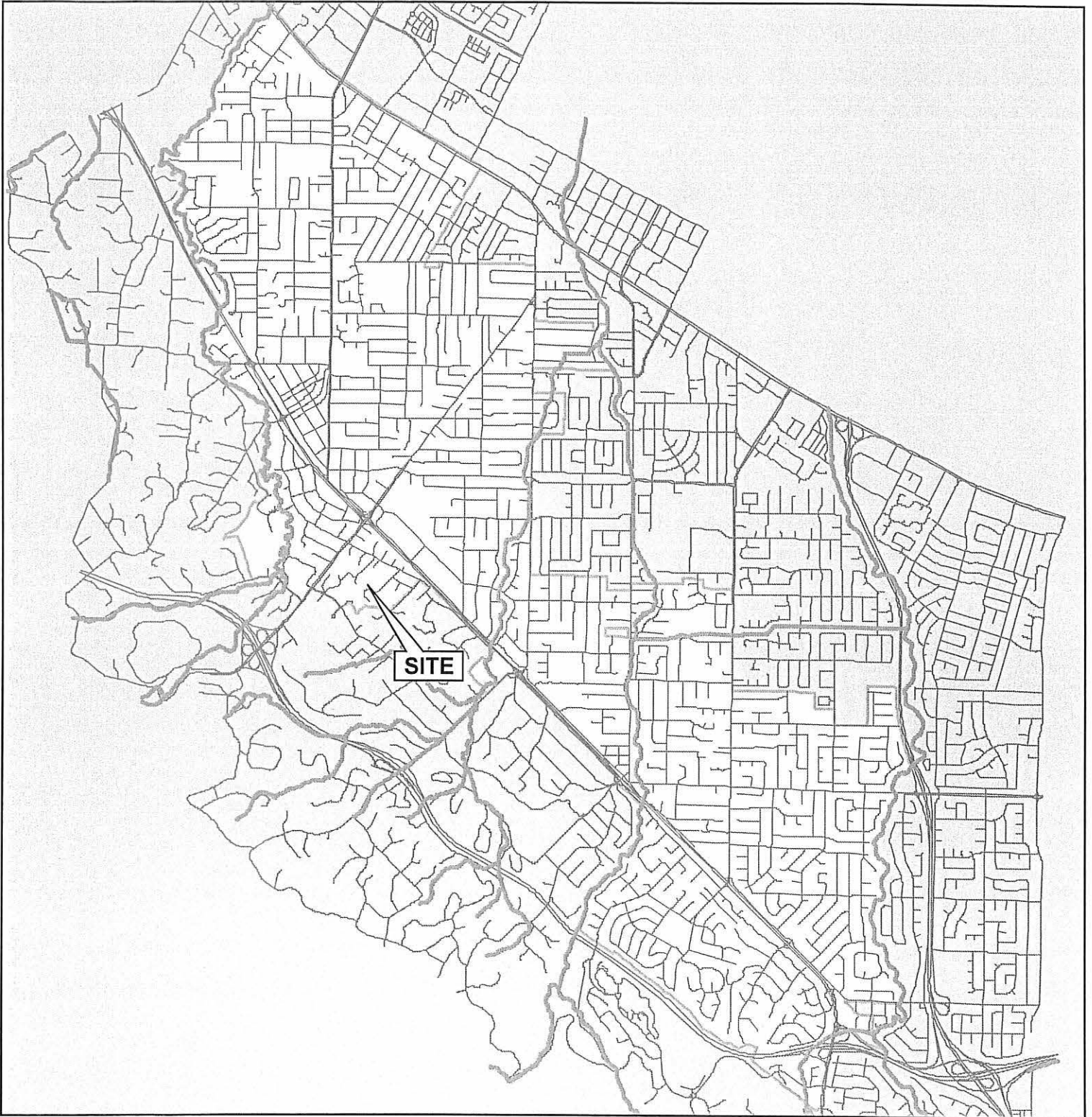
- 3- Encroach into the required daylight planes

We will need this variance due to variances #1 and #2

- 4- 3 story variance: Allowing for a three-story structure where a maximum of stories is permitted

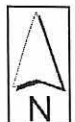
Due to the down slope of the lot, a portion of the first and second floor are directly above the open covered patio. If the open patio is considered a level, then this portion of the house will be considered three levels.

AREA MAP



CITY OF LOS ALTOS

APPLICATION: 17-V-10 and 17-SC-36
APPLICANT: S. Ilkhani/ S. Ilkhani and E. Masoom
SITE ADDRESS: 899 Madonna Way

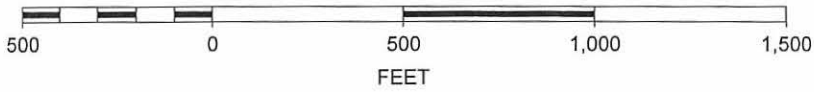


Not to Scale

VICINITY MAP



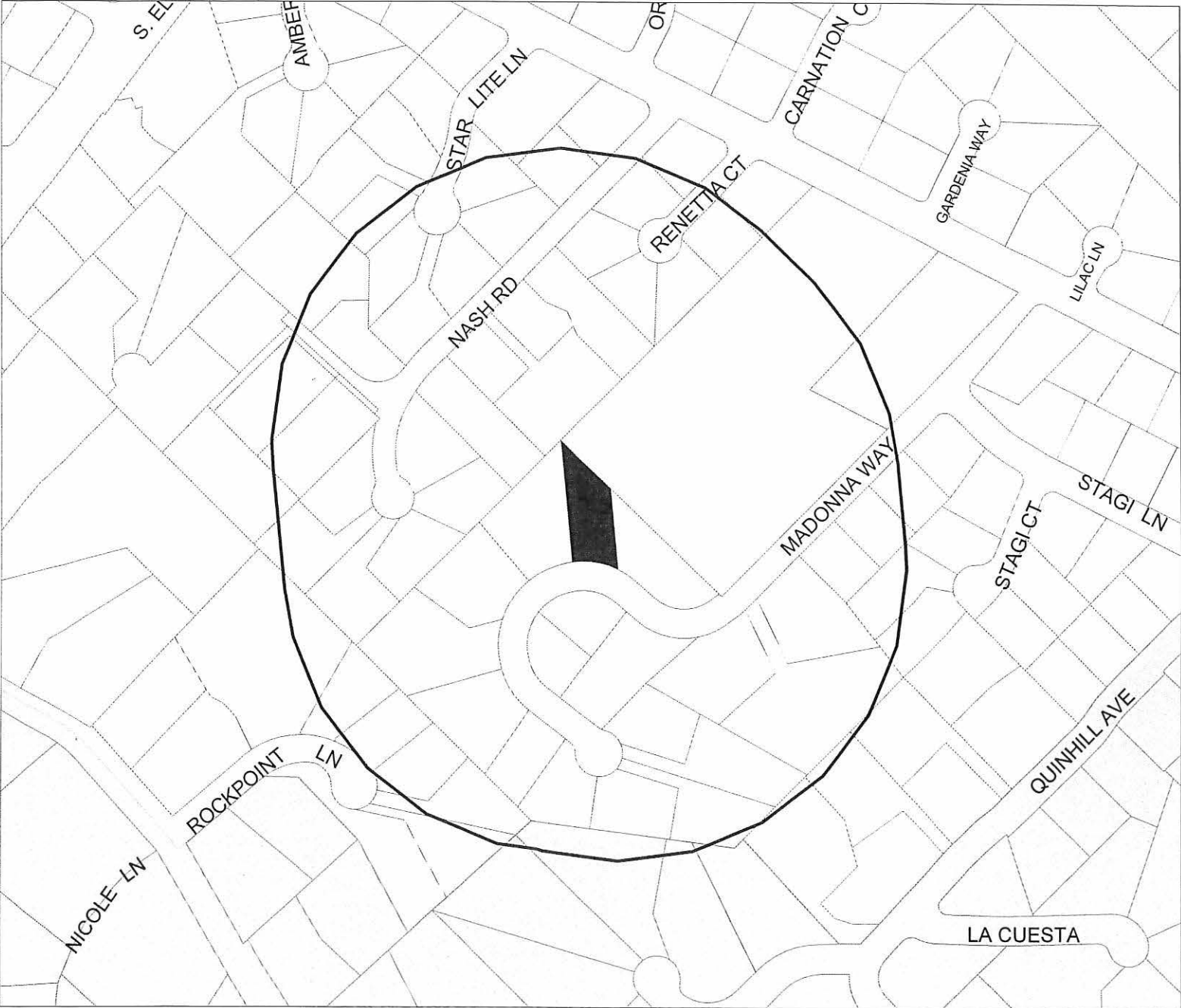
SCALE 1 : 6,000



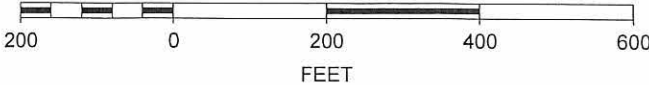
CITY OF LOS ALTOS

APPLICATION: 17-V-10 and 17-SC-36
APPLICANT: S. Ilkhani/ S. Ilkhani and E. Masoom
SITE ADDRESS: 899 Madonna Way

899 Madonna Way 500-foot Notification Map



SCALE 1 : 3,000



ATTACHMENT C

Kielty Arborist Services

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

July 3, 2018

Simon Llkhani
Sasco Builders & Development
1625 The Alameda Suite 400
San Jose, CA

Site: 899 Madonna Way, Los Altos, CA

Dear Simon Llkhani,

As requested on Thursday, June 14, 2018, I visited the above site for the purpose of inspecting and commenting on the trees. A new two story home is planned for this site and your concern as to the future health and safety of existing trees has prompted this visit. Site plan A1 was used for this report.

Method:

All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on an existing topography map provided by you. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The trees were given a condition rating for form and vitality. Each tree was put into a health class using the following rating system:

- F- Very Poor
- D- Poor
- C- Fair
- B- Good
- A- Excellent

The height of the trees was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

899 Madonna Way /7/3/18

(2)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1	Coast live oak (<i>Quercus agrifolia</i>)	12.1	B	25/20	Fair vigor, fair form, codominant at 2 feet with fair union.
2P	Coast live oak (<i>Quercus agrifolia</i>)	13.9-16.3	C	45/45	Fair vigor, poor form, codominant at grade, leaders lean heavily away from each other,
3P	Coast live oak (<i>Quercus agrifolia</i>)	17.2	B	40/35	Good vigor, good form, good screen.
4*	Incense cedar (<i>Calocedrus decurrens</i>)	11.0est	B	45/20	Fair vigor, fair form.
5	Coast live oak (<i>Quercus agrifolia</i>)	11.8	B	20/20	Fair vigor, fair form, good screen.
6P/R	Coast live oak (<i>Quercus agrifolia</i>)	17.6	C	30/30	Fair to poor vigor, fair form, recommended to remove dead wood from canopy.
7R	Coast live oak (<i>Quercus agrifolia</i>)	11.2	B	30/20	Fair vigor, fair form, recommended to remove dead wood from canopy.
8P/R	Coast live oak (<i>Quercus agrifolia</i>)	19.3	B	35/30	Fair vigor, fair form, codominant at 3 feet.
9P	Coast live oak (<i>Quercus agrifolia</i>)	11-7.1-5.6	B	25/20	Good vigor, fair form, multi leader at 3 feet with fair unions.
10P	Coast live oak (<i>Quercus agrifolia</i>)	18.0	F	25/25	Poor vigor, poor form, in decline, nearly dead, recommended to remove.
11P	Coast live oak (<i>Quercus agrifolia</i>)	15.0	B	30/30	Fair vigor, fair form, remove dead wood.
12P	Coast live oak (<i>Quercus agrifolia</i>)	9.9-15.0	D	25/20	Poor vigor, poor form, large codominant failure at 5 feet with decay.
13	Coast live oak (<i>Quercus agrifolia</i>)	14.8	B	30/25	Fair vigor, fair form, sycamore borer on trunk.
14P/R	Coast live oak (<i>Quercus agrifolia</i>)	13.9-20.3	A	40/40	Good vigor, good form.

P-Indicates protected tree by city ordinance *-Indicates tree located on neighboring property

R-Indicates proposed removal



Site observations:

The property at 899 Madonna Way is an undeveloped lot with 13 native coast live oak trees surveyed. The lot is heavily sloped with no recent upkeep. The majority of the trees are in fair to good condition with a few exceptions.

Showing existing site conditions

Summary:

All of the trees surveyed on this lot are coast live oak trees (*Quercus agrifolia*). One incense cedar tree was surveyed on the neighbor's property to the west. Trees #2, #3, #6, #8-12 and #14 are the only protected trees on site by city ordinance.



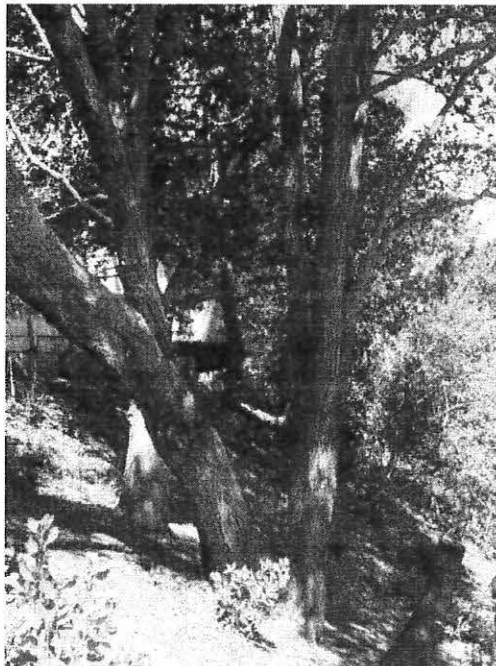
Protected oak trees #6, #8, and #14 are proposed for removal to facilitate construction of the proposed residence. All 3 protected trees proposed for removal are in fair to good condition. Non protected oak tree #7 is also proposed for removal. These trees are in either in the proposed structures foot print, or too close to the proposed structure. These trees need to be removed for economic reasons as it would be nearly impossible to build a decent sized home on this heavily sloped site while retaining all of the trees on site.

Showing trees #6-8



Trees #6-8 do provide screening between the property and adjacent property. The neighbor has a stand of 3 large incense cedar trees directly behind oak tree #6-8 that are proposed for removal. One of the cedar trees (closest to the property line) is dead. The neighbor's remaining 2 incense cedar trees will help to maintain the screen. Future screening trees should be planted near the property line to retain the screen between the properties if the trees are approved for removal.

Showing incense cedar trees behind tree #6-8 that are proposed for removal



General tree care recommendations:

Coast live oak tree #2 is codominant at grade, with two large leaders leaning heavily away from each other. It is recommended to cable the two leaders together at a height of two thirds the tree's height. Crown reduction pruning is also recommended to reduce stress due to the lean of the tree leaders. This will reduce the risk of a large leader failure. This tree should be pruned every 3 years.

Showing oak tree #2, notice lean of leader on left side of picture



Coast live oak tree #10 is nearly dead and not expected to improve in health. This tree is in very poor health, therefore this tree is recommended for removal.

Showing nearly dead oak tree #10

Coast live oak tree #12 is in poor health. The tree has poor vigor and poor form, with a codominant leader failure in the past at 5 feet. The area where the leader has failed is showing signs of heavy decay. Because the tree is not expected to improve in health, tree removal is recommended.

All oak trees to be retained should be pruned every 3-5 years using approved reduction cuts out on the ends of the limbs. All recommended tree work must be done by a licensed tree care provider with knowledge in reduction pruning. All landscaping within 15 feet from an oak tree on site shall be drought tolerant or native plantings. Summer time irrigation near oak trees can promote oak root fungus growth.

Construction recommendations near the retained protected trees on site:

A retaining wall is proposed in close proximity to coast live oak tree #9. The retaining wall will be a corner cut out of the tree's root zone. Corner cuts have less of an impact as a maximum of 25% of the root zone can be impacted if the cut was located at the tree. This tree will need a modified tree protection fencing zone. Fencing must be placed as close as possible to the retaining wall and out to the dripline where possible. Excavation when within 15 feet from this tree will need to take place manually by hand with the project arborist on site. All encountered roots must remain intact and damage free for the project arborist to inspect. All roots to be cut must be cut cleanly. A minimum distance of 5 feet must be maintained from the tree to excavation to be able to retain the tree. The grade underneath the tree's dripline must be retained as is. If grade changes are planned near this tree, a tree well will need to be constructed. Impacts to the tree are expected to be minor. Once roots have been cut the tree will need to be heavily irrigated as close as possible to where the cut took place. All exposed root ends must be wrapped in burlap and sprayed down with clean water. The remaining trees are far from the proposed construction.

Grade changes on site:

When possible all grade changes should be located outside of the dripline of the protected trees. Often times on sites that are heavily sloped the grade needs to be raised. The following recommendation shall take place during raising of grades near the protected tree's on site. All vegetation should be removed, including underbrush beneath the branch spread of the trees. Organic matter, as it decomposes beneath a soil fill, can create noxious gases detrimental to the tree roots. The top 3 to 6 inches of the soil surface should be cultivated or broken up carefully so as to disturb the least possible amount of roots. This treatment allows better contact with the fill soil and prevents a sharp line of demarcation between the existing soil surface and the fill. As a retainer around the trunk, an open-joint wall of shell, rock, masonry or brick in a circle around the tree trunk should be constructed with at least 3 feet between the trunk and the wall. The wall should be as high as the top of the new grade. The completed opening is commonly referred to as a tree well. An aeration system can be constructed using 4-inch perforated plastic pipe arranged in 5 to 6 horizontal lines radiating from the tree well like spokes in a wheel to a point that is equal to the branch spread. The radial lines should be installed so they slope away from the tree trunks, thus allowing excess moisture to drain away. The following tree protection plan will help insure the health of the existing trees to be retained.

Tree Protection Plan:*Tree Protection Zones*

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 2" diameter poles, pounded into the ground to a depth of no less than 2'. The location for the protective fencing for the protected trees on site should be installed no closer to the trunk than the dripline (canopy spread) in order to protect the integrity of the tree. The location of the tree protection fencing may be modified by the planning director. When it is not possible to place tree protection fencing at the dripline because of the proposed work or existing hardscapes, the tree protection fencing shall be placed at the edge of the proposed work or hardscapes. No equipment or materials shall be stored or cleaned inside the protection zones. Areas where tree protection fencing needs to be reduced for access, should be mulched with 6" of coarse wood chips with ½ inch plywood on top. The plywood boards should be attached together in order to minimize movement. The spreading of chips will help to reduce compaction and improve soil structure. All tree protection measures must be installed prior to any demolition or construction activity at the site. The non-protected trees are recommended to be protected in the same manner as the protected trees on site. No signs, wires, or any other object shall be attached to the trees. If impacts are expected to any of the trees on site, proper mitigation measures will need to be put into action to reduce overall impacts to the trees.

Landscape Buffer

Where tree protection does not cover the entire root zone of the trees, or when a smaller tree protection zone is needed for access, a landscape buffer consisting of wood chips spread to a depth of six inches with plywood or steel plates placed on top will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

Root Cutting and Grading

Any roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the site arborist. The site arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. The existing grade level around the trees shall be maintained out to the dripline of the trees. Alternate grade levels may be approved with special mitigation measures put in place.

Trenching and Excavation

Trenching for irrigation, drainage, electrical or any other reason shall be done by hand when inside the dripline of a protected tree. Hand digging and the careful placement of pipes below or besides protected roots will significantly reduce root loss, thus reducing trauma to the tree. All trenches shall be backfilled with native materials and compacted to near its original level, as soon as possible. Trenches to be left open for a period of time, will require the covering of all exposed roots with burlap and be kept moist. The trenches will also need to be covered with plywood to help protect the exposed roots.

Irrigation

No irrigation during dry summer months shall be applied to the native coast live oak trees on site unless their root zones are traumatized. The retained oak trees should be deep watered in the months of May and September only to increase the annual amount of rainfall the trees need for survival.

Inspections

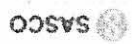
It is the contractor's responsibility to contact the site arborist when work is to take place underneath the canopy or dripline of a protected tree on site. Kielty Arborist Services can be reached by email at kkarbor0476@yahoo.com or by phone at (650) 515-9783 (Kevin) or (650) 532-4418 (David).

The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,
Kevin R. Kielty
Certified Arborist WE#0476A

David P. Beckham
Certified Arborist WE#10724A

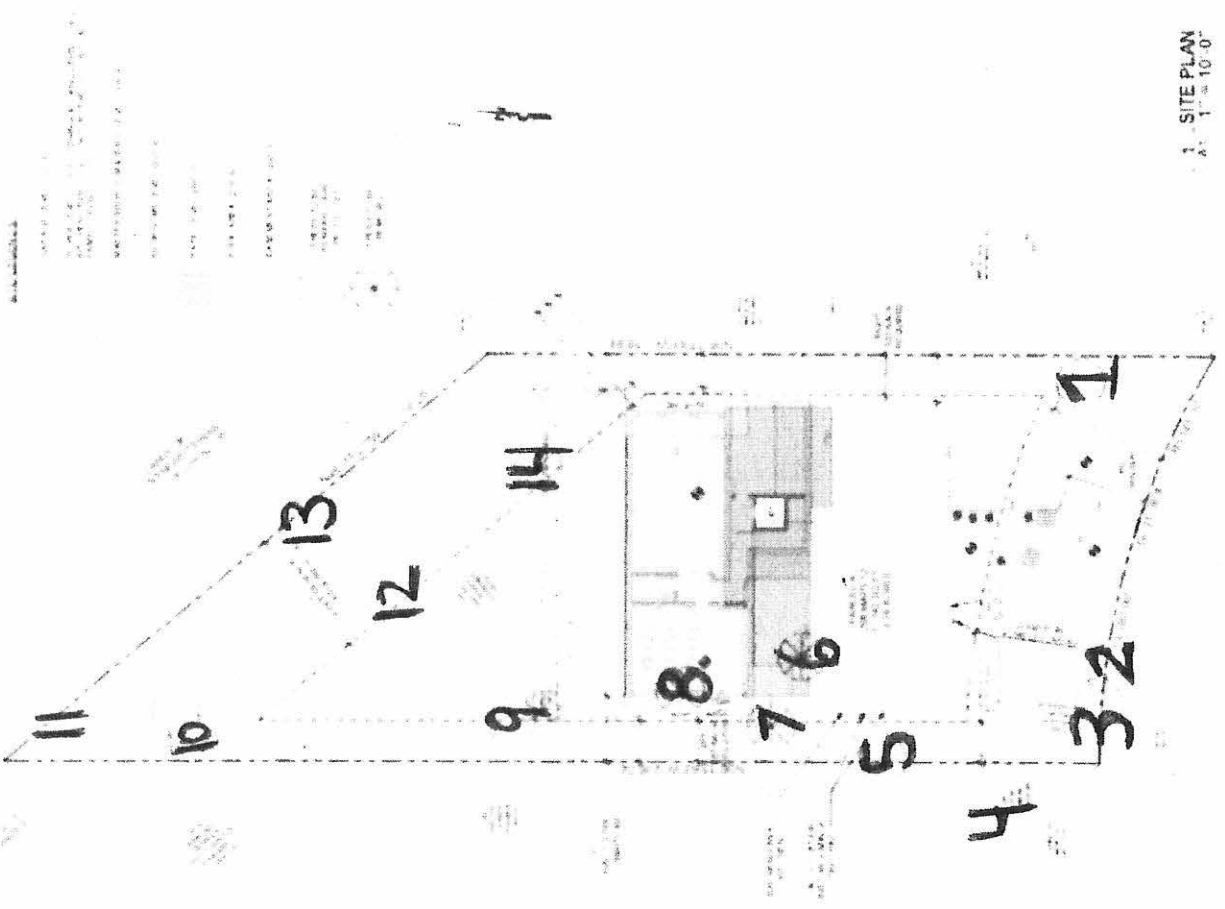
1625 THE ALAMEDA
SUITE 400
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PH (888) 876-2893



SITE PLAN

1625 THE ALAMEDA
SUITE 400
SAN JOSE CA 95126
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A1



1. SITE PLAN
A: 1" = 10'-0"

ATTACHMENT D

EXTERIOR WALL:
 KELLY MOORE PAINT MATERIAL
 NO. KMA69 ROASTED KONA



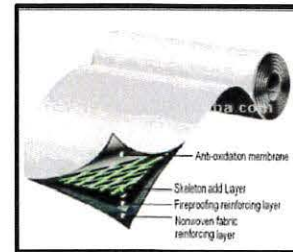
TRIMS AND SOFFITS :
 KELLY MOORE PAINT MATERIAL
 KM4632 WHITE SAND



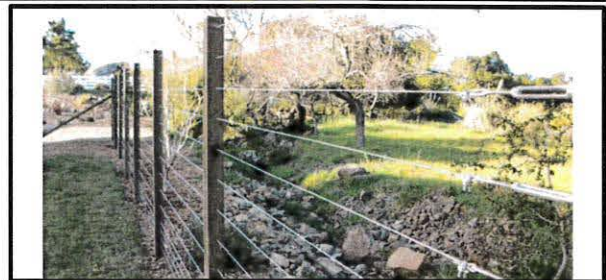
WINDOWS :
 WINDOWS AND DOORS (EPIC VUE)
 COLOR : LUXURY BRONZE



ROOF MATERIAL:
 TPO ROOFING MATERIAL
 DARK BROWN



CABLE FENCE AROUND THE PROPERTY:
 6'-0" HT. MIN.



GARAGE DOOR:
 MODERN STYLE METAL AND GLASS
 COLOR: LUXURY BRONZE



DATE: 04/02/18 **SCALE :** **N.T.S.** **MATERIAL BOARD**

CUSTOM HOUSE
 FOR:
 SIMON ILKHANI & ELNAZ MASSOM
 ADDRESS: 899 MADONNA WAY
 LOS ALTOS, CA 94024

DESIGNER:
 SASCO BUILDERS & DEVELOPMENT.
 1625 THE ALAMEDA, SUITE 400
 SAN JOSE , CA 95124
 Ph :(408) 268-1665 / Fax (408) 268-2022

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