



DATE: September 4, 2019

AGENDA ITEM #4

TO: Design Review Commission
FROM: Calandra Niday, Assistant Planner
SUBJECT: SC19-0014 – 324 Cherry Avenue

RECOMMENDATION:

Approve design review application SC19-0014 subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review application for a new two-story house. The proposed project includes 1,809 square feet on the first story and 1,077 square feet on the second story. The project also includes an attached 231 square-foot accessory dwelling unit (ADU) as part of the first story. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-Family Medium Lot (SF-4)
ZONING: R1-10
PARCEL SIZE: 8,250 square feet
MATERIALS: Composition shingle roofing, Hardie horizontal siding, stone porch columns, vinyl clad windows, and wood trim details

	Existing	Proposed	Allowed/Required
COVERAGE:	1,894 square feet	2,300 square feet	2,475 square feet
FLOOR AREA:			
First floor	1,894 square feet	1,578 square feet	
ADU (first floor)	-	231 square feet	
Second floor	-	1,077 square feet	
Total	1,894 square feet	2,886 square feet	2,887 square feet
SETBACKS:			
Front	20 feet	25 feet	25 feet
Rear	36 feet	29.25 feet	25 feet
Right side (1 st /2 nd)	10 feet	10.5 feet/19.2 feet	7.5 feet/15 feet
Left side (1 st /2 nd)	6 feet	12 feet/19.8 feet	7.5 feet/15 feet
HEIGHT:	16 feet	27 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is a narrow lot located on Cherry Avenue just north of the intersection with Sylvian Way and south of the intersection with Yerba Buena Avenue. The neighborhood along this section of Cherry Avenue is considered a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The homes in this neighborhood context are primarily single-story ranch-style homes with similar setbacks, hipped or gable roof structures, and simple massing. The landscaping along this section of Cherry Avenue does not have a consistent street tree pattern, but most properties have mature street trees and shrubs that obscures views of houses from the street. A Neighborhood Compatibility Worksheet, prepared by the applicant, that provides additional information about the neighborhood context is included as Attachment A.

Zoning Compliance

The parcel width is 75 feet, which is below the minimum lot width of 80 feet for a standard lot in the R1-10 District. Lots that are less than 80 feet in width are described as a "narrow lot" in the Zoning Code and have a reduced side yard setback from the standard 10 feet to ten percent of the average lot width, for any portion of a structure which is one story in height, with seven and one-half feet added for any portion of a structure which is two stories in height. For the subject lot, the side yard setback is 7.5 feet for the first story and 15 feet for the second story setback.

DISCUSSION

Design Review

According to the Design Guidelines, in a Consistent Character Neighborhood, good neighbor design has design elements, materials and scale found within the neighborhood and sizes that are not significantly larger than other houses in the neighborhood. The emphasis should be on designs that fit-in and lessen abrupt changes.

The house uses a Craftsman style inspired design with multiple low-pitched front facing gable roof forms and a projected front porch with stone porch columns. The front elevation includes a two-story gable element above the front entry element with first floor porch roof forms that break up the two-story massing. An attached 231 square-foot ADU is proposed towards the rear of the property on the first floor. The ADU portion of the home is exempt from design review. However, the ADU does comply with all applicable objective site standards and accessory structure regulations.

The project proposes high quality materials, such as a composition shingle roofing, Hardie horizontal wood siding, Fieldstone base porch columns, vinyl clad windows, and wood trim details, which are integral to the architectural design of the house. The project's material board is included as Attachment E. Overall, the proposed project has architectural integrity and the design and materials are compatible within the Consistent Character Neighborhood context.

Privacy

The subject site is considered a narrow lot under the R1-10 District because it is less than 80 feet in width (see Sheet A1.02 of the Plan Set), therefore, the required first story side yard setback are ten percent of the lot width, or 7.5 feet, whereas 10 feet are normally required. The required second story side yard setbacks are 15 feet, whereas 17.5 feet are normally required. However, the project proposes

increased second story side yard setbacks of approximately 19.2 feet on the right side and 19.8 feet on the left side.

The second story includes four windows on the right side (north elevation) and four windows on the left side (south elevation). Staff worked with the applicant to modify the windows on the north and south elevations to be more passive with taller sill heights. On the south elevation, there are two small windows in the master bedroom with sill heights of 4.33 feet and two windows in the master bathroom with sill heights of 3.83 feet. On the north elevation, each bedroom has a small window with a sill height of 3.66 feet and 3 feet while the laundry room and bathroom each have a passive window with a sill height of 4.66 feet and 3.66 feet, respectively.

On the rear elevation, there are three larger second story windows; however, there is a large mature coast live oak tree in the backyard that will be maintained, which will help block views out the windows. Also, the rear yard proposes an increased setback of over 29 feet where a setback of 25 feet is required. In addition, the project proposes to plant 19 new evergreen screening trees (*Prunus C 'Compacta'*) along the rear and side property lines to screen the views for the adjacent neighbors. Overall, due to the increased setbacks, combined with the existing mature coast live oak tree and extensive evergreen screening proposed along the rear and side property lines, the privacy impacts should be minimized and not considered unreasonable.

Trees and Landscaping

The project site has three existing trees: a large coast live oak in the rear yard, a smaller pepper tree in the building envelope, and a smaller coast live oak on the north side property line. Both the pepper tree and the coast live oak at the side property line are smaller than the threshold to be considered “protected” under the City’s Municipal Code and are proposed to be removed due to their locations, which conflict with the new structure and existing fence. An arborist report was prepared by Michael Waller from Arbor Vision Inc. which details an evaluation of the two coast live oak trees on the property (Attachment C). The project is proposing to protect and preserve the large coast live oak tree located in the rear yard. The arborist report provides specific tree protection measures, including tree protection zone requirements. A condition has been added that requires these protection measures be included into the project plans (Condition No. 2).

The landscape plan (Sheets L1.01 - L4.01 of the project plans) proposes nine new trees (four Japanese Maple trees and five Crape Myrtle trees), 19 evergreen screening trees (*Prunus C 'Compacta'*) along the sides and rear property lines, and a variety of other shrubs and groundcover type plants throughout the site. Overall, the project will be maintaining the existing healthy mature tree in the rear yard, installing new trees and screening throughout the site, and meets the City’s landscaping regulations and street tree guidelines. Since the project includes a new house and has 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 11 nearby property owners on Cherry Avenue, Yerba Buena Avenue, and Sylvian Way. The Public Notification Map is included in Attachment B. In addition, prior to the mailed notices going out, the property owner conducted neighborhood outreach and summarized the effort in an email, which is included as Attachment D.

Cc: Samuel Lee, Applicant and Architect
Rita Patel, Property Owner

Attachments:

- A. Neighborhood Compatibility Worksheet
- B. Area, Vicinity and Public Notification Maps
- C. Arborist Report
- D. Neighborhood Outreach Summary
- E. Materials Board

FINDINGS

SC19-0014 – 324 Cherry Avenue

With regard to the new two-story house, the Design Review Commission finds the following in accordance with Section 14.76.050 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 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 structure has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

CONDITIONS

SC19-0014 – 324 Cherry Avenue

GENERAL

1. Approved Plans

This approval is based on the plans and materials received on June 13, 2019 and then resubmitted on August 5, 2019, except as may be modified by these conditions.

2. Protected Tree

- a. The coast live oak tree in the rear yard as shown in the site plan shall be protected under this application and cannot be removed without a Tree Removal Permit from the Community Development Director; and
- b. The tree protection measures contained in the arborist report by Arbor Vision Inc. shall be incorporated into the project plans and adhered to during construction.

3. Encroachment Permit

An encroachment permit shall be obtained from the Engineering Division prior to doing any work within the public right-of-way including the street shoulder. All work within the public street right-of-way shall be in compliance with the City's Shoulder Paving Policy.

4. Landscaping

- a. The landscape plan is subject to the City's Water Efficient Landscape Regulations pursuant to Chapter 12.36 of the Municipal Code.
- a. The new evergreen screening trees (Prunus C 'Compacta') are required to be a minimum 24-inch box or 15-gallon in size.

5. Fire Sprinklers

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

6. Underground Utilities

Any new utility service drops shall be located underground from the nearest convenient existing pole pursuant to Chapter 12.68 of the Municipal Code.

7. Indemnity and Hold Harmless

The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.

PRIOR TO BUILDING PERMIT SUBMITTAL

8. Conditions of Approval

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

9. Tree Protection Notes

- a. On the site plan, show tree protection fencing around the coast live oak tree 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."
- b. Incorporate the tree protection measures contained in the arborist report by Arbor Vision Inc. into the project plans.

10. 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 and include signed statements from the project's landscape professional and property owner.

11. 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.

12. 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.

13. Air Conditioner Sound Rating

Show the location, manufacturer, and model number of any new air conditioning units on the site plan and provide the manufacturer's specifications showing the sound rating for each unit.

14. Storm Water Management

Show how the project is in compliance with the New Development and Construction Best Management Practices and Urban Runoff Pollution Prevention program, as adopted by the City for the purposes of preventing storm water pollution (i.e. downspouts directed to landscaped areas, minimize directly connected impervious areas, etc.).

PRIOR TO ISSUANCE OF BUILDING OR DEMOLITION PERMIT

15. Tree Protection

Tree protection fencing shall be installed around the dripline of the coast live oak tree as shown in the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

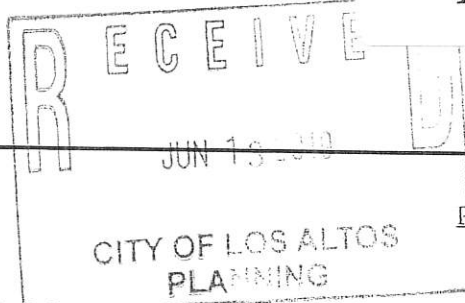
PRIOR TO FINAL INSPECTION

16. 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.

17. 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).



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 324 CHERRY AVE
 Scope of Project: Addition or Remodel _____ or New Home X
 Age of existing home if this project is to be an addition or remodel? 1945
 Is the existing house listed on the City's Historic Resources Inventory? No

Address: 324 CHERRY AVE
Date: 06.04.19

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: 8250 square feet
Lot dimensions: Length 110 feet
Width 75 feet

If your lot is significantly different than those in your neighborhood, then note its: area 10,000, length 125, and width 80.

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

Existing front setback if home is a remodel? 20'
What % of the front facing walls of the neighborhood homes are at the front setback 90 %
Existing front setback for house on left 22 ft./on right 25 ft.
Do the front setbacks of adjacent houses line up? No

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 1
Garage facing front recessed from front of house face 3
Garage in back yard 0
Garage facing the side 0
Number of 1-car garages 0; 2-car garages 5; 3-car garages 0

Address: 324 CHERRY AVE
Date: 06.04.19

4. Single or Two-Story Homes:

What % of the homes in your neighborhood* are:
One-story 100
Two-story _____

5. Roof heights and shapes:

Is the overall height of house ridgelines generally the same in your neighborhood*? YES
Are there mostly hip X, gable style X, or other style _____ roofs*?
Do the roof forms appear simple X 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*?
X wood shingle X stucco _____ board & batten _____ clapboard
_____ tile X stone X brick X combination of one or more materials
(if so, describe) _____

What roofing materials (wood shake/shingle, asphalt shingle, flat tile, rounded tile, cement tile, slate) are consistently (about 80%) used?
~~WOOD SHAKE~~ WOOD SHAKE
If no consistency then explain: _____

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

Does your neighborhood* have a consistent identifiable architectural style?
 YES NO

Type? X Ranch _____ Shingle _____ Tudor _____ Mediterranean/Spanish
_____ Contemporary _____ Colonial _____ Bungalow _____ Other

Address: 324 CHERRY AVE
Date: 06.04.19

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)

TOWARD THE STREET

Is your slope higher _____ lower ~~higher~~ same ~~lower~~ X 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.)?

MULCH W/PLANTS.

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

FAIRLY VISIBLE FROM THE FRONT AND SIDES. LARGE TREE IN BACK SHIELDS REAR HOUSE

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)?

SHRUBS AND MULCH, ASPHALT

10. **Width of Street:**

What is the width of the roadway paving on your street in feet? 26'

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

Is the shoulder area (unimproved public right-of-way) paved, unpaved, gravel, landscaped, and/or defined with a curb/gutter? NO CURB AND

GUTTER, ASPHALT

Address: 324 CHERRY AVE

Date: 06.04.19

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.:

FRONT LANDSCAPE BUSHES, ASPHALT SHOULDERS,
VARIED TREES, PITCHED ROOFS, SMALLER
SIZE LOTS.

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

BUT IT'S A TIMELY LOOK.

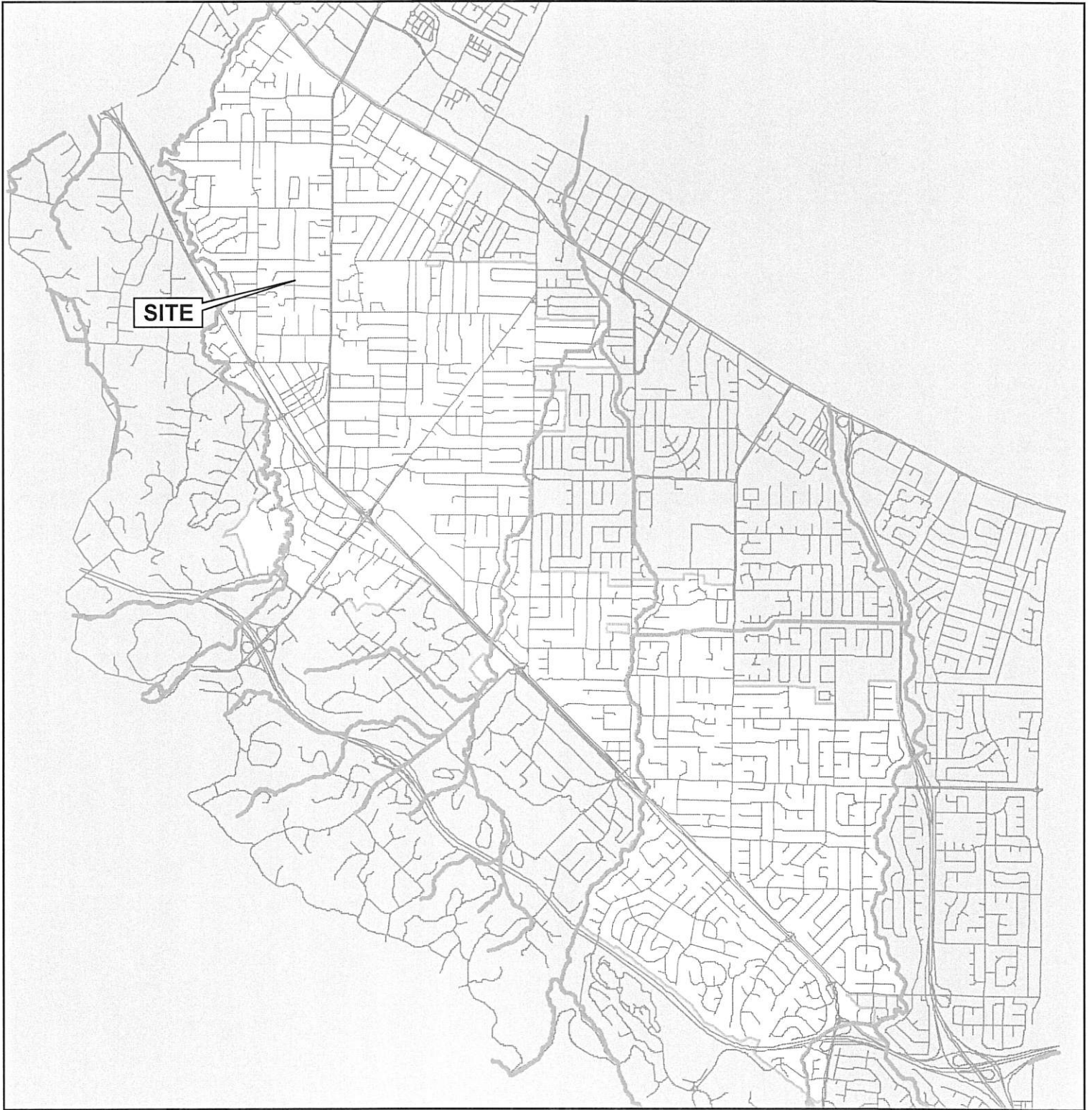
Address: 324 CHERRY AVE
 Date: 06.04.17

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).

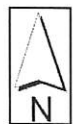
Address	Front setback	Rear setback	Garage location	One or two stories	Height	Materials	Architecture (simple or complex)
151 SYLVAN	20'	25'	FRONT	ONE	17'	NESTED SIDING / STUCCO	SIMPLE / MODERN
340 CHERRY	25'	30'	FRONT	ONE	16'	WOOD ROOF / BOARD IN GUTTER / BRICK	SIMPLE
137 SYLVAN	25'	35'	SIDE	ONE	17'	WOOD ROOF / STUCCO	SIMPLE
132 YERBA BUENA	25'	80'	BACK	ONE	18'	WOOD ROOF / SIDING	SIMPLE
165 SYLVAN (FLAG LOT)		25'	FRONT	ONE	17'	COMP ROOF / STUCCO	SIMPLE

AREA MAP



CITY OF LOS ALTOS

APPLICATION: SC19-0014
APPLICANT: Samuel Lee
SITE ADDRESS: 324 Cherry Avenue

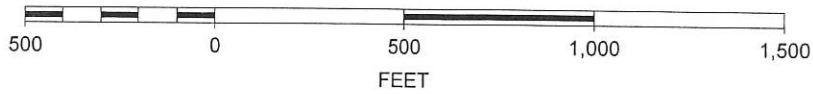


Not to Scale

VICINITY MAP



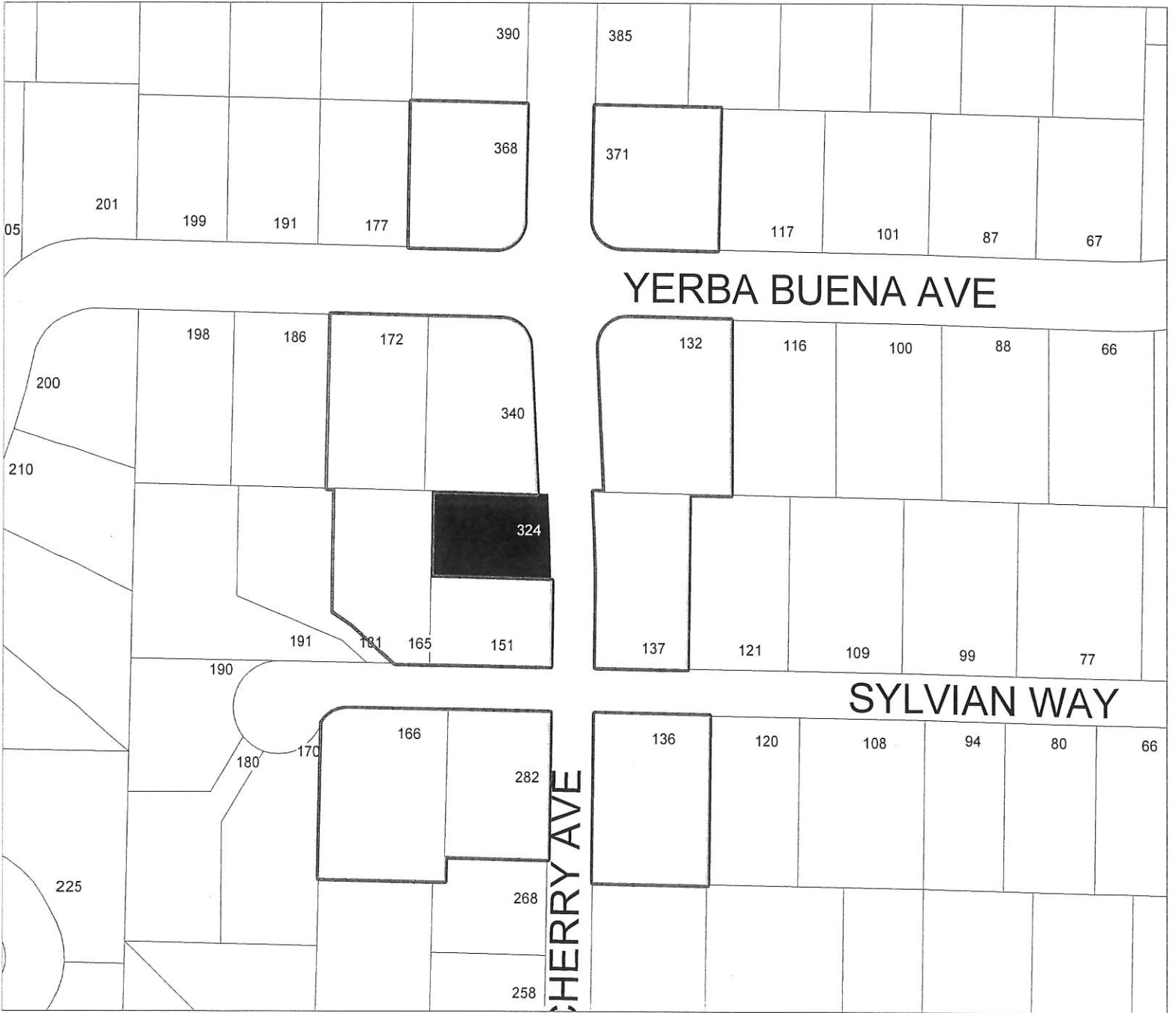
SCALE 1 : 6,000



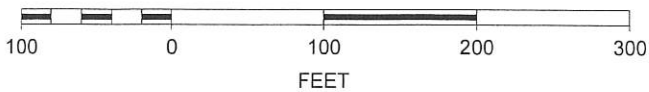
CITY OF LOS ALTOS

APPLICATION: SC19-0014
APPLICANT: Samuel Lee
SITE ADDRESS: 324 Cherry Avenue

324 Cherry Avenue Notification Map



SCALE 1 : 1,500



Arbor Vision, Inc.

Commercial and Residential Tree Care



Subject: 324 Cherry Ave, Los Altos, CA

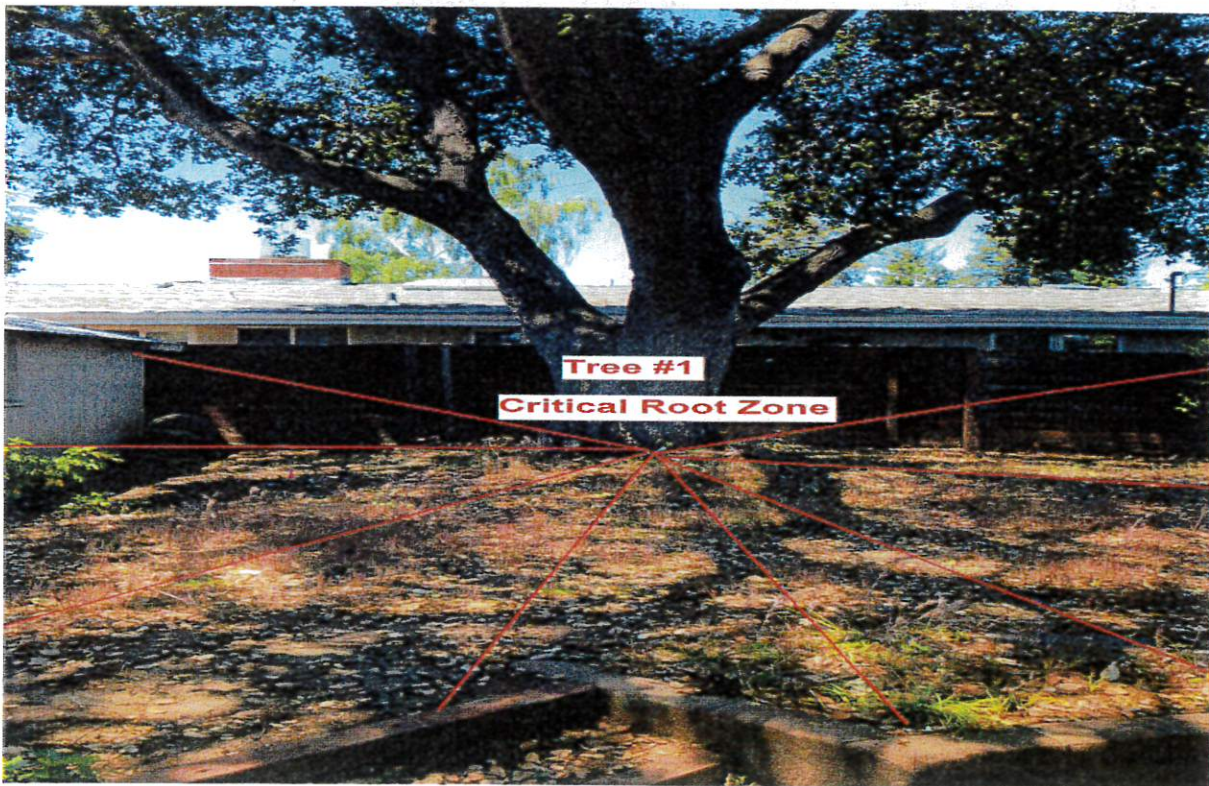
I was asked to inspect 2 Quercus agrifolia Tree (#1) 47" DBH Oak tree for Tree Protection Zone for new landscape design.

Tree (#2) 14" DBH Oak to be removed.

Directions: Tree #1

Tree Protection Fencing - shall be chain link and a minimum of five feet in height with the posts driven into ground. It shall be installed prior to issuance of the demolition permit and shall not be removed until all building and construction has been completed.

Critical Root Zone - A critical step in retaining healthy tree is the protection of tree roots from disturbance. Each tree has a critical root zone. **Critical root zone** is an area equal to a 1-foot radius from the base of the tree's trunk for each 1 inch of the tree's diameter. Cutting or disturbing a large percentage of a tree's roots increases the likelihood of the tree's failure or death. Never cut tree roots that are more than four inches wide; roots that large are usually structural. Cutting them can destroy the stability of the tree, causing it to fall over! If you must cut tree roots, do so cleanly with sharp tools. Never tear with a backhoe or other dull instrument. A clean cut encourages good wound closure and confines the spread of decay. Tree Fencing should be installed at the edge of **Critical Root Zone**



Arbor Vision, Inc.

Commercial and Residential Tree Care

Tree #2 – is located on South side of fence line and is under 15" the limit required by city for removal. Tree exhibits to be planted extremely close to neighbors' home. This tree will damage the foundation to neighboring home and fence. The canopy will continue to spread over neighboring home causing issues as leaf litter starts building up causing damage to roof. The roots are very invasive for the species of tree. Its recommended for this tree to be removed while still young and plant a less invasive species of tree.



Please feel free to contact me with any questions you may have.

Sincerely,

Michael Waller

ISA Certified Arborist #WE-11436A

Calandra Niday

From: [REDACTED]
Sent: Wednesday, August 14, 2019 9:46 AM
To: PM Calandra Niday
Subject: Fwd: Cherry neighbor visits

Hi Callie - I asked my client to summarize the effort that she's made to contact the owners about the new home. Please see below.

thanks,
Sam

----- Forwarded message -----

From: [REDACTED]
Date: Sat, Jul 20, 2019 at 12:36 PM
Subject: Cherry neighbor visits
To: [REDACTED]

135/137 Sylvian Way (front)

Went by 3 separate occasions. Left a note same as below- appeared to be vacant last 2 times

165 Sylvian Way. (Back)

Stopped by 3 separate occasions. No one was home . Left 2 notes - introducing myself as new owner of 324 and left my phone number if they wanted to contact me.

151 Sylvian Way (left)

Met husband several times and had a nice conversation let him know we were building a two story. Gave him my email and phone number and asked him let me know if he had any concerns now or moving forward.

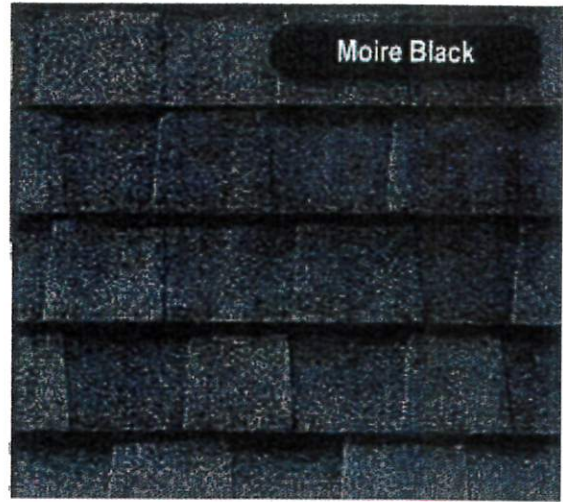
340 Cherry (right)

Went by twice met both husband and wife and had a lovey conversation. Let them know I was new owner and planned to tear down and build. They were thrilled to have a family moving in next door, and invited me over tea when I had more time. We exchanged phone numbers and I let them know to contact me if there was ever an issue or if they needed help with anything (since they are elderly and all their children are on East coast).

Sent from my iPhone



Wall light – Arroyo Craftsman Aberdeen



Roof Material – Certainteed Moire Black



Vinyl window white exterior – Milgard Tuscany or equal



Front Door – Craftman 3 light stained



Horizontal Siding Material - Hardie Artisan V Rustic - painted



Porch Columns – Field Stone Base

