



DATE: January 20, 2020

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Sean K. Gallegos, Associate Planner
SUBJECT: SC20-0020 – 1485 Redwood Drive

RECOMMENDATION:

Approve design review application SC20-0020 subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review application for a new second story window along the front elevation of an existing two-story house.

GENERAL PLAN DESIGNATION: Single-Family, Residential
ZONING: R1-10
PARCEL SIZE: 12,197 square feet

	Existing	Proposed	Allowed/Required
FLOOR AREA:			
First floor	3,171	-	
Second floor	1,220	-	
Total	4,391 square feet	-	3,970 square feet
SETBACKS			
Front	25 feet	-	25 feet
Rear	21.25 feet	-	21.25 feet
Right Side (1 st /2 nd)	19.6 feet/67.2 feet	-	10 feet/17.5 feet
Left Side (1 st /2 nd) House	13 feet	-	20 feet
HEIGHT:			
	22 feet	-	27 feet

BACKGROUND

On February 11, 1988, the Community Development Director approved a 1,220 square-foot second-story addition and second story deck to an existing one-story house at 1485 Redwood Drive. The Community Development Director's decision was appealed to the Architectural and Site Control Committee (ASCC), now titled the Design Review Commission. On March 29, 1988, the ASCC denied the appeal and sustained the Community Development Director's decision regarding the second story addition at the subject site. Building permit records reflect the second story addition was built without the second story deck.

On December 17, 2020, the applicant submitted a design review application to add a new second story window along the front elevation and rear elevation of the existing two-story house

Zoning Compliance

The existing first story is located 13 feet from the left (exterior) side setback, where a setback of 20 feet is required per Section 14.06.080 of the Municipal Code. The setback encroachment was approved as part of a variance application from June 1966 (66-V-234) and is therefore considered to be a legal nonconforming structure. The variance application (66-V-234) recognized the front yard along Redwood Drive, exterior side yard along Sycamore Court, the interior side property line along the property line of 1525 Vineyard Drive, and the rear yard along the property line of 2245 Sycamore Court.

The existing house is non-conforming as it does not meet the rear yard setback on the rear with a setback of twenty-feet, three-inches, where 21.25-feet is required. In addition, the existing house has an existing floor area of 4,391 square feet, where the maximum permitted floor area is 3,970 square feet. Since the project will not eliminate or replace more than 50 percent of the floor area, the non-conforming setback can be maintained.

DISCUSSION

Design Review

The proposed minor modification to the existing two-story house includes adding a new second story window along the front elevation. According to the Residential Design Guidelines, house modifications should be designed consistent with the original house design. Due to the window maintaining a consistent size and style as the existing house design, the proposed window maintains the composition of the building's architecture. Overall, the new window does not create an abrupt change and is well integrated into the existing design.

Privacy

On the front elevation of the second story, there are two existing windows: one large-sized window in bedroom No. 3 and one medium-sized window in the hallway. The proposal does not revise the existing windows, but it proposes a new medium-sized window in the attic (storage) room. Due to the placement of the new window and its orientation toward a public right-of-way, it does not create an unreasonable privacy impact.

Procedurally, the Community Development Director typically acts on minor exterior modifications, including alterations to window styles. Since the original project was approved by the Design Review Commission and the additional window glazing on the second story could potentially have privacy impacts the review was referred to Design Review Commission.

PUBLIC CORRESPONDENCE

To-date, staff has received correspondence from one resident regarding a rear facing window (Attachment 9). As indicated in the project plans, the applicant is only proposing one front facing window and no rear facing window is proposed for project.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the Environmental Quality Act because it involves exterior alterations to an existing structure.

Cc: I-Mark Design Group, Applicant/Designer
Vatsal Bhardwah, Owner

Attachments:

- A. Vicinity and Public Notification Maps
- B. Public Correspondence

FINDINGS

SC20-0020 – 1485 Redwood Drive

With regard to the new window proposed for the existing two-story house, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code:

- a. The proposed alteration complies with all provision of this chapter;
- b. The height, elevations, and placement on the site of the existing structure with the proposed alteration, 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 existing structure with the proposed alteration 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 existing structure with the proposed alteration has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

CONDITIONS

SC20-0020 – 1485 Redwood Drive

GENERAL

1. Expiration

The Design Review Approval will expire on January 6, 2023 unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to Section 14.76.090 of the Zoning Code.

2. Approved Plans

The approval is based on the plans and materials received on received on December 17, 2020, except as may be modified by these conditions. The scope of work is limited to that shown on the plans and may not exceed rebuilding 50 percent of the existing structure.

3. Condition Superseded

These conditions shall be in addition to the conditions approved on March 29, 1988.

4. 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. The City may withhold final maps and/or permits, including temporary or final occupancy permits, for failure to pay all costs and expenses, including attorney's fees, incurred by the City in connection with the City's defense of its actions.

INCLUDED WITH BUILDING PERMIT SUBMITTAL

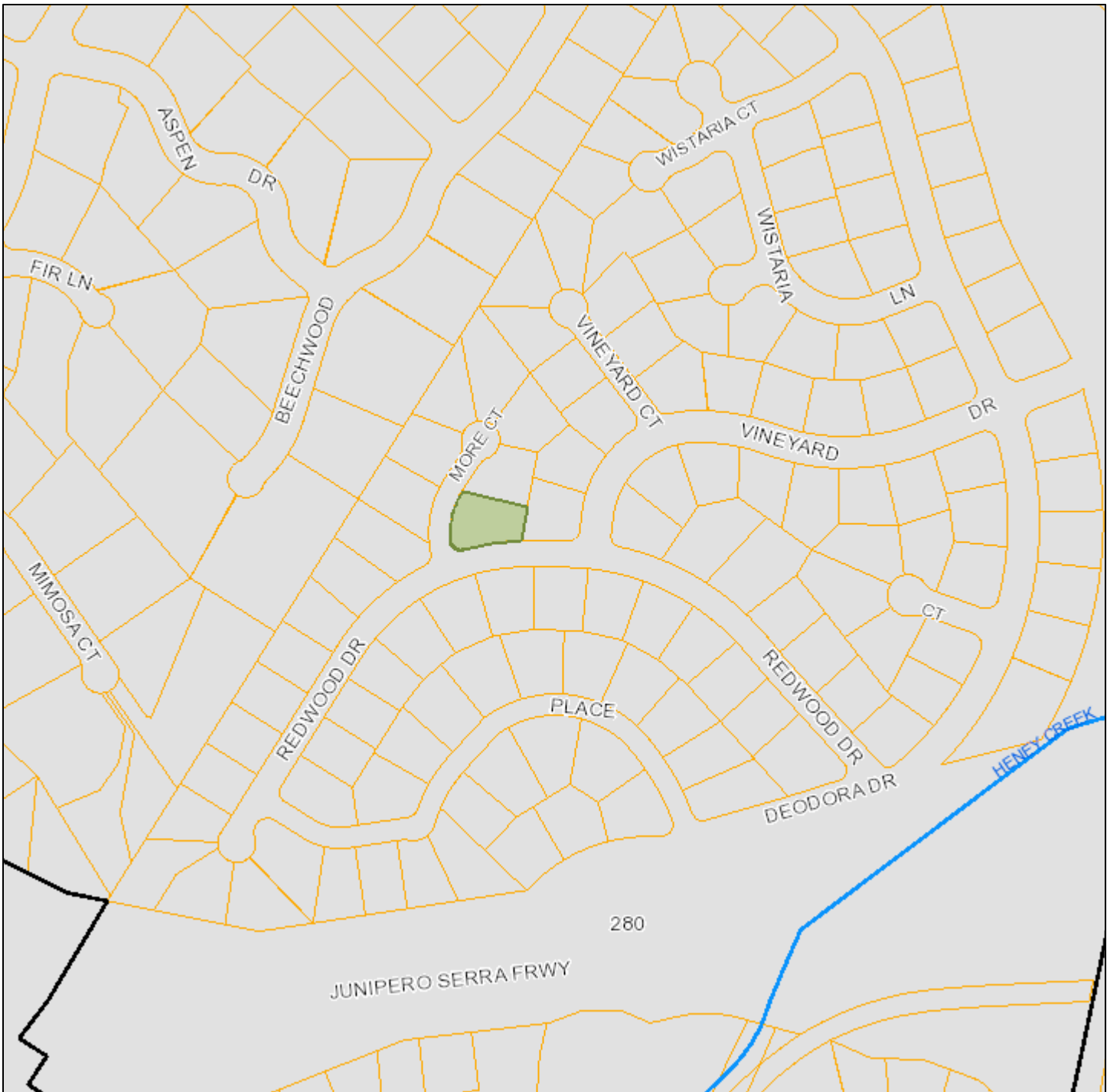
5. Conditions of Approval

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

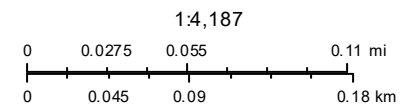
6. Applicant Acknowledgement of Conditions of Approval

The applicant shall acknowledge receipt of the final conditions of approval and put in a letter format acceptance of said conditions. This letter will be submitted during the first building permit submittal.

Vicinity Map



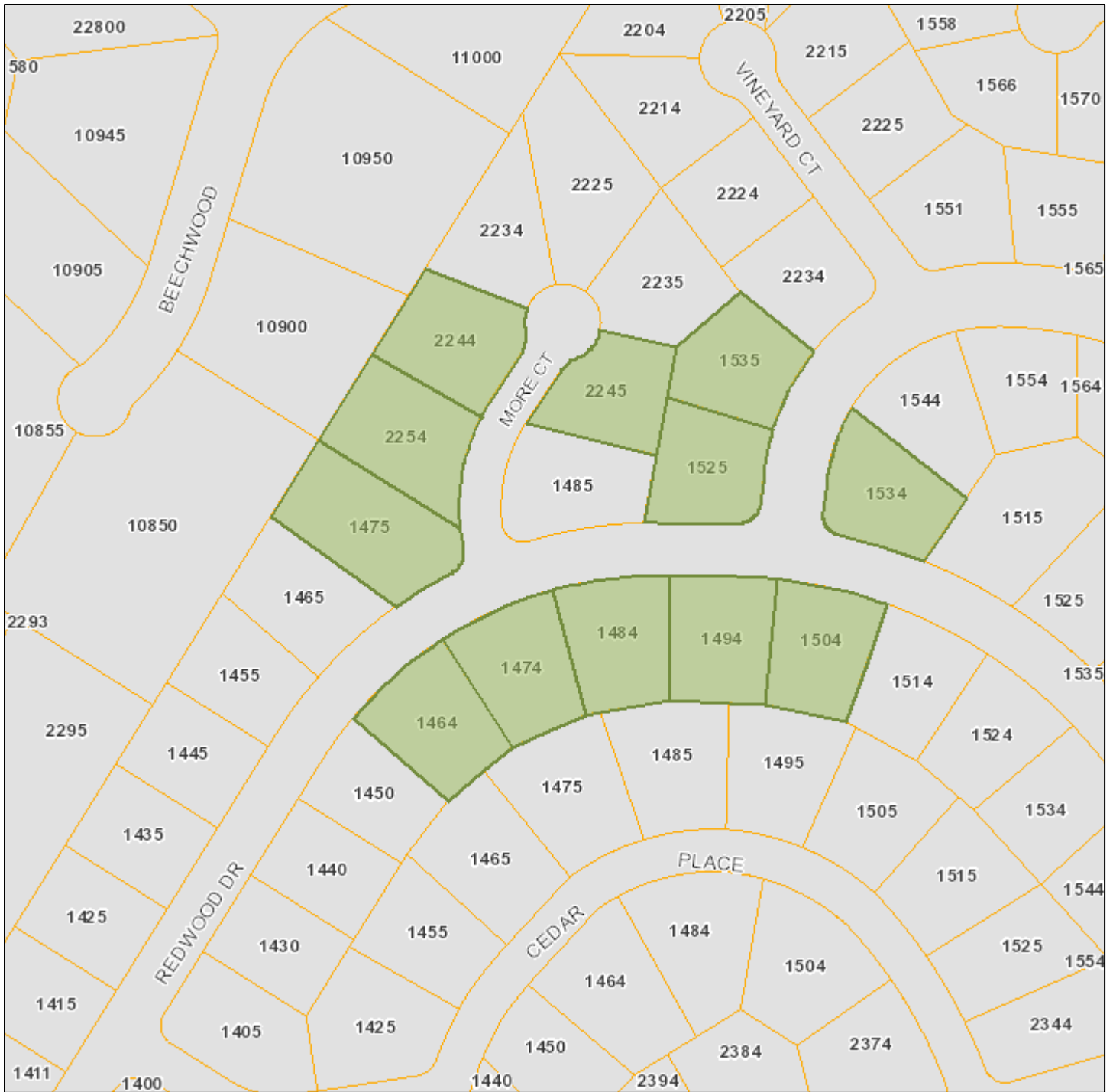
Print Date: December 23, 2020



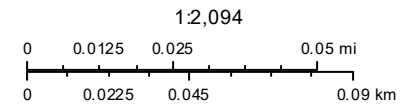
- Schools
- Park and Recreation Areas
- City Limit
- Road Names
- Waterways
- Situs Label
- TaxParcel

The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.

Notification Map



Print Date: December 23, 2020



- Schools
- Park and Recreation Areas
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ATTACHMENT B

From: [Peter Hoa](#)
To: [Sean Gallegos](#)
Cc: [Los Altos Design Review Commission](#); [Jeannie Bruins](#); [Anita Enander](#); [Neysa Fligor](#); [Lynette Lee Eng](#); [Jan Pepper](#)
Subject: RE: SC20-0020-I-Mark Design Group - 1485 Redwood Drive
Date: Tuesday, January 5, 2021 5:46:06 PM
Attachments: [1988 Protest Re 1485 Redwood Drive.pdf](#)

Dear Los Altos City Council,

Writing to lodge a letter of protest with respect to construction plans filed for 1485 Redwood Drive by a soon-to-be new resident. From meeting agenda notes posted, the building plans to file for new second-story window(s) along the second floor rear elevation facing 2245 Sycamore Court that was previously successfully protested by more than twenty nearby residents.

As residents of the neighborhood (specifically 2245 Sycamore Court), we want to register concern with the lack of notice (given many residents of addresses on the original petitions were not notified) and lack of transparency (given more detailed plans have not been made available). But also, we want to make an appeal for continued disallowal of the second floor rear window facing 2245 Sycamore **based on a right to privacy** and desire to protect the market value of the home with the following context:

- **Rear Window Historically Disallowed.** 1485 Redwood was originally a single story home in part because the topology of the area is such that the first floor of 1485 Redwood is already at the level of the second floor of 2245 Sycamore Court. When a fire burned down 1485 Redwood prior to 1988, it was allowed to be rebuilt into a two-story construction despite exceeding lot size allowance and daylight plane. The compromise here was that part of the second floor was constructed as attic space with the second-floor rear window specifically disallowed because it violated the Los Altos tradition of valuing privacy. **Please see the attached PDF** for record of letter of protest from 1988 along with signatures of neighborhood support. We also urge Los Altos to please review the decision made in 1988 with regards to 1485 Redwood Drive building permit.
- **Still Inherent Violation of Privacy.** Los Altos has a cherished history of valuing residents' right to privacy. This was true in 1988 but also still remains true in 2021. A window on the second floor would look directly into a large part of the backyard of 2245 Sycamore Court

We are looking forward to welcoming the residents of 1485 to the neighborhood and support their efforts to refresh the place. But we also value the privacy of each individual resident in the neighborhood and want to make sure we aren't setting a precedent that would be damaging to the neighborhood and city long term. Again, as a request, we would request (1) transparency into the building plans for 1485 and (2) sufficient notice so nearby neighbors can help provide the appropriate context. Given the short notice to plan review especially during

these chaotic times, we urge the city council to facilitate greater transparency (we still do not have access to new building plan as of 1/5/2021) and caution toward actions that may reverberate past this period with respect to living standards. We thank you for your consideration in this matter.

Sincerely,

Peter Hoa & Shirley Hoa

PETER AND SHIRLEY HOA
2245 SYCAMORE COURT
LOS ALTOS, CALIF. 94022
15 FEBRUARY 88

Architecture and Site Control Committee
City of Los Altos
Los Altos, Calif.

Dear Members of Architecture and Site Control Committee,

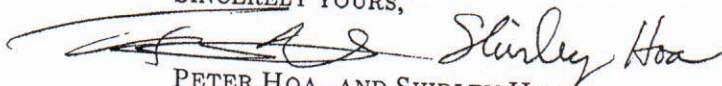
We are writing this letter as a formal protest to your recent decision granting building permit to Mrs. Barnes at 1485 Redwood Drive, Los Altos, Calif. The building permit involve a brand new second floor addition with windows and decking facing and overlooking our home where none had existed before. We urge you to modify your decision for the following reasons:

- 1) We were never notified by any member of your committee or your staff that such a drastic action affecting our privacy is being considered or being issued. We discovered the existence of the permit by chance after it was already issued.
- 2) The topology of the area is such that Mrs. Barnes first floor is already at the level of our second floor. However we do not at present look into her property nor can she look into ours. A structure such as being proposed will "tower" over our home and the addition of windows and decking will allow the property owner at 1485 Redwood Drive to look directly into our property and infringe on our privacy. We feel very strongly that such an addition will take away our privacy and decrease the market value of our home.

We are asking the Architecture and Site Control Committee

- 1) To perform a physical inspection of the sites at 1485 Redwood Drive and 2245 Sycamore Court and note the unique topology, size of the lots and closeness of the existing homes.
- 2) To reconsider your decision and modify the building permit for 1485 Redwood Drive to remove all deckings and windows on the second floor facing our property so our existing privacy is not abrogated.

SINCERELY YOURS,


PETER HOA, AND SHIRLEY HOA

ATTACHEMENT: Neighborhood Petition

cc:

- 1) Penny Lave, Mayor of Los Altos
- 2) Members of City Council(Margaret Bruno, Theodore Laliotis, David Reeder, Frank Verlot).
- 3) Debrah Nelson, Director of Planning.
- 4) Members of Planning Commission(Denny Spangler, Kristin Casto, Kristine Salmon, Mark Srebnik, Theodore Laliotis, Arthur Bernstein, Milt Nicholas).
- 5) Tony Shen of Shen-Cantos Architects.

**PETITION
TO MODIFY BUILDING PERMIT
GRANTED TO MRS. BARNES
AT
1485 REDWOOD DRIVE
LOS ALTOS, CA.**

We the undersigned object to the building plan allowing second floor addition to the residence at 1485 Redwood Drive. Specifically the second floor decking that intrudes on the privacy of the residences on Sycamore Court. Additionally the proposed structure may detract from the aesthetics of the neighborhood.

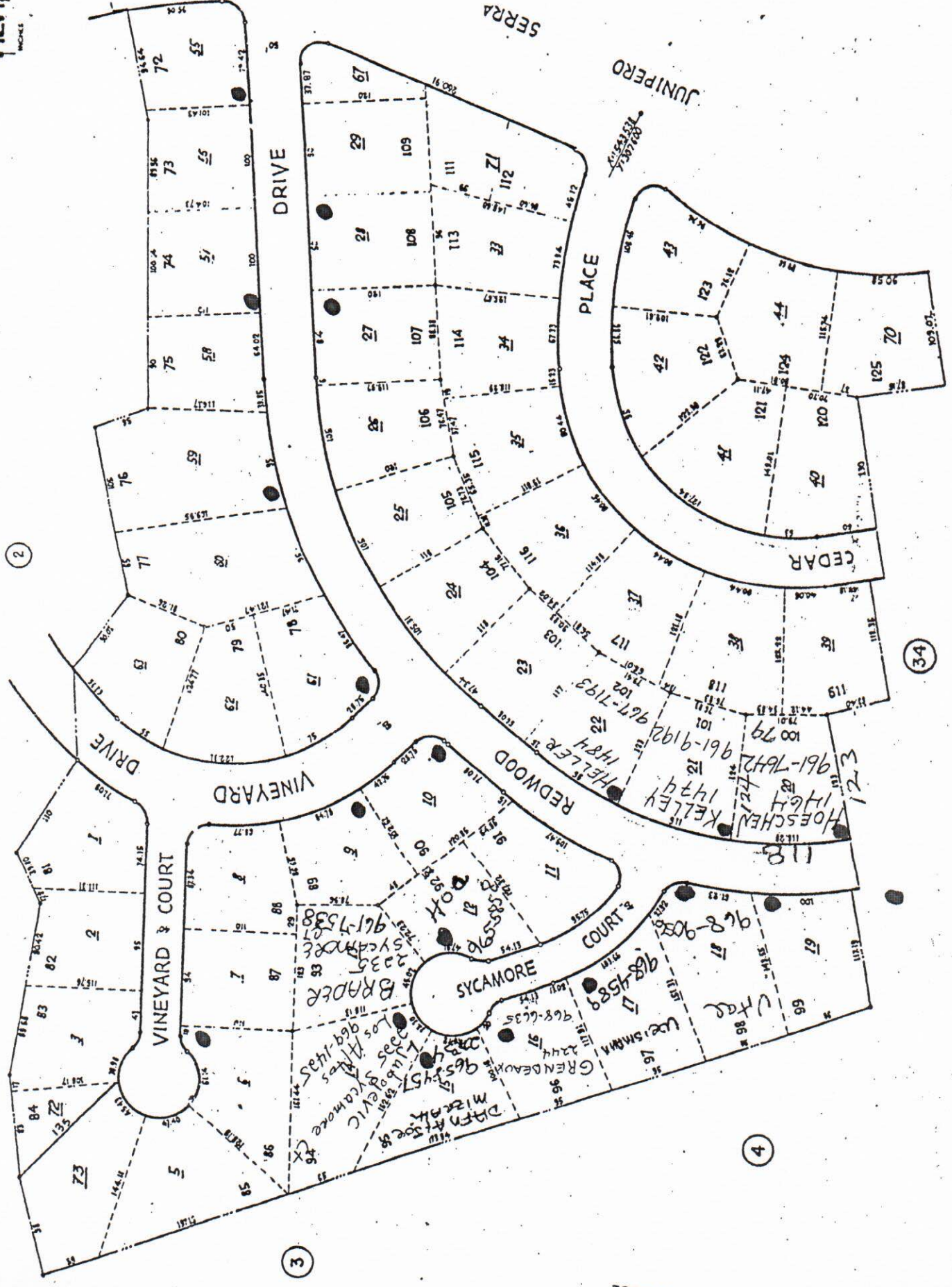
Name	Signature	Address
PETER HOA		2245 SYCAMORE CT, Los Altos
S. MIZHANI		2234 SYCAMORE CRT LOS ALTOS
D. Myrals		2234 Sycamore Ct L.A.
R. G. J. J. J.	R. G. J. J. J.	2225 SYCAMORE COURT L.A.
JEFF WEISMAN	JEFF WEISMAN	2254 Sycamore Ct. L.A.
Edward Kelley	EDWARD KELLEY	1474 REDWOOD DR. L.A.
DOROTHY GRENEAUX	Dorothy Greneaux	2244 Sycamore Ct. L.A.
JEAN GRENEAUX	Jean Greneaux	2244 Sycamore Ct., L.A.
HARVEY HELLER	Harvey Heller	1484 REDWOOD DR. L.A.
JEANNIE M. HOESCHER	Jeannie M. Hoeschel	1464 Redwood Dr. L.A.
LAWRENCE H. HOESCHER	LAWRENCE H. HOESCHER	1464 REDWOOD DE LOS ALTOS.
FRED J. VERTEL	FRED J. VERTEL	1475 REDWOOD DR. LOS ALTOS
JEANETTE TUNG	JEANETTE TUNG	1545 - REDWOOD DR. LOS ALTOS
W. H. TUNG	W. H. TUNG	1545 Redwood Drive Altos
James Chung	James Chung	1455 Redwood Dr. Los Altos, CA

* AND STORY BLOCKS VIEW.
** Object to Rear View.

**PETITION
TO MODIFY BUILDING PERMIT
GRANTED TO MRS. BARNES
AT
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Name	Signature	Address
MARYANNE MILLER	Maryanne Miller	1525 REDWOOD DR. LA
Fancy DelVillaggio	Fancy DelVillaggio	1534 Redwood Dr LA.
D. GUSMAN	D. Gusman	2300 DEBORAH PR LA
D. BARNES	D. Barnes	1534 VINEYARD DR. LA
Keady	Keady	155.10 Vineyard Dr. CA
J.P. Fergan	J.P. Fergan	2224 VINEYARD C., LA
L.J. Kelly Jr	L.J. Kelly Jr	1544 REDWOOD PR L.A.
L.G. Kelly	L.G. Kelly	1544 Redwood Dr. LA.



Compiled in conformance with Sec. 237
of the Revenue and Taxation Code.
Effective Date March 1, 1979
Alfred E. Carlson - Assessor