

DATE: July 6, 2016

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 15-SC-42 – 231 Yerba Buena Avenue

RECOMMENDATION:

Approve design review application 15-SC-42 subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review application for a two-story addition to an existing two-story house and the conversion of 345 square feet of the existing floor area into a second living unit. The project includes an addition of 1,165 square feet on the first story and 611 square feet on the second story.

BACKGROUND

On April 20, 2016, the Design Review Commission held a public meeting to consider the proposed project. Following public comment and discussion, the Commission voted unanimously to continue the project with the following direction:

- The bulk and mass of the second story shall be reduced;
- The sight lines shall be studied from the second story windows and balcony toward the adjacent properties; and
- The landscape plan shall incorporate screening trees.

The April 20, 2016 Design Review Commission meeting minutes and agenda report are attached for reference (Attachments A and B).

DISCUSSION

In response to the Commission's direction, the applicant revised the plans to lower the roof pitch of the second story from 3:12 to 1.8:12, which reduced the height two feet, two inches. Due to the lowered roof, the transom windows above the sliding glass door on the southeast elevation were reduced in height and the metal awning along the southwest elevation was removed. Additional information regarding the project revisions are included in the applicant's letter (Attachment C).

As reflected in the applicant's letter, 3-D models show that the balcony has sight lines with significant views toward the properties at 245 Live Oak Lane and 295 Los Altos Avenue, and a

minor view toward the property at 271 Live Oak Lane. To address these potential view impacts, the application has proposed the following:

- For the property line along 245 Live Oak Lane, seven new podocarpus gracilior trees and one avocado tree are proposed, along with the existing podocarpus henkelii and the existing loquat tree. The podocarpus gracilior is a moderately fast growing evergreen tree which can grow between 20-60 feet tall. With the screening provided by the existing and proposed evergreen trees, sight lines will be obscured and a reasonable degree of privacy will be maintained.
- For the property line adjacent to 295 Los Altos Avenue, nine new pittosporum tenuifolium and two new prunus caroliniana along the corner are proposed. The new evergreen screening along with the three existing redwood trees will diminish the potential privacy impact. Along the southwest elevation, a wire mesh extending vertically from the railing to the underside of the roof to grow an evergreen vine for shade and additional privacy benefits has been added.
- In addition, the second-story window sill heights along the northwest elevation have been increased to four feet, six inches, above the finished floor to diminish views toward 221 Yerba Buena Ave.

As designed with the proposed revisions, staff finds that the project maintains a reasonable degree of privacy.

Landscaping

There are nine trees on the property. The project proposes removal of a weeping atlas cedar (No. 4) in the rear yard due to the tree being located within the building footprint. The landscaping plan maintains the three large coast live oak trees (Nos. 1, 2 and 9), one canary island palm tree (No. 3), two redwood trees (Both No. 5), one orange tree (No. 6), one loquat tree (No. 7), and one lemon tree (No. 8).

As discussed in the agenda report of April 20, 2016, the site/landscape plan shows grass pavers in the front yard to create a parking space to the right side of the driveway. The project meets the R1-10 District requirement to maintain at least 50 percent of the required front yard area as landscaping. However, the use of grass pavers in the front landscaping does not meet the Design Guidelines objective to create ample front yard landscaping and to maintain the character of the neighborhood. To ensure that ample landscaping is provided and the frontage maintains the character of the neighborhood, condition of approval (No. 2) requires a revised landscape plan that shows ample landscaping in the front yard, and the grass pavers limited to the driveway. With the recommended condition, the project meets the City's landscaping regulations and street tree guidelines. Since the new landscaping area exceeds 2,500 square feet, it is required to comply with the City's Water Efficient Landscape Ordinance.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the California Environmental Quality Act because it involves an addition to an existing single-family structure.

PUBLIC CONTACT

A public meeting notice was posted on the property and mailed to nine nearby property owners on Yerba Buena Avenue, Live Oak Lane and Los Altos Avenue.

Cc: Carrie and Tal Shaked, Applicants, architect, and Owners

Attachments:

- A. Design Review Commission Meeting Minutes, April 20, 2016
- B. Design Review Commission Agenda Report, April 20, 2016
- C. Applicant Letter

FINDINGS

15-SC-42—231 Yerba Buena Avenue

1. With regard to the two-story addition, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code:
 - a. The proposed addition complies with all provision of this chapter;
 - b. The height, elevations, and placement on the site of the proposed addition, 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 addition 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 addition has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

2. With regard to converting 345 square feet of the first and second floor of the existing two-story structure into a second living unit, the Design Review Commission makes the following findings in accordance with Section 14.14.030 of the Municipal Code:
 - a. That public benefit will result because the proposed second living unit will be maintained as affordable for a very-low income household;
 - b. That appropriate administrative measures, including disclosure of the maximum rent allowed and the income level of the occupant(s), have been required which will ensure that if the second living unit is rented or leased, it will be at a rate which is affordable to a person or persons of very-low income levels as required by Section 14.14.040, and that the income levels of the resident(s) of the second unit meets the appropriate limits for a very-low income household as determined by city based on state and federal guidelines;
 - c. That required parking areas are located on the site;
 - d. That the parcel size is adequate in size to maintain a second unit and related parking in terms of its status as an accessory use both visually and functionally;

- e. Appropriate conditions have been applied as necessary to ensure that the second living unit does not adversely impact neighboring property owners due to:
 - i Inappropriate location, amount and/or design of on-site parking;
 - ii Inappropriate location with respect to the character of the existing neighborhood;
 - iii Excessive noise potential, particularly when neighboring homes are in close proximity;
 - iv An excessive number of second living units in the vicinity;
 - v Insufficient screening of the unit; and
 - vi Lack of compliance with the floor area ratio, setback, lot coverage, and other development standards of the R1 zoning districts.

CONDITIONS

15-SC-42—231 Yerba Buena Avenue

GENERAL

1. Approved Plans

The approval is based on the plans and materials received on May 26, 2016, 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.

2. Front Landscaping

The landscape plan shall be revised to show additional landscaping in the front yard, and the grass pavers shall be limited to the driveway area.

3. Protected Trees

The following trees (Nos. 1, 5, 6 and 7) and privacy screening trees shall be protected under this application and cannot be removed without a tree removal permit from the Community Development Director.

4. 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.

5. New Fireplaces

Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed in all new construction pursuant to Chapter 12.64 of the Municipal Code.

6. Landscaping

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

7. Fire Sprinklers

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

8. 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.

9. 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.

10. Second Living Unit Deed Restriction

A deed restriction shall be recorded setting forth the occupancy requirements that not more than two persons shall reside in the second living unit and that the principal residence of the property owner shall be maintained on the property.

PRIOR TO ISSUANCE OF BUILDING OR DEMOLITION PERMIT

11. Tree Protection

Tree protection fencing shall be installed around the dripline, or as required by the project arborist, of the following trees (Nos. 1, 5, 6 and 7) as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

12. Second Living Unit Deed Restriction

A deed restriction, per Condition No. 10 shall be recorded in a form approved by city staff.

PRIOR TO BUILDING PERMIT SUBMITTAL

13. Conditions of Approval

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

14. Tree Protection Note

On the grading plan and/or the site plan, show all tree protection fencing and add the following note: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."

15. 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.

16. 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.

17. 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.

18. 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.

19. 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 FINAL INSPECTION

20. Landscaping Installation

All landscaping, street trees and privacy screening trees shall be maintained and/or installed as shown on the approved plans and as required by the Planning Division.

21. 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).

22. Water Efficient Landscaping Verification

Provide a landscape Certificate of Completion verifying that the landscaping and irrigation were installed per the approved landscape documentation package.

23. Second Living Unit Terms

At the time an initial rental contract is executed:

- a. The owner shall furnish the tenant(s) with a written disclosure of the maximum rent allowed in order for the unit to meet the affordability requirements for a person or person(s) of very-low income level. The maximum rent disclosure shall be signed by the tenant(s) and a copy retained by the property owner.
- b. The tenant(s) shall execute an affidavit certifying that their household income level currently meets the requirements of the use permit and this article. The affidavit shall be signed by the tenant(s) and a copy retained by the property owner.
- c. Upon request, the property owner shall furnish a copy of the signed rent disclosure, rental contract/lease and tenant affidavit to the city.
- d. The property owner shall ensure that the property and improvements thereon are maintained in a commonly acceptable manner as determined by the planning department.
- e. The property owner shall ensure that unreasonable noise disturbances do not occur.
- g. The very-low income affordability of the second living unit shall be maintained at all times.

APPROVED

MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW COMMISSION
OF THE CITY OF LOS ALTOS, HELD ON WEDNESDAY, APRIL 20, 2016
BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN
ANTONIO ROAD, LOS ALTOS, CALIFORNIA

ESTABLISH QUORUM

PRESENT: Chair Moison, Vice-Chair Glew, and Commissioners Kirik and Zoufonoun
ABSENT: Commissioner Harding
STAFF: Planning Services Manager Dahl and Assistant Planners Gallegos and Davis

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. Design Review Commission Minutes

Approve minutes of the regular meeting of April 6, 2016.

Action: Upon a motion by Commissioner Kirik, seconded by Commissioner Zoufonoun, the Commission approved the minutes of the April 6, 2016 regular meeting as written, by the following vote: AYES: Moison, Glew, Kirik and Zoufonoun; NOES: None; ABSENT: Harding; ABSTAIN: None.

DISCUSSION

2. 16-SC-02 – J. McGregor, Jr. – 1014 Russell Avenue

Design review for a new two-story house. The project includes 2,039 square feet on the first story and 1,459 square feet on the second story. This project was continued from the March 16, 2016 Design Review Commission meeting. *Project Planner: Davis*

Assistant Planner Davis presented the staff report, recommending approval of the project. Project applicant/architect Gary McClure presented the application, noting the changes to address the Design Review Commission's direction.

Public Comment

None.

Action: Upon a motion by Commissioner Kirik, seconded by Commissioner Zoufonoun, the Commission approved design review application 16-SC-02 per the staff report findings and conditions, by the following vote: AYES: Moison, Glew, Kirik, and Zoufonoun; NOES: None; ABSENT: Harding; ABSTAIN: None.

3. **15-SC-22 – Britt-Rowe – 1060 S. Springer Road**

Design review for a two-story addition to an existing one-story house. The project includes an addition of 99 square feet on the first story and 826 square feet on the second story. *Project Planner: Davis*

Assistant Planner Davis presented the staff report, recommending approval of the project. Project applicant/architect David Britt presented the application.

Public Comment

None.

Action: Upon a motion by Commissioner Zoufonoun, seconded by Commissioner Kirik, the Commission approved design review application 15-SC-22 per the staff report findings and conditions, with the following additional condition:

- Allow two small windows in the master bath and bedroom on the side elevation if the owner so chooses.

The motion passed by the following vote: AYES: Moison, Glew, Kirik, and Zoufonoun; NOES: None; ABSENT: Harding; ABSTAIN: None.

4. **15-SC-42 – C. and T. Shaked – 231 Yerba Buena Avenue**

Design review for a two-story addition to an existing two-story house and the conversion of 345 square feet of the existing floor area into a second living unit. The project includes an addition of 1,165 square feet on the first story and 611 square feet on the second story. *Project Planner: Gallegos*

Assistant Planner Gallegos presented the staff report, recommending approval of the project. Project architect/owner Carrie Shaked presented the application.

Public Comment

Neighbor Kim Kaneshiro spoke in opposition of the project due to privacy concerns.

Action: Upon a motion by Commissioner Kirik, seconded by Commissioner Glew, the Commission continued design review application 15-SC-42 with the following direction:

- Study the sight lines from the second story windows and balcony toward the adjacent properties;
- Reduce the bulk and mass of the second story; and
- Incorporate screening trees into the plan.

The motion passed by the following vote: AYES: Moison, Glew, Kirik, and Zoufonoun; NOES: None; ABSENT: Harding; ABSTAIN: None.

5. **15-SC-47 – K. Le – 240 Marich Way**

Design review for a new two-story house. The project includes 2,141 square feet on the first story and 1,198 square feet on the second story. *Project Planner: Gallegos*

Assistant Planner Gallegos presented the staff report, recommending approval of the project. Project applicant/designer Ket Le and property owner Yanhua Mao presented the application.

Public Comment

Neighbor John Mudge spoke in opposition of the project due to privacy concerns.

APPROVED

Action: Upon a motion by Commissioner Zoufonoun, seconded by Commissioner Kirik, the Commission recommended approval of design review application 15-SC-47 per the staff report findings and conditions, with the following additional condition:

- Add evergreen screening along the rear of the property.

The motion failed by the following vote: AYES: Moison and Zoufonoun; NOES: Kirik and Glew; ABSENT: Harding; ABSTAIN: None.

Action: Upon a motion by Commissioner Glew, seconded by Commissioner Zoufonoun, the Commission approved design review application 15-SC-47 per the staff report findings and conditions, with the following additional condition:

- Add a six-foot fence with two feet of open lattice along the rear property line and;
- Add a new evergreen hedge that is resistant to Oak root fungus along the rear of the property.

The motion passed by the following vote: AYES: Moison, Glew and Zoufonoun; NOES: Kirik; ABSENT: Harding; ABSTAIN: None.

COMMISSIONERS' REPORTS AND COMMENTS

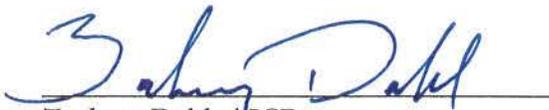
None.

POTENTIAL FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Chair Moison adjourned the meeting at 8:48 PM.



Zachary Dahl, AICP
Planning Services Manager
Current Planning

ATTACHMENT B



DATE: April 20, 2016
AGENDA ITEM # 4

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 15-SC-42 – 231 Yerba Buena Avenue

RECOMMENDATION:

Approve design review application 15-SC-42 subject to the findings and conditions

PROJECT DESCRIPTION

This is a design review application for a two-story addition to an existing two-story house and the conversion of 345 square feet of the existing floor area into a second living unit. The project includes an addition of 1,165 square feet on the first story and 611 square feet on the second story. The following table summarizes the project’s technical details:

GENERAL PLAN DESIGNATION: Single-family, Residential
ZONING: R1-10
PARCEL SIZE: 14,478 square feet
MATERIALS: Asphalt composition shingle and standing seam metal roof, stucco siding, teak wood shiplap and slat siding, stacked stone veneer and aluminum windows.

	Existing	Proposed	Allowed/Required
LOT COVERAGE:	2,632 square feet	3,581 square feet	4,343 square feet
FLOOR AREA:			
First floor	2,609 square feet	3,568 square feet	
Second floor	244 square feet	611 square feet	
Total	2,854 square feet	4,179 square feet	4,198 square feet
SETBACKS:			
Front	27 feet	27 feet	25 feet
Rear (west)	52 feet	25 feet	25 feet
Rear (south)	30 feet	25.5 feet	25 feet
Right side (1 st /2 nd)	9.75 feet/ N/A	10 feet/19.75 feet	10 feet/17.5 feet
Left side (1 st /2 nd)	9.67 feet/16.75 feet	9.67 feet/16.75 feet	10 feet/17.5 feet
HEIGHT:	17 feet	25.25 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is located in a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The subject site is located on cul-de-sac on Yerba Buena Avenue, with the nearest cross-street at Cherry Avenue. The houses in this neighborhood are a combination of one-story and two-story homes with simple forms and rustic materials. The landscape along Yerba Buena Avenue is varied with a variety of large mature trees, but no distinct street tree pattern.

Zoning Compliance

The house has an existing non-conforming right side setback of nine feet, eight inches and a left side setback of nine feet, ten inches. The R1-10 district requires a minimum side yard setback of 10 feet. Since the project will be maintaining more than 50 percent of the existing house, the Zoning Code allows the non-conforming side setbacks to be maintained.

DISCUSSION

Design Review

According to the Design Guidelines, in Consistent Character Neighborhoods, good neighbor design has design elements, materials and scale found within the neighborhood and sizes that are not significantly larger than other homes in the neighborhood. This requires a project to fit-in and lessen abrupt changes.

The existing house uses a traditional ranch architectural style with gable roof forms, low-scaled form and simple details. The gable roof form and front facing walls have been maintained to minimize impacts to the heritage oak tree. The project blends the use of the traditional architecture with a contemporary architectural style and materials. The project design includes elements that are found in the neighborhood such as a low-pitched gable roof and defined recessed entry. The redesign maintains the steeply sloping a-frame roof over the garage, which is a stylistic element as well as a functional design to allow for a second story living space contained beneath the steep gable. The use of the shed roof forms are a new element that ties together the contemporary style of the structure and has appropriate design integrity. The roof plan maintains consistent first story eave lines facing the street and its uniform horizontal emphasis fits in with the context of the surrounding structures. The proposed building materials, which include asphalt composition shingle roofing, standing seam metal shed roof elements, stucco siding, teak wood shiplap and slat siding, stacked stone veneer and aluminum windows, are integral to the design. Overall, the design blends a traditional architecture with a contemporary style with simple elements and quality materials that produce an integrated appearance that is compatible with the character of the area.

The addition includes first story wall plate heights of nine feet and second story wall plate heights of seven feet, six inches to reduce the perception of bulk and mass. The addition is located along the rear of the existing structure behind the low scaled, prominent ridge. The extension of the house toward the rear of the property does not depart from the streetscape. Larger scaled, bulkier design

elements are generally more acceptable at the rear of the structure. The second story is centered over the first story along the right side of the structure and the low-slope shed roof is oriented to minimize the perception of bulk to adjacent properties. The design incorporates wrap around wood slats along the first and second story that breaks up its massing. To soften the impact and view of the second story from the street, the 70-foot tall coast live oak tree will be maintained in the front yard. Although the entire mass of the proposed second story is located behind the houses on either side of the subject lot, the location of the second story preserves the 43-inch coast live oak tree, including its canopy that extends over the majority of the structure. Overall, the two-story design is well integrated into the existing house, proportioned and articulated, and it reduces the appearance of bulk and mass.

Privacy

On sheet A.40 (detail No. 4), the right (northwest) side elevation includes two second story windows in the art studio with four-foot sill heights. The windows may have views of the neighboring property and window sill heights could be raised to minimize privacy requirements. Therefore, staff recommends the following:

- Raise the sill heights of the studio to 54-inches from the second story finished floor in order to provide more privacy to the neighboring property.

On sheet A.41 (detail No. 5), the rear (southeast) elevation includes a second story window wall and sliding door in the art studio. The design wraps wood slats along the second story to diminish privacy impacts from the window wall. The sliding door exits off the art studio onto a passive use balcony with a width of 11 feet and depth of four feet, 3 inches deep. The slat screening wall along the rear elevation diminishes balcony views to the rear. The balcony setback of 35 to 40 feet from the rear property line combined with the proposed evergreen screening diminishes privacy impacts to neighboring properties. To ensure that a reasonable level of privacy is maintained, a condition of approval (No. 3) has been added to incorporate fast growing evergreen trees along the rear (southeast and southwest) yards to fill-in unscreened areas of the property line. As designed, and with the recommended condition, staff finds that the project maintains a reasonable degree of privacy.

Landscaping

There are nine trees on the property. The project proposes removal of a weeping atlas cedar (No. 4) in the rear yard due to the tree being located within the building footprint. The landscaping plan maintains the three large coast live oak trees (Nos. 1, 2 and 9), one canary island palm tree (No. 3), two redwood trees (Both No. 5), one orange tree (No. 6), one loquat tree (No. 7), and one lemon tree (No. 8).

The site/landscape plan shows grass pavers in the front yard to create a parking space to the right side of the driveway; however, the parking space is not allowed to extend into the right-of-way. The project meets the zoning requirements to maintain at least fifty (50) percent of the required front yard area as pervious with the use of grass pavers. However, the use of grass pavers in the front landscaping does not meet the Design Guidelines objective to create ample landscaping and to maintain the character of the neighborhood. To ensure that ample landscaping is maintained in the

front yard and the frontage maintains the character of the neighborhood, condition of approval (No. 4) requires a revised landscape plan that shows ample landscaping in the front yard, and the grass pavers limited to the driveway. With the recommend condition, the project meets the City's landscaping regulations and street tree guidelines. Since the new landscaping area exceeds 2,500 square feet, it is required to comply with the City's Water Efficient Landscape

Development and Design Standards for Second Living Units

As outlined in the Municipal Code, second living units must meet the design standards and the current development regulations of the R1-10 zoning district. The 14,478 square-foot site exceeds the minimum lot size of 13,000 square feet for converting existing floor area into a secondary dwelling unit in the R1-10 zoning district. The project complies with the City parking requirements, with the existing two-car garage located in the main house providing one covered parking space for each dwelling. The driveway will provide the two uncovered parking spaces, one for each dwelling.

The second living unit will occupy a portion of the first and second floors of the existing two-story house. The entrance to the second living unit faces the side yard of the lot, and it is screened from street view by the house and fence. There is also an interior entry to the second living unit via a laundry room. Since this is the conversion of 345 square feet of the existing structure, it does not create unreasonable bulk, mass or privacy impacts. Overall, staff finds that this application meets the required design review findings.

Since the second living unit is less than 640 square feet, if it is rented the Zoning Code requires that it be rented at a below market rate to individuals at the very-low income level (Condition No. 5). The Code also requires a deed restriction stating that no more than two persons shall reside in the second living unit, and that either the principal living unit or the second living unit shall be the principal residence of the owner(s) of the property. This is included as a condition of approval (No. 13).

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the California Environmental Quality Act because it involves an addition to an existing single-family structure.

PUBLIC CONTACT

A public meeting notice was posted on the property and mailed to nine nearby property owners on Yerba Buena Avenue, Live Oak Lane and Los Altos Avenue.

Cc: Carrie Shaked, Architect
Carrie and Tal Shaked, Owners

Attachments:

- A. Application
- B. Neighborhood Compatibility Worksheet

Design Review Commission
15-SC-42, 231 Yerba Buena Avenue
April 20, 2016

- C. Area, Vicinity and Notification Maps
- D. Arborist Report, Donald Cox

FINDINGS

15-SC-42—231 Yerba Buena Avenue

1. With regard to the two-story addition, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code:
 - a. The proposed addition complies with all provision of this chapter;
 - b. The height, elevations, and placement on the site of the proposed addition, 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 addition 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 addition has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

2. With regard to converting 345 square feet of the first and second floor of the existing two-story structure into a second living unit, the Design Review Commission makes the following findings in accordance with Section 14.14.030 of the Municipal Code:
 - a. That public benefit will result because the proposed second living unit will be maintained as affordable for a very-low income household;
 - b. That appropriate administrative measures, including disclosure of the maximum rent allowed and the income level of the occupant(s), have been required which will ensure that if the second living unit is rented or leased, it will be at a rate which is affordable to a person or persons of very-low income levels as required by Section 14.14.040, and that the income levels of the resident(s) of the second unit meets the appropriate limits for a very-low income household as determined by city based on state and federal guidelines;
 - c. That required parking areas are located on the site;
 - d. That the parcel size is adequate in size to maintain a second unit and related parking in terms of its status as an accessory use both visually and functionally;

- e. Appropriate conditions have been applied as necessary to ensure that the second living unit does not adversely impact neighboring property owners due to:
 - i Inappropriate location, amount and/or design of on-site parking;
 - ii Inappropriate location with respect to the character of the existing neighborhood;
 - iii Excessive noise potential, particularly when neighboring homes are in close proximity;
 - iv An excessive number of second living units in the vicinity;
 - v Insufficient screening of the unit; and
 - vi Lack of compliance with the floor area ratio, setback, lot coverage, and other development standards of the R1 zoning districts.

CONDITIONS

15-SC-42—231 Yerba Buena Avenue

GENERAL

1. Approved Plans

The approval is based on the plans and materials received on March 23, 2016, 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.

2. Window Sill Height

Raise the sill heights of the right side (north) second story windows in the studio to 54-inches from the finished floor.

3. Screening Trees

The landscape plan shall be revised to include evergreen screening trees along the rear (southeast and southwest) property lines.

4. Front Landscaping

The landscape plan shall be revised to show enhanced landscaping in the front yard, and the grass pavers shall be limited to the driveway area.

5. At the time an initial rental contract is executed:

- a. The owner shall furnish the tenant(s) with a written disclosure of the maximum rent allowed in order for the unit to meet the affordability requirements for a person or person(s) of very-low income level. The maximum rent disclosure shall be signed by the tenant(s) and a copy retained by the property owner.
- b. The tenant(s) shall execute an affidavit certifying that their household income level currently meets the requirements of the use permit and this article. The affidavit shall be signed by the tenant(s) and a copy retained by the property owner.
- c. Upon request, the property owner shall furnish a copy of the signed rent disclosure, rental contract/lease and tenant affidavit to the city.
- d. The property owner shall ensure that the property and improvements thereon are maintained in a commonly acceptable manner as determined by the planning department.
- e. The property owner shall ensure that unreasonable noise disturbances do not occur.
- g. The very-low income affordability of the second living unit shall be maintained at all times.

6. Protected Trees

The following trees (Nos. 1, 5, 6 and 7) and privacy screening trees shall be protected under this application and cannot be removed without a tree removal permit from the Community Development Director.

7. 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.

8. New Fireplaces

Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed in all new construction pursuant to Chapter 12.64 of the Municipal Code.

9. Landscaping

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

10. Fire Sprinklers

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

11. 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.

12. 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 ISSUANCE OF BUILDING OR DEMOLITION PERMIT

13. Deed Restriction

A deed restriction shall be recorded setting forth the occupancy requirements that not more than two persons shall reside in the second living unit and that the principal residence of the property owner shall be maintained on the property.

14. Tree Protection

Tree protection fencing shall be installed around the dripline, or as required by the project arborist, of the following trees (Nos. 1, 5, 6 and 7) as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

PRIOR TO BUILDING PERMIT SUBMITTAL

15. Conditions of Approval

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

16. Tree Protection Note

On the grading plan and/or the site plan, show all tree protection fencing and add the following note: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."

17. 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.

18. 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.

19. 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.

20. 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.

21. 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 FINAL INSPECTION

22. Landscaping Installation

All landscaping, street trees and privacy screening trees shall be maintained and/or installed as shown on the approved plans and as required by the Planning Division.

23. Green Building Verification

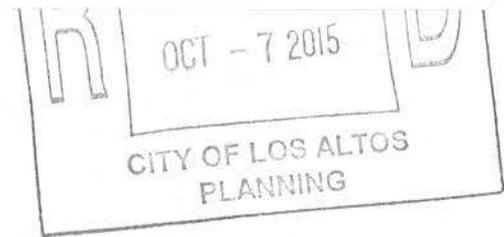
Submit verification that the house was built in compliance with the City's Green Building Ordinance (Section 12.26 of the Municipal Code).

24. Water Efficient Landscaping Verification

Provide a landscape Certificate of Completion verifying that the landscaping and irrigation were installed per the approved landscape documentation package.



ATTACHMENT A



CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1106888

<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 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: 231 Yerba Buena Ave.

Project Proposal/Use: Residential Current Use of Property: Residential

Assessor Parcel Number(s): 167-32-036 Site Area: 14478

New Sq. Ft.: 1,396 Altered/Rebuilt Sq. Ft.: 2,647 Existing Sq. Ft. to Remain: 0

Total Existing Sq. Ft.: 2,854 Total Proposed Sq. Ft. (including basement): 5,101

Applicant's Name: Carrie Shaked

Telephone No.: (650) 248-4553 Email Address: carrie.shaked@gmail.com

Mailing Address: 231 Yerba Buena Ave.

City/State/Zip Code: Los Altos, CA 94022

Property Owner's Name: Carrie & Tal Shaked

Telephone No.: (650) 248-4553 Email Address: tal.shaked@gmail.com,

Mailing Address: 231 Yerba Buena Ave. carrie.shaked@gmail.com

City/State/Zip Code: Los Altos, CA 94022

Architect/Designer's Name: Carrie Shaked

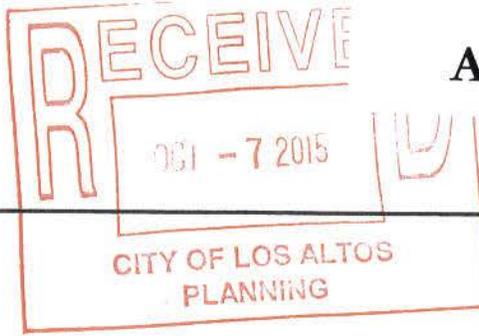
Telephone No.: (650) 248-4553 Email Address: carrie.shaked@gmail.com

Mailing Address: 231 Yerba Buena Ave.

City/State/Zip Code: Los Altos, CA 94022

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

(continued on back)



ATTACHMENT B

City of Los Altos
Planning Division

(650) 947-2750

Planning@losaltosca.gov

NEIGHBORHOOD COMPATIBILITY WORKSHEET

In order for your design review application for single-family residential remodel/addition or new construction to be successful, it is important that you consider your property, the neighborhood's special characteristics that surround that property and the compatibility of your proposal with that neighborhood. **The purpose is to help you understand your neighborhood before you begin the design process with your architect/designer/builder or begin any formal process with the City of Los Altos.** *Please note that this worksheet must be submitted with your 1st application.*

The Residential Design Guidelines encourage neighborhood compatibility without necessarily forsaking individual taste. Various factors contribute to a design that is considered compatible with a surrounding neighborhood. The factors that City officials will be considering in your design could include, but are not limited to: design theme, scale, bulk, size, roof line, lot coverage, slope of lot, setbacks, daylight plane, one or two-story, exterior materials, landscaping et cetera.

It will be helpful to have a site plan to use in conjunction with this worksheet. Your site plan should accurately depict your property boundaries. The best source for this is the legal description in your deed.

Photographs of your property and its relationship to your neighborhood (see below) will be a necessary part of your first submittal. Taking photographs before you start your project will allow you to see and appreciate that your property could be within an area that has a strong neighborhood pattern. The photographs should be taken from across the street with a standard 35mm camera and organized by address, one row for each side of the street. Photographs should also be taken of the properties on either side and behind your property from on your property.

This worksheet/check list is meant to help *you* as well as to help the City planners and Planning Commission understand your proposal. Reasonable guesses to your answers are acceptable. The City is not looking for precise measurements on this worksheet.

Project Address 231 Yerba Buena Ave.
Scope of Project: Addition or Remodel X or New Home _____
Age of existing home if this project is to be an addition or remodel? 1957
Is the existing house listed on the City's Historic Resources Inventory? NO

Address: 231 Yerba Buena Ave.
Date: 10-07-2015

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: 15,500 square feet

Lot dimensions: Length varies feet lot shapes vary dramatically
Width varies feet with most being not rectangular

If your lot is significantly different than those in your neighborhood, then note its: area 14,478 sf, length varies, and width varies. lot is not rectangular

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

Existing front setback if home is a remodel? 25 ft

What % of the front facing walls of the neighborhood homes are at the front setback 30 %

Existing front setback for house on left 35 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 3

Garage facing front recessed from front of house face 2

Garage in back yard 1

Garage facing the side 2

Number of 1-car garages 0; 2-car garages 10, 3-car garages 3

Address: 231 Yerba Buena Ave.

Date: 10-07-2015

4. **Single or Two-Story Homes:**

What % of the homes in your neighborhood* are:

One-story 66%

Two-story 33%

5. **Roof heights and shapes:**

Is the overall height of house ridgelines generally the same in your neighborhood*? no

Are there mostly hip 5, gable style 6, or other style 1 roofs*?

Do the roof forms appear simple 4 or complex 7?

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*?

3 wood shingle 3 stucco 4 board & batten 4 clapboard
1 tile 1 stone 1 brick 1 combination of one or more materials
(if so, describe) combo clapboard + brick

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

wood shake 66%, spanish tile 25%, other 5%

If no consistency then explain: _____

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

Does your neighborhood* have a consistent identifiable architectural style?

YES NO

Type? 70% Ranch 1 Shingle 1 Tudor 25% Mediterranean/Spanish
1 Contemporary 1 Colonial 1 Bungalow 5% Other

Address: 231 Yerba Buena Ave.

Date: 10-07-2015

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

Does your property have a noticeable slope? slight slope

What is the direction of your slope? (relative to the street)

slopes down to street

Is your slope higher _____ lower _____ same 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.)?

no curbs, no sidewalks, landscape to street edge, some lawns, lots of small shrubs + flowers, scattered big trees

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

most houses are visible from the street like mine, one house is completely hidden from the street w/ plantings

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)?

Large oak tree in front yard, small lawn + landscaping to street edge

10. **Width of Street:**

What is the width of the roadway paving on your street in feet? 50'

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

Is the shoulder area (unimproved public right-of-way) paved, unpaved, gravel, landscaped, and/or defined with a curb/gutter? defined w/ gutter + landscaped to street edge

Address: 231 Yerba Buena Ave.

Date: 10-07-2015

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.:

mixture of ranch homes built in the 50's w/ scattering of spanish style homes and a few other styles like the barn house + a ranch/colonial style house, large old trees no sidewalks, curved streets w/ odd shaped lots

General Study

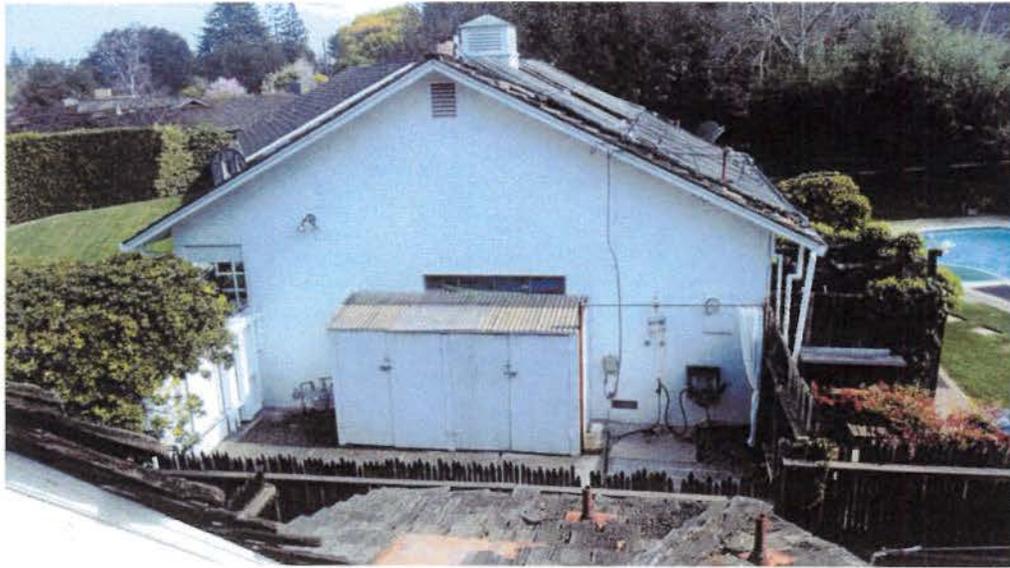
- A. Have major visible streetscape changes occurred in your neighborhood?
 YES NO
- B. Do you think that most (~ 80%) of the homes were originally built at the same time?
 YES NO
- C. Do the lots in your neighborhood appear to be the same size?
 YES NO
- D. Do the lot widths appear to be consistent 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

Address: 231 Yerba Buena Ave.
 Date: 10-07-2015

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).

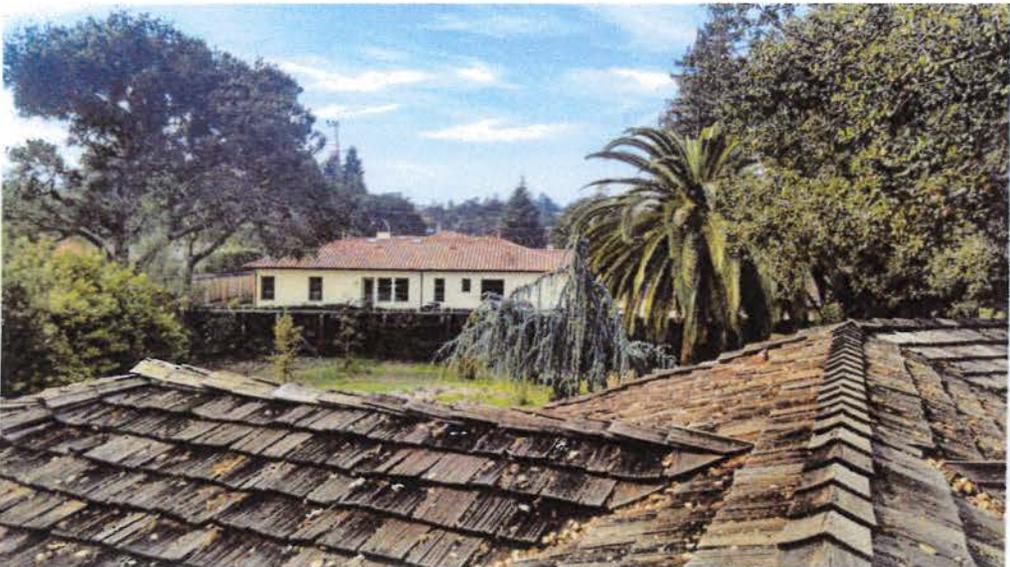
Address	Front setback	Rear setback	Garage location	One or two stories	Year Built	Height	Materials	Architecture (simple or complex)	Approx. Lot Size (Zillow) SF
231 Yerba Buena Ave.	25'	25'	2-car projecting facing street	2	1957	16'	ptd. wood siding wood shake dutch gable	complex ranch	14,478
230 Yerba Buena Ave.	35'	40'	2-car recessed face street	1	1961	13'	ptd wood b+b wood shake gable	simple ranch	18,295
221 Yerba Buena Ave.	25'	45'	2-car projecting facing street	1	1956	13'-6"	ptd. wood board + batt wood shake hip	ranch, simple	17,424
220 Yerba Buena Ave.	25'	50'	in back yard 3-car	1	1959	13'	ptd. wood siding wood shake dutch gable hip	complex ranch	18,295
210 Yerba Buena Ave.	25'	30'	2-car projecting facing street	2	1998	24'	ptd wood b+b gambrel wood roof	complex barn	11,642
215 Yerba Buena Ave.	33'	50'	3-car faces side	2	1983	23'	brick, ptd wood siding wood gable + hip	colonial/ranch complex	12,197
200 Yerba Buena Ave.	25'	25'	2-car faces street side of house	1	1956	13'	ptd. wood b+b comp shingle roof	ranch simple	10,890
211 Yerba Buena Ave.	25'	10'	2-car recessed faces street	2	1922	24'	stucco gable spanish style tile	spanish complex	16,553
295 Los Altos Ave.	25'	65'	facing 3-car street	1	2009	16'	stucco gable + hip spanish tile roof	spanish complex	17,859
245 Live Oak Ln.	25'	40'	2-car face street	1	1953	13'	ptd. wood siding wood shake gable	ranch simple	15,682
271 Live Oak Ln.	25'	25'	2-car faces street	1	1953	15'	stucco spanish style hip roof	spanish complex	11,761
235 Live Oak Ln.	25'	25'	2-car faces street	1	1954	14'	ptd. wood siding wood shake gable	ranch simple	11,761
325 Los Altos. Ave.	25'	25'	2-car faces side	1	1951	15'	comp. shingle stone hip	ranch simple	25,933



230 Yerba Buena Ave.
Backyard view from project property



245 Live Oak Lane
Backyard view from project property



295 Los Altos Ave.
Backyard view from project property



295 Los Altos Ave.
Backyard view from project property



271 Live Oak Lane
Backyard view from project property



221 Yerba Buena Ave.
Backyard view from project property



230 Yerba Buena Ave.



221 Yerba Buena Ave.



220 Yerba Buena Ave.



210 Yerba Buena Ave.



215 Yerba Buena Ave.



211 Yerba Buena Ave.



200 Yerba Buena Ave.
Front View



200 Yerba Buena Ave.
Side View



325 Los Altos Ave.
View from Street



325 Los Altos Ave.
View through Front Gate



295 Los Altos Ave.



271 Live Oak Lane

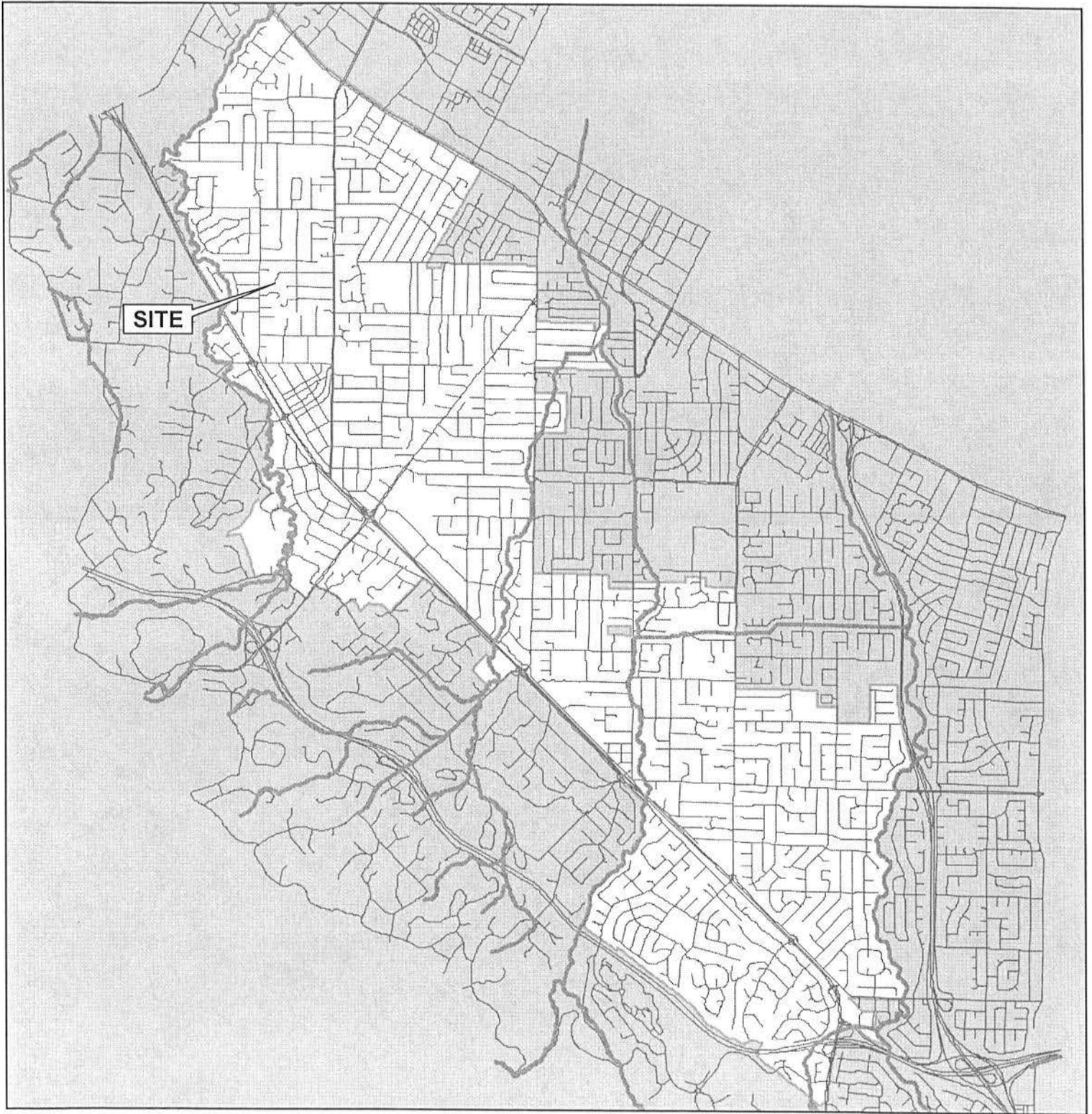


245 Live Oak Lane



235 Live Oak Lane

AREA M. ATTACHMENT C



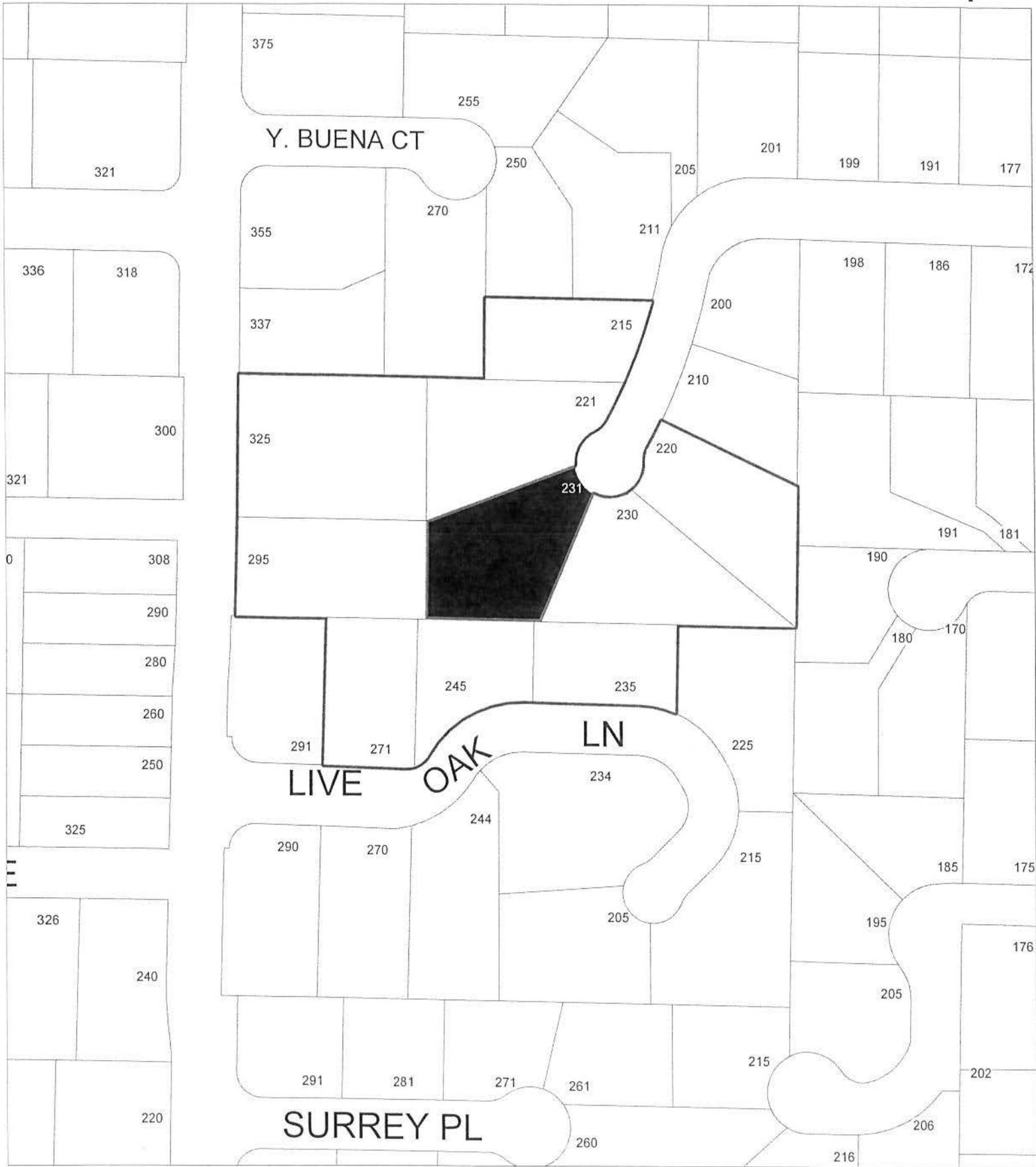
CITY OF LOS ALTOS

APPLICATION: 15-SC-42
APPLICANT: C. and T. Shaked
SITE ADDRESS: 231 Yerba Buena Avenue

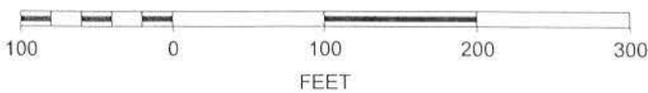


Not to Scale

231 Yerba Buena Avenue Notification Map



SCALE 1 : 1,500



ARBORIST REPO

ATTACHMENT D

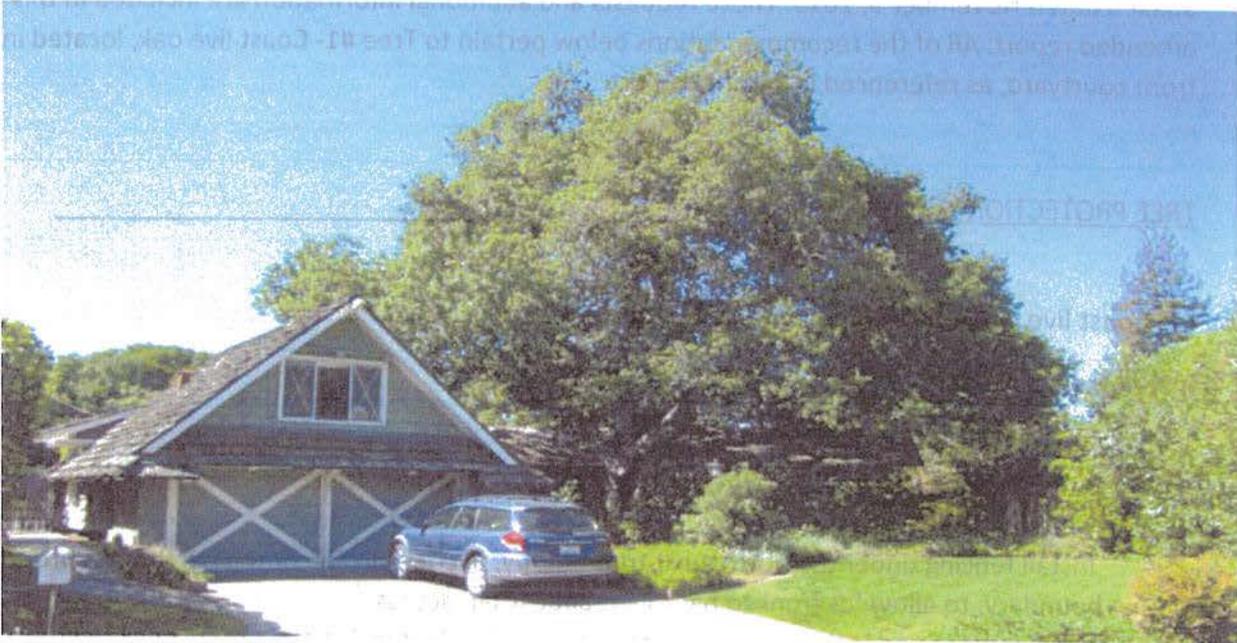
Amended Specifications to:

Tree Inventory and Protection Notes, dated April 9, 2015

231 Yerba Buena Ave., Los Altos, CA

APN: 167-32-036

January, 14, 2016



Prepared for:

Carrie Shaked

231 Yerba Buena Ave.

Los Altos, CA 94022

(650) 248-4553

Prepared by:

Kurt Fouts

ISA Certified Arborist WE-0681A

scharborgrounds@yahoo.com

831-359-3607

In association with:

Donald W. Cox

ISA Board Certified Master Arborist WE-3023BUM

BACKGROUND

What follows are additions to the original arborist report for the property at 231 Yerba Buena Avenue, dated April 9, 2015 and submitted by Carrie Shaked. Certain amendments were requested and outlined following a review of the application. These requests were outlined in a letter to Carrie Shaked dated November 5, 2015. Those requests and additional information are included in this amended report. All of the recommendations below pertain to Tree #1- Coast live oak, located in front courtyard, as referenced in original report.

TREE PROTECTION ZONE FENCING

1 – Coast live oak, located in front courtyard.

Install tree protection zone fencing as follows:

- Install fencing under the southwest tree canopy, seven feet from the house, to allow for remodel construction activities
- Install fencing under the north west tree canopy, five feet inside of the north west property boundary, to allow for front to back yard pedestrian access
- Install fencing under the north east tree canopy, five feet inside the proposed screening fence
- Install fencing under the south east side of the tree canopy to allow an eight foot raised walkway from the existing brick entry pathway and continuing to connect with the fencing along the front (south west) side of the house
- No materials or supplies of any type shall be stored within the tree fencing area (see arborist report dated 4/9/15, for additional guidelines pertaining to access and restrictions within the Tree Protection Zone)

These fencing parameters will be delineated on the attached Arborist Site Plan.

RECOMMENDATIONS TO REDUCE CONSTRUCTION IMPACTS TO TREE DURING PROPOSED RESIDENCE REMODELING

- **Mulch to reduce compaction:** A two to four inch layer of mulch (shredded bark one to two inch size) shall be installed in all areas of the Oak trees drip line, excluding a three foot area around the tree trunk. *This layer should be installed before any construction activities occur.*

Plywood traffic plates: All areas to receive traffic, within the trees dripline during the construction phase, shall use full 5/8 inch plywood sheets, laid over the two to four inch mulch layer. The individual plywood sheets should be attached in a manner to allow for stable footing during passage and during remodel activities at the front (south end of the residence). It may be necessary to secure the joined sheets in a fashion so they do not migrate from their intended locations and to ensure safe footing during their use. These traffic plates should be installed beginning at the end of the brick entryway, continuing to join with a second set of plates to be installed in front or south end of the home and continuing to the south west corner of the home.

- **Vehicular Access:** All vehicular and heavy load access to the rear of the yard, in support of the remodel construction, will be restricted to the east side of the residence

RECOMMENDATIONS TO REDUCE CONSTRUCTION IMPACTS TO TREE DURING CONSTRUCTION OF PROPOSED FRONT YARD DECK INSTALLATION

- Dismantle of existing concrete walkway shall be accomplished by hand or jack hammer. No equipment or machinery shall be used to remove the dismantled pieces of walkway within the trees dripline.
- Layout and installation of deck should be accomplished with mulch layer remaining intact as much as is feasible, minimizing compaction to the soil layer is the goal
- On grade pier blocks are recommended for the decks base. Once layout of blocks is determined mulch should be pushed aside to allow soil to pier block contact. If significant surface roots are encountered, individual block installation shall be adjusted to miss roots.

INSPECTION

- I recommend that the tree fencing be inspected by a Certified Arborist before any construction work begins
- Other phases of construction should follow recommended arborist inspection schedule, as outlined in Arborist Report dated 4/9/15.

CONCLUSION

The key to successful implementation and preservation of this oak tree is an informed and contentious construction workforce that is committed to contributing to the preservation of this tree. If preservation measures outlined above are carefully followed, this project can be a success.

Respectfully submitted,

Kurt Fouts

Digitally signed by Kurt Fouts
DN: cn=Kurt Fouts, o=Kurt Fouts -
Arborist Consultant, ou=Consultant,
email=scharborgrounds@yahoo.com
, c=US
Date: 2016.01.27 11:16:15 -08'00'

Kurt Fouts ISA CERTIFIED ARBORIST WE-0681A

Attachment: Arborist Site Plan



826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

ARBORIST REPORT

Tree Inventory and Protection Notes for Proposed Construction Site

231 Yerba Buena Ave, Los Altos, CA
APN: 167-32-036

April 9, 2015



Prepared for:

Carrie Shaked
231 Yerba Buena Ave.
Los Altos, CA 94022
(650) 248-4553

Prepared by:

Donald W. Cox
ISA Board Certified Master Arborist WE-3023BUM
PO Box 66382
Scotts Valley, CA 95067
(650) 995-0777
drtreelove@gmail.com

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Tree Descriptions 4-10

Tree protection fencing and general guidelines 11-12

Project arborist duties and tree work standards 13

Preventive tree health care 14

INTRODUCTION

A **"tree inventory"**, "tree resource evaluation" , or "tree survey report" is the first step in documenting the existing trees on a proposed development or building project site.

This survey is used to aid in planning and plan review, for the identification/location of trees on the site during the design of the project, placement of structures, driveways, utilities, and construction activities.

It also is used to identify trees of designated size and species that are protected under the municipal or county code that is applicable for the site location. And if required by the governing agency, or requested by the property owner, can be used to establish appraised monetary values and responsibility for potential loss of tree resources for the owner and the community.

The report shall inventory all trees that are on site (or only trees of a designated size and species, as specified in the arborist assignment) including trees to be removed, relocated and retained on the property. This includes trees on neighboring properties that overhang the project site and/or have root zones extending into the property of the project site, and all street or park trees in the public right-of-way adjacent to the project site.

Suitability for preservation should be included in the evaluation, depending on tree condition assessment, risk assessment, and location in relation to planned development or improvements. Tree Protection Zones should be established for planning purposes.

A **"tree protection plan"** is a set of recommendations and requirements provided by a qualified tree care professional, intended to minimize injuries and harmful impact to trees designated for preservation, on a development site and adjacent properties.

Construction activities can cause injury to trees during site preparation and construction phases, from equipment move-in, clearing and grading, import and storage of materials, excavation for utilities installations and structures, and other site activities.

Immediate damage and long-term negative impact can occur from mechanical injury to roots and root collar, tree trunks and scaffold limbs. Excavation, grade changes, soil compaction and pavement can affect tree health by altering drainage, soil moisture availability and aeration. Harmful effects on trees can be incurred from accumulation of soil or other materials in the root zone or against the base of the tree, from materials storage and chemical, paint or fuel spills. Tree roots and the foliar crown can be over-pruned, causing negative physiological stress and possible pre-disposition to pest and disease problems.

ARBORIST ASSIGNMENT

Don Cox, an independent certified arborist, has been contracted by the owner-architect of the property at 231 Yerba Buena Ave, Los Altos, California, to inventory the trees and make general recommendations for protection of the existing trees on the property. The assessment and tree protection recommendations are in consideration of a proposed building addition project, and the potential impact of the construction activities on the mature trees.

Plans used for site and tree assessment are:

Topographic Survey from SMP Engineers, dated 1/28/14

Site Plan & Landscape Notes, Carrie Shaked-architect, 3/6/15

The arborist site visit and assessment took place on April 2, 2015.

REGULATED TREES IN THE CITY OF LOS ALTOS

All trees, regardless of species, that are 48-inches or larger in circumference (approx. 15-inches in diameter) are protected. *City of Los Altos Tree Protection Ordinance (LAMC Chapter 11.08)*.

1. Any tree that is 48-inches (four feet) or greater in circumference when measured at 48-inches above the ground.
2. Any tree designated by the Historical Commission as a Heritage Tree or any tree under official consideration for a Heritage Tree designation.
3. Any tree which was required to be either saved or planted in conjunction with a development review approval (i.e. new two-story house).
4. Any tree located within a public right-of-way.
5. Any tree located on property zoned other than single-family residential.

PROTECTED TREES ON THE SHAKED PROPERTY

Two trees are of a size to be considered as "protected trees", regulated by the City of Los Altos.

1. Large coast live oak (*Quercus agrifolia*), located in the front yard.
50" dbh (diameter at breast height), 45' height, 70' canopy spread.
2. Canary Island date palm (*Phoenix canariensis*), located in the back yard.
28" dbh, 25' overall height.
3. There is a "protected" 28" dbh coast live oak on the neighbor's property, adjacent to back yard fence, that will be considered for tree protection measures.

All other trees on the Shaked property are not of a size that is protected under City ordinance. There are no public trees or designated heritage trees on this property.

SUMMARY OF TREE INVENTORY

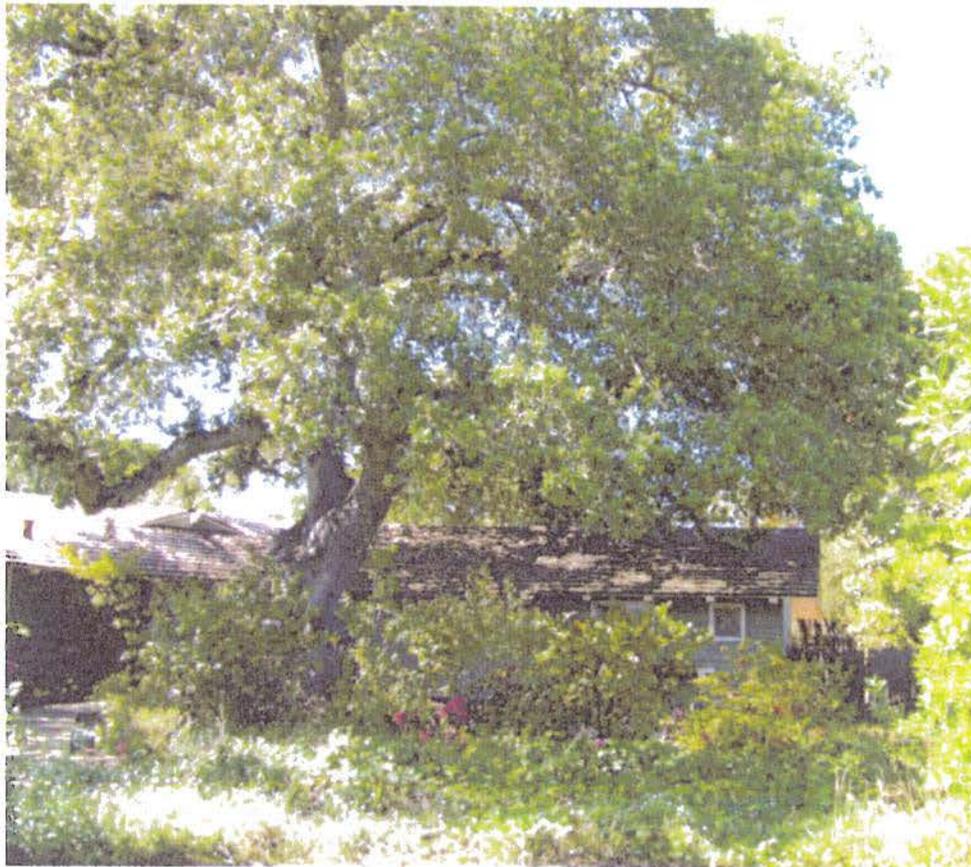
This sub-urban residential property has an existing home with established landscape containing three mature trees. The neighbor property has one mature tree located in close proximity to the shared property-line fencing in the back yard.

Protected trees:

1	50" coast live oak	Front yard
2	28" Canary Island date palm	Rear yard
3	28" coast live oak	Neighbor's rear yard

Additional (non-protected) trees:

4	10" weeping blue Atlas cedar	Back yard <i>R</i>
5	3 - 2" coast redwoods	Back yard



Large coast live oak tree in front yard

TREE DESCRIPTIONS

1 – Coast live oak (*Quercus agrifolia*), located in front courtyard.

City Designation: Protected.

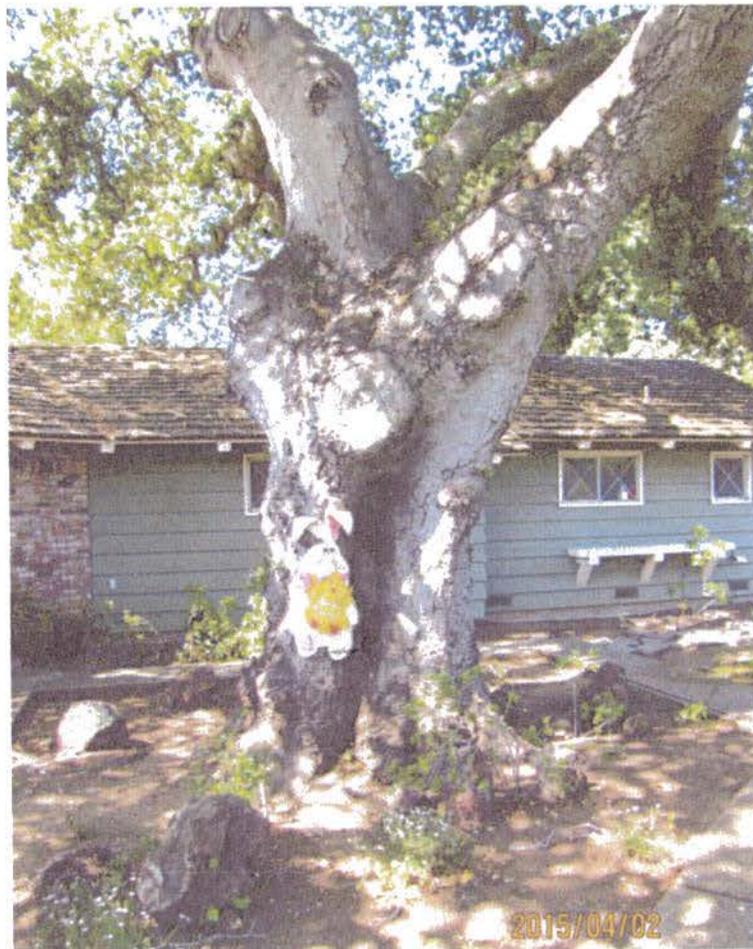
Size: 52 inches dbh, 45 feet height, 70 feet foliar canopy spread.

Age and Condition: Over-mature. Good condition.

Potential impact: Mechanical damage to trunk and scaffold limbs. Root damage and soil compaction.

Recommendation: Retain and protect. Raise crown over roof for clearance; pruning to be done according to ISA Best Management Practices. Mulch soil surface where foot traffic or equipment access is required.

TPZ: Ideal protection zone is 12:1, or **52 feet radius** from tree trunk. Fencing is not appropriate in this case, so attention must focus on no soil disturbance or compaction. Equipment access route shall be covered with 4" thick wood chips.



1 – Coast live oak (continued)



Areas of pruning required to raise foliar crown for roof project.



TREE DESCRIPTIONS - cont'd

2 - Canary Island date palm (*Phoenix canariensis*), located in rear yard.

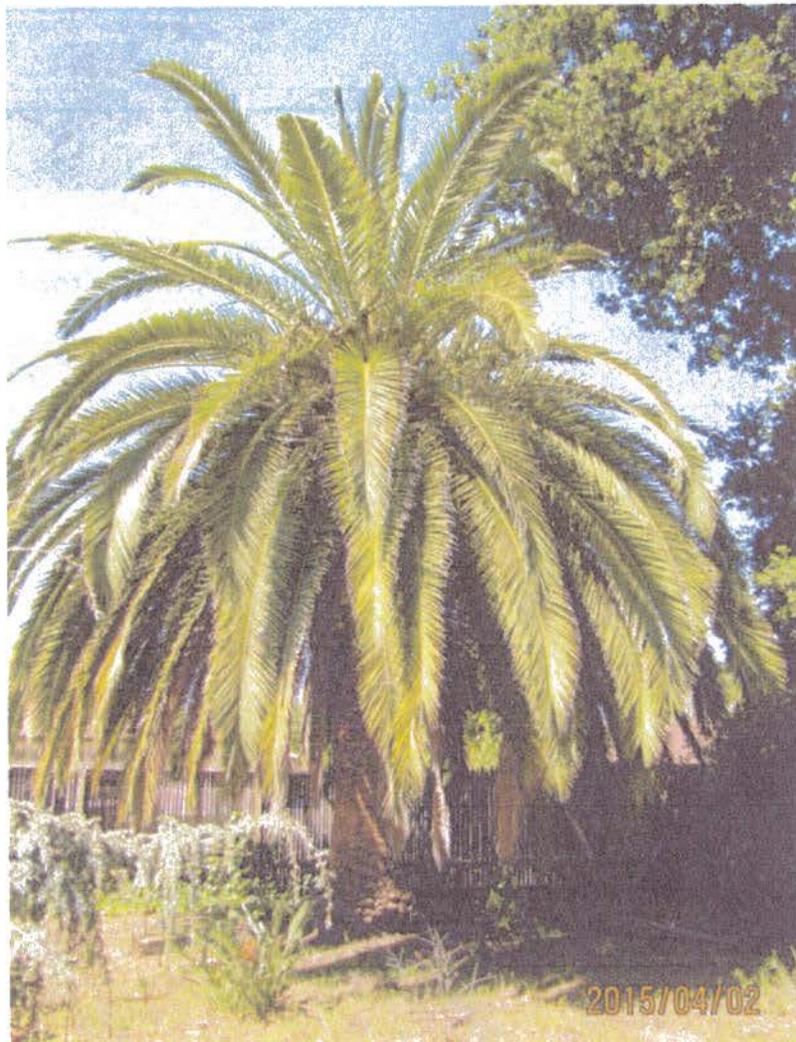
City Designation: May be protected due to size of trunk. Although City ordinance does not qualify or disqualify palms as protected trees.

Size: 28 inches dbh, 18 feet stem height, 25 feet overall height.

Age and Condition: Mature. Good condition.

Potential impact: Mechanical damage to trunk, root damage and soil compaction.

Recommendation: Retain and protect with TPZ fencing.



TREE DESCRIPTIONS - cont'd

3 - Coast live oak (*Quercus agrifolia*), located in neighbor's rear yard.

City Designation: Protected.

Size: 28 inches dbh, 50 feet height, 32 feet foliar canopy spread.

Age and Condition: Mature. Good condition.

Potential impact: Root damage and soil compaction.

Recommendation: Retain and protect.

TPZ: Ideal protection zone is 8:1 or **18 feet radius** from tree trunk, although an "adjusted root protection zone" can be tolerated and is recommended for this tree. Since the entire structural and absorbing root zone in neighbor's yard will remain undisturbed, the existing fence can serve as protective fencing for the tree trunk and root collar. The structural roots within nine feet from the existing fence shall be protected from disturbance and soil compaction.



TREE DESCRIPTIONS - cont'd

4 – Weeping blue Atlas cedar (*Cedrus atlantica* 'Glauca Pendula'), rear yard.

City Designation: Not protected.

Trunk diameter: 10 inches.

Age and Condition: Mature. Good condition.

Potential impact: Tree is located within proposed building footprint.

Recommendation: Remove or transplant to facilitate project.

(Note: transplanting requires professional crane-assisted tree moving operation with 10 to 12 foot box to contain soil-root-ball)



TREE DESCRIPTIONS - cont'd

5 - Three small coast redwoods (*Sequoia sempervirens*), located in rear yard.

Trunk diameter: 2" each.

City Designation: Not protected.

Age and Condition: Young.

Recommendation: Preserve with TPZ fencing.

TPZ: 3 feet radius from tree trunks.



TREE PROTECTION ZONE FENCING

The primary tree protection measure is the establishment of a Tree Protection Zone (TPZ), a designated area surrounding a tree that is delineated and fenced, as protection for the tree trunk, foliar crown, branch structure and the critical root zone. The critical root zone includes structural and absorbing roots that support tree stability and physiology.

Once the TPZ is delineated and fenced, essentially prior to any site work, landscape construction, equipment and materials move in, construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist. **The fenced TPZ areas are considered "non-intrusion zones" and should not be altered or breached.**

Tree fencing requirements:

Fencing and specialized trunk and scaffold limb protection shall be installed as designated in the tree protection plan, and monitored by the project arborist.

All trees to be preserved shall be protected with chain link or welded wire fences with a minimum height of five feet (5') above soil grade.

Fences are to be supported by steel posts at no more than 10-foot spacing, driven into the ground to a depth of at least eighteen inches (1.5').

Signage attached to the fencing is to indicate Tree Protection Zone, with project manager and/or project arborist contact information.

No storage of equipment, vehicles or debris shall be allowed within the TPZ.

No trenching or grading shall occur within the TPZ of any trees.



TREE PROTECTION GUIDELINES AND RESTRICTIONS

The following restrictions and guidelines apply to the designated tree protection zones:

- (1) Before the start of site work, equipment or materials move in, clearing, excavation, construction, or other work on the site, every tree to be retained shall be securely fenced-off as delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.
- 2) If the proposed development, including any site work, will encroach upon the tree protection zone, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.
- (3) Underground trenching shall avoid the major support and absorbing tree roots of protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible. Boring/tunneling under roots should be considered as an alternative to trenching.
- (4) Concrete or asphalt paving shall not be placed over the root zones of protected trees, unless otherwise permitted by the project arborist.
- (5) Artificial irrigation shall not occur within the root zone of native oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.
- (6) Compaction of the soil within the tree protection zone shall be avoided.
- (7) Any excavation, cutting, or filling of the existing ground surface within the tree protection zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed so as to minimize their impact on protected trees.
- (8) Burning or use of equipment with an open flame near or within the tree protection zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the tree.
- (9) Oil, gas, chemicals, paints, cement, stucco or other substances that may be harmful to trees shall not be stored or dumped within the tree protection zone of any protected tree, or at any other location on the site from which such substances might enter the tree protection zone of a protected tree.
- (10) Construction materials shall not be stored within the tree protection zone of a protected tree.

PROJECT ARBORIST DUTIES & INSPECTION SCHEDULE

The project arborist is the person(s) responsible for carrying out technical tree inspections, assessment of tree health, structure and risk, arborist report preparation, consultation with designers and municipal planners, specifying tree protection measures, monitoring, progress reports and final inspection.

A qualified project arborist (or firm) should be designated and assigned to facilitate and insure tree preservation practices. He/she/they should perform the following inspections:

Inspection of site: Prior to equipment and materials move in, site work, demolition, landscape construction and tree removal: The project arborist will meet with the general contractor, architect / engineer, and owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: After installation of TPZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

TREE WORK STANDARDS AND QUALIFICATIONS

All tree work, removal, pruning, planting, shall be performed using industry standards of workmanship as established in the Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI A 300 series), and safety (ANSI Z133.1).

Contractor licensing and insurance coverage shall be verified.

CONSTRUCTION SITE TREE HEALTH CARE MEASURES

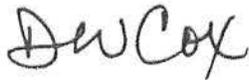
RECOMMENDED TO PROVIDE OPTIMUM GROWING CONDITIONS, PHYSIOLOGICAL INVIGORATION AND STAMINA, FOR PROTECTION AND RECOVERY FROM CONSTRUCTION IMPACT.

Establish and maintain TPZ fencing, trunk and scaffold limb barriers for protection from mechanical damage, and other tree protection requirements as specified in the arborist report.

Project arborist to specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

Soil, water and drainage management is to follow the ISA BMP for "Managing Trees During Construction" and the ANSI Standard A300(Part 2)- 2011 Soil Management (a. Modification, b. Fertilization, c. Drainage.)

Fertilizer / soil amendment product(s), amounts and method of application to be specified by certified arborist.



Donald W. Cox,
ISA Board Certified Master Arborist WE-3023BUM
Municipal Specialist, Utility Specialist, Tree Risk Assessor

DESIGN REVIEW COMMISSION

231 Yerba Buena Ave. Response to Comments



Before



After



Height & Bulk

To directly address the commissioners concern over the height of the small second story I have lowered the pitch of the roof which reduces the height by 2'-2". As you can see in the above elevations, the change is quite noticeable. While I looked at alternative ideas to roofing the staircase separately from the art studio I felt it added unnecessary complexity to the roofline and detracted from the architectural statement of the 2 simple shed roofs standing in contrast to the overall traditional roof forms. Because of the lowered roof line the transom windows above the sliding glass door were reduced in height and the metal

awning was removed. The change keeps the roof line much more consistent so there is less emphasis on the second story.

Character

In "What Affects the Appraisal Value of a House?" by Dana Sparks in SFGate, "The precise neighborhood you live in makes a difference. An appraiser will take into account what the homes to either side of yours look like. A comparable home in a nearby, but better kept, neighborhood could appraise at a higher value than a home located in a neighborhood on the decline."² While this is hardly a neighborhood in decline, it is one that may be stagnating against the trend of more modern styles. As housing prices increase so does the demand for not just updated homes but modern style homes. According to Brett Jennings, a broker associate at Keller Williams Bay Area Estates, cited in a recent article in The Wall Street Journal, "Buyers are paying a premium for homes that are updated, and a premium-plus for the modern aesthetic."¹ While I believe my proposal is a moderate blend that will appease both traditional and modern tastes alike, I also feel that modern style homes add value to the neighborhood character. That being said, this project blends very well with the neighborhood fabric by maintaining the first story eave lines, steeply sloping a-frame roof over the garage, low pitch gable roof, and recessed entry. The second story addition is setback towards the rear of the structure and the roof height has been reduced to further minimize bulk. It is also largely hidden from public view by the giant oak tree. Any views from rear neighbors will be insignificant once proposed landscaping matures. Overall, this project will add significant value to the neighborhood by upgrading an outdated structure with thoughtfulness and sensitivity by blending the traditional architectural language with a modern fresh look using quality materials all while maintaining the massive heritage oak tree, not to mention navigating the complex lot shape and multiple angles of the structure.

Privacy

To address the concerns of the staff report, I have raised the window sills of the North West facing windows to 4'-6" above finish flooring in the art studio to limit view access into property 221 Yerba Buena Ave. The increase in the number of windows from 2 to 3

and the change in window size is simply to relate to the North facing clearstory windows of the living room. It's a minor change which improves the aesthetics of the elevation.

After studying sight lines from the proposed balcony and neighboring rear properties, I have made several changes to the landscaping to protect neighbor privacy. There are two main areas of sight lines which are currently unprotected, views to and from property 245 Live Oak Lane and 295 Los Altos Ave. There are very minimal views into property 271 Live Oak Lane.

For the most critical area where the balcony directly faces property 245 Live Oak Lane, I have proposed 7 podocarpus gracilior trees and 1 avocado tree to fill in the gap between the existing podocarpus henkelii and loquat tree. The podocarpus gracilior is a moderately fast growing evergreen tree which can grow 20-60 feet tall but is usually clipped into formal hedges to around 20 ft. high. As one of the cleanest and most pest free trees, it is often used as a street or screening tree. The avocado tree is an evergreen tree which grows fast, about 36" per year, and provides dense shade and edible fruit. The variety drymifolia and the cultivar "Mexicola" typically grow 35 feet tall, resists oak root fungus and is the hardiest most cold tolerant cultivar.

For the border between our lot and 295 Los Altos Ave., I have proposed 9 pittosporum tenuifolium and 2 prunus caroliniana in the corner. Both of these species are resistant to oak root fungus and form dense evergreen screening foliage and can be clipped into a 20 ft tall hedge. The pittosporum is a fast growing species and the prunus is moderate to fast growing. In addition to the hedges, I will maintain the existing 3 redwood trees which will provide additional screening and shade when they mature. The balcony will also have some screening added to the side facing 295 Los Altos Ave. I am proposing wire mesh extending vertically from the railing to the underside of the roof to grow an evergreen vine for shade and privacy.

The following images show both the existing site conditions as well as proposed views from the 3D model of the project simulating both the neighbor's houses and proposed landscaping.

245 Live Oak Lane

271 Live Oak Lane

295 Los Altos Ave.



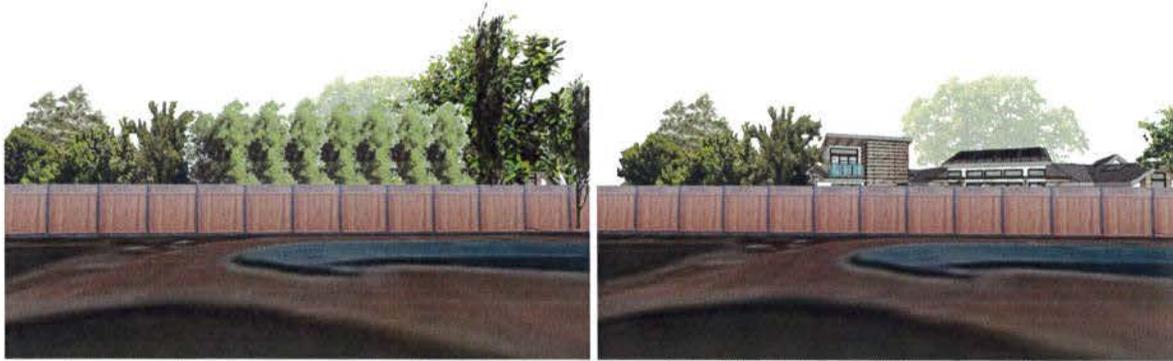
Panoramic photo taken standing at balcony level 11'-0" above grade at approximate location of the balcony with current landscape.



Model view towards 245 Live Oak Lane from balcony with and without proposed landscape and neighbor house showing in the background.



Model view towards 295 Los Altos Ave. from balcony with and without proposed landscape and neighbor houses showing in the background.



Model view from backyard of 245 Live Oak Lane with and without proposed landscape and project showing in the background.



Model view from backyard of 295 Los Altos Ave. with and without proposed landscape and project showing in the background.

With the lowered roof line and added landscaping, you can see that the new development will be hidden from view of the neighboring properties and views from the balcony into neighbor's yards will be blocked. With care and maintenance, privacy should not be an issue.

Conclusion

This project not only safeguards the privacy of neighbors and follows good neighborhood planning guidelines and regulations, it also showcases a modern style while still blending into the neighborhood character. In addition to increasing property values, this project will also help to attract and retain high value talent by keeping up with current design trends, thereby promoting neighborhood growth and increasing city revenue through property taxes.

Citations

1. Person, and Katy McLaughlin. "California's Hot Housing Market Drives Pricey Home Facelifts." WSJ. N.p., 05 May 2016. Web. 09 May 2016.
<<http://www.wsj.com/articles/californias-hot-housing-market-drives-pricey-home-facelifts-1462456812>>.
2. Sparks, Dana. "What Affects the Appraisal Value of a House?" Home Guides. Demand Media, n.d. Web. 09 May 2016.
<<http://homeguides.sfgate.com/affects-appraisal-value-house-1211.html>>.