

DATE: February 2, 2022

AGENDA ITEM #4

TO: Design Review Commission

FROM: Sean K. Gallegos, Senior Planner

SUBJECT: SC21-0045 – 1269 St. Mark Court

RECOMMENDATION:

Approve design review application SC21-0006 subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review application for a 619 square foot addition to the first story, new windows located at the second story, and other architectural design exterior modifications to an existing two-story residence. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-Family, Medium Lot

ZONING: R1-10

PARCEL SIZE: 12,585 square feet

MATERIALS: Standing seam metal roof, board and batten siding,

fiberglass window, wood trim and exterior door and

window casing.

| | Existing | Proposed | Allowed/Required |
|---|-------------------|--------------------|---------------------|
| COVERAGE ¹ : | 2,287 square feet | 2,244.5square feet | 3,775.5 square feet |
| FLOOR AREA: | | | |
| First Floor | 2,287 square feet | 2,906 square feet | |
| Second Floor | 1,083 square feet | 1,083 square feet | |
| Total | 3,370 square feet | 3,989 square feet | 4,008.5 square feet |
| SETBACKS: | | | |
| Front | 24.1 feet | 24.1 feet | 25 feet |
| Rear | 56.9 feet | 54.9 | 25 feet |
| Right side $(1^{st}/2^{nd})$ | 10/17.9 feet | 10/17.9 feet | 10 feet/17.5 feet |
| Left side (1 st /2 nd) | 12.8/26.7 feet | 12.8/26.7 feet | 10 feet/17.5 feet |
| HEIGHT: | 24.2 feet | 24.2 feet | 27 feet |

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¹ The existing and proposed coverage areas are based on staff scaled off measurements of the plans which differs from the zoning compliance table and lot coverage diagram submitted by the applicant. The applicant's calculation incorrectly included additional area.

BACKGROUND

Based on a review of the available building permit records, the existing two-story structure was constructed in 1974. No other building permits were found to modify the second story portion of the structure since then.

Zoning Conformance

The existing house is non-conforming along the front yard since the existing setback is 24.2 feet whereas a 25-foot second story front yard setback is required based on the R1-10 standards. The Zoning Code allows non-conforming setbacks to remain (Section 14.66.050) but requires non-conforming setbacks to be remedied when 50% or more of the floor area is being replaced or rebuilt (Section 14.06.080.H).

DISCUSSION

First-Story Addition and Modifications

The applicant requests a 619 square foot addition to the first story that includes the following architectural changes along with interior remodeling work:

- Convert the unenclosed attached covered along the front elevation into floor area to the residence for an enlarged living room, fover and study;
- Add a new unenclosed attached porch with columns along the front elevation;
- Add new floor area along the right elevation to expand bedroom No. 1 and the family room and kitchen;
- Add new floor area along the rear elevation expand the family room, kitchen and dining room.
- Add new gable roof above the three second story windows along the front elevation.
- Replace existing windows, doors, and garage door;
- Replace an existing window with a bay window along the rear elevation;
- Add a new second story window along left (west) elevation; and
- Add new board and batten siding to the first and second story, replace the shingle roof material with standing seam metal roof.

Pursuant to Section 14.76.030 of the Zoning Code, the first story addition and modifications would normally be reviewed and approved administratively by the Community Development Director or their designee. Staff has reviewed the proposed addition request and modifications and have found the changes to be in compliance with the R1-10 zoning district development standards and conforms to the Single-Family Residential Design Guidelines and the design review findings pursuant to Section 14.76.060 of the Zoning Code. The proposed first story addition has similar wall plate heights and roof pitches as the existing structure, it does not create excessive bulk issues, and the other proposed exterior modifications are architecturally composed well and integrate well with the existing residence and the surrounding neighborhood. Therefore, staff recommends design review approval of the first-story addition and modifications. The materials board is provided as Attachment B.

Second-Story Modifications

The applicant is also requesting to modify or add new second story windows to the front, back and left side of the existing structure. The proposed changes will not add any new floor area to the second story. Consistent with past determinations and pursuant to Section 14.76.040 of the Zoning Code, new or modified second story windows that increase the glazing area or may create potential privacy impacts have been referred to the Design Review Commission for review and approval.

The existing second story has windows on the front, right side and rear elevations, but no windows exist along the second story left (west) side elevation. The applicant proposes to modify the interior floor area of the second story; therefore, some of the window modifications are due to realigning the windows to the new and repurposed rooms.

As shown on the front (south) elevation plan along the second story, the existing larger windows which are located in a bedroom, bathrooms, and walk-in closet are being replaced in similar locations with slightly different dimensions and the interior windowsill heights are being maintained or raised compared to the existing window will heights.

As shown on the rear (north) elevation plan along the second story, the existing larger windows which are located in a bedroom No. 2 and bedroom No. 3 are being replaced in similar locations with similar sized windows with the interior windowsill heights being maintained at a two-feet, ten-inches. The existing 10-foot wide by four-foot-tall window located in the master bedroom is being replaced with a bay window with an 8-foot wide by 4.5-foot tall bay window. The sill height for the master bedroom bay window is being lowered from two feet, seven inches to two feet, four inches.

As shown on the right (east) elevation plan along the second story, the existing medium-sized window in bedroom No. 2 is being replaced with a smaller window with a taller windowsill height of four feet, six-inches.

As shown on the left (west) elevation, there are currently no second story windows. The applicant proposes a medium-sized window for a stairwell with a sill height of 11 feet, 7 inches.

Privacy

As discussed above, the proposed second story windows at the front, right side elevation and rear elevations are replacing existing windows at those locations and will serve similar residential uses (bedrooms, bathrooms, etc.). The new windows are similar in size or slightly bigger with different dimensions and with lowered windowsills. These proposed changes should not introduce new significant perceived privacy impacts that do not already exist.

With regards to the new second story windows on the left elevation, the proposed window has an 11-foot, seven-inch sill height which the Design Review Commission has previously considered acceptable in eliminating direct views into neighboring properties and mitigating perceived privacy impacts.

In summary, considering the new windows are replacing similarly located windows and adding one window with a tall windowsill height, the setbacks, the small size and increased sill heights of the rear

facing windows, the proposed second story windows should not create any new significant privacy concerns.

Landscaping

There are 19 trees on the property, and the project proposes to retain seven trees. A landscape inventory table of the plants to retained and removed are provide on the Sheet L-1. An arborist report provides an inventory of the 25 trees on the property (Attachment C), and it is included as Sheet AR1 in the plan set.

The landscape plan also includes a variety of other shrubs, groundcover type plants and trees in the front and side yards, with retention of the existing landscaping in the rear yard throughout the site, and it includes additional existing and new trees along the side and rear property lines to improve privacy protection. New or rebuilt landscaping would need to satisfy the Water Efficient Landscape Ordinance requirements should it exceed the 2,500 square-foot landscaping threshold for residential additions. Overall, the existing and proposed landscaping meets the intent of the City's landscape regulations and street tree guidelines.

ENVIRONMENTAL REVIEW

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

PUBLIC NOTIFICATION AND CORRESPONDENCE

A public meeting notice was posted on the property and mailed to 13 property owners in the immediate vicinity. A document from the applicant regarding outreach is included in Attachment D. The applicant also posted the public notice sign (24" x 36") in conformance with the Planning Division posting requirements, as shown in Attachment E.

Cc: Shen I Chiou, Designer and Applicant Antony Chan, Property Owner

Attachments:

- A. Notification Maps
- B. Materials Board
- C. Arborist Report
- D. Applicant Outreach letter
- E. Public Notice Poster
- F. Design Plans

FINDINGS

SC21-0045 – 1269 St. Mark Court

With regard to the one-story addition and new second story windows, the Design Review Commission finds the following in accordance with Section 14.76.060 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 addition and the proposed second story windows, 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.

CONDITIONS OF APPROVAL

SC21-0045 – 1269 St. Mark Court

1. Expiration

The Design Review Approval will expire on February 2, 2024 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 December 7, 2021, except as may be modified by these conditions and as specified below:

3. Protected Trees and Landscaping

The existing trees and landscape screening along the side and rear property lines as shown on the site plan shall be protected under this application and cannot be removed without a tree removal permit from the Community Development Director. Tree/landscape protection fencing shall be installed along the left rear side to protect existing landscaping and trees and around the 20" diameter tree in the front-right side yard.

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. All work within the public street right-of-way shall be in compliance with the City's Shoulder Paving Policy.

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 project shall be subject to the City's Water Efficient Landscape Ordinance (WELO) pursuant to Chapter 12.36 of the Municipal Code if 2,500 square feet or more of new or replaced landscape area, including irrigated planting areas, turf areas, and water features is proposed. Any project with an aggregate landscape area of 2,500 square feet or less may conform to the prescriptive measures contained in Appendix D of the City's Model Water Efficient Landscape Ordinance.

7. Indemnity and Hold Harmless

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

8. Conditions of Approval

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

9. 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.

10. Landscape Plan

Provide a site or landscape plan showing the proposed landscape privacy screening.

11. Tree Protection Note

On the grading plan and/or the site plan, show all tree/landscape 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."

12. Green Building Standards

Provide verification that the house will comply with the California Green Building Standards pursuant to Chapter 12.26 of the Municipal Code and provide a signature from the project's Qualified Green Building Professional Designer/Architect and property owner.

13. Air Conditioner Sound Rating

Show the location of any air conditioning unit(s) on the site plan including the model number of the unit(s) and nominal size of the unit. Provide the manufacturer's specifications showing the sound rating for each unit. The air conditioning units must be located to comply with the City's Noise Control Ordinance (Chapter 6.16) and in compliance with the Planning Division setback provisions. The units shall be screened from view of the street.

14. Storm Water Management

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

15. California Water Service Upgrades

You are responsible for contacting and coordinating with the California Water Service Company any water service improvements including but not limited to relocation of water meters, increasing water meter sizing or the installation of fire hydrants. The City recommends consulting with California Water Service Company as early as possible to avoid construction or inspection delays.

PRIOR TO ISSUANCE OF BUILDING OR DEMOLITION PERMIT

16. Tree Protection

Tree protection shall be installed around the dripline(s) of the trees as shown on the site plan approved with the building permit plans. Fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

PRIOR TO FINAL INSPECTION

17. Landscaping Installation

All front yard, exterior side, interior side, and rear yard landscaping, street trees and privacy screening trees shall be maintained and/or installed as shown on the approved plans or as required by the Planning Division. If new landscaping exceeds 2,500 square feet and subject to the Water Efficient Landscape Ordinance, provide a landscape Certificate of Completion, signed by the

project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package.

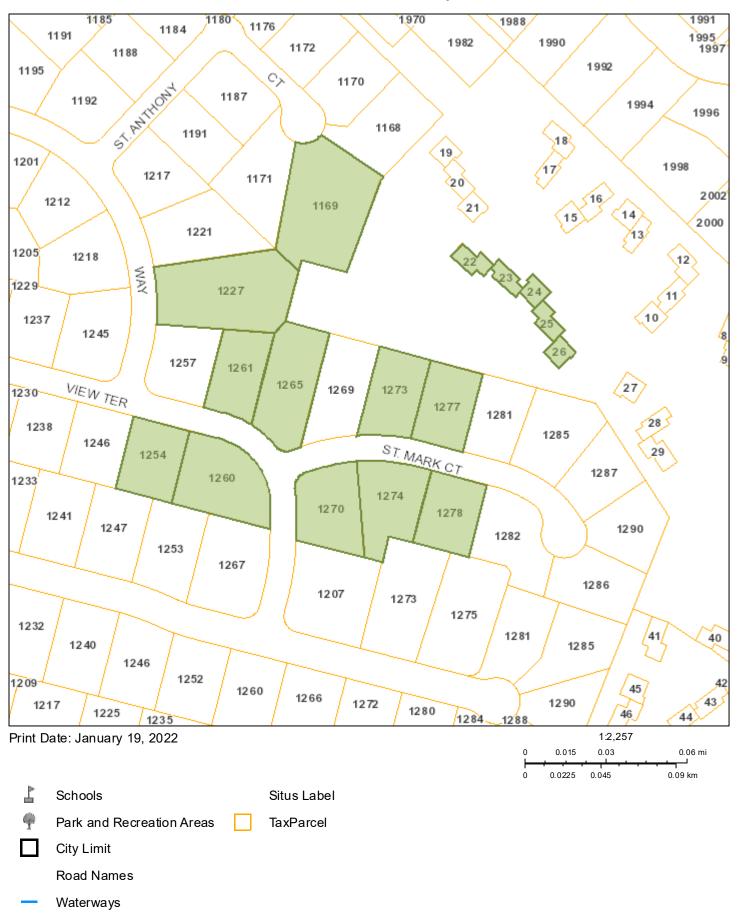
18. Landscape Privacy Screening

The landscape intended to provide privacy screening shall be inspected by the Planning Division and shall be supplemented by additional screening material as required to adequately mitigate potential privacy impacts to surrounding properties.

19. Green Building Verification

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

Notification Map ATTACHMENT A



ATTACHMENT B



Front Elevation



Standing Seam Metal Roof



Off-white Board and Batten siding



Dark fiberglass window



Reference

ATTACHMENT C

Kleinheinz Arborist Services LLC

Certified Arborist WE-7720A

821 Vista Lane, Ione, CA 95640 | 650-759-1081 | k.arborist@yahoo.com

July 22, 2021

Site Address: 1269 St Mark Court, Los Altos, CA 94024

As per your request to perform a pre-construction Arborist report located at location listed above, upon arrival these were my findings:

Note: inspection of the trees were done by a walk-through visual only. There was only one tree on the property that was of significant size that was of concern.

Tree number one, located in the backyard on the left of the hillside, is an Italian Stone Pine (**Pinus pinea**). This tree stands approximately 35 feet in height and has a DBH of approximately 24 inches. This tree is codominant at about 5 feet up by two leads with signs of included bark present, making this area a weak point where the connection is. This tree is located on an incline hill in the backyard. It has a significant lean towards the house and yard and has very poor form. This tree is codominant throughout the canopy, making the tops of the tree have very poor form.

<u>Suggestions:</u> I feel given the significant lean, having very poor form and being located on a hillside, that this tree should be removed prior to construction. This tree is a hazard.

Tree number two is a persimmon tree (Diospyros virginiana), which is located in the backyard of the property. This tree is about 4 inches in diameter.

Suggestions: This tree should be removed prior to construction.

Tree number three is a persimmon tree (Diospyros virginiana), which is located in the backyard of the property. This tree is about 3 inches in diameter.

Suggestions: This tree should remain throughout the duration of the construction.

Tree number four is located in the backyard and is a Locust tree (Robinia pseudoacacia). This tree stands about 20 feet in height and has a DBH of 8 inches.

Suggestion: This tree should be removed prior to construction.

Trees numbered 5 through 7 are a group of Wax Leaf Privet bushes (Ligustrum japonicum) which are located in the backyard and range from 3 to 4 inches DBH. All of these trees have very poor form.

Suggestions: These bushes should be removed prior to any construction.

Tree number eight is an Apple Tree (Malus domestica) and is located on the left side of the backyard.

Suggestions: This tree should be removed prior to construction.

Tree number nine is an Apple Tree (Malus domestica) and is located on the left side of the backyard.

<u>Suggestions:</u> This tree should be removed prior to construction.

Tree number ten is a Lemon Tree (Citrus x sinensis) and is located on the left side of the front yard.

<u>Suggestions:</u> This tree should remain throughout the duration of the construction.

Tree number eleven is an Orange Tree (Citrus x sinensis) and is located on the left side of the front yard.

<u>Suggestions:</u> This tree should remain throughout the duration of the construction.

Tree number twelve is a Fruitless Pear Tree (Pyrus calleryana) and is located in the front yard. It is 15 feet in height and has a DBH of 7 inches. This tree has poor form.

Suggestions: This tree should be removed prior to construction.

Tree number thirteen is a Greenleaf Maple Tree (Acer palmatum), which is located in the front yard and is 7 inches.

Suggestions: This tree should be removed prior to construction.

Tree number fourteen is a Bloodgood Maple Tree (Acer palmatum) and is located in the front yard. It is 5 inches.

Suggestions: This tree should be removed prior to construction.

Tree number fifthteen is a Pittosporum Tree (Pittosporum tenuifolium) and is located in the front yard. It is 4 inches.

Suggestions: This tree should remain throughout the duration of the construction.

Tree number sixteen is a Crepe Myrtle (Lagerstroemia) and is located in the front yard. It is 4 inches.

Suggestions: This tree should remain throughout the duration of the construction.

Trees numbered seventeen through nineteen are Birch Trees (Betula), which are located in the front yard and have a DBH of 2-4 inches.

Suggestions: These trees should remain throughout the duration of the construction.

Tree number twenty is an Orange Tree (Citrus x sinensis), which is located on the right side of the yard and is 2 inches.

Suggestions: This tree should be removed prior to construction.

There are numerous trees which are located along the backside of the property . These trees are Coast Live Oak's coming over from the neighboring property. I do not feel it will be within the vicinity of construction, but since their canopy does extend onto property, they are noted. I do not feel any tree protection plan needs to be implemented for these trees since they are beyond the fenceline and no roots should be impacted.

There is a Monterey Pine (**Pinus radiata**) on the neighboring property, which is located on the left side of the backyard. The canopy does extend into the property but very little. I do not feel that any tree protection plan is necessary for this tree.

There is a hedge of oleander shrubs along the right side of the property that extends from the front of the street to the backyard. I do not feel any of these roots will be affected, therefore, no tree protection plan should be required.

Along the left side of the front yard and the neighboring property, there are two Hollywood Junipers, which canopies extend over into the front yard. I do not feel any of the root systems will be impacted during construction on these trees nor on the canopy of the trees. Therefore, I do not feel any tree protection plan should be required for these trees.

There are two small Citrus Trees on the left side of the front yard that are not of significant size. Therefore, they are not indicated in any tree protection plan. These trees could either be removed prior to construction or if they are to remain then they will need to be protected.

There are two small Birch Trees (**Betula**) located along the front side of the property, closest to the street, that are not of significant size. Therefore, they do not need to be protected. These trees could either be removed prior to construction or protected throughout the duration, if they are to remain.

Suggestions: Tree Protection Plan:

Tree Protection Zones

Tree protection zone should be installed and maintained throughout the entire length of the project. Prior to the commencement of any development project, metal stakes with orange barrier fencing shall be installed at about the drip line (where possible) of any protected tree which will or will not be affected by the construction. The drip line shall not be altered in any way so as to increase the encroachment of the construction. Signs should be placed on fencing signifying "Tree Protection Zone - Keep Out". No materials or equipment should be stored or cleaned inside the tree protection zones. Excavation, grading, soil deposits, drainage and leveling are prohibited within the tree protection zones. No wires, signs or ropes shall be attached to the protected trees on site. Utility services and irrigation lines shall all be placed outside of the tree protection zones.

Inspections

The site Arborist will install or the contractor should install before the start of construction. The City of Los Altos usually requires a letter stating the fencing is in place before any permits are to be granted. The site Arborist must inspect the site anytime excavation work is to take place within 10 times the diameter of a protected tree on site. It is the contractor's responsibility to contact the site Arborist if excavation work is to take place within 10 times the diameter of the protected trees on site. Contact information: Cody Kleinheinz at 650-759-1081.

Root Pruning and Grading

If, for any reason, roots are to be cut, they shall be monitored and documented. Large roots over 2 inches diameter or large masses of roots to be cut must be inspected by the site Arborist. The site Arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or a lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. This site Arborist must first give consent if roots over 2 inches in diameter are to be cut.

Landscape Barrier Zone

If for any reason a smaller tree protection zone is needed for access, a landscape buffer consisting of wood chips spread to a depth of 6 inches with plywood or steel plates placed on top will be placed where tree protection fencing is required. The landscape buffer will help to reduce compaction to the unprotected root zone.

Trenching and Excavation

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

Sincerely X

Cody Kleinheinz

Certified Arborist/TRAQ Qualified

WE-7720A

650-759-1081



Cody J. Kleinheinz WE-7720A

ATTACHMENT D

1269 Saint Mark Ct Los Altos, CA 94024

1273 Saint Mark Ct. Los Altos, CA 94024

Dear Neighbor,

Firstly, I'd like to introduce ourselves: we are the Chan family and we are the new owners of 1269 St. Mark Ct! My wife Christine and I (Antony) are blessed with twins (Owen and Emma) and a 10 year-old Yorkshire Terrier named Ruby. We are very excited to be part of this quiet and quaint neighborhood, and can't wait to make memories here for a very long time.

I'm writing to you to let you know that we are planning some renovations on the house. The house is in great shape, but we wanted to put our finishing touches on it before we move our family here full-time.

We are planning to expand the living space on the first floor, and strictly do cosmetic changes/renovations on the second floor. We will also be doing the landscaping in the front yard as well. We hope that this project will not bother or inconvenience you in any way. Here are a few additional details to keep you informed:

- We are currently getting approval from the city for permits to start work
- Work is not slated to begin until early next year
- We will be be adding board & batten for sidings, and a new roof
- Expansion of the first floor will include the front of the house, the side of the house, and the back of the house
- We are not adding any additional square footage to the second floor only cosmetic changes on the exterior, and some renovations in the interior

As a way to meet everyone in the neighborhood and to get your thoughts on the project, Christine and I would like to invite you and your family to a community outreach meeting. No pressure though! I know times are different these days and there will be many other opportunities for us to meet. In any case, please reach out to me if you have any concerns.

We're looking forward to meeting you! Please RSVP below (using the link or QR code) or feel free to text/call me (Antony) at **(408) 667-1862** or email me at **achan0327@gmail.com**.

Chan Family Renovation Project Community Outreach Meeting 1269 St Mark Ct.

November 20th, 2021 @2PM

https://bit.ly/3Hjq5UD

Sincerely,

Sincerely, Your New Neighbors, the Chan Family



1260 Woodview Terrace Los Altos, CA 94024

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Dear Neighbor,

Firstly, I'd like to introduce ourselves: we are the Chan family and we are the new owners of 1269 St. Mark Ct! My wife Christine and I (Antony) are blessed with twins (Owen and Emma) and a 10 year-old Yorkshire Terrier named Ruby. We are very excited to be part of this quiet and quaint neighborhood, and can't wait to make memories here for a very long time.

I'm writing to you to let you know that we are planning some renovations on the house. The house is in great shape, but we wanted to put our finishing touches on it before we move our family here full-time.

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As a way to meet everyone in the neighborhood and to get your thoughts on the project, Christine and I would like to invite you and your family to a community outreach meeting. No pressure though! I know times are different these days and there will be many other opportunities for us to meet. In any case, please reach out to me if you have any concerns.

We're looking forward to meeting you! Please RSVP below (using the link or QR code) or feel free to text/call me (Antony) at **(408) 667-1862** or email me at **achan0327@gmail.com**.

Chan Family Renovation Project Community Outreach Meeting 1269 St Mark Ct.

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Sincerely, Your New Neighbors, the Chan Family



1254 Woodview Terrace Los Altos, CA 94024

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Chan Family Renovation Project Community Outreach Meeting 1269 St Mark Ct.

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