



DATE: January 4, 2023

AGENDA ITEM # 2

**TO:** Design Review Commission

**FROM:** Sean K. Gallegos, Senior Planner

**SUBJECT:** SC22-0024 – 905 Leonello Avenue

**RECOMMENDATION:**

Approve design review application SC22-0024 subject to the findings and conditions

**PROJECT DESCRIPTION**

This is a design review application for a new two-story house. The project includes 2,884 square feet on the first story and 1,202 square feet on the second story. The project also includes a 660 square-foot, one-story attached Accessory Dwelling Unit (ADU); but it is not part of this design review application. This project should be categorically exempt from further environmental review under Section 15303 of the California Environmental Quality Act. The following table summarizes the project’s technical details:

**GENERAL PLAN DESIGNATION:** Single-Family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 10,825 square feet  
**MATERIALS:** Standing seam metal roof, cement plaster siding, stone veneer, cement fiber window trim and details and wood windows.

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>LOT COVERAGE:</b>	2,600 square feet	3,787 square feet	3,247 square feet
<b>FLOOR AREA:</b>			
First floor	2,600 square feet	2,518 square feet	
Second floor		1,269 square feet	
Total	2,600 square feet	3,787 square feet	3,789 square feet
<b>SETBACKS:</b>			
Front	24.75 feet	25 feet	25 feet
Rear	55.1 feet	45.1 feet	25 feet
Right side (1 <sup>st</sup> /2 <sup>nd</sup> )	12.2 feet	7.8 feet/21.4 feet	7.8 feet/15.3 feet
Left side (1 <sup>st</sup> /2 <sup>nd</sup> )	11.75 feet	7.8 feet/22.6 feet	7.8 feet/15.3 feet
<b>HEIGHT:</b>	14 feet	25 feet	27 feet

## **BACKGROUND**

### **Neighborhood Context**

The subject property is located in a Diverse Character Neighborhood as defined in the City's Residential Design Guidelines. The subject site is located on south the side of a dead-end street on Leonello Avenue, with the nearest cross-street at Covington Road. The houses in this neighborhood are primarily a combination of one-story and two-story homes with simple forms and rustic materials. However, 906 Leonello Drive is a two-story house that represents a larger scale, while maintaining simple forms and horizontal emphasis consistent with the neighborhood. The landscape along Leonello Avenue is varied with a variety of large mature trees, but no distinct street tree pattern.

### **Zoning Compliance**

The subject property is considered a narrow corner lot, which is defined as a lot that is less than 80-feet in width. For narrow lots, the interior side yard setback is reduced from 10 feet to 10 percent of the width of the lot, with an additional 7.5 feet added for the second story setback. Since the lot is 77.97 feet in width, the required interior side yard setback is 7 feet, 9.5 inches, with a second story side yard setback of 15 feet, 3.5 inches.

## **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. The emphasis should be on designs that "fit in" and lessen abrupt changes.

The proposed project uses a more contemporary architectural style and materials than those found in the surrounding neighborhood but is designed to relate to the houses in the immediate vicinity. The project incorporates design elements that are found in the neighborhood such hipped roof, articulated massing, low-pitched roof, and high-quality materials that are compatible with the neighborhood. The detailing and materials of the structure reflect a high level of quality and appropriate relationship to the rustic qualities of the area. The proposed building materials, which include cement plaster, stone veneer, cement fiber window trim, wood windows and standing seam metal roof, are integral to the design. Overall, the design incorporates a contemporary style with simple elements and quality materials that produce a thoughtful and integrated appearance that is compatible with the character of the area.

According to the Residential Design Guidelines, a house should be designed to fit the lot and should not result in a home that stands out in the neighborhood. The proposed project is sensitive to the scale of the neighborhood and incorporates similar massing found within the neighborhood context. The proposed nine-foot, six-inch tall first floor wall plate is consistent with the eight-foot to nine-foot plate heights of existing residences in the neighborhood. The eight-foot, six-inch second floor wall plate height along the front,

right and rear elevation is partially concealed within the roof, which minimizes the perception of bulk.

The City's Residential Design Guidelines suggest various ways to minimize bulk, which includes using more than one material on an elevation, incorporating architectural elements to soften the elevation, minimizing the use of two-story high design elements, and keeping second floor exterior wall heights low. The front elevation massing is broken up with multiple hipped roof forms, a defined recessed entry, and low eave lines that emphasize the horizontal profile of the first story. The second floor is centered over the first story and visually softened by being recessed within the roofline of the structure. The low-pitched roof provides variation of the eave line facing the street, limits the height of the building in comparison to adjacent houses and diminishes the overall scale of the structure. The design does not create an abrupt change and is well proportioned and articulated to reduce the effect of bulk and mass.

### **Privacy**

On the left (north) side elevation of the second story, there are six windows with six-foot sill heights. Due to their placements and tall sill heights, the proposed windows do not create unreasonable privacy impacts.

On the right (south) side elevation of the second story, there are six windows with six-foot sill heights. Due to their placements and tall sill heights, the proposed windows do not create unreasonable privacy impacts.

On the rear (east) second story elevation, there is one window for the primary bathroom with a three-foot sill height, and French doors with side lights exiting from the primary bedroom to a balcony. The rear-facing balcony has a depth of four feet and a width of 14 feet. The balcony size does comply with the four-foot maximum balcony depth recommended in the Residential Design Guidelines, and it is considered passive in nature due to its depth and it being off a bedroom. The rear balcony presents an integrated appearance and the privacy wall along the right side of the balcony diminishes privacy impacts. The landscape plan includes retaining existing mature on-site trees and adding *Podocarpus Gracilior* along the side and rear property lines to further minimize privacy impacts. With the existing and proposed screening trees and the passive nature of the balcony, the window at the rear of the structure and the balcony would not result in unreasonable privacy impacts.

In general, the Design Review Commission has previously considered second story windows with a minimum four-foot six-inch windowsill heights acceptable to minimize direct views into neighboring properties. When there are perceived privacy impacts, installation of screening vegetation is another common practice to mitigate the interference with privacy. As discussed above, with the proposed design of second story windowsill heights, placement of windows, setbacks to the property lines, and new and existing vegetation, staff considers the subject project is designed to avoid unreasonable potential privacy impacts to the adjacent residential neighbors.

## **Landscaping**

The application includes an arborist report (Attachment F) that provides an inventory of the 15 on-site trees and six trees on adjacent properties. The applicant proposes the removal of one protected argyle apple tree (No. 9) due to being diseased. The applicant proposes the removal of four additional trees (nos. 7, 8, 18 and 21, but they are not protected under the City's Tree Protection Ordinance.

A comprehensive landscaping plan has been provided, which includes street trees and screening trees. The landscaping plan includes maintaining the existing redwood, oak, Monterey pine and loquat trees in the side and rear yards. The project meets the City's landscaping regulations and street tree guidelines with the new landscaping and hardscape. Since the new landscaping area exceeds 500 square feet, the project requires a landscape plan that complies with the City's Water Efficient Landscape Regulations.

## **Environmental Review**

This project is categorically exempt from environmental review under Section 15303 of the California Environmental Quality Act because it involves the construction of a new single-family dwelling in a residential zone.

## **Public Correspondence**

A public meeting notice was posted on the property and mailed to 11 nearby property owners on Holly Avenue and Oakhurst Avenue.

Cc: Kyle Chan, Applicant and Architect  
Zhang Daiua and Song Peiran, Property Owners

## **Attachments**

- A. Public Notification Map
- B. Neighborhood Combability Worksheet
- C. Public Notice Poster
- D. Materials Board
- E. Applicant Outreach
- F. Arborist Report, October 6, 2022
- G. Design Plans

## **FINDINGS**

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

- a. The proposed structure complies with all provisions of this chapter;
- b. The height, elevations, and placement on the site of the proposed structure, when considered with reference to the nature and location of residential structures on adjacent lots, will avoid unreasonable interference with views and privacy and will consider the topographic and geologic constraints imposed by particular building site conditions;
- c. The natural landscape will be preserved insofar as practicable by minimizing tree and soil removal; grade changes shall be minimized and will be in keeping with the general appearance of neighboring developed areas;
- d. The orientation of the proposed structure in relation to the immediate neighborhood will minimize the perception of excessive bulk and mass;
- e. General architectural considerations, including the character, size, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials, and similar elements have been incorporated in order to insure the compatibility of the development with its design concept and the character of adjacent buildings; and
- f. The proposed structure has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

## CONDITIONS OF APPROVAL

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### **GENERAL**

#### **1. Expiration**

The Design Review Approval will expire on January 4, 2025 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 5, 2022, except as may be modified by these conditions.

#### **3. Protected Trees**

The existing trees to be retained that are identified on the site plan shall be protected under this application and cannot be removed without a tree removal permit from the Development Services Director. Tree No. 9 shall be removed as part of this design review permit application.

#### **4. Tree Removal Approved**

Tree No. 9 shown to be removed on the site plan of the approved set of plans are hereby approved for removal. Tree removal shall not occur until a building permit is submitted and shall only occur after issuance of a demolition permit or building permit. Exceptions to this condition may be granted by the Community Development Director upon submitting written justification.

#### **5. 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.

#### **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 over 500 square feet or more of new landscape area, including irrigated planting areas, turf areas, and water features is proposed.

#### **7. Underground Utility and Fire Sprinkler Requirements**

Additions exceeding fifty (50) percent of the existing living area (existing square footage calculations shall not include existing basements) and/or additions of 750 square feet or more shall trigger the undergrounding of utilities and new fire sprinklers. Additional square footage calculations shall include existing removed exterior footings and foundations being replaced and rebuilt. Any new utility service drops are pursuant to Chapter 12.68 of the Municipal Code.

#### **8. 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**

### **9. Conditions of Approval**

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

### **10. 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."

### **11. Water Efficient Landscape Plan**

Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations and include signed statements from the project's landscape professional and property owner.

### **12. Reach Codes**

Building Permit Applications submitted on or after January 26, 2021 shall comply with specific amendments to the 2019 California Green Building Standards for Electric Vehicle Infrastructure and the 2019 California Energy Code as provided in Ordinances Nos. 2020-470A, 2020-470B, 2020-470C, and 2020-471 which amended Chapter 12.22 Energy Code and Chapter 12.26 California Green Building Standards Code of the Los Altos Municipal Code. The building design plans shall comply with the standards and the applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.

### **13. 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.

### **14. 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.

### **15. Underground Utility Location**

Show the location of underground utilities pursuant to Chapter 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.

**16. Outdoor Condensing Unit 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.

**17. Storm Water Management**

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

**PRIOR TO ISSUANCE OF BUILDING OR DEMOLITION PERMIT**

**18. Tree Protection**

Tree protection fencing shall be installed around the dripline(s), or as required by the project arborist, of the existing trees to be retained 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.

**19. School Fee Payment**

In accordance with Section 65995 of the California Government Code, and as authorized under Section 17620 of the Education Code, the property owner shall pay the established school fee for each school district the property is located in and provide receipts to the Building Division. The City of Los Altos shall provide the property owner the resulting increase in assessable space on a form approved by the school district. Payments shall be made directly to the school districts.

**PRIOR TO FINAL INSPECTION**

**20. Landscaping Installation and Verification**

Provide a landscape Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package. *(Note: only include if project exceeds the 500/2,500 sq ft threshold.)*

**21. 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. *(Should be applied to all two-story projects and one-story projects as needed).*



**22. 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).