



DATE: February 7, 2024

AGENDA ITEM #2

**TO:** Nick Zornes, Zoning Administrator

**FROM:** Sean Gallegos, Senior Planner

**SUBJECT:** SC23-0017 – 70 Chester Circle

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## RECOMMENDATION

Approve design review application SC23-0017 for the construction of a new 2,161 square foot, two-story house subject to the listed findings and conditions of approval and find the project categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15303 (“New Construction or Conversion of Small Structures”).

## BACKGROUND

### Project Description

- Project Location: 70 Chester Circle, on the northeast side of Chester Circle
- Lot Size: 6,175 square feet
- General Plan Designation: Single-Family, Medium Lot (SF4)
- Zoning Designation: R1-10
- Current Site Conditions: One-story house

The proposed project includes the demolition of an existing one-story house and replacement with a new two-story house with 1,403 square feet on the first story and 758 square feet on the second story (see Attachment A – Project Plans).

The new residence uses a Contemporary inspired architectural design with shed and flat roof elements and simple modern forms. The house is consistent with the identifying features of a modern style that include low slope roofs, large fiberglass frame windows, horizontal cedar, and stucco siding surfaces, and unornamented wall surfaces with no decorative detailing at the doors or windows. A recessed covered porch is proposed at the front entry. The proposed building materials include a composition shingle roof, smooth stucco siding, stained cedar siding, wood doors and black fiberglass windows. A new driveway is proposed along the western side of the property leading to an attached one-car garage. A 507.9 square foot attached accessory dwelling unit is also proposed but is not subject to design review and will be reviewed under a Building Permit application.

The site includes one non-protected Magnolia tree (No. 1) and one protected Pine tree (No. 2) as defined in the City's Tree Protection Regulations which will both be retained with the proposed development. Two new trees and a mixture of plants will be planted in the front yard area and new screening vegetation along the rear property line.

## ANALYSIS

### Design Review

The proposed house complies with the R1-10 district development standards found in Los Altos Municipal Code (LAMC) Chapter 14.06, as demonstrated by the following table:

	Existing	Proposed	Allowed/Required
<b>COVERAGE:</b>	1,178 square feet	1,455 square feet	1,853 square feet
<b>FLOOR AREA:</b>			
1st Floor	1,016 square feet	1,403 square feet	
2nd Floor	-	758 square feet	
Total	1,016 square feet	2,161 square feet	2,161 square feet
<b>SETBACKS:</b>			
Front	20 feet	25 feet	25 feet
Rear	17.3 feet	23.8 feet	23.8 feet
Right (1 <sup>st</sup> /2 <sup>nd</sup> )	22.2 feet/-	7 feet/19.8 feet	6.6 feet/14.1 feet
Left side (1 <sup>st</sup> /2 <sup>nd</sup> )	5 feet/-	12 feet/15.1 feet	6.6 feet/14.1 feet
<b>HEIGHT:</b>	17 feet	20.3 feet	27 feet

The 65.5-foot-wide lot is considered a narrow lot due to its width being less than 80 feet and a shallow lot due to the depth being 95.2 feet, which is less than 100 feet. The interior side yard setback for narrow lots should be ten percent of the average lot width, with a minimum of five feet. Consequently, the project is permitted to have a first story setback of 6.6 feet and second story exterior side yard setback of 14.1 feet. On a lot less than one hundred (100) feet in depth, the rear yard shall be twenty-five (25) percent of the depth of the site or twenty (20) feet, whichever is greater. Therefore, the reduced rear yard setback is 23.8 feet.

As per Chapter 14.76 of the LAMC, new two-story residences must comply with the Single-Family Residential Design Guidelines. The guidelines suggest that designs in a Diverse Character neighborhood should incorporate some design elements, materials, and scale that are present in the neighborhood while maintaining its own unique design integrity. The proposed design follows this recommendation and will be compatible with the surrounding properties.

The overall bulk and scale of the front elevation is broken up with multiple flat roof forms at the first story and a shed roof form at the second story, horizontal eaves lines, and porch entry. The series of flat and shed roof forms results in a layered appearance and a structure that is well articulated, which helps to break up the horizontal and vertical planes. The second story is softened due to being recessed into the roof form along the front elevation and centered over the first-story massing at the sides of the house and large second-story setbacks. The architect has worked with staff to soften the two-story verticality using different materials on the exterior of the building. The proposed use of stucco and wood siding material on the first story also helps to visually break down the massing of the first story and create a more visually interesting façade.

The low-pitched roof and roof form contribute to reducing the perceived bulk of the structure. The first-story roof form and horizontal eave line breaks up the wall plane, while the building's articulation and roof forms at the second story break down the massing into smaller portions, making the building visually interesting and less bulky.

The landscaping plan will comply with the Water Efficient Landscape Ordinance, which requires water-efficient landscaping for new residences with landscaping over 500 square feet.

The proposed project meets the development standards in the R1-10 zoning district and complies with the Single-Family Residential Design Guidelines because it is compatible with the character of the neighborhood as the design maintains an appropriate relationship with adjacent structures, minimizes bulk, and preserves existing trees to the extent possible.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from environmental review under Section 15303 (“New Construction or Conversion of Small Structures”) of the California Environmental Quality Act (CEQA) because it involves the construction of a single-family dwelling in a residential zone.

## **PUBLIC NOTIFICATION AND CORRESPONDENCE**

A public meeting notice was posted on the property, mailed to property owners within 300 feet of the subject site, and published in the Town Crier. The applicant also posted the public notice sign (24” x 36”) in conformance with the Planning Division posting requirements.

The applicant sent out letters to ten neighbors in the immediate area by certified mail. No comments from neighbors have been received by staff as of the writing of this report.

Attachment:

A. Project Plans

Cc: Caroline Chii-Luh Chen, Applicant/Architect  
Liu Haochen and Pan Xiaochen, Property Owner

## FINDINGS

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With regard to the proposed new two-story residence, the Zoning Administrator finds the following in accordance with Section 14.76.060 of the Municipal Code:

- A. The proposed residence complies with all provision of this chapter because the proposed residence is consistent with the development standards of the R1-10 zoning district and policies and implementation techniques described in the Single-Family Residential Design Guidelines.
- B. The height, elevations and placement on the site of the proposed main or accessory structure or addition, when considered with reference to the nature and location of residential structures on adjacent lots, and will consider the topographic and geologic constraints imposed by particular building site conditions as the proposed house maintains a similar finished floor elevation and orientation on the lot as the existing house and complies with the allowable floor area, lot coverage, and height maximums as well as the daylight plane requirement pursuant to LAMC Chapter 14.06.
- C. The natural landscape will be preserved insofar as practicable by minimizing tree and soil removal; grade changes shall be minimized because the trees on the property protected by city ordinance are proposed to remain and there will not be any substantial grade changes nor soil removal to construct the residence. The site includes one non-protected Magnolia tree (No. 1) and one protected Pine tree (No. 2) as defined in the City's Tree Protection Regulations which will both be retained with the proposed development. The proposed landscaping including new trees, shrubs, and ground cover will be in keeping with the surrounding neighborhood.
- D. The orientation of the proposed new residence in relation to the immediate neighborhood will minimize the perception of excessive bulk because the proposed structure incorporates architectural design features such as low scale, horizontal eave lines, smooth stucco and horizontal siding, building articulation, and roof forms that break up the massing and minimize excessive bulk. The series of flat and shed roof forms results in a layered appearance and a structure that is well articulated, which helps to break up the horizontal and vertical planes. The second story is softened due to being recessed into the roof form along the front elevation and centered over the first-story massing at the sides of the house and large second-story setbacks.
- E. General architectural considerations, including the size and scale, 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 on the same project site. The design incorporates durability, high-quality and architecturally integrated composition shingle roof, smooth stucco siding, stained cedar siding, wood doors and black fiberglass windows. The size and scale of the building also fits well with buildings on the same site, based on overall building height and height of each story.
- F. The proposed residence has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection because the site is

relatively flat and has incorporated softscape and hardscape surfaces into the plan and proposes a drainage plan to minimize off-site stormwater drainage.

## **CONDITIONS OF APPROVAL**

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### **GENERAL**

**1. Expiration**

The Design Review Approval will expire on February 7, 2026, 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 January 5, 2024, except as may be modified by these conditions.

**3. Protected Trees**

Tree Nos. 2 as shown on Sheet TR shall be protected under this application and cannot be removed without a tree removal permit from the Development Services 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. All work within the public street right-of-way shall be in compliance with the City's Shoulder Paving Policy.

**5. 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.

**6. 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.

**7. ADU Not Reviewed**

The proposed ADU included in the plan set is not part of this design review application. Prior to commencement of the ADU construction, a separate building permit issued by the Building Division shall be obtained by the applicant.

**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 and provide a letter which explains how each condition of approval has been satisfied and/or which sheet of the plans the information can be found.

### **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 1, 2023 shall comply with specific amendments to the 2022 California Green Building Standards for Electric Vehicle Infrastructure and the 2022 California Energy Code as provided in Ordinances No 2022-487 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 driplines of all protected trees unless approved by the project arborist and the Planning Division.

### **16. Mechanical Equipment**

The plans shall show the location of any mechanical equipment (including air conditioning units) on the site plan. All equipment must be located to comply with the City's Noise Control Ordinance (Chapter 6.16) and Mechanical Equipment Ordinance (Chapter 11.14).

### **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 driplines, or as required by the project arborist, of trees No. 2 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 with 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**

All landscaping materials, including plants or trees intended to provide privacy screening, as provided on the approved landscape plans shall be installed prior to final inspection. The applicant shall also 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.

### **21. 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).