



TO: Nick Zornes, Zoning Administrator

FROM: Sean Gallegos, Senior Planner

SUBJECT: SC23-0011 – 501 Cherry Avenue

RECOMMENDATION

Approve design review application SC23-0011 for the construction of a new 4,290 square foot, one-story house with a height of 23 feet 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: 501 Cherry Avenue, on the east side of Cherry Avenue between Pine Lane and Yerba Santa Avenue
- Lot Size: 16,852 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 one-story house that exceeds 20 feet in height. The project will include a new 4,290 square-foot house with a height of 23 feet. (see Attachment A – Project Plans).

The new one-story house is a contemporary style house with rectangular forms and simple massing and details that relate well to the low- to moderate-scale, Ranch style houses in the neighborhood context. The project uses hipped roof forms, which are consistent with the hipped roofs found in the neighborhood. The proposed project uses more eclectic forms than those found in the surrounding neighborhood, such as a formal recessed front entry with the hipped roof dormer, which is integral to the proposed architectural style. The proposed building materials include a standing seam metal roof, smooth stucco siding, fiberglass doors, and bronze fiberglass windows.

Approval Process

Design Review applications for one-story houses are reviewed and approved administratively. However, when the proposed height of a one-story house exceeds 20 feet, the Zoning Code requires that the application be reviewed and approved by the Zoning Administrator at a public meeting. Since the proposed home is 23 feet tall, the project is being reviewed by the Zoning Administrator in compliance with the regulations.

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
COVERAGE:	1,249 square feet	4,290 square feet	4,435 square feet
FLOOR AREA:			
1st Floor	1,249 square feet	4,290 square feet	
2nd Floor	-	-	
Total	1,249 square feet	4,290 square feet	4,435 square feet
SETBACKS:			
Front	59.7 feet	39.75 feet	25 feet
Rear	68.5 feet	36.9 feet	25 feet
Right side (1 st /2 nd)	3 feet/-	7.25 feet/-	7.2 feet/ 14.7 feet
Left side (1 st /2 nd)	8 feet/-	8.1 feet/-	7.2feet/14.7 feet
HEIGHT:	16.5 feet	23 feet	27 feet

Pursuant to Chapter 14.76 of the LAMC, new two-story residences shall be consistent with policies and implementation techniques described in the Single-Family Residential Design Guidelines. The project is in-keeping with the scale of houses found in the neighborhood. Its nine-foot tall first floor wall height is similar to the eight to nine-foot first floor wall heights of nearby homes. The design employs a horizontal eave line, recessed front porch, and trim bands to create horizontal lines, breaking up the front elevation and balancing the structure's massing. The central high-pitched roof is counterbalanced by lower-scale forms along both sides of the structure. The one-story design is thoughtfully proportioned and articulated, successfully reducing the appearance of bulk and mass, making it suitable for the area's context.

The subject property includes a total of 21 trees, with only five protected trees as outlined in the City's Tree Protection Regulations. Four protected trees (Nos. 1, 2, 3, 12) are designated to be retained, while one protected tree (No. 6) is scheduled for removal. The arborist report recommends removing the Coastal Redwood (No. 6) due to the tree being within the house or improvement area, in line with criterion No. 3 for property enjoyment, involving economic and aesthetic factors. Three new Japanese maple trees will be planted on the property. 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 the project's detailing and materials maintain an appropriate relationship and are compatible with the character of the surrounding neighborhood, 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 nine neighbors in the immediate area by mail. No comments from neighbors have been received by staff as of the writing of this report.

Attachment:

- A. Project Plans

Cc: Jun Zhang, Applicant
Henry Zeng, Architect
Lah Alta Capital, LLC, Property Owner

FINDINGS

SC23-0011 501 Cherry Avenue

With regard to the proposed new one-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 subject property includes a total of five protected trees as defined in the City's Tree Protection Regulations. Tree Nos. 1, 2, 3, 12 are designated to be retained, while tree number 6 is scheduled for removal. The arborist report recommends removing the Coastal Redwood tree (No. 6) due it being within the house or improvement area, in line with criterion No. 3 for property enjoyment, involving economic and aesthetic factors. 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 a horizontal eave line, recessed front porch, and trim bands to create horizontal lines, breaking up the front elevation and balancing the structure's massing. The building's central high-pitched roof is counterbalanced by lower-scale forms along both sides of the structure.
- 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 structure's height is 23 feet, within the permissible 27-foot limit defined by the Single-Family (R1-10) district regulations. This adherence to the specified height restriction ensures compliance with the established zoning regulations, maintaining compatibility with the neighborhood's architectural character and zoning requirements. The design incorporates durability, high-quality and architecturally integrated standing seam metal roof, smooth stucco siding, fiberglass doors and bronze 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

SC23-0011 501 Cherry Avenue

GENERAL

1. Expiration

The Design Review Approval will expire on December 6, 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 October 10, 2023, 2023 except as may be modified by these conditions.

3. 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.

4. Protected Trees

Tree Nos. 1, 2, 3 and 12 as shown on Sheet A1.3 shall be protected under this application and cannot be removed without a tree removal permit from the Development Services Director. The tree protection plan outlined in the arborist report (Monarch Consulting Arborists, dated 8/11/2023) shall be incorporated into the building permit plans and implemented before and during construction.

5. Tree Removal Approved

Trees Nos. 6 shown to be removed on plan Sheet A1.3 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 the issuance of a demolition permit or building permit. Exceptions to this condition may be granted by the Development Services Director upon submitting written justification.

6. 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.

7. 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.

8. 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.

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. 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

10. 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.

11. 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.”

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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).

18. 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

19. Tree Protection

Tree protection fencing shall be installed around the driplines, or as required by the project arborist, of trees Nos. 1, 2, 3 and 12 as shown on the tree protection 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.

20. 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

21. 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.

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).