



DATE: March 29, 2023

AGENDA ITEM # 4

TO: Design Review Commission
FROM: Jia Liu, Associate Planner
SUBJECT: SC22-0032 – 749 University Avenue

RECOMMENDATION:

Approve design review application SC22-0032 subject to the listed findings

PROJECT DESCRIPTION

This is a design review application for a new two-story house. The project consists of 1,578 square feet at the first story and 1,223 square feet at the second story. A 710 square-foot, attached accessory dwelling unit is also proposed, but not subject to design review. This project is 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: 8,052 square feet
MATERIALS: Composition shingle roof, stucco exterior finish with horizontal siding, fiberglass framed windows and doors with wood trims.

	Existing	Proposed	Allowed/Required
COVERAGE:	2,368 square feet	2,178 square feet	2,416 square feet
FLOOR AREA:			
First floor	2,368 square feet	1,578 square feet	2,818 square feet
Second floor	--	1,223 square feet	
Total	2,368 square feet	2,801 square feet	
SETBACKS:			
Front	25 feet	35 feet	25 feet
Rear	25 feet	27.5 feet	25 feet
Right side (1 st /2 nd)	6 feet/--	6.5 feet/16.1 feet	6.1 feet/11.1 feet
Left side (1 st /2 nd)	6 feet/--	6.5 feet/14 feet	6.1 feet/11.1 feet
HEIGHT:	15.17 feet	25.25 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is fronting University Avenue and back up to a public alley way between South El Monte Avenue and Lee Street. The surrounding neighborhood is considered a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The homes in the immediate neighborhood context are a combination of one-story and two-story houses, with two-story homes at 731, 757, and 770 University Avenue. Properties in the immediate neighborhood appear to have consistent front setback patterns. Most homes in the neighborhood feature low to moderate scale horizontal eave lines with wall plates that appear to be between eight to nine feet in height. Most garages are attached to the existing homes fronting the street except for four homes on the northside of the University Avenue including the current house that have attached garage facing the alley way. Roof forms are a combination of simple and complex roof lines due to certain houses renovations/upgrades in the neighborhood over the years. A mix of roofing materials are found in the immediate neighborhood including wood shake, composition shingle, and tiles. The exterior materials commonly used include stucco and wood siding with stone veneer or brick accents. Landscapes in the front consist of mature street trees on most properties with dense screening shrubs further in.

Zoning Compliance

According to the land survey on Sheet 1, the subject site has an average lot width of 61 feet. Per the Los Altos Zoning Code (LAZC) Section 14.06.080 E.2, when a lot has an average width less than 80 feet, it is considered a narrow lot and eligible for a reduced side setback that is either 10% of average lot width or five feet, whichever is more restrictive. Furthermore, LAZC Section 14.06.080 E.2 requires an additional five-foot second story side setback for a narrow lot if a 35-foot front setback is provided. In summary, with the placement of a 35-foot front setback for the proposed house, the first story side setback shall be at least 6.1 feet and the second story side setback shall be at least 11.1 feet. The proposed house has a first-story side setback of least 6.5 feet and a second-story side setback of 16 feet that are found compliance.

DISCUSSION

Design Review

According to the Residential Design Guidelines, in a Consistent Character Neighborhoods, a good neighbor design has design elements, material, and scale found within the neighborhood and sizes that are not significantly larger than other homes in the neighborhood.

The proposed new two-story residence will maintain the same circulation as the existing house, which is designed to face University Avenue with pedestrian entry access, while the attached two-car garage will be situated towards the back of the property, facing the alley way. The front elevation incorporates design elements such as integrated gable and hipped roof forms, a recessed second story massing from the first story, horizontal eave lines, a front porch with a depth of fourteen feet, and articulated architecture on both the first and second floors. The rear elevation, visible from the alley way, will also feature consistent articulation, massing, and other architectural details that are well-integrated with the overall house design.

The project is also utilizing high quality materials such as the composition shingle roof, stucco exterior finish with horizontal Hardie board siding accent, and fiberglass framed windows and doors, which are integrated into the overall architectural design of the residence and found to relate to the surrounding

neighborhood.

The overall height of the proposed residence is 25.25 feet, consistent with the maximum height of 27 feet in the R1-10 zoning district. Consistent wall plate heights are designed at both floors: nine feet and one inch at the first floor and eight feet and six inches at the second floor. Regarding the roof design, the first-story features a 3:12 roof pitch except for the entry porch that has a 4:12 pitch and the second-story has a consistent 4:12 roof pitch with the roof material being composition shingle.

Overall, according to the Residential Design Guidelines, the project appears to be an appropriate design within this Consistent Character Neighborhood setting. The proposed addition has design elements, materials, and scale found in the neighborhood and meet the intent of the design review findings.

Privacy

On the left elevation, six windows are proposed at the second floor, including: five small-sized windows and one medium-sized, bathroom window. All the five windows will have the same sill height of four feet and six inches. On the right elevation, there will be three small windows with two window to the left featuring four-foot and six-inch sill height and one small window with a five-foot sill height.

The privacy impact to the interior side neighboring properties is found very minimal due to all windows that designed with a minimum sill height of four feet and six inches which are considered by the Design Review Commissioners as an acceptable practice to minimize privacy impact.

Along the rear second story elevation, there are two large windows proposed with the same sill height of two feet six inches. Staff found the design is consistent with the Residential Design Guidelines to minimize the privacy impact from the following aspects:

- The placement of the second story portion is located more than 33 feet away from the rear property line that is further than the required 25-foot rear setback. With the additional 16-foot public alley way, an approximate 50-foot separation from the second story window to the rear abutting property is provided, and
- New screening vegetation and trees will be planted along most of the rear property line to further mitigate the privacy impact. The details of the proposed evergreen plants will be provided in the Landscaping and Trees section of the staff report.

Landscaping and Trees

The site plan (Sheet A.3) shows there are 10 trees within the proximity of the subject site, including two street trees, six onsite trees, and two neighboring trees. All the trees were assessed by a professional arborist, Edwin E. Stirtz (ISA License #WE-0510A), and an arborist report with a tree protection plan was provided in Attachment B. One on-site protected tree, a 19-inch Silver Maple (Tree No. 6), will be removed due to its poor structure conditions. One 24-inch box Chinese Pistache will be planted in the front yard as the replacement tree. All the other trees will remain and be protected during future construction.

A new landscaping plan is proposed including a number of evergreen screening vegetation and new trees. The proposed screening vegetation will be planted along all the property lines and are outlined in Table 1 below. All the screening vegetation shall be sized at least 15 gallons as required by Condition No. 5 in the staff report.

Table 1: Proposed Screening Plant List

Location	Common Name	No.	Size	Description
Left property line	Wax Leaf Privet	16	Condition to 15 gallons	6'-8' tall x 4'-6' wide
Right property line	Wax Leaf Privet	8	Condition to 15 gallons	6'-8' tall x 4'-6' wide
Rear property line	Wax Leaf Privet	11	Condition to 15 gallons	6'-8' tall x 4'-6' wide

Since the project includes a new house and new landscaping area that exceeds 500 square feet, it is subject to the City's Water Efficient Landscape regulations. Overall, the existing and proposed landscaping meets the intent of the City's 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 single-family dwelling in a residential zone.

Public Notification and Community Outreach

A public meeting notice was posted on the property and mailed to 12 nearby property owners on University Avenue and Orange Avenue. The Notification Map is included in Attachment C.

The applicant was also dedicated to the community outreach for the subject project. On August 26, 2022, the applicant provided certified mail to the immediate neighborhood for early community awareness. An online community meeting was also hosted on December 7, 2022 for more neighborhood engagement. The receipts of certified mails and a summary of the community meeting are attached to the staff report in Attachment E.

Cc: SF21G, LLC., Property Owner
Hannah Chiu, Applicant

Attachments:

- A. Neighborhood Compatibility Worksheet
- B. Arborist Report
- C. Notification Map
- D. Pictures of Notice of Development Proposal
- E. Proof of Community Outreach
- F. Material Boards

FINDINGS

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With regard to design review for 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 new two-story residence complies with all provisions of this chapter;
- b. The height, elevations, and placement on the site of the proposed new house, 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 new house in relation to the immediate neighborhood will minimize the perception of excessive bulk;
- 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 new house has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.

CONDITIONS

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GENERAL

1. Expiration

The Design Review Approval will expire on March 29, 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 March 3, 2023, except as may be modified by these conditions.

3. Protected Trees

Trees Nos. 3-5, 7, and 9 along with the approved privacy screening and new trees shall be protected under this application and cannot be removed without a tree removal permit from the Community Development Director.

4. Tree Removal Approved

Tree No. 6 shown to be removed on plan Sheet A.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 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. Screening Vegetation Planting Size

The screening vegetation as outlined in the Table 1 of the staff report shall be at least 15 gallons in size and maintained for the life of the project. The Plant Legend on Sheet L2.1 shall be revised and incorporated into the construction drawings.

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. 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. 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.

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. 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. 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.

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 Nos. 1-5, and 7-10 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

All front 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.

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.

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).