



DATE: July 6, 2022

AGENDA ITEM #4

TO: Design Review Commission
FROM: Sean K. Gallegos, Senior Planner
SUBJECT: SC21-0047 – 265 Mt. Hamilton Avenue

RECOMMENDATION:

Approve design review application SC21-0047 subject to the listed findings and conditions.

PROJECT DESCRIPTION

This is a design review application for a 199 square-foot first story and 89 square-foot second story addition to an existing two-story house. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-Family, Small Lot (4du/net acre)
ZONING: R1-10
PARCEL SIZE: 11,026 square feet
MATERIALS: Standing seam metal roof, IPE shiplap siding, stucco siding, culture stone veneer, and wood clad aluminum windows.

	Existing	Proposed	Allowed/Required
COVERAGE:	3,150 square feet	3,274 square feet	3,307.7 square feet
FLOOR AREA:			
First floor	2,815.5 square feet	3,034.5 square feet	
Second floor	1,037 square feet	814 square feet	
Total	3,852.5 square feet	3,848.5 square feet	3,852.5 square feet
SETBACKS:			
Front (Los Altos Ave)	23.5 feet	23.5 feet	25 feet
Rear	14.25 feet	14.25 feet	25 feet
Exterior side (Mt. Hamilton)	25.1 feet	24.25 feet	20 feet
Left side (1 st /2 nd)	25.7 feet/42.1 feet	35 feet/42.1 feet	10 feet/17.5 feet
HEIGHT:	23.25 feet	22.9 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is located on Mount Hamilton Avenue, at the intersection with Los Altos Avenue. The neighborhood along Mount Hamilton Avenue is considered a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The homes in this neighborhood are primarily lower-scale single-story residences with uniform horizontal eave lines except for one two-story residence located 44 Los Altos Avenue. Residences in this neighborhood have similar setbacks, hipped or gable roof structures and share a variety of exterior siding materials. The street along Mount Hamilton Avenue is wide with unimproved shoulders and does not have uniform street tree and vegetation patterns; however, most properties have mature street trees and shrubs that obscures views of houses from the street.

Zoning Conformance

According to Section 14.02 of the Zoning Code, a "front property line" is the shortest dimension of a lot fronting a street. For the subject site, the front property line along Los Altos Avenue is the shortest lot line along a street frontage; therefore, it is the front lot line.

The existing house is non-conforming due to having a 23.5-foot front setback, where a 25-foot front yard setback is required based on the R1-10 standards. The house is also non-conforming along the rear property line due to the existing setback being 14.25 feet, where a 25-foot rear 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

Design Review

According to the Design Guidelines, in Consistent Character Neighborhoods, appropriate designs have elements, materials, and scale found in the neighborhood, and sizes that are not significantly larger than other houses in the neighborhood. The emphasis should be on designs that fit-in and lessen abrupt changes.

The project is a minor first and second story addition with window changes to an existing two-story house. The wall plate heights, roof heights, and overall height are being maintained. The proposed additions are well integrated into the simple forms seen in the existing residence. The front elevation includes an 88 square-foot first-story addition to enclose a portion of an existing recessed entry porch, and an 89 square-foot second story addition for a bathroom. The rear elevation includes a 115 square-foot first story addition for an open concept family room, kitchen and nook, and the demolition of 312 square feet at the second floor, which eliminates an existing bathroom and partial game room. The roof of the expansion is designed to integrate into the revised hipped roof form on the second story. Both the front and rear first- and second-story additions appear well-integrated into the existing elevation, as the additions maintain the existing wall plate height and blend into the existing horizontal roof lines, minimizing impacts to bulk and mass.

The project includes significant changes to the roof form along the rear elevation at the second story due to the demolition of 312 square feet at the second story. The existing second-story roof form

consists of a hipped roof forms that runs parallel to the rear of the house. The project proposes to create a hipped roof on the second story, which is similar in form to the existing hipped roofs on the structure and some of the residences in the neighborhood context. The project also proposes two new gable roof forms on the first-story front elevation for a defined entry, and the roof form is compatible with the overall house design. Overall, the changes to the roof form appear to be compatible in scale and form to the existing neighborhood context.

The additions propose to match the existing materials on both the first and second story exterior walls. The only major change in material appears to come from the proposed new IPE siding along the front elevation and new standing seam metal roof, which replaces an existing wood shingle roof. Although IPE siding and standing steam metal roof are not seen within the existing neighborhood context, the material is considered high quality materials, which can help integrate the roof into the existing context.

Privacy

The project proposes several window modifications on both the first and second story. The existing exterior side (Mt. Hamilton Avenue) elevation contains four windows, and the proposed front elevation includes five new windows. The new windows are oriented toward a public right-of-way, and they have no potential privacy impacts due to their orientation toward Mt. Hamilton Avenue.

The interior side window has one window for bedroom No. 3, and the window has a sill heigh of three feet, two inches. Staff have potential privacy concerns due to the number and lower sill heights of proposed windows on this elevation. Per page 14 of the Residential Design Guidelines, it is generally recommended that second floor side yard windows “should be no larger than UBC (Uniform Building Code) minimum sizes nor more than the number required for egress or light and ventilation requirements.” Per current standards, the minimum recommended sill height from staff to meet this guideline is 44 inches (3.6 feet). Therefore, staff proposes a condition of approval No. 2a that addresses the proposed sill heights while also allowing bedroom No. 3 to maintain Building Code standards.

The rear elevation proposes the addition of one medium-sized two-panel window with a four-foot, eight-inch sill height. Due to the window size and the four-foot, eight-inch sill height for the window, the proposed window does not create any unreasonable privacy impacts.

Trees and Landscaping

There is a total of 14 existing mature trees throughout the site, and the applicant is proposing to remove one African fern pine (No. 3) in the exterior side yard due to being within the footprint of the proposed addition. Aside from some minor hardscape changes to accommodate the first-story rear addition, the existing softscape is proposed to remain. Because less than 2,500 square feet of new softscape is proposed, the project is not subject to the Water Efficient Landscape Ordinance (WELO).

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 an addition to an existing single-family dwelling in a residential zone.

Public Notification

A public meeting notice was posted on the property and mailed to 13 nearby property owners on Los Altos Avenue and Mt. Hamilton Avenue. The Notification Map is included in Attachment A. The applicant has provided an outreach letter, and it is provided as Attachment B. The applicant also posted the public notice sign (24" x 36") in conformance with the Planning Division posting requirements, as shown in Attachment C.

Cc: Amandeep Dulay, Applicant and Designer
Kashani Behzad, Property Owners

Attachments:

- A. Notification Map
- B. Arborist Report
- C. Outreach Letter
- D. Proof of Public Notice
- E. Material Board

FINDINGS

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With regard to the addition to the existing two-story house, the Design Review Commission finds the following in accordance with Section 14.76.050 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 proposed addition, 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

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GENERAL

1. Expiration

The Design Review Approval will expire on July 6, 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

This approval is based on the plans received on June 13, 2022 and the materials provided by the applicant, except as may be modified by these conditions.

a) In order to mitigate privacy concerns resulting from the left-side second story windows, the applicants shall revise the plans to include the following:

a. Revise the left-side second story windowsill heights to be no larger than UBC (Uniform Building Code) or other applicable Building Code's minimum sizes.

3. Protected Trees

Tree nos. 1 and 3 to 15 shall be protected under this application and cannot be removed without a tree removal permit from the Community Development 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 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.

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. 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. Tree Protection Note

On 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. 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.

12. Green Building Standards

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

13. Underground Utility Location

Show the location of underground utilities pursuant to Section 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.

14. 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). 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.

15. 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

16. Tree Protection

Tree protection fencing shall be installed around the dripline(s), or as required by the project arborist, of tree nos. 1, and 3 to 15 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.

PRIOR TO FINAL INSPECTION

17. Landscaping Installation

All front, rear, and side yard landscaping and privacy screening trees shall be maintained as shown on the approved plans or as required by the Planning Division.

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 (Section 12.26 of the Municipal Code).