



DATE: July 6, 2022

AGENDA ITEM #5

TO: Design Review Commission
FROM: Sean K. Gallegos, Senior Planner
SUBJECT: SC21-0053– 1848 Fallen Leaf Lane

RECOMMENDATION:

Approve design review application SC21-0053, subject to the listed findings and conditions

PROJECT DESCRIPTION

This is a design review for a two-story addition to an existing one-story house. The project includes an addition of 449 square feet on the second story. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-family Medium Lot
ZONING: R1-10
PARCEL SIZE: 9,386 square feet
MATERIALS: Standing seam metal roof, stucco and metal siding, and vinyl windows

	Existing	Proposed	Allowed/Required
LOT COVERAGE:	2,976 square feet	2,974 square feet	2,815.8 square feet
FLOOR AREA:			
First floor	2,836 square feet	2,836 square feet	
Second floor	-	449 square feet	
Total	2,836 square feet	3,285 square feet	3,285 square feet
SETBACKS:			
Front	24.75feet	24.75 feet	25 feet
Rear	45.6 feet	45.6 feet	25 feet
Right side (1 st /2 nd)	5.3 feet/-	5.3 feet/ 30.5 feet	7.6 feet/15.2
Left side (1 st /2 nd)	6.4 feet/-	6.4 feet/23.9 feet	7.6 feet/15.2 feet
HEIGHT:	18.6 feet	22.5 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is located in a Consistent Character Neighborhood, as defined in the City's Residential Design Guidelines. The property is located on Fallen Leaf Lane, between Holt Avenue and Lantis Lane. The majority of the single-family homes in the neighborhood are older one-story Ranch style structures with low plate heights, simple roof forms, and rustic materials, with wood or stucco siding dominant. The residences are similar in massing and building footprint with a uniform pattern of 25-foot front yard setbacks and 10-foot side setbacks. The landscaping along Fallen Leaf Lane includes a variety of mature trees and vegetation with no distinct street 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. Since the lot is 76 feet in width, the required interior side yard setback is seven feet, seven inches with a second story side yard setback of 15 feet, 2 inches.

Zoning Compliance

The existing house is non-conforming due to having a 24.75-foot front setback, where a 25-foot setback is required in the R1-10 (Single-Family) zoning district. The house also is nonconforming due to have a right-side setback of 5.3 feet and a left side setback of 6.4 feet, where the required first floor setback is 7.6 feet. The existing first-story side-facing gable roof structures are non-conforming to the current daylight plane requirements. The existing house is additionally nonconforming due to the existing lot coverage exceeding the maximum allowed lot coverage of 2,815.8. The setback, daylight plane encroachment and lot coverage nonconformities were created at the time of construction of the house, and it is therefore considered to be a legal nonconforming structure. Since the project will not eliminate or replace more than 50 percent of the floor area, the non-conformities can be maintained.

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.

According to the Residential Design Guidelines, house modifications should be designed consistent with the original house design and maintain compatibility with the neighborhood. The existing house has a traditional Ranch architectural style with hipped and gable roof forms, low-scaled forms and simple details. The hipped roof form and overall façade has been maintained to minimize the impact of the two-story addition to the overall design of the one-story house. The lower-scale, 449 square-foot second story addition is located at the center of the residence in front of the primary ridgeline. The project has low eave lines, which is appropriate and in keeping with the lower profile of the adjacent homes. The project's forms, as compared to surrounding structures, is in-keeping with the character of the neighborhood. The project design materials include standing seam metal roof, stucco and metal siding, and vinyl windows. Overall, the project's detailing and materials maintain an

appropriate relationship to the rustic qualities of the area and are compatible with the character of the surrounding neighborhood. The project's materials board is included in Attachment D.

The project is designed to be compatible with the scale and bulk of surrounding houses. The existing residence has relatively simple massing with hipped roofs, and materials consistent with the design of the other houses in the neighborhood context. The second story is positioned seven feet in front of the primary ridgeline, and the massing of the second story is significantly smaller than the first story which diminishes the perception of bulk when viewed from the street or adjacent properties along the sides. Overall, the design incorporates simple hipped roof forms and low horizontal eave lines to break up the two-story massing along the front and side elevations.

The height of the new two-story house is 22.5 feet, which is approximately 4.5 feet below the maximum permitted height of 27 feet, and it is compatible with the 17- to 20-foot tall one- and two-story houses in the immediate neighborhood context. The project reduces the perception of bulk by proposing the eight-foot tall first story and 8.75-foot tall second story wall plate heights. Overall, the two-story design is well proportioned and articulated to reduce any perception of excessive bulk and mass, and it is an appropriate design within this Consistent Character Neighborhood context.

Privacy

On the right (north) side elevation of the second story, there is one window in bathroom No. 2 with a five-foot sill height. Due to the small window size and the five-foot sill height for the windows, the proposed windows do not create any unreasonable privacy impacts.

On the rear (southeast) elevation of the second story, there is a french door with side lights exiting from bedroom No. 4 to a balcony. The balcony is 6.1 to 21.3 feet wide and a depth between 4 feet to 11.75 feet and primarily faces the side and rear yards. The balcony size does not comply with the four-foot maximum balcony depth recommended in the Residential Design Guidelines, and it is active in nature due to its depth. Without a reduction in the size of the balcony to limit its potential as an active use, the project does not appear to meet the following design review finding. As designed, the balcony is setback of 24 feet from the left property line, 30.5 feet from the right property line and 56.75 feet to the rear property line. With the existing and proposed evergreen screening, the balcony continues to have partial views to adjacent properties to the sides and rear.

To meet the findings related to privacy, staff recommends a condition of approval (No. 2a) to reduce the depth of the second story balcony to a maximum depth of four feet. To ensure that a reasonable level of privacy is maintained, a condition of approval (No. 2b) has been added to incorporate fast growing evergreen trees along side and rear property lines to fill-in unscreened areas of the property line. As designed, and with the recommended condition, staff finds that the project maintains a reasonable degree of privacy.

Trees and Landscaping

There are five trees on the property, and the project proposes to retain all trees. The landscape plan (Sheet L-1) shows the retention of five trees. The proposed landscaping screening plants along the right (north) side property line and rear (west) property line are outlined in Table 1 below.

Table 1: Screening Plant List

Location	Common Name	Size	Quantity	Description
Right Side Yard	Cherry Laurel	15-gallon	2	20-30' tall x 15-25' wide
Right Side Yard	Yunnan Michelia	15-gallon	2	10-15' tall x 6-8' wide
Left Side Yard	Sweet Olive	15 gallon	3	8-1' tall x 6-8' wide
Left Side yard	Red Delicious	15 gallon	1	20-25' tall x 25' wide
Rear Yard	Cherry Laurel	15-gallon	2	20-30' tall x 15-25' wide

Staff requested a landscape plan for the project, and the applicant provided a landscape plan with general landscaping for the site. Due to the scope of work being limited to a 449 square-foot second story addition, the applicant expects to preserve existing landscaping. Therefore, the applicant did not provide a detailed landscape plan for re-landscaping the entire site with the plan set. The landscape plan reflects the project will preserve the existing shrubs and groundcover type plants throughout the site. In addition to preserving the existing vegetation and trees on the site, the project will be installing new evergreen screening trees along the side and rear property lines. If the applicant rehabilitates more than 2,500 square feet of landscape area, Condition No. 5 will require the project to conform to the City's Water Efficient Landscape Ordinance (WELo) pursuant to Chapter 12.36 of the Municipal Code. Overall, the existing and proposed landscaping meets the intent of the City's landscape regulations and street tree guidelines.

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 12 nearby property owners on Fallen Leaf Lane and Penny Way. The Notification Map is included in Attachment B. The applicant has provided an outreach letter, and it is provided as Attachment C. The applicant also posted the public notice sign (24" x 36") in conformance with the Planning Division posting requirements, as shown in Attachment D.

Cc: Nick McCracken and Malika Junaid, Applicant and Architect
Askarinam Behzad, Property Owner

Attachments:

- A. Neighborhood Compatibility Worksheet
- B. Notification Map
- C. Outreach Letter
- D. Proof of Public Notice
- E. Material Board

FINDINGS

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With regard to design review for the second story addition, the Design Review Commission finds the following in accordance with Section 14.76.060 of the Municipal Code that:

- a. The proposed addition complies with all provisions 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;
- 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

SC21-0053– 1848 Fallen Leaf Lane

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

The approval is based on the plans and materials received on May 3, 2022, except as may be modified by these conditions. The scope of work is limited to that shown on the plans and may not exceed rebuilding 50 percent of the existing floor area of the structure.

a. Balcony

In order to mitigate privacy concerns resulting from the balcony, the project plans shall be modified to reduce the depth of the second story balcony to a maximum depth of four feet.

b. Evergreen Screening

In order to mitigate privacy concerns resulting from the balcony, the landscape plan shall be revised to incorporate fast growing evergreen trees along the side and rear property lines to fill-in unscreened areas of the property line.

3. Protected Trees

Trees Nos. 1-3 and 6-7 and privacy screening 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 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. 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. 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.

13. 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.

14. 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.

15. 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.

16. 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

17. Tree Protection

Tree protection fencing shall be installed around the dripline(s), or as required by the project arborist, of trees Nos. 1-3 and 6-7 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.

18. 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

19. 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.

20. 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.

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).