



## PLANNING COMMISSION AGENDA REPORT

**Meeting Date:** July 6, 2023

**Subject:** Design Review, Variance and Historic Advisory Review for an Addition to a Single-Family Home at 236 Eleanor Avenue

**Prepared by:** Sean Gallegos, Senior Planner

**Initiated by:** Walter Chapman, Applicant

**Attachments:**

- A. Draft Resolution
- B. April 24, 2023 Historical Commission Meeting Minutes
- C. Historical Commission Agenda Report and Attachments
- D. Applicant Variance Justification Letter
- E. Project Plans

**Recommendation**

Approve the requested Design Review (SC23-0003), Variance (V23-0001), and Historic Advisory Review (H23-0001) applications per the recommended findings and conditions of approval contained in the attached resolution; and find the project is also exempt pursuant to CEQA Guidelines Section 15331 (Historical Resource Restoration/Rehabilitation) in that the project is consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, or Reconstructing Historic Buildings (the "Secretary's Guidelines"). Additionally, none of the circumstances under CEQA Guidelines Section 15300.2 applies, including under Section 15300.2(f) in that the project is consistent with the Secretary's Guidelines.

**Summary**

The proposed project is a request for Design Review, Variance and Historic Advisory Review to allow an addition to an existing historic two-story single-family residence consisting of an addition of 1,647 square-foot first story, 327 square-foot second story, and 832 square-foot basement to the existing house and a new one-story accessory structure. The Variance is requested to allow a basement 2.5 feet above grade that exceeds the maximum height limit of two feet, a 326 square-foot second-story addition on a flag lot which allows only one-story structures, a height of 26.2 feet that surpasses the maximum limit of 20 feet for flag lots, and the placement of an accessory structure in the required front yard, where such structures are not permitted.

## **Background**

### Property History

The C.W. Morris House, a 1914 farmhouse located at 236 Eleanor Avenue, is listed as a Historic Resource in the Los Altos Historic Resource Inventory as one of the few farmhouses remaining in the City. The two-story, wood-frame Craftsman Style residence has a square plan and a side-gabled roof, with decorative wood knee brackets supporting the gable ends and exposed rafter tails visible from the open eaves. The ground floor entry porch features a large front-facing gable with a balcony, supported by paired, square wood porch posts. Although the balcony has been remodeled since 1997, it still retains its original design elements. Other paired porch posts, connected by simple wood railings, are located at either end of the full-width porch. The entrance is offset to the right, with two large plate glass windows to the left, while other original wood sash windows with smaller panes across the top remain intact. A circular driveway surrounds a single mature palm tree in the front yard.

The bungalow was originally associated with agriculture, specifically orchards, and was part of the 1911 Adams Subdivision. According to oral history transcripts, the Morris family owned the surrounding 14 acres of orchards, and C.W. Morris was listed as an orchardist in city directories beginning in 1922. However, it is not clear if the Morris family was the original occupant of the home. The house is one of the few remaining farmhouses left in the city today.

Although the house has undergone several alterations, it retains the aspects of location, overall design, materials, and workmanship, making it a significant representation of the Craftsman Style. The house does not retain the feeling of a farmhouse due to the loss of acreage and the house's current location on a back parcel flag lot, not facing the street, diminishing the feeling of a farmhouse and the historical association with the property. Additionally, Charles Morris's retirement and lack of significant contribution to the history of the area further reduces the property's historical significance. The conclusion is that the design, materials, and workmanship of the Craftsman Style house is sufficient to consider that the house continues to retain sufficient historical integrity and significance to continue to be deemed a historic resource. The property's historic report is included in Attachment C.

The 1,852 square foot home was approved by the County of Santa Clara when the property was within the County's jurisdiction. The non-conformities include the basement 3.5 feet above grade that exceeds the maximum height limit of two feet for a basement, an existing second story on a flag lot which allows only one-story structures, and a height of 26.4 feet that surpasses the maximum limit of 20 feet for flag lots.

A subdivision was approved by the City in 1996, which created a flat lot with the 1914 house on the back parcel, where it is accessed by a driveway from Eleanor Avenue. The property has a minor slope from the east to the west of the property and it is sloped with a 1- to 1.5-foot elevation difference within a 111-foot width.

### Historical Commission Meeting

When adding new structures or making additions to existing historic properties, it is essential to prioritize the principles of historic preservation and architectural integrity. The objective should be to uphold and safeguard the original character and significance of the historic property while

incorporating any necessary updates or additions. It is important to avoid false historicism, as it can compromise the authenticity and historical value of the property.

In the case of the proposed addition, careful consideration has been given to preserving the historic materials that define the building. The addition has been designed to be compatible with the existing historic structure, utilizing wood construction, shingles with a different off-set pattern, and slightly different stucco siding to differentiate it from the historic materials. Importantly, the addition does not exceed the height of the historic building and is situated on a remodeled elevation. It has been ensured that the addition does not diminish the presence or character of the historic building.

Regarding the detached garage, it follows a simple gabled roof design without historicist ornamentation. Its demolition does not impact the historic significance or integrity of the property.

At the Historical Commission meeting held on April 24, 2023, the application for the Historic Advisory review of the proposed addition was thoroughly discussed. After careful consideration, the Historical Commission determined that the Design Review application and Variances would not negatively affect the physical integrity or historic significance of the property. Furthermore, they deemed the proposal complies with the required findings for historic advisor review and it is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Structures. The Commission unanimously voted 5-0 to recommend approval of the application of the Design Review, Variance and Historic Advisory review applications. The meeting minutes and agenda report are in Attachment B and C.

## **Analysis**

### Design Review Application

#### *Addition to House*

In accordance with Chapter 14.76 of the LAMC, the proposed two-story addition to the existing two-story residence adheres to the guidelines outlined in the Single-Family Residential Design Guidelines. The addition's design also maintains the historical integrity and significance of the house resource house, and the proposed two-story addition to the existing residence aligns with the Secretary of the Interior's Standards for Rehabilitation. The design adheres to the Single-Family Residential Design Guidelines, emphasizing the integration of elements, materials, and scale that harmonize with the diverse neighborhood character while maintaining the house's distinctive historical integrity. Careful consideration is given to avoid inauthentic representations of historical architecture in the proposed addition, ensuring compatibility with the neighborhood.

To provide a comprehensive understanding of the neighborhood, a neighborhood context map is included on Sheet A1.4.A of the plan set, visually illustrating the physical attributes of the area, including boundaries, streets, buildings, and natural elements.

In accordance with the design guidelines and review findings, minimizing the bulk of the structure is a key consideration. The proposed design addresses this through the implementation of staggered shingle-side materials on both the first and second stories, effectively softening the appearance and

reducing bulk, particularly at the second-story level. Strategic articulation of the building forms further breaks down the massing, resulting in a reduced perceived bulk and mass.

The Residential Design Guidelines place importance on a house being consistent with its surroundings and avoiding an excessively conspicuous appearance. In line with these guidelines, the proposed project considers the scale of the neighborhood and incorporates massing that blends with the existing context. While the 10-foot plate height of the first-story addition may initially seem to contribute to the overall massing, the applicant has implemented measures to alleviate any perceived bulkiness. This includes the use of shingle siding to diminish the appearance of bulk and the introduction of fenestration and articulation to add variation to the wall plan. Furthermore, the project proposes increased setbacks, such as a right interior side setback of 20.8 feet (exceeding the required 15 feet), a front setback of 36.5 feet (where 25 feet is required), and a rear setback of 26.2 feet (where 25 feet is required) that contribute to a more visually balanced and contextually sensitive design.

The design of the second-story addition aligns with the surrounding residences, featuring an eight-foot second-floor wall plate height that is consistent with neighboring homes ranging between eight and nine feet.

To prevent a monolithic appearance, the first-story roof form and horizontal eave line have been thoughtfully designed to break up the wall plane and introduce visual interest. Additionally, deliberate articulation and roof forms at the second story contribute to further reducing the massing of the building, creating distinct portions that enhance visual appeal and minimize bulkiness.

The views towards the right (west) interior side of the site are limited due to the absence of proposed second-story windows in that direction. Additionally, the views from the second-story windows on the front and rear elevations are minimized due to substantial setbacks of 36.75 feet and 74.3 feet, respectively. Mature trees and vegetation on the property further contribute to limiting potential views towards the front and rear, ensuring a reasonable level of privacy is maintained.

Despite the Variance allowing for the basement height and expansion of the second story on the flag lot, resulting in a deviation from the Zoning Code's restrictions, the design, location, and configuration of the first floor and second story additions have been carefully selected to ensure compatibility with the historic house's siting and existing architecture. This meticulous approach aims to preserve the historical integrity and significance of the property as a historic resource. By adhering to this thoughtful design strategy, the two-story addition seamlessly integrates into the property's overall composition and character, while remaining respectful of its historical significance. Overall, the proposed project demonstrates a thoughtful and contextual approach, considering historical integrity, design guidelines, and neighborhood compatibility.

#### *Accessory Structure*

The proposed detached garage is designed to provide a functional addition to the property while preserving the historical integrity of the house. The garage has a height of 12 feet, complying with the maximum allowable height for accessory structures.

Although the location of the garage deviates from Section 14.15.020.A (Placement) of the Zoning Code, which restricts accessory structures in the required front yard, it has been carefully selected to

ensure compatibility with the historic house's siting and the functional front of the property. This thoughtful consideration ensures that the garage is compatible with the overall composition and character of the property, while still honoring its historical significance.

The design of the garage complies with the principles of bulk and scale to maintain a balanced relationship with the historic property. The low eight-foot plate height, combined with the 12-foot overall height and low roof pitch, contributes to a structure that exhibits a modest bulk and scale. This approach ensures that the garage aligns proportionally with the existing property, creating a visually pleasing composition. Additionally, the use of materials such as stucco and horizontal shingle siding, along with aluminum windows and composition shingle siding, further softens the appearance of any bulk and maintains its compatibility with the historic house.

To further minimize any impacts from the structure, privacy hedges will be installed to screen the garage, reducing any potential bulk impacts along the 7.5-foot setback. These measures ensure that the garage does not create any detrimental or injurious impacts on the individuals residing or working in the area.

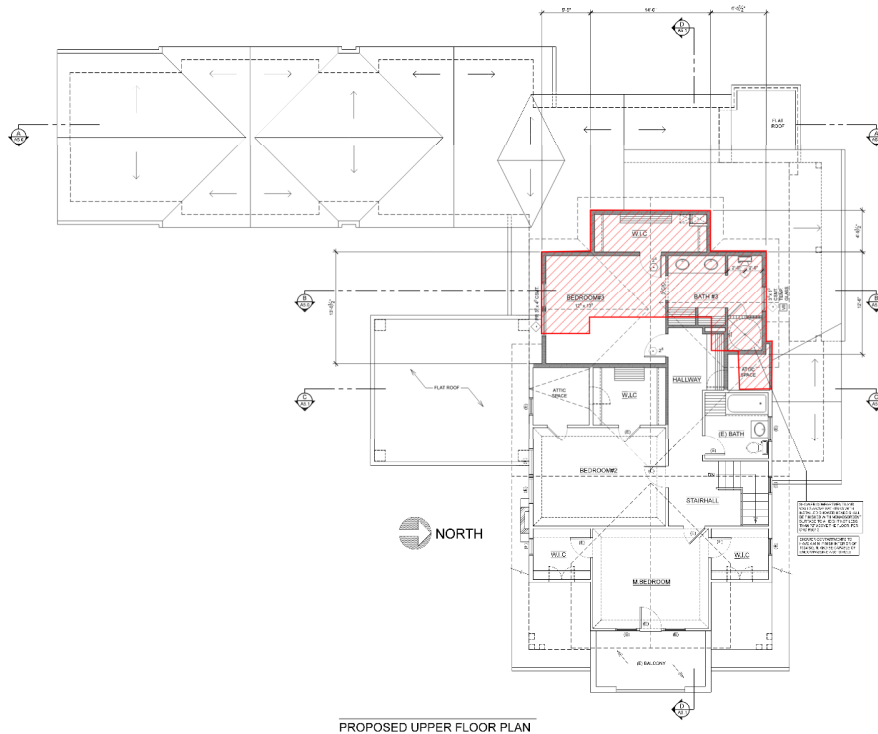
The proposed garage is deemed appropriate as it complements the historic house, respects the surrounding environment, and upholds the character of the property. Despite the Variance for its location in the front yard, the significance of preserving the property's historical value while incorporating necessary functional elements is recognized. The design strives to achieve a harmonious integration of the garage, ensuring that it becomes an integral part of the overall composition without compromising the property's historical integrity.

Overall, the proposed two-story house addition and accessory structure 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.

#### Variance Application

The Variance being requested to allow a basement 2.5 feet above grade that exceeds the maximum height limit of two feet, a 326 square-foot second-story addition on a flag lot which allows only one-story structures, a height of 26.2 feet that surpasses the maximum limit of 20 feet for flag lots, and the placement of an accessory structure in the required front yard, where such structures are not permitted.

Figure 1: Second Story Addition



Pursuant to LAMC Section 14.76.070 B., a Variance may be granted only when all three findings cited below can be made. The third criterion derives from state law (see Government Code Section 65906) and shall be strictly construed.

1. That the granting of the Variance will be consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02;
2. That the granting of the Variance will not be detrimental to the health, safety, or welfare of persons living or working in the vicinity or injurious to property or improvements in the vicinity; and
3. That Variances from the provisions of this chapter shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

*Finding No. 1*

As part of the Variance application submittal requirements, the applicant provided a Variance justification letter enclosed in Attachment D for the Commission's reference. This letter outlines the applicant's explanation why they believe the requested Variance should be granted by demonstrating how each finding is met. Regarding Finding No. 1, the applicant believes the project meets two objectives set forth in LAMC Chapter 14.02 including Subsection F – To protect and enhance real property values within the City; and Subsection G – To conserve the City's natural beauty, to improve its appearance, and to preserve and enhance its distinctive physical character.

Upon reviewing the submittal, staff finds the Variance project aligns with Finding No. 1 and the objectives of the zoning plan. It allows for the addition to an existing single-family house in a manner that establishes

a compatible relationship with the surrounding neighborhood. Additionally, it contributes to the conservation of the City's natural beauty, enhances its appearance, and preserves its distinctive physical character by respecting and preserving a historic property while improving its functionality and usability.

Moreover, the Variance maintains the convenient relationship among the adjacent residential properties that have coexisted in this location since the construction of the residence in 1914. This consistency with the existing character and relationships contributes to the preservation of the neighborhood's historical context.

The granting of the Variance ensures a balanced approach that respects the objectives of the zoning plan. It allows for the addition to the single-family house in a manner that promotes harmony, respects historical significance, and maintains established compatibility in the immediate neighborhood context.

Additionally, granting the Variance will serve to protect and enhance real property values within the City. By allowing for responsible modifications that maintain the integrity of the historic property and its relationship to the surrounding properties, the value and quality of real estate in the area can be positively impacted.

*Finding No 2*

Regarding Finding No. 2, the applicant believes that it can be justified for multiple reasons. Firstly, the proposed project will adhere to the California Building Code, ensuring the health, safety, and welfare of individuals. Secondly, the need for an increased basement height is necessary due to the existing non-conforming finished floor height of the historic house. Despite the potential increase in overall structure basement height, the project incorporates increased setbacks to minimize impacts on neighboring properties. Lastly, the expansion of the second floor and maintaining the height of the main house are a result of the nonconforming nature of the existing historic house, which requires preserving its historical integrity and limits alternative development options. These reasons collectively support the finding that the project satisfies Finding No. 2 while considering health, safety, welfare, and the preservation of historical significance.

Staff found that the granting of the Variance will not have any detrimental effects on individuals residing or working in the vicinity, nor will it cause harm to neighboring properties. The proposed addition, designed with appropriate relationships to the surrounding properties and the people living or working in those areas, ensures minimal impact on the structure's relationship to its surroundings.

First, both the house and accessory structure are situated on a flag lot, resulting in their invisibility and inconspicuousness from the streets. This positioning helps maintain privacy and prevents any significant visual impact on neighboring properties.

Second, the first and second story additions to the main house exceed the minimum setback standards for the R1-10 district applicable to flag lot properties. By adhering to these setback requirements, potential concerns regarding privacy or bulk are minimized, thus preserving a harmonious relationship with neighboring properties.

Third, although the proposed garage is located in the front yard, it has been designed with careful consideration. It features an eight-foot plate height and setbacks of 7.5 feet from the front property line,

27.7 feet from the right (south) side property line, and 49.5 feet from the left (north) property line. Furthermore, privacy hedges will be installed to screen the structure, reducing any potential bulk impacts along the 7.5-foot setback. These measures ensure that the garage does not create any detrimental or injurious impacts on the individuals residing or working in the area.

In summary, the granting of the Variances takes into account the well-being of the community. The proposed design, including the flag lot location, setbacks, and screening measures, ensures minimal disturbance to neighboring properties and individuals, promoting a harmonious and respectful coexistence within the area.

*Finding No. 3*

Regarding Finding No. 3, the applicant argues that a special circumstance exists on the property due to the “location” of a historic resource house. The historic house is non-conforming with the Zoning Ordinance in terms of its height and the prohibition of second-story structures and structures with heights exceeding 20 feet on flag lots. Preserving the historical integrity of the house imposes limitations on alternative development options. These specific circumstances provide a rationale for the requested Variance, as they necessitate careful consideration to uphold the property’s historical significance.

It is the staff’s position that the house being a historic resource is a factor that significantly influences and restricts the development potential of the property compared to sites without historic houses. The historical significance of the property, as indicated by its Historic Resource designation, combined with the existing second story of the main house exceeding the height constraints for structures on flag lots. Preserving these historic structures is a key priority outlined in the General Plan. The maintenance of the existing height intrusion, even though it deviates from the prescribed limits, aligns with this objective and ensures the integrity of the historic property. Strictly enforcing the provisions of this chapter in this context would unjustly deprive the property of the opportunities for responsible modifications that uphold its historical value.

As for the proposed accessory structure, specifically the garage, its construction allows for the addition of a functional element to the property without compromising the historical integrity of the house. Although the location of the garage does not conform with Section 14.15.020.A (Placement) of the Zoning Code that restricts accessory structures in the required front yard, it has been carefully chosen to be compatible with the historic house's siting and the functional front of the property. This approach ensures that the garage harmonizes with the overall composition and character of the property while respecting its historical significance.

In conclusion, Finding No. 3 acknowledges the special circumstances presented by the location of a historic resource house on the property and the General Plan emphasizes the importance of preserving its integrity. Granting the variance enables responsible modifications in line with the General Plan's priorities, ensuring equitable treatment and allowing for the development of the property without compromising its historical value.



Following the zoning code amendments to implement the City's 2023-2031 Housing Element earlier this year, the Design Review Commission has since been dissolved and the review authority for Design Review applications for single-family residential developments has been delegated to the Zoning Administrator and the review for Variance applications delegated to the Planning Commission. Because the Variance request is subject to Planning Commission review, the Design Review request is being bundled with the Variance request for the Commission's consideration.

### **Environmental Review**

The project is categorically exempt from environmental review under Section 15301 ("Existing Facilities") and Section 15331 ("Historical Resource Restoration/Rehabilitation") of the California Environmental Quality Act (CEQA) Guidelines because it involves an alteration and addition to an existing single-family dwelling in a residential zone within the allowable size limitations and rehabilitation and preservation of a historic resource consistent with the Secretary of the Interior Standards.

### **Public Notification and Community Outreach**

A public meeting notice was posted on the property, mailed to property owners within a 300' radius, 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 contacted the adjacent neighbors to the southside and northside in the immediate area for the community outreach. No comments from neighbors have been received by staff as of the writing of this report.