



DATE: MAY 17, 2023

AGENDA ITEM #1

**TO:** Nick Zornes, Zoning Administrator  
**FROM:** Steve Golden, Senior Planner  
**SUBJECT:** SC22-0033 – 125 South Gordon Way

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## RECOMMENDATION

Approve design review application SC22-0033 for the construction of a new 4,725 square foot, two-story house 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: 105 South Gordon Way, on the east side of South Gordon Way between East Edith Avenue and Hillview Avenue
- Lot Size: 19,750 square feet
- General Plan Designation: Single-Family, Medium Lot (SF4)
- Zoning Designation: R1-10
- Current Site Conditions: Two-story home

The proposed project includes the demolition of an existing two-story home and construction of a new two-story home with 2,721 square feet on the first story and 2,004 square feet on the second story (see Attachment A – Project Plans). The proposed project will remove the circular driveway and construct a new driveway along the northerly property line. The proposed residence will be setback closer to South Gordon Way with a 25-foot front yard setback, whereas the existing residence has a 75-foot setback. The style of the proposed residence is best characterized as a “Queen Anne” style consisting of steep pitched front facing gable roofs and a variety of other non-uniform roof forms. The front façade includes a covered front entry with a wrap-around porch with columns. The exterior materials include compositional roof shingles and a standing seam metal roof at the front porch, brick water table, wood shingle siding, aluminum clad windows and other decorative windows, and detailed with wood trim and paneling that integrates with the design style and architectural characteristics of the proposed residence. The proposed project also includes a detached 450 square-foot pavilion in the rear yard.

The subject site has 26 trees on the property and an additional four trees on the abutting right-side property that have driplines encroaching within the property. Seven (Tree Nos. 6, 7, 9, 14, 22, 24, and 25) of the 26 on-site trees and the four trees on the abutting property are considered protected trees per the city’s Tree Protection Regulations (Chapter 11.08 Los Altos Municipal Code). A total of 21

trees are proposed to be removed, five of which are protected trees. Sheet T2 of the design plans contains a list of the trees and a tree location plan. Sheets T3 and T4 includes an arborist report that assesses the condition of the trees and provides recommended tree protection measures before, during, and after construction.

## ANALYSIS

### Design Review

The proposed home 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
<b>COVERAGE:</b>	4,731 square feet	3,634 square feet	3,650 square feet
<b>FLOOR AREA:</b>			
1st Floor	4,147 square feet	2,721 square feet	
2nd Floor	840 square feet	2,004 square feet	
Total	4,987 square feet	4,725 square feet	4,725 square feet
<b>SETBACKS:</b>			
Front	75 feet	25 feet	25 feet
Rear	24.5 feet	41 feet	25 feet
Right side (1 <sup>st</sup> /2 <sup>nd</sup> )	14.5 feet/56 feet	11 feet/18.5 feet	10 feet/17.5 feet
Left side (1 <sup>st</sup> /2 <sup>nd</sup> )	10 feet/±17.5 feet	10 feet/32 feet	10 feet/17.5 feet
<b>HEIGHT:</b>	23 feet	26.8 feet	27 feet

The project also includes a 3,553 square-foot basement that is not included in the floor area calculation per the definition of floor area and an 850 square-foot attached accessory dwelling unit (ADU) at the first story, which is not included in the floor area total in the above table or the design review application per state law and city ordinance.

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 neighborhood is best described as a “Transitional Character Neighborhood” since the neighborhood has both smaller, older homes and larger newer or upgraded homes. According to the design guidelines, in Transitional Character Neighborhoods, good neighbor design reduces the abrupt changes that result from juxtaposing radically different designs or sizes of structures and proposed projects should not set the extreme and should be designed to soften the transition. The guidelines also suggest applying design mitigations to address deviations. Sheet A-0.020 shows the proposed residence in relation to the surrounding properties and Sheet A-0.021 shows other two-story residences in a larger neighborhood area. Although the proposed residence is one of the larger homes in the neighborhood, it is also on one of the larger lots in the neighborhood at 0.5 acres, whereas most of the lots range from 0.25 to 0.4 acres in size.

The design guidelines and design review findings require designs to minimize the bulk of the structure. The design of the first story has a 10-foot wall plate height, and the second story has an 8.5-foot wall plate height. The steeper pitched roof structures add to the bulk of the structure and while the applicant modified some of the roof pitches upon staff direction, the design is consistent with the Queen Anne style and reducing the roof pitches would be out of character with that style of architecture. The proposed design includes one-story elements at the front façade including the parlor and wrap around porch with the second story stepped further back. The covered porch roof structure also creates a horizontal eave line that breaks up the wall plane and massing of the two-story staircase feature at the front façade. The first story also includes a brick veneer water table which also visually breaks down the massing of the first story. The building articulation and the roof forms at the second story further breaks down the massing into smaller portions which helps to minimize the bulkiness of the structure as suggested in the Residential Design Guidelines.

With regards to tree preservation and removal, the arborist evaluated the conditions of the trees and determined they were in poor to fair condition. Most of the smaller trees are proposed for removal because they are not in good condition, within the footprint of the property improvements, or are not consistent with the new, more formal landscape plan. Of the five protected trees proposed to be removed, the arborist recommends removal of three of them (Tree Nos. 6, 7, and 24) for a variety of reasons and two trees have partial dead canopies or other structural defects (Tree Nos. 9 and 25). Aside from the five existing trees to remain, including two trees that are protected by city ordinance, staff recommends a condition of approval requiring the applicant plant five replacement trees including at least two Category I trees (Condition #3b). Two other conditions are proposed to protect the trees including incorporating the arborist recommendations for construction mitigations to reduce impacts to the trees into the building permit plans (Condition #5) and incorporate a shoring plan into the building permit plans to reduce impacts to existing on-site and off-site trees (Condition #3a).

The proposed landscape plan has a more formal landscape design and includes a variety of groundcovers, shrubs, trees, and hardscape. The new or rebuilt landscaping would need to satisfy the Water Efficient Landscape Ordinance requirements since it exceeds the 500 square-foot landscaping threshold for new residences and is conditioned as such. Staff recommends incorporation of Condition #3c, which requires the landscape screening around the property boundary to be a taller variety to help buffer direct views of the structure and mitigate the perception bulkiness from other adjacent viewpoints.

Overall, the project complies with the development standards in the R1-10 zoning district, is an appropriate design within the Transitional Character Neighborhood setting, maintains an appropriate relationship to the adjacent structures, minimizes excessive bulk, and protects trees insofar as practical.

## **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 a 300' radius, and published in the Town Crier. The applicant posted the public notice sign (24" x 36") in conformance with the Planning Division posting requirements. The applicant sent out letters to 12 neighbors in the immediate area by certified mail. One public correspondence was received and has been included in Attachment B.

Attachment:

- A. Project Plans
- B. Public Correspondence

Cc: Lauren Tilton, Applicant/Designer  
Eugene Letuchy and Anjali Khurana, Property Owners

## FINDINGS

SC22-0033 125 South Gordon Way

With regard to the proposed new two-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 new house is compatible 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 home maintains a similar finished floor elevation and orientation on the lot as the existing home 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 and will be in keeping with the general appearance of neighboring developed areas because the trees on the property protected by city ordinance that are suitable for preservation are being preserved and there will not be any substantial grade changes nor soil removal to construct the residence. The proposed landscaping includes trees to replace protected trees and other 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 and mass because the proposed structure incorporates architectural design features such as horizontal eave lines, a brick water table, building articulation and a stepped back second story that breaks up the massing.
- 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. The design incorporates composition shingle and standing seam metal roof materials, wood shingle exterior siding, brick water table, aluminum clad wood windows, and window and door trim that are high quality and architecturally integrated. The size and scale of the proposed residence based on the overall building height and the height of each story relates to the larger lot size and relates well with the neighborhood.
- 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

SC22-0033 125 South Gordon Way

### **GENERAL**

#### **1. Expiration**

The Design Review Approval will expire on May 17, 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 16, 2023, except as may be modified by these conditions.

#### **3. Building Design Revisions**

- a. The building plan set will incorporate a shoring plan for the basement construction that minimizes impacts to on-site and off-site protected trees. Unless exploratory trenching is performed by a certified arborist, the shoring plan shall include soldier piles within the 2/3's driplines of protected trees on the left and right side (i.e., alongside yard areas) of the proposed basement. Slope cuts shall be avoided in these areas. A letter from a certified arborist confirming exploratory trenching or approval of the shoring plan shall be provided with the building permit application.
- b. A minimum of five Category I/II sized trees (minimum 24-inch box container size) shall be planted as replacement trees. Of the five trees, at least two of them should be Category I type trees and have a height at maturity of at least 50 feet.
- c. The landscape screening proposed for planting along the side and rear property lines shall be revised to a species of plant that grows up to 12-15 feet at maturity and shall be a minimum of 15-gallon container size.

#### **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 comply with the City's Shoulder Paving Policy.

#### **5. Protected Trees**

Tree Nos. 8, 14, 17, 22 and 26 as shown on Sheet T2 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 (Ned Patchett Consulting, dated August 26, 2022) shall be incorporated into the building permit plans and implemented before and during construction.

#### **6. New Fireplaces**

Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed in all new construction pursuant to Chapter 12.64 of the Municipal Code.

**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**

New residences and 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. 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.

**12. Tree Protection Note**

On the grading plan and/or the site plan, show all tree/landscape 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.”

**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. 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. Outdoor Condensing Units**

The plans shall show the location of any outdoor condensing unit(s) on the site plan including the model number of the unit(s) and nominal size of the unit. The Applicant shall provide the manufacturer's specifications showing the sound rating for each unit. The condensing 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**

The Plans shall 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.).

**17. California Water Service Upgrades**

The Applicant is 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.

**18. Underground Utility Location**

The Plans shall 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.

**PRIOR TO ISSUANCE OF BUILDING OR DEMOLITION PERMIT**

**19. Tree Protection**

Tree protection shall be installed around the dripline(s) of the trees as shown on the site plan approved with the building permit plans. The 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 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).