



DATE: August 17, 2022

AGENDA ITEM #4

**TO:** Design Review Commission  
**FROM:** Sean K. Gallegos, Senior Planner  
**SUBJECT:** SC21-0050– 614 Torwood Lane

**RECOMMENDATION:**

Approve design review application SC21-0050, subject to the listed findings and conditions

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**PROJECT DESCRIPTION**

This is a design review for a two-story addition to an existing one-story house. The project includes an addition of 343 square feet on the first story and 730 square feet on the second story. The following table summarizes the project’s technical details:

**GENERAL PLAN DESIGNATION:** Single-Family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 9,320 square feet  
**MATERIALS:** Match existing – composition shingle roofing, horizontal cement siding, wood clad aluminum windows, and wood trim and details

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>LOT COVERAGE:</b>	2,400 square feet	2,986 square feet	3,262 square feet
<b>FLOOR AREA:</b>			
First floor	2,181 square feet	2,524 square feet	
Second floor	-	730 square feet	
Total	2,181 square feet	3,254 square feet	3,262 square feet
<b>SETBACKS:</b>			
Front	24.9 feet	25 feet	25 feet
Rear	28.3 feet	28.3 feet	25 feet
Right side (1 <sup>st</sup> /2 <sup>nd</sup> )	10.3 feet/-	10.3 feet/ 51.4 feet	10 feet/17.5
Left side (1 <sup>st</sup> /2 <sup>nd</sup> )	11.75 feet/-	11.75 feet/16.5 feet	16.5 feet/16.5 feet
<b>HEIGHT:</b>	13.75 feet	22.3 feet	27 feet

## **BACKGROUND**

### **Neighborhood Context**

The subject property is located on a corner lot on Torwood Lane at Pine Lane. The surrounding neighborhood is considered a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. In the immediate neighborhood context, there are primarily one-story Ranch style houses that are similar in size, footprint, design characteristics, building scale, and rustic materials. The materials commonly seen include stucco, traditional and vertical wood siding, brick or stone veneer accents, and wood shake or composition shingle roofs. There is one two-story neighboring house 619 Torwood Lane, it maintains a similar horizontal emphasis similar façades and character of surrounding properties, but it does introduce a greater scale in the neighborhood. Front yard setbacks appear to be roughly 25 feet from the property lines. Landscapes in the front are predominantly concrete driveways with rolled curbs and varying amounts of grass lawns and mature deciduous street trees with lower evergreen street trees near the street edge.

### **Zoning Compliance**

The existing house is non-conforming due to having a 24.8-foot front setback, where a 25-foot setback is required in the R1-10 (Single-Family) zoning district. The setback encroachment was created at the time of construction of the house (building permit No. A9175) in 1965, 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-conforming setback can be maintained.

The average width of the subject parcel is 82.5 feet (see sheet A1), which is below the minimum width of 90 feet for a standard corner lot in the R1-10 District. For lots that are less than 90 feet in width, described as "narrow lots" in the Zoning Code, there is an allowance for exterior side yard setbacks to be reduced from 20 feet to twenty (20) percent of the average lot width but in no case less than ten (10) feet, whichever is greater. The table above provides the effective setbacks for this narrow lot, which is 16.5 feet.

## **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 gable roof forms, low-scaled forms and simple details. The gable 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, 421 square-foot first story mass is located along the southwest corner of the residence, and the 730 square-foot second story addition is located on the left (south) side of the residence, and it is recessed behind the a gable roof form for bedroom No. 3. 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 composition

shingle roofing, horizontal cement siding, wood clad aluminum windows, and wood trim and details. 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 B.

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 proposed addition and remodel seek to maintain the existing traditional horizontal wood siding, which is considered a more rustic material and helps to minimize the perception of bulk. The second story is recessed within the gable roof form of bedroom No. 4 along the front elevation and it is recessed into the roof along the exterior elevation to diminish the perception of bulk. The massing of the second story is significantly smaller than the first story with the stairwell within the interior of the building to reduce impacts to the overall scale. 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 22.3 feet, which is approximately 4.7 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 placement of the second story helps mitigate impacts of the proposed height and bulk as viewed from the street and neighboring properties. The project reduces the perception of bulk by proposing the eight-foot tall first and 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, there are three windows: one small-sized window in the shower of the master bathroom with a four-foot, two-inch sill height, a small-sized window in the laundry room with a four-foot two-inch sill height, and a large six-panel window in the stairwell with a three-foot, eight-inch sill height. The master bathroom and laundry room windows do not create potential privacy concerns due to the small window size and sill height of the window. Furthermore, any potential views from rooms are obscured by the roof form in front of the windows obscuring views at grade level, which diminishes privacy impacts to neighbors in their side or rear yards. The privacy impacts from stairwell window are diminished due to being setback between 46.75 feet from the right-side property line and 53.4 feet from the rear property line. The low sill window in the stairwell may be perceived to create a potential privacy issue. To ensure that there are no additional privacy impacts, staff recommends condition No. 2a to require fast growing evergreen screening along the right property line to maintain a reasonable degree of privacy along the property line. Therefore, as designed with the right facing windows with Condition No. 2a, the proposed screening vegetation and the 56-foot setback from the left property line, staff finds that the project maintains a reasonable degree of privacy.

On the rear (southeast) elevation of the second story, there are two small windows in the master bedroom with a three-foot, eight-inch sill heights. Due to the small window size and the windows being setback 50 feet from the rear property line, the proposed windows do not create any unreasonable privacy impacts.

Overall, the project’s proposed window placement and sill height, along with the existing and proposed landscape screening, adequately minimizes views towards the adjacent properties and does not create any unreasonable privacy impacts.

### **Trees and Landscaping**

The arborist report by the Mayne Tree Expert Company (License WE# 7076A) accurately conveys the location, species and tree size of on-site trees and immediately adjacent off-site trees. There is one 32.5-inch protected oak tree (No. 1) in the rear of the subject site, and three unprotected trees on the subject site. As conveyed in the arborist report, there is one protected within the public right-of-way along Pine Lane. All the protected trees will be retained and protected during future construction. An arborist report, prepared by Jeromey A Ingalls, an ISA certified arborist from Mayne Tree Expert Company (License #WE-7076A), assessed all the trees condition and provided detailed tree protection plans to protect the trees from future construction. The arborist report is provided in Attachment B.

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).

A document with a table of the existing on-site trees is provided as Attachment C.

#### **Table 1: Screening Plant List**

Location	Common Name	Size	Quantity	Description
Rear Property Line	Yew Pine Box Tree	15-gallon	3	15-50 ft. tall, 8-15 ft. wide

A document with the color photos of the proposed evergreen screening, Yew Pine tree is provided as Attachment D.

Due to the scope of work being limited to a 421 square-foot addition at the ground level, 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 15301 of the California Environmental Quality Act because it involves the construction of an addition to an existing single-family dwelling.

**Public Notification**

A public meeting notice was posted on the property and mailed to 12 nearby property owners on Torwood Lane and Pine Lane. The Notification Map is included in Attachment A. Based on neighborhood outreach efforts, the applicants have provided documentation showing outreach to the neighbors in the immediate neighborhood context. A document from the applicant regarding outreach is included in Attachment .

Cc: Todd Bayless, Applicant and Architect  
Nitin and Ruchira Sood, Property Owners

Attachments:

- A. Public Notification Maps
- B. Neighborhood Compatibility Worksheet
- C. Arborist Report, Mayne Tree Expert Company
- D. Evergreen Screening Trees Photograph
- E. Applicant Community Outreach letter with attachment
- F. Materials Board

## FINDINGS

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With regard to design review for the two-story addition to the one-story house, 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

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### **GENERAL**

**1. Expiration**

The Design Review Approval will expire on August 17, 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 August 2, 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. In order to mitigate privacy concerns resulting from the right-side second story windows, the applicants shall revise the plans to show 15-gallon evergreen screening trees along the right property line.

**3. Protected Trees**

Tree No. 1 and privacy screening shall be protected under this application and cannot be removed without a tree removal permit from the Development Services 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. 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.

### **13. 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.

### **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) 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.

### **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 No. 1 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.

**17. 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**

**18. 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.

**19. 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.

**20. 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).