



**TO:** Nick Zornes, Zoning Administrator  
**FROM:** Nazaneen Healy, Associate Planner  
**SUBJECT:** MOD24-0004 – 241 Sunkist Lane

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## **RECOMMENDATION**

Approve the modification MOD24-0004 of the approved design review application SC23-0013 for the construction of a new approximately 4,621 square foot, two-story single-family residence 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:** 241 Sunkist Lane, on the east side of Sunkist Lane, between Almond Avenue and Jardin Drive
- **Lot Size:** 18,711 square feet
- **General Plan Designation:** Single-Family, Medium Lot (SF4)
- **Zoning Designation:** R1-10
- **Current Site Conditions:** Two-story home and detached garage

### **Approved Design Review Permit**

On November 15, 2023 the Zoning Administrator approved design review permit SC23-0013 for the construction of a new two-story single-family residence and garage that also includes an attached accessory dwelling unit (ADU) not subject to design review (see Attachment A – Approved Project Plans).

### **Proposed Modification**

The applicant is proposing to reconfigure and expand the main dwelling and ADU following amendments to the City’s ADU regulations approved earlier this year, which omits the square footage of ADUs from the sites floor area ratio (FAR) limitations. The proposed modifications would convert approximately 198 square feet of the approved main dwelling to ADU area (not subject to design review), expand the first floor of the main dwelling along the south/right side, and replace the side facing second floor balcony of the main dwelling with additional living space (see Attachment B – Proposed Project Plans).

## ANALYSIS

### Design Review

The proposed home complies with the R1-10 district development standards found in LAMC Chapter 14.06, as demonstrated by the following table:

	<b>Existing</b>	<b>Approved</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>COVERAGE:</b>	2,511 square feet	4,244 square feet	4,121 square feet	5,613 square feet
<b>FLOOR AREA:</b>				
First floor	2,153 square feet	2,758 square feet	2,680 square feet	4,621 square feet
Second floor	504 square feet	1,861 square feet	1,941 square feet	
Total	2,657 square feet	4,619 square feet	4,621 square feet	
<b>SETBACKS:</b>				
Front	24.0 feet	25.1 feet	25.3 feet	25 feet
Rear	33.3 feet	26.1 feet	27.0 feet	25 feet
Right side (1 <sup>st</sup> /2 <sup>nd</sup> )	53.1 feet/50.0 feet	21.3 feet/24.9 feet	19.9 feet/24.9 feet	10 feet/17.5 feet
Left side (1 <sup>st</sup> /2 <sup>nd</sup> )	8.9 feet/19.0 feet	46.0 feet/37.3 feet	52.8 feet/37.3 feet	10 feet/17.5 feet
<b>HEIGHT:</b>	19.8 feet	23.8 feet	23.8 feet	27 feet

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 approved home was determined to be consistent by minimizing bulk by inseting the second story, proposing a lower height than the maximum, and incorporating greater setbacks than required, as well as minimizing privacy impacts through the design and location of balconies and windows. The proposed modifications maintain these features and do not impact the overall character of the new home.

Consistent with the previous approval, three existing screen trees along the rear property line will remain, new evergreen screen trees will be planted along the rear and both side property lines, and new trees will be planted pursuant to previously approved tree removal permits. Two existing Canary Island Date Palm trees are proposed for removal due to their condition and location and will also require replacement. The site landscaping is required to comply with the Water Efficient Landscape Ordinance, which requires water-efficient landscaping for new residences with landscaping over 500 feet.

The proposed modification 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 minimizes potential privacy impacts.

### **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 COMMUNITY OUTREACH**

A public meeting notice was mailed to property owners within a 300-foot radius and published in the Daily Post newspaper. The applicant also posted the public notice sign (24" x 36") in conformance with the Planning Division posting requirements.

The property owners also contacted 12 neighbors in the immediate area to discuss the proposed project in September 2024 and provided the attached statement and summary of their communications (see Attachment C – Neighbor Outreach). No public comments have been received by staff as of the writing of this report.

Attachment:

- A. Approved Project Plans
- B. Proposed Project Plans
- C. Neighbor Outreach

Cc: Chris Kummerer, Applicant  
Sagar Mehta and Namitha Kumar, Property Owners

## FINDINGS

MOD24-0004 – 241 Sunkist Lane

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 provisions 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 home complies with the allowable floor area, lot coverage, and height maximums as well as the setback and daylight plane requirements 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 because the existing site is relatively level and does not require substantial grading except for the pool. Two Canary Island Date Palm trees are approved for removal due to being an undesirable/invasive species as identified on the City's list. New trees will be planted throughout the site, evergreen screen trees will be planted along the side and rear property lines, and three existing screen trees along the rear property line will remain.
- D. The orientation of the proposed new house in relation to the immediate neighborhood will minimize excessive bulk because the proposed design insets the second story, proposes a lower height than the maximum, and incorporates greater setbacks than required.
- E. General architectural considerations, including the size and scale, 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 on the same project site. The proposed home complies with the allowable floor area, lot coverage, and height maximums as well as the setback and daylight plane requirements pursuant to LAMC Chapter 14.06 and the design of the home incorporates consistent and compatible features including stucco, standing seam metal, and stained wood exterior finishes, painted metal window surrounds and trellis, and a stained wood garage door.
- 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 proposed grading provides for drainage away from the home and away from adjacent properties and conforms to existing grades along the property lines.

## CONDITIONS OF APPROVAL

SC23-0013 – 241 Sunkist Lane

### GENERAL

1. **Expiration:** The Design Review Approval will expire on November 20, 2026 unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to the procedures and timeline for extensions in the Zoning Code.
2. **Approved Plans:** The approval is based on the plans and materials received on October 24, 2024, except as modified by these conditions as specified below.
3. **Revisions to the Approved Project:** Minor revisions to the approved plans which are found to be in substantial compliance with the overall approvals may be approved by the Development Services Director.
4. **Notice of Right to Protest:** The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a) began on the date of approval of this project. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions
5. **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.
6. **ADU Not Reviewed:** The proposed ADU included in the plan set is not part of this design review application. Prior to commencement of the ADU construction, a separate building permit issued by the Building Division shall be obtained.
7. **Protected Trees:** Existing Tree Nos. 13, 15, 16, and 18 (located on the adjacent property) and the new trees shall be protected under this application and require permits from the Development Services Department to remove. The new screen trees shall be maintained and replaced if they are declining or removed.
8. **Tree Removal Approved:** Trees Nos. 4 and 11 shown to be removed on plan Sheet A0.1 of the approved set of plans are hereby approved for removal. Tree removal shall not occur until a building permit is submitted and shall only occur after the issuance of a demolition permit or building permit. Exceptions to this condition may be granted by the Development Services Director upon submitting written justification.
9. **Replacement Trees:** The applicant shall offset the loss of the trees previously approved for removal

with three large or six medium size trees and the two additional trees with two medium size replacement trees, for a total of five to eight replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as a replacement tree.

10. **Tree Protection Fencing:** The grading and tree or landscape plan of the building permit submittal shall show the required tree protection fencing which shall be installed around the dripline(s), or as required by the project arborist, of Tree Nos. 13, 15, 16, and 18. Verification of installation of the fencing shall be submitted to the City prior to building permit issuance. 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.
11. **Landscaping:** The project shall be subject to the City's Water Efficient Landscape Ordinance (WELo) pursuant to Chapter 12.36 of the Municipal Code. 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. **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 prior to final inspection.
13. **Mechanical Equipment:** Prior to issuance of a building permit, the applicant shall show the location of any mechanical equipment and demonstrate compliance with the requirements of Chapter 11.14 (Mechanical Equipment) and Chapter 6.16 (Noise Control) of the Los Altos City Code.

## **BUILDING DIVISION**

14. **Building Permit:** A building permit is required for the project and building design plans shall comply with the latest applicable adopted standards. The applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.
15. **Conditions of Approval:** Incorporate the conditions of approval into the building permit submittal 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.
16. **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.
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 prior to issuance of a building permit. Payments shall be made directly to the school districts.

18. **Payment of Impact and Development Fees:** The applicant shall pay all applicable development and impact fees prior to issuance of a building permit, including but not limited to Transportation, Park and Recreation, Public Safety, and General Government impact fees as required by the City of Los Altos Municipal Code and current adopted fee schedule.
19. **Swimming Pools, Water Features, and Outdoor Kitchens:** The proposed pool and associated equipment, water feature, and/or outdoor kitchen require a separate building permit and are subject to the City's standards pursuant to Section 14.06.120 and Chapter 14.15.
20. **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.
21. **Underground Utility and Fire Sprinkler Requirements:** New construction 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.
22. **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.
23. **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.
24. **Green Building Verification:** Prior to final inspection, submit verification that the house was built in compliance with the City's Green Building Ordinance (Chapter 12.26 of the Municipal Code).
25. **Underground Utility Location:** 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.
26. **Work Hours/Construction Site Signage:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 5:30 p.m., Monday through Friday, from 9 a.m. to 3 p.m. Saturday, and no work is permitted on Sunday or any City observed holiday. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours and contact information, including an after-hours contact.
27. **Off-haul Excavated Soil:** The grading plan shall show specific grading cut and/or fill quantities. Cross section details showing the existing and proposed grading through at least two perpendicular

portions of the site or more shall be provided to fully characterize the site. A note on the grading plans should state that all excess dirt shall be hauled from the site and shall not be used as fill material unless approved by the Building and Planning Divisions.

## **ENGINEERING DIVISION**

28. **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.
  
29. **Storm Water Management:** Show how the project is in compliance with the 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. All large single-family home projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site and affected portions of the public right-of-way that are developed or redeveloped as part of the project must also complete a [C.3. Data Form](#) available on the City's Building Division website.