



**TO:** Nick Zornes, Zoning Administrator

**FROM:** Sean Gallegos, Senior Planner

**SUBJECT:** SC23-0019 – 16 Otis Way

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## **RECOMMENDATION**

Approve design review application SC23-0019 for the construction of a new 3,638 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: 16 Otis Way, located on the west side of Otis Way, south of Mills Avenue.
- Lot Size: 10,398 square feet
- General Plan Designation: Single-Family, Medium Lot (SF4)
- Zoning Designation: R1-10
- Current Site Conditions: One-story house

The proposed project includes the demolition of the existing single-story house and replacement with a new 3,638 square-foot two-story house (see Attachment A – Project Plans). An 848 square foot attached accessory dwelling unit is also proposed but is not subject to design review and will be reviewed under a Building Permit application. The new residence is designed in a neo-eclectic architectural style that combines various decorative techniques from different house styles with exterior materials that include a composition shingle roof, board and batten siding and stucco exterior finish with wood trims, fiberglass framed windows and wood doors.

The subject property is an interior lot with a rectangular shape, measuring approximately 80 feet wide and 130 feet deep. The proposed construction involves maintaining a footprint similar to that of the original house and the proposed site improvements include a new driveway to the attached garage along the northern side of the property and new hardscape and softscape throughout the property.

There are seven protected trees situated on the subject site. Of these, trees T2, T3, T6, T8, T9, and T10 are slated for preservation, while T1 will be removed. An arborist's evaluation revealed that T1, a Mayten tree, is in fair health but has previously undergone topping. The decision to remove T1 aligns with the Tree Protection Regulations' criteria No. 5, which permits removal for reasons related to the impact of preserving the tree impeding the use of real property and no reasonable or feasible alternative existing to preserve the tree in the current location. The plan submittal proposes the removal of Tree T6; however, the tree cannot be granted within the scope of the design review

application for the new house. The removal of Tree T6 will need to be addressed in the subsequent building permit application process for the ADU.

**ANALYSIS**

**Design Review**

The proposed house complies with the R1-10 district development standards found in Los Altos Municipal Code (LAMC) Chapter 14.06, as demonstrated by the following table:

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>COVERAGE:</b>	2,076 square feet	2,638 square feet	3,119 square feet
<b>FLOOR AREA:</b>	2,076 square feet		
1st Floor	-	2,445 square feet	
2nd Floor	2,076 square feet	1,193 square feet	
Total		3,638 square feet	3,639 square feet
<b>SETBACKS:</b>			
Front	30 feet	25.1 feet	25 feet
Rear	50.9 feet	40.6 feet	25 feet
Right side (1 <sup>st</sup> /2 <sup>nd</sup> )	10.2 feet/-	12.1 feet/21.2 feet	17 feet/17 feet
Left side (1 <sup>st</sup> /2 <sup>nd</sup> )	12.2 feet/-	10.2 feet/ 21.6 feet	10 feet/17.5 feet
<b>HEIGHT:</b>	14.7 feet	25.75 feet	27 feet

Per Chapter 14.76 of the LAMC, new two-story residences must comply with the Single-Family Residential Design Guidelines. The property lies in a Diverse Character Neighborhood, characterized by mixed one- and two-story structures with varied architectural styles, materials, and sizes. The landscape along Otis Way is varied with no distinct street tree pattern.

In a Diverse Character neighborhood, the guidelines advise integrating existing design elements, materials, and scales while maintaining distinctiveness. The proposed home adheres to the Single-Family Residential Design Guidelines by featuring suitable design elements, materials, scale, and landscaping consistent with the neighborhood's character.

The design of the new residence adopts a neo-eclectic architectural style that combines various decorative techniques from different house styles. It incorporates elements of a traditional two-story layout, including simple massing, gable and hipped roof forms, recessed front porch and a practical aesthetic. Additionally, contemporary architectural features such as simplified forms, open floor plans, and minimalistic details are integrated. This fusion of styles results in a cohesive design that balances tradition and modernity. For the exterior, the materials selected include a composition shingle roof, board and batten siding and stucco exterior finish with wood trims, fiberglass framed windows and wood doors, ensures compatibility with the surrounding area.

The design guidelines and review findings emphasize the importance of minimizing the structure's bulk. In line with these requirements, the proposed design utilizes stucco and board and batten siding

along segments of the first story and second story visually break down the massing and create a more dynamic appearance. By strategically incorporating these materials on the exterior, the design effectively breaks down the massing and enhances the visual interest of the facade. The low-pitched roof and roof form play a crucial role in reducing the perceived bulk of the structure. The first-story roof form and horizontal eave line create visual breaks in the wall plane, while the articulation and roof forms of the second story further break down the massing into smaller sections, resulting in an aesthetically appealing and less bulky appearance. Additionally, the second story, recessed and centrally positioned over the first, contributes to a softened appearance.

Moreover, the proposed height of the 25.75-foot-tall house aligns with the scale of neighboring houses in the area. Considering that the neighborhood consists of one-story houses ranging from 14 to 17 feet in height, as well as two-story houses ranging from 22 to 26 feet, the proposed height falls within the acceptable range and is lower than the maximum permitted 27-foot height limit. This ensures that the building blends in harmoniously with the overall character of the neighborhood, avoiding any visual discrepancies or disruptions to the character of the neighborhood.

The proposed landscaping includes approximately one new Crape Myrtle tree in the front yard and evergreen screening vegetation along the left property line which will be integrated with existing vegetation to remain. The landscaping plan will comply with the Water Efficient Landscape Ordinance, which requires water-efficient landscaping for new residences with landscaping over 500 square feet.

The proposed project 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, ensuring compatibility with neighboring structures, reducing perceived bulk, and prioritizing the preservation of existing trees.

## **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 300 feet of the subject site, and published in the Town Crier newspaper. The applicant also posted the public notice sign (24” x 36”) in conformance with the Planning Division posting requirements.

The applicant sent out emails to nine neighbors in the immediate area. As of the drafting of this report, staff has received no comment letters from neighbors.

Attachment:

- A. Project Plans

Cc: Jan Hochhauser, Applicant/Architect  
Dubrovnik Properties, LLC, Owners

## FINDINGS

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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 house maintains a similar finished floor elevation and complies with the allowable floor area, lot coverage, height maximums, and 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 because the trees on the property protected by city ordinance are proposed to remain and there will not be any substantial grade changes nor soil removal to construct the residence. A total of six protected trees are slated for preservation and protection during future construction, while one protected tree in the right side yard is set for removal. The proposed landscaping including a new Crape Myrtle tree, shrubs, and ground cover will be in compliance with the Water Efficient Landscape Ordinance.
- D. The orientation of the proposed new house in relation to the immediate neighborhood will minimize excessive bulk because the proposed structure incorporates architectural design features first-story roof form and horizontal eave line create visual breaks in the wall plane, while the articulation and roof forms of the second story further break down the massing into smaller sections, and the proposed design utilizes stucco and board and batten siding along segments of the first story and second story visually break down the massing and minimize excessive bulk.
- E. General architectural considerations, including the size and scale, the architectural relationship with the site and new house, 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 house meets the floor area, lot coverage, and height limitations specified in LAMC Chapter 14.06, and its size and scale harmonize with the neighborhood. This is achieved through a combination of a low-pitched roof, horizontal eave lines on both the first and second stories, segmented massing, and a height that avoids excessive bulkiness. Additionally, the project utilizes stucco and board and batten siding along segments of the first story and second story visually break down the massing.
- F. The proposed new house has been designed to follow the natural contours of the site with minimal grading, minimal impervious cover and maximum erosion protection because the 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

SC23-0019 - 16 Otis Way

### **GENERAL**

**1. Expiration**

The Design Review Approval will expire on April 3, 2026, 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 February 12, 2024, 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.

**3. 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.

**4. 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 by the applicant.

**5. Protected Trees**

Tree Nos. T2, T3, T6, T8, T9, and T10 shall be protected under this application and cannot be removed without a tree removal permit from the Development Services Director. Trees No. T1 shall be removed as part of this design review permit application.

**6. 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.

**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**

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. 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."

### **12. 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.

### **13. 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.

### **14. 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.

### **15. 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.

### **16. 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.

### **17. 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.

**18. 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**

**19. Tree Protection**

Tree protection fencing shall be installed around the driplines, or as required by the project arborist, of trees Nos. T2, T3, T8, T9, and T10 as shown on Sheet A1.1. 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.

**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 located 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).