


TOWN OF LOS ALTOS HILLS
Staff Report to the Planning Commission

November 6, 2014

SUBJECT: CONDITIONAL DEVELOPMENT PERMIT AND SETBACK VARIANCE FOR AN ADDITION; LANDS OF LU; 14696 MANUELLA ROAD; FILE #218-14-ZP-SD-CDP-VAR

FROM: Nicole Horvitz, Assistant Planner 

APPROVED: Suzanne Avila, AICP, Interim Planning Director 

RECOMMENDATION: That the Planning Commission:

Approve the requested Conditional Development Permit and setback Variance for an addition subject to the recommended conditions in Attachment 1 and findings of approval in Attachments 2 and 3.

BACKGROUND

The subject property is a .471 acre parcel accessed from Manuella via an ingress/egress easement along the north property line. There is currently a 4,111 square foot single residence with an attached garage built in 1963 on the property. Surrounding uses include single-family homes on adjacent parcels to the north, south, east, and the west.

CODE REQUIREMENTS

As required by Section 10-1.1007 (3) of the Zoning Ordinance, this application for an addition has been forwarded to the Planning Commission for review and approval. A Conditional Development Permit is required anytime a proposed project is located on a property with a lot unit factor (LUF) of 0.50 or less. In addition, pursuant to Section 10-1.1007(2) of the Los Altos Hills Municipal Code, the Planning Commission shall act as the authority to grant setback variances.

DISCUSSION

Site Data:

<i>Net Lot Area:</i>	0.471 acres
<i>Average Slope:</i>	11.8%
<i>Lot Unit Factor:</i>	0.453

Floor Area and Development Area:

<i>Area (sq. ft.)</i>	<i>Maximum</i>	<i>Existing</i>	<i>Proposed</i>	<i>Increase</i>	<i>Remaining</i>
Development	6,630	6,237	6,469	232	161
Floor	4,530	4,111	4,343	232	187

Conditional Development Permit

Pursuant to Section 10-1.1007(3) of the LAHMC, “on substandard lots, due to the difficulty of accommodating development which meets the objectives and standards of the Town, any lot which has a lot unit factor of .50 or less shall require a Conditional Development Permit from the Planning Commission.”

The applicant is requesting approval to add a total of 232 square foot to the residence. The addition consists of 84 square feet to increase the master bedroom at the southwest corner of the residence and 148 square feet for the kitchen and entry way along the north side of the house.

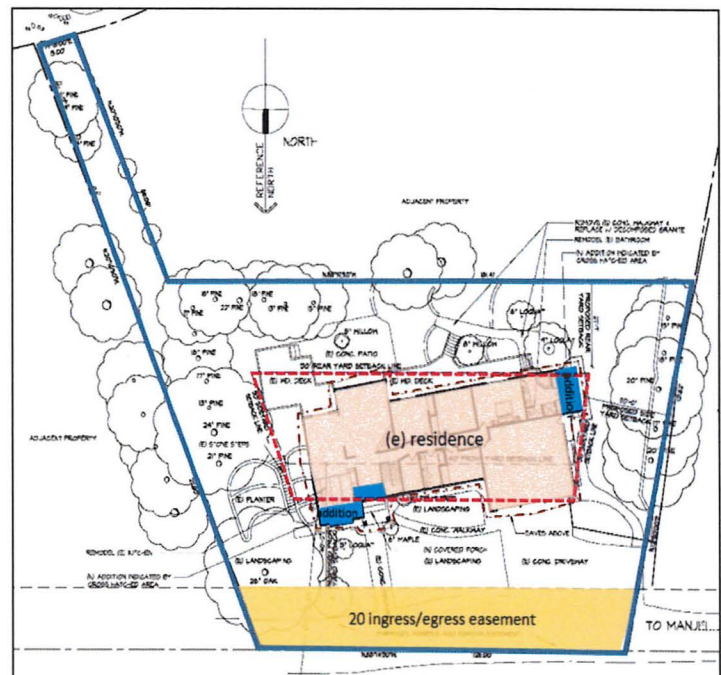
Findings of approval of the Conditional Development Permit have been prepared and are included in Attachment 2.

Variance

Per LAHMC Section 10-1.505, the setback line is thirty (30) feet from property lines, nearest lines of public or private streets, rights-of-way easements for vehicular access. There is a 20’ wide ingress/egress easement along the north property line that affects the setback requirements for this substandard property.

The existing residence encroaches into the setback along the north property line setback by up to 6 feet. The applicant is requesting that the kitchen and entry way addition and roof eaves be allowed to encroach into the setback of up to 12 feet. In addition, a setback variance is requested along the south and west property lines of up to 6 feet for the proposed additions roof eaves.

The applicant has prepared variance findings included in Attachment 3.



Outdoor Lighting

No lighting is proposed at this time.

Trees & Landscaping

No trees are proposed to be removed with this application.

Grading and Drainage

Total grading quantities for this project include 15 cubic yards of cut and 5 cubic yards of fill. Total export is 10 cubic yards. The Engineering Department has reviewed the proposed grading and concluded that it is in conformance with the Town's Grading Policy.

Water runoff generated from the new development will be collected and carried to two (2) onsite bubbler systems located at the northeast and southwest corners of the property.

Pursuant to Section 10-2.503, Drainage Facilities Standards, of the Municipal Code, the Engineering Department has reviewed and determined that the proposed drainage design complies with Town requirements. The Engineering Department will review and approve the final drainage plan prior to acceptance of plans for building plan check. Final "as-built" grading and drainage will be inspected by the Engineering Department, and any deficiencies will be required to be corrected prior to final inspection.

Neighbor Concerns

To date, no correspondence has been received from the public.

Committee Review

The Environmental Design and Protection Committee had no concerns about the proposed addition. (Attachment 3)

CEQA STATUS

The project is categorically exempt under CEQA per Section 15303 (a).

ATTACHMENTS

1. Recommended Conditions of Approval
2. Recommended Findings of Approval
3. Variance findings prepared by the applicant
4. Comments from Environmental Design and Protection Committee dated August 15, 2014
5. Worksheet #2
6. Development plans

ATTACHMENT 1

RECOMMENDED CONDITIONS FOR CONDITIONAL DEVELOPMENT PERMIT
AN ADDITION AND SETBACK VARIANCE

LANDS OF LU, 14696 MANUELLA ROAD
File # 218-14-ZP-SD-CDP-VAR

PLANNING DEPARTMENT:

1. No other modifications to the approved plans are allowed except as otherwise first reviewed and approved by the Planning Director or the Planning Commission, depending on the scope of the changes.
2. Prior to beginning any grading operation, all significant trees, particularly the heritage oak trees, are to be fenced at the drip line. The fencing shall be of a material and structure (chain-link) to clearly delineate the drip line. Town staff must inspect the fencing and the trees to be fenced prior to commencement of grading. The property owner shall call for said inspection at least three days in advance of the inspection. The fencing must remain throughout the course of construction. No storage of equipment, vehicles or debris shall be allowed within the drip lines of these trees. Existing perimeter plantings shall be fenced and retained throughout the entire construction period.
3. Additional landscaping may be required. Staff will visit the site *prior to final inspection* to determine if any additional plantings will be needed for screening or to restore areas disturbed by grading or construction.
4. No new fences are approved. Any new fencing or gates shall require review and approval by the Planning Department *prior to installation*.
5. *Prior to requesting the final inspection*, a registered civil engineer or licensed land surveyor shall certify in writing and state that "the location of the new addition and roof eaves are no less than 18' from the north property line and 16' from the side (west) and 24' from the rear (south) property lines." The elevation of the new addition shall be similarly certified in writing to state that "the elevation of the new addition matches the elevation and location shown on the Site Development plan." The applicant shall submit the stamped and signed letter(s) to the Planning Department *prior to requesting a final inspection*.
6. No new outdoor lighting is approved. There shall be one light per door or two for double doors. Light fixtures shall have frosted glass or be down lights. No lighting may be placed within setbacks except two entry or driveway lights. Any additional outdoor lighting shall be approved by the Planning Department prior to installation.
7. Fire retardant roofing (Class A) is required for all new construction.

ENGINEERING DEPARTMENT:

8. Two sets of a final Grading and Drainage plan shall be submitted for review and approval by the Engineering Department prior to acceptance of plans for building plan check. Final drainage and grading shall be inspected by the Engineering Department and any deficiencies corrected to the satisfaction of the Engineering Department prior to final inspection. A letter shall be submitted from the project engineer stating that the site grading and drainage improvements were installed as shown on the approved plans *prior to final inspection*.
9. Any, and all, changes to the approved Grading and Drainage plan shall first be approved by the Town Engineering Department. No grading shall take place during the grading moratorium (October 15 to April 15) except with prior approval from the City Engineer. No grading shall take place within ten feet of any property line.
10. The property owner shall inform the Town of any damage and shall repair any damage caused by the construction of the project to pathways, private driveways, and public and private roadways, prior to final inspection and release of occupancy permits and shall provide the Town with photographs of the existing conditions of the roadways and pathways *prior to acceptance of plans for building plan check*.
11. Two copies of a Grading and Construction Operation plan shall be submitted by the property owner for review and approval by the City Engineer and Planning Director *prior to acceptance of plans for building plan check*. The grading/construction operation plan shall address truck traffic issues regarding dust, noise, and vehicular and pedestrian traffic safety on Manuella Road and surrounding roadways; storage of construction materials; placement of sanitary facilities; parking for construction vehicles; and parking for construction personnel. A debris box (trash dumpster) shall be placed on site for collection of construction debris. Arrangements must be made with the GreenWaste Recovery, Inc. for the debris box, since they have a franchise with the Town and no other hauler is allowed within the Town limits.

CONDITION NUMBERS 10 and 11 SHALL BE COMPLETED AND SIGNED OFF BY THE ENGINEERING DEPARTMENT PRIOR TO ACCEPTANCE OF CONSTRUCTION PLANS FOR PLAN CHECK BY THE BUILDING DEPARTMENT.

Project approval may be appealed if done so in writing within 22 days of the date of this notice. The building permit cannot be issued until the appeal period has lapsed. The applicant may submit construction plans to the Building Department after the appeal period provided the applicant has completed all conditions of approval required prior to acceptance of plans for building plan check.

Please refer to the Conditions of Project Approval set forth herein. If you believe that these Conditions impose any fees, dedications, reservation or other exactions under the California Government Code Section 66000, you are hereby notified that these Conditions constitute written notice of a statement of the amount of such fees, and/or a description of the dedications,

reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest such fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. 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.

*Upon completion of the construction, a final inspection shall be required to be set with the Planning and Engineering Departments **two weeks** prior to final building inspection approval.*

NOTE: The Site Development permit is valid for one year from the approval date (until June November 6, 2015). All required building permits must be obtained within that year and work on items not requiring a building permit shall be commenced within one year and completed within two years.

ATTACHMENT 2

FINDINGS OF APPROVAL FOR A CONDITIONAL DEVELOPMENT PERMIT

LANDS OF LU; 14696 MANUELLA ROAD
File # 218-14-ZP-SD-CDP-VAR

1. The site for the proposed development is adequate in size, shape and topography to accommodate the proposed intensity of development, including all structures, yards, open spaces, parking, landscaping, walls and fences, and such other features as may be required by this chapter.

The proposed addition has been designed below the maximum floor area and complies with the development area, and building height limits. The intensity of the development on the site is compatible with other similar sized lots in the area.

2. The size and design of the proposed structures create a proper balance, unity and harmonious appearance in relation to the size, shape and topography of the site and in relation to the surrounding neighborhood

This area of the Town has a few groupings of half acre lots. The proposed development is compliant with Town standards and the architecture, the materials are not out of character with residences in the vicinity and is harmonious with the surrounding properties.

3. The rural character of the site has been preserved as much as feasible by minimizing vegetation and tree removal, excessive and unsightly grading and alteration of natural land forms.

No vegetation removal is proposed with this application and minimal grading is proposed.

4. The proposed development is in compliance with all regulations and policies set forth in the Site Development ordinance.

Due to the constraints of the substandard lot size, a variance in setback requirements is required for the addition. The proposed development meets the Town's height and square footage requirements (MFA and MDA) and complies with all other regulations and policies set forth in the Site Development Ordinance.

FINDINGS

This application has two areas for the Variance application. The findings for a Variance are as follows:

1. The proposed variance involves two areas of addition. The proposed front addition is to extend 130 s.f. for kitchen and 67 s.f. for entry foyer. At the rear, the proposed addition at the southwest corner of the house encroaches 2'-5" into the rear setback area. Both areas of addition are relative small in size, and will not deprive the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. Both areas are already in the setbacks. This variance requests continuing the house wall line for the small addition without having to create zigzagged house walls and corners.
2. The granting of the Variance will not impact of any of the granted special privileges enjoyed by other surrounding property owners. First, this street is a private road shared by only 3-4 properties, including the subject property. This house is near the end of the cul-de-sac, and therefore, there is only one property located at the end of the street. Second, both the front and rear additions match the existing house style and materials. Lastly, there are lots of mature trees and vegetation along the property lines with adjacent neighbors. Therefore, this variance, if built, will not very noticeable by adjacent neighbors.
3. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. The proposed variance area of the addition will be designed by licensed architect and constructed by license contractor. The materials, style, and shapes will be all matched existing. The rear addition is not in any direct view or access to the neighbors or public.
4. The variance request is for a kitchen and foyer extension at the front, and a small part of a walk-in closet for the existing master bedroom at the rear. The house is occupied by the property owners who have lived at the property for many years. There is no intention to use the existing property or the proposed variance (addition) for anything not authorized by the Zoning Ordinance.

Addition / CDP

ENVIRONMENTAL DESIGN and PROTECTION COMMITTEE

RECEIVED

AUG 15 2014

TOWN OF LOS ALTOS HILLS

Application for:	Addition / CDP
Applicant Name:	Xiao Guin Lu
Applicant Address:	1499 Manuella Rd
Reviewed by:	Pat, Carol (Neela-plans)
Date:	8.15.14.
	COMMENTS
Site Impact	New master bathroom is in the side set-backs. Is a variance required?
Lighting	
Noise	See no other problem
Creeks	
Drainage	
Easements	
Existing Vegetation	
Mitigation	

REVISION

TOWN OF LOS ALTOS HILLS

PLANNING DEPARTMENT

26379 Fremont Road • Los Altos Hills, California 94022 • (650) 941-7222 • FAX (650) 941-3160

WORKSHEET #2

EXISTING AND PROPOSED DEVELOPMENT AREA AND FLOOR AREA

• TURN IN WITH YOUR APPLICATION •

PROPERTY OWNER'S NAME	Lu, Xiao Qin	
PROPERTY ADDRESS	14696 Manuella Rd.	
CALCULATED BY	Mike Ma	DATE 8/28/14

	<u>Existing</u>	<u>Proposed</u>	<u>DA Credit</u>	<u>Total</u>
1 DEVELOPMENT AREA				
A. House and Garage (from part 2.A)	3103	232		3333
B. Decking	675	0		675
C. Driveway and Parking	1672	0		1672
D. Patios and Walkways	789	0		789
E. Tennis Court	0	0		
F. Pool and Pool Decking	0	0		
G. Accessory Building (from part 2.B)	0	0		
H. Solar Panels (ground mounted)	0	0		
I. Any Other Coverage	0	0		
Total	6237	232		6469

Roof Mounted Solar Bonus
(LAHMC Section 10-1.502)

Yes

No

SF

Maximum Development Area-MDA (from worksheet #1)

6630

Maximum Development Area w/ Solar Credit

	<u>Existing</u>	<u>Proposed</u>	<u>Total</u>
2 FLOOR AREA			
A. HOUSE AND GARAGE			
a. First Floor	2299	232	2531
b. Second Floor	0	0	
c. Attic	0	0	
d. Basement Lower Floor	1010	0	1010
e. Garage	802	0	802
f. Area over 17'			
B. ACCESSORY BUILDINGS			
a. First Floor			
b. Second Floor			
c. Attic			
d. Basement			
Total	4111	232	4343

Maximum Floor Area-MFA (from worksheet #1)

4343

4530

TOWN USE ONLY	CHECKED BY	DATE 10/10/14
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