TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: December 5, 2005

SUBJECT: 455 SANTA RITA AVENUE [05APL-00002]: APPEAL BY NANCY AND RICHARD ALEXANDER AND WORTH AND ANDY LUDWICK OF THE DIRECTOR OF PLANNING AND COMMUNITY ENVIRONMENT’S APPROVAL OF A SINGLE FAMILY INDIVIDUAL REVIEW APPLICATION FOR AN ADDITION TO THE EXISTING TWO STORY RESIDENCE RESULTING IN AN OVERALL HEIGHT OF 32 FEET EIGHT INCHES TALL OWNED BY LYNN BROWN AND ROBERT STAFANSKI. ZONE: R-1 (929). ENVIRONMENTAL ASSESSMENT: EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PER SECTION 15303.

RECOMMENDATION

Staff recommends that the City Council decline to hear the appeal by Nancy and Richard Alexander and Worth and Andy Ludwick and uphold the Director of Planning and Community Environment’s decision to approve Single Family Individual Review (IR) 05PLN-00193 based upon the findings and conditions in the draft Record of Land Use Action (Attachment A).

BACKGROUND

The City’s streamlined process, including the Individual Review procedures, provides for City Council “call up” of appeals. Once the Director’s decision is made and an adjacent property owner appeals the decision, the project is sent to Council on the consent calendar. In the case of Individual Review applications, four Council votes are required to remove the project from the consent calendar and have a hearing scheduled for a subsequent City Council meeting. Otherwise, the Director’s decision stands and no hearing is held. If the Council consents to hear an appeal, a hearing shall be scheduled as soon as practicable (PAMC 18.77.075)(g).

The project consists of the remodel of the existing two-story residence. The sunroom at the back of the house and the detached garage would be removed. The detached garage would be replaced with a detached two-car carport with a small attached pool house. Additions would be made at the first, second and third floors. The remodel primarily consists of modifying the style of the existing home with a steeply sloped roof placed over the existing second floor. On June 1, 2005, the application was submitted for review. In response to both staff and neighbor review comments, the applicant submitted revised plans on August 10, 2005. On September 13, 2005, the application was tentatively approved (Attachment B). A Director’s hearing was requested by adjacent neighbors and held on October 20, 2005. The tentative approval was upheld by the
hearing officer and the application was approved on November 3, 2005 (Attachment C). The approval was appealed on November 8, 2005 (Attachment D).

The project site is located on Santa Rita Avenue, one parcel in from the north east corner of Santa Rita Avenue and Cowper Street. There are nine houses on this block, eight of which are two stories. Each of the appellants own and reside in the adjacent two-story houses on either side of the subject property. The general neighborhood pattern consists of two-story homes with steeply pitched roofs. The applicant’s letter, in response to neighbor’s concerns, is included in Attachment E.

DISCUSSION
The following discussion covers the issues raised by the appellants in their letter of appeal. Some of these issues are related to the Single Family Individual Review Guidelines as outlined by the appellant’s architect John Northway and some of them are not.

Guideline #1 Basic Site Planning: Placement of Driveway, Garage, and House
“The driveway, garage, and house shall be placed and configured to reinforce the neighborhoods existing site patterns (i.e., building footprint configuration and location, setbacks, and yard areas) and the garage and driveway shall be subordinate to the house, landscaping, and pedestrian entry as seen from the street.”

The appellants believe that the project is not compliant with Guideline #1 because the roof ridge has been moved forward, accentuating the stacked, overly square floor plan, contributing to the boxy, high impact building mass.

The existing house is a two story rectangular box with a single ridgeline running the entire width of the house with gables at both ends, one of which currently encroaches into the daylight plane at the left side. It is important to note that the proposed project is not a new house. It is a remodel of the existing one. The current floor plan is a box, and the homeowners do not intend to remove the existing house. The proposed project modifies the existing building form by further articulating the shape from the existing rectangular box rather than accentuating it. There are two small additions at the first floor and first floor areas that are proposed to be demolished. These changes would modify the boxy footprint, creating a more irregular one like the other houses in the neighborhood. At the front of the house there is a proposed addition at the first and second floors that breaks the existing relatively blank two-story façade and adds additional articulation. Square footage is proposed to be removed on the second floor at the right side of the house, further articulating the mass of the current rectangular box. The proposed change from gabled ends to a hipped roof provides a more tapered transition and reduces the wall height at the sides of the building, reducing the mass. This also eliminates the existing daylight plane encroachment. The change in the roof also results in a lower gutter line and reduces the width of the ridgeline. All of these proposed changes work to reduce the massing rather than increase it. The change in the roof profile does increase the height of the building and the mass of the roof, but not to the point that it is out of scale with the other houses in the neighborhood.
Guideline #2 Neighborhood Compatibility for Height, Mass, and Scale
“The scale (perceived size), mass (bulk or volume) and height (vertical profile) of a new house or upper story addition shall be consistent with the existing neighborhood pattern with special attention to adapting to the height and massing of adjacent homes.”

The appellants believe that the proposed addition to the existing residence does not conform with Guideline #2 because the orientation of the proposed residence is parallel to the street rather than being perpendicular to it, exposing the building’s bulk to the street. This is based on the assertion that the neighborhood pattern consists of homes that are perpendicular to the street rather than parallel to it.

There is no consistent neighborhood pattern of homes being perpendicular to the street rather than parallel to it. This is a short block with only nine homes on it. The lots all vary in size and shape with no consistent pattern (See Attachment F). The width and depth of the homes tends to follow the width and depth of the lots. There are only three out of the nine properties that are narrow and deep with houses that are clearly perpendicular to the street. The other homes on the block vary in shape and do not represent any specific pattern or standard in relationship to their orientation to the street except that their widths tend to follow the widths of the lots.

This is a moot point anyway due to the fact that the proposed project is not the construction of a brand new house as stated before but rather the remodel of an existing one. The applicant does not propose to modify the width of the existing home in relationship to the street except for a small ground floor sunroom added to the side of the house. The proposal is to modify the existing style of the home to be more consistent with the other homes on the block by applying a steep roof slope to the existing home. The proposed residence would comply with the overall neighborhood pattern in that the architecture would be similar to the other homes while not overwhelming the other homes on the street in relationship to height, mass and scale.

Guideline #3 Resolution of Architectural Form, Massing and Rooflines.
“The architectural form and massing shall be carefully crafted to reduce the visual mass, and distinguish the house’s architectural lines or style. The roof profiles shall enhance the form, scale, and proportion of primary and secondary house volumes, while rendering garage and entry forms subordinate in mass and scale to principal building forms. Upper floor additions shall also be balanced and integrated with the existing building.”

The appellants believe that the project does not meet Guideline #3 because the project does not attempt to reduce the visual mass of the structure. They state that this is due to the fact that the proposed taller roof results in a taller more massive structure that is inconsistent with the other houses on the street. The appellants also believe that the roof profiles were specifically contrived to force new third floor living space.

The reduction of visual mass stated in the approval criterion relates to the mass of the project in relationship to the massing of the existing neighborhood context. It does not imply that a project would be denied if the mass is not reduced from what exists there today. The Guidelines allow for two story homes to be built in single story neighborhoods. Clearly two story houses are taller than their single story neighbors but the Guidelines are used to make sure that difference is not unreasonable. While the proposed project is taller than the existing house it is not out of scale
with the rest of the neighborhood. In fact, it is more closely related to the scale that exists in the neighborhood and specifically is closer to the height and scale of the directly adjacent neighbors. The proposed house would be approximately four feet shorter than the house to the right and less than two feet taller than the house to the left. This is not out of scale. The applicant has not proposed this design in an attempt to force third floor area within the home. The useable attic space results from the desired steep roof slope associated with the architectural style that the homeowner has chosen. It is important to note that the proposed residence, as viewed from the street does not present itself as a three-story house and does not disrupt the neighborhood pattern of two story houses.

Guideline # 4 Visual Character of Street Facing Facades and Entries
Publicly viewed facades shall be composed with a clear and cohesive architectural expression (i.e. the composition and articulation of walls, fenestrations and eave lines), and the supportive use of materials and detailing. Entries shall be consistent with the existing neighborhood pattern and integrated with the home in composition, scale, and design character. The carport or garage and garage door design shall be consistent with the selected architectural style of the home.

The appellants assert that the proposed entry is not consistent with the existing neighborhood pattern due to the fact that it is monumental and would stand out in relationship to the other houses on the street.

The entry, being located within the forward two-story element, is slightly prominent but it is not monumental. The applicant has significantly modified the entry from the original proposal to the point that staff has found it to comply with the Guidelines. The entry is now a simple recess within the forward most element on the front façade. This element was specifically modified to add a single story roof element and the height was lowered to reduce the impression that the first and second floors constituted the entry feature. Additional conditions of approval have required that the width of the entry opening be reduced by two feet and that the height of the two story projection be lowered by an additional eight inches. The perspective drawing of the front of the building provides a more realistic view of this feature compared to the two dimensional elevations that tend to exaggerate the height and prominence of the element. (Exhibit B of the applicant’s letter Attachment E).

Guideline #5 Placement of Second Story Windows and Decks for Privacy
“The size, placement, and orientation of second story windows and decks shall limit direct sight lines into windows and patios located at the rear and sides of adjacent properties in close proximity.”

The appellants have raised the issue of privacy in relationship to the proposed rear balcony, the second floor bathroom window, the third floor dormer window, and the first floor greenhouse room. They have also stated that the third floor impacts neighbor’s privacy.

The proposal preserves privacy and is compliant with this Guideline. A privacy wall has been added at the side of the rear balcony to block views of the adjacent neighbor. The new bathroom window will be frosted glass to block any views of the adjacent neighbor. The third floor window is a very small window with a five foot high sill height. This window provides no opportunity for casual observance of the adjacent neighbor and in no way comes close to the
Guideline’s threshold for violating privacy. There are four other windows on the third floor, none of which violate the neighbor’s privacy. Two small dormer windows face the street and the other two windows, one of which is in a stairwell, face the rear yard.

Other issues raised by the appellants:

- The appellants believe that third floors are not permitted in the Code or in the Guidelines.

The Municipal Code does not limit the number of habitable floors in the R-1 zone district. The number of floors is limited by the established height limit as well as the Single Family Individual Review Guidelines. If the proposed project were to be located within a predominately single story Eichler neighborhood, the Guidelines would prevent its approval. The context of this neighborhood is quite different and the proposed project, with its third floor living space, is compatible within this environment of large two-story homes. This project will not set a precedent. There are many homes throughout Palo Alto that have habitable third floor attic spaces and fit within their neighborhoods.

- The appellants stated that the proposed greenhouse is gigantic and is a de facto outdoor lighting fixture.

The proposed green house would be neither gigantic or a light fixture, as contemplated by the code, and its ground floor windows and glass roof are not subject to the purview of Individual Review.

- The appellants state that exempt structures, such as the covered rear yard porch and the open second floor balcony, result in an over-developed lot.

The Municipal Code specifically exempts open porches and balconies from counting as floor area. The project complies with the lot coverage and floor area limitation established by the City.

- The appellants state that the double carport is inconsistent with the neighborhood.

The Individual Review Guidelines do not dictate architectural style or the selection of garages over carports. The carport would be architecturally consistent with the home and would be located in the rear yard over 100 feet back from the street.

- The appellants state that the adjacent house to the right is an exception to the existing neighborhood context and is not the standard against which this project should be compared. They also state that the project constitutes an anomaly that does not preserve the unique character of this classic Old Palo Alto neighborhood.

Staff does not consider the adjacent house at 419 Santa Rita Avenue to be the standard but it certainly is a part of the neighborhood context that can not be ignored or disregarded. Being that it is directly next door to the subject property, it plays an enormous role in the determination of what would be appropriate in this location. The proposed house is very similar to 419 Santa Rita Avenue in its height and massing. The fact that the 419 Santa Rita Avenue fits into the
neighborhood context clearly demonstrates that the proposed house will also fit into this classic Old Palo Alto neighborhood. The proposal for 455 Santa Rita Avenue meets all five of the IR Guidelines.

**RESOURCE IMPACT**
As noted by staff in past reports regarding the IR program, the application fee does not cover the cost of staff time to review an IR project through an appeal to Council. If the City Council decides to hear this appeal, additional staff time (approximately 20 hours) will be expended without any cost recovery.

**ENVIRONMENTAL REVIEW**
The project is exempt from the provisions of the California Environmental Quality Act per Section 15303.

**ATTACHMENTS**
A. Record of Land Use Action  
B. Tentative Approval letter dated September 13, 2005  
C. Director’s Hearing Approval letter dated November 3, 2005  
D. Appeal letter submitted by Richard and Nancy Alexander, dated November 8, 2005  
E. Applicant’s letter and exhibits  
F. Neighborhood map  
G. Director’s Hearing Meeting Minutes, October 20, 2005  
H. Items submitted at the Director’s Hearing  
I. Correspondence  
J. IR Guidelines  
K. PAMC Section 18.12.110 R-1 Single Family Individual Review Chapter  
L. Plans (Council members only)

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