TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: MAY 5, 2008

CMR: 199:08

SUBJECT: APPROVAL OF SITE AND DESIGN AND RECORD OF LAND USE ACTION, AND A MITIGATED NEGATIVE DECLARATION FOR A NEW 886 SQUARE FOOT ACCESSORY STRUCTURE AT 810 LOS TRANCOS ROAD. ZONE DISTRICT: OPEN SPACE (OS).

RECOMMENDATION

Staff and the Planning and Transportation Commission (Commission) recommend that the City Council approve the following:

1. A Mitigated Negative Declaration prepared for the property located at 810 Los Trancos Road in accordance with the California Environmental Quality Act (Attachment C); and

2. A Record of Land Use Action approving a Site and Design Review application to allow architectural and site plan revisions to the previously approved project, including the construction of an 886 square foot accessory structure, with associated landscaping and grading changes, subject to the findings and conditions of approval contained in the Record of Land Use Action (Attachment B).

BACKGROUND

Site Information

The 9.5 acre project site is located in the Palo Alto foothills. The site was originally created in 1979 as part of a larger subdivision that created three lots totaling 29.6 acres. These lots, located at 820 Los Trancos Road, 830 Los Trancos Road, and the subject site, 810 Los Trancos Road, can be seen on the attached location map (Attachment A). The subdivision was approved by City Council with exceptions allowing for the creation of the three lots that are all under the minimum required lot size of 10 acres in the Open Space (OS) district, as well as exceptions allowing for a shared private access road so that the 820 and 830 Los Trancos Road sites can access Los Trancos Road.

Project Description

The proposed project includes the construction of a single-story, 886 square foot accessory structure to the site, already occupied by a 14 year old home with total existing impervious coverage (including building footprint, driveway, walkways and other areas) of 12,856 square feet (see Attachment G, page A1.3). The accessory structure will consist of a living room, two bedrooms, one bath and associated external patios and landscaping.
Open Space Development Criteria
Section 18.28.070(o) of the Palo Alto Municipal Code (PAMC) requires that the Open Space Development Criteria be used by the Planning and Transportation Commission and City Council to evaluate the proposed project. These criteria and an analysis of each are set forth in Attachment D and are reflected in the findings in the Record of Land Use Action (Attachment B).

Additional background information is included in the February 27, 2008 staff report to the Commission (Attachment E).

Scope of Review
The Council may approve, modify or disapprove the proposed plans submitted as it may deem necessary to accomplish the following objectives:

(a) To ensure construction and operation of the use in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites.
(b) To ensure the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas.
(c) To ensure that sound principles of environmental design and ecological balance shall be observed.
(d) To ensure that the use will be in accord with the Palo Alto Comprehensive Plan.

COMMISSION REVIEW AND RECOMMENDATION
On February 27, 2008, the Commission recommended approval of the Mitigated Negative Declaration and the Site and Design application. The staff report and meeting minutes for the February 27, 2008 public hearing of the Commission are provided (Attachments E and F). These attachments are also available on the City’s website and in City files for public review.

During the hearing, no members of the public spoke to the Commission on this project.

There were a few issues raised by the Commission during the hearing. The first issue was related to the color chosen for the windows and trellis detail of the proposed structure. While these colors were chosen to best match the existing single-family home, the majority of the Commissioners felt that a more subdued color would be appropriate and added a condition of approval that the final color for this detail come back for staff review prior to issuance of the building permits.

A second issue addressed by the Commission related to the preservation of the landscaping in the area of proposed work, as well as the logistics of the construction itself. There was concern that given the site constraints with regards to access, the landscaping located between the site and the shared driveway may become damaged during construction and that the construction itself may hinder access to the two other sites using the shared drive. A condition of approval was added requiring approval of a landscape preservation and maintenance plan as well as a construction plan by the Planning Arborist prior to issuance of building permits.

Finally, the Commission addressed the issue of the site lighting, specifically the lighting of the foot path connecting the proposed structure with the existing single-family home. A condition
was added requiring staff to review and approve any pathway lighting prior to issuance of building permits.

The Commission voted 5-2-0-0 to recommend that the City Council approve the revised Record of Land Use Action (Attachment B) and adopt the attached Mitigated Negative Declaration (Attachment C).

**POLICY IMPLICATIONS**
The Comprehensive Plan designation is Open Space/Controlled Development. The proposed project, which includes the addition of an 886 square foot accessory structure to a lot containing an existing single-family home, is consistent with the land use designation. 810 Los Trancos is in the Open Space District (OS), regulated by the Palo Alto Municipal Code (PAMC) Chapter 18.28. Single-family uses with accessory facilities and uses are permitted in this zone district and the project would maintain the open space characteristics of the site. Compliance with the Open Space criteria of the Comprehensive Plan and zoning is outlined in the Record of Land Use Action (Attachment B).

**RESOURCE IMPACT**
The addition of an 886 square foot accessory structure to an existing Open Space parcel containing a single-family dwelling is not expected to have any measurable resource impacts on the City. Staff time spent on the development review of this project is fully recoverable through fees charged to the applicant.

**ENVIRONMENTAL REVIEW**
A Draft Initial Study, which reviewed the environmental issues as required by the California Environmental Quality Act (CEQA), and an Intent to Adopt a Mitigated Negative Declaration were posted and circulated for public review. The 20-day public review circulation period began January 23, 2008 and ended February 15, 2008. A copy of the environmental document is provided as Attachment C. Key mitigation measures include: the requirement for the structure to have complete fire protection measures; for City review and approval of all proposed grading and drainage of the site; and for mandatory tree protection measures for the important native oak woodland surrounding the structure.

**PREPARED BY:**

PAUL MENNEGA  
Planner

**DEPARTMENT HEAD:**

STEVE EMSLIE  
Director of Planning and Community Environment

**CITY MANAGER APPROVAL:**

EMILY HARRISON  
Assistant City Manager
ATTACHMENTS
A. Location Map
B. Record of Land Use Action
C. Mitigated Negative Declaration
D. Open Space Design Criteria
E. Commission Staff Report of February 27, 2008 (w/o attachments)
F. Commission Meeting Minutes, February 27, 2008 (Council only)
G. Project Plans (Council only)

COURTESY COPIES
Lori Bockholt, Applicant
Tim Brady & Kelly McGown, Property Owner