



1

Architectural Review Board

Staff Report

Agenda Date: March 7, 2013

To: Architectural Review Board

From: Elena Lee, Senior Planner

Department: Planning and
Community Environment

Subject: **210-216 Bryant St. [12PLN-00493]:** Request by Young and Borlik Architects, on behalf of Real Estate Management Associates, for Architectural Review of a 370 sq. ft. second floor addition and façade improvements, including a Design Enhancement Exception to allow an encroachment into the side yard daylight plane, to an existing four unit multi-family building. Environmental Assessment: Exempt from the provisions of CEQA, 15301 (Existing Facilities).

RECOMMENDATION

Staff recommends the Architectural Review Board (ARB) recommend approval of the proposed project based upon the findings contained in Attachment A and conditions of approval contained in Attachment B.

BACKGROUND

The 5,300 sq. ft. site is located in the Multi-family residential RM-30 zoning district. The property is currently developed with a two-story, four unit apartment building with an attached four car garage that is accessed from a 13-foot wide alley at the rear of the site. Four uncovered parking spaces are provided in front of the garage. The building's first and second floors each have one one-bedroom unit and one two-bedroom unit. The 2,714 sq. ft. four-unit building is considered a legal non-conforming facility due to its small front yard setback and extra density. The existing first floor encroaches ten feet into the required 20 foot front setback. Based on the maximum density for the current RM-30 zoning designation, a total of three units would now be allowed. The property is bounded by Bryant Street to the northeast, two-unit residential buildings to the northwest and the southeast, and an alley to the southwest. The properties located across Bryant Street and on the other side of the alley are single family homes and multi-family residential developments. The building is less than 50 years old and is not considered historic.

PROJECT DESCRIPTION

The applicant is proposing to add approximately 370 sq. ft. to the second floor and remodel the building. The addition is proposed at the front of the building, above the existing first floor. The addition will set back more than twenty feet from the front property line, six feet from the side property lines and ten feet from the rear property line, in compliance with current development standards. This addition would enable the second story unit at the front of the building to be reconfigured to accommodate a new master bathroom, a larger living room and a private balcony. The applicant also proposes to remove a partially open stairwell in the garage. The first floor area formerly occupied by the stairwell would be converted to storage, while the second floor space would enable a slight increase to the rear unit with the creation of a study and a new 55 sq. ft. private balcony. There are no significant changes proposed for the configuration of the two first floor units, other than the relocation of doorways, reorientation of the bathroom, and addition of a laundry area. The project also includes minor changes to the stairs and landings for the first floor unit and a new wood fence.

The applicant proposes some façade changes, with the greatest change being the windows. The majority of windows would be replaced with sliders with divided lights. On the front elevation, the size of two existing windows on the first floor would be reduced. The window on the right would be made smaller to accommodate the kitchen sink below. The second floor front elevation would receive two new windows and a sliding glass door, leading to the new balcony.

On the right side elevation, two existing first floor windows in the center would be replaced with new sliders of the same size, one door would be removed, and the window closest to the street would be replaced with a sliding glass door. The first floor unit's stairway/landing is being shifted towards the interior for the new sliding glass door. The windows on the second floor are being retained and resized. The window towards the rear is being relocated and enlarged, with the window nearest to the street being enlarged. The sliding glass door would now lead to a private balcony instead of the stairwell. On the rear elevation, the sliding glass door that currently leads to the stairwell to be removed is deleted. One of the three windows is also proposed to be removed.

Along the left side elevation, the applicant is proposing to replace the two windows on the first floor, and reduce the size of the right side bathroom window. The new rear balcony can be seen at the top left corner. The second floor addition can be seen toward the front of the building, including a new hipped roof dormer element that is part of the redesigned living room and the new balcony to the right. A window would be added to the far left on the second floor for the kitchen. The second floor would keep two windows on either side of the entry, both slightly smaller than the original. Staff has included a condition requiring that all windows be converted to sliders to retain consistency across the entire building. Staff has also included another condition requiring the applicant to modify the proportion of the window located to the right on the first floor of the front elevation, so it is more consistent with the other windows on the same elevation. New composition shingle roof would be installed and stucco wall treatment would be included, to match the existing building.

DISCUSSION

Zoning Compliance

As discussed above, the subject building is legal non-conforming in terms of density and setbacks. The addition would be consistent with the current development standards of the RM-30 zoning designation for floor area maximums and setbacks. No additional bedrooms are proposed that would trigger the requirement for additional parking. However, as discussed below, the applicant is requesting a Design Enhancement Exception (DEE) to encroach into the side yard daylight plane along the right side property line.

Design Enhancement Encroachment

The applicant is requesting a DEE to allow an approximately 13-foot portion of the new second floor addition to encroach approximately four feet into the side yard daylight plane. Chapter 18.13.040 of the Palo Alto Municipal Code (PAMC) establishes a daylight plane requirement along the side and rear of the property. The applicant is requesting the exception because of site constraints, including the large oak tree, and because the proposed alignment allows the addition to maintain the existing wall and roof eave lines of the building. As set forth in Attachment A, the required findings can be made for the proposed exceptions. The granting of the DEE would assist in the retention and enhancement of four existing residential rental units.

ENVIRONMENTAL REVIEW

The project would be an alteration to an existing facility and new construction not exceeding 10,000 square feet, qualifying for a Class 3 Categorical exemption per section 15301 of the California Environmental Quality Act.

ATTACHMENTS

- Attachment A: Draft ARB, DEE and Context Based Design Findings
- Attachment B: Draft Conditions of Approval
- Attachment C: Applicant's Project Description Letter
- Attachment D: Location Map
- Attachment E: Development Plans (Board Members Only)

COURTESY COPIES

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Prepared by: Elena Lee, Senior Planner

Reviewed by: Amy French, AICP, Chief Planning Official

ATTACHMENT A
FINDINGS FOR APPROVAL
ARCHITECTURAL REVIEW BOARD STANDARDS FOR REVIEW
210-216 Bryant St. / File No. 12PLN-00493

The design and architecture of the proposed improvements, as conditioned, complies with the Findings for Architectural Review as required in Chapter 18.76 of the PAMC.

- (1) The project is consistent and compatible with applicable elements of the city's Comprehensive Plan in that the site has a Comprehensive Plan Land Use Designation of Multi-Family Residential and the use is consistent with the designation as a residential building. The project is consistent with Policy L-12 in that the project would preserve the character of the residential neighborhoods with a design that is compatible with the neighborhood and existing structures.
 - (2) The design is compatible with the immediate environment of the site in that the project would retain the scale and architectural character of the area. The proposal is for a small addition that is being kept within the existing footprint of the building and the same height. The surrounding buildings are of similar size and scale.
 - (3) The design is appropriate to the function of the project in that the addition, open space and other building improvements would enhance building as a residence and the overall neighborhood.
 - (5) The design promotes harmonious transitions in scale and character between different designated land uses. The project provides sufficient setbacks and substantially similar building heights to maintain an appropriate transition in scale and character between this use and adjacent properties.
 - (7) The planning and siting of the addition and other related improvements on the site create an internal sense of order and provide a desirable environment for residents, visitors and the general community, in that the addition makes good use of available space on this narrow lot by building above existing first floor.
 - (8) The amount and arrangement of open space are appropriate to the design and function of the structures because it provides additional private open space while retaining a landscaped setback from the site's perimeters.
 - (9) Sufficient ancillary functions are provided to support the main functions of the project in that the proposal includes sufficient parking and areas to accommodate the trash and recycling needs of the development. The addition is minor that would not increase demand for ancillary functions.
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- (10) Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles in that the existing walkways, parking spaces and driveways are being retained.
- (11) Natural features are appropriately preserved and integrated with the project, in that the existing mature redwood tree is being retained and protected.
- (12) The materials, textures, colors and details of construction and plant material are appropriate expression to the design and function of the site because they will be compatible to the existing building and architectural style.
- (13) The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment in that the majority of landscaping, including a mature redwood tree, are being retained on site.
- (14) Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety that would tend to be drought-resistant and to reduce consumption of water in its installation and maintenance.
- (15) The design is energy efficient and incorporates renewable energy design elements, including the replacement of single pane windows with more energy efficient dual pane windows.
- (16) The design is consistent and compatible with the purpose of architectural review as set forth above.

Findings 4 and 6 are not applicable to this project.

ATTACHMENT A
DRAFT DESIGN ENHANCEMENT EXCEPTIONS FINDING
210-216 Bryant St./File No. 12PLN-00493

The requested Design Enhancement Exceptions (DEEs) are consistent with the findings as stated in Palo Alto Municipal Code (PAMC) Chapter 18.76.050 (c). The Design Enhancement Exception is being requested to allow four foot maximum encroachment into the side yard daylight plane.

1. *There are exceptional or extraordinary circumstances or conditions applicable to the property or site improvements involved that do not apply generally to property in the same zone district, in that:*

The 50 x 106 foot site is uniquely constrained in that it is a very narrow lot and is an already developed site. The property is also constrained by a 40.5” diameter protected redwood tree.

2. *The granting of these Exceptions will enhance the appearance of the site or structure, or improve the neighborhood character of the project and preserve an existing or proposed architectural style in a manner which would not otherwise be accomplished through strict application of the minimum requirements of Title 18 and the standards for review set forth in this Chapter, in that:*

Granting the DEE to allow encroachment into the side yard daylight plane would allow the preservation of a mature redwood tree on the west side of the property. It would also allow the addition to be in placed above the existing first floor and where the existing wall and eave lines can be preserved.

3. *The Exception is related to a site improvement that will not be detrimental or injurious to property or improvement in the site vicinity, and will not be detrimental to the public health, safety, general welfare or convenience, in that:*

The requested DEEs will not be detrimental or injurious to property or improvement in the site vicinity as the exception is very minor in scope. The addition would be placed above the existing first floor and would retain the existing side yard setback. The DEE would allow the existing building design to be maintained, while allowing an aging building to be updated and become more functional.

ATTACHMENT A
CONTEXT-BASED DESIGN CONSIDERATIONS/FINDINGS
210-216 Bryant St./12PLN-00493

Pursuant to PAMC 18.13.060(b), in addition to the findings for Architectural Review contained in PAMC 18.76.020(d) 'Multiple Family Context-Based Design Criteria,' the following additional findings have been made in the affirmative:

1. *Massing and Building Facades: Massing and building facades shall be designed to create a residential scale in keeping with Palo Alto neighborhoods, and to provide a relationship with streets.*

The project is a small addition that maintains the existing design and scale of the building. It is similar in size and scale to the other residential buildings in the neighborhood. The street facing façade is proposed to be improved with more windows.

2. *Low-Density Residential Transitions: Where new projects are built abutting existing lower-scale residential development, care shall be taken to respect the scale and privacy of neighboring properties.*

The proposed addition is small in scope and would not increase the number of units. It is similar in size to other neighborhood buildings. The new balconies are placed towards the front and rear, respecting the privacy of the adjacent properties.

3. *Project Open Space: Private and public open space shall be provided so that it is usable for the residents and visitors of the site.*

The proposed addition is small in scope but includes two new balconies for additional private open space. The addition is proposed above the first floor, which would allow existing common open space to be retained.

4. *Parking Design: Parking shall be accommodated but shall not be allowed to overwhelm the character of the project or detract from the pedestrian environment.*

The existing garage at the rear of the property is being retained. So the garage will not detract from the pedestrian environment along the street.

5. *Large (multi-acre) Sites. Large (in excess of one acre) sites shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood.*

This finding is not applicable to this project since the site is approximately 5,300 square feet in area.

6. *Housing Variety and Units on Individual Lots: Multi-family projects may include a variety of unit types such as small-lot detached units, attached rowhouses/townhouses, and cottage clusters in order to achieve variety and create transitions to adjacent existing development.*
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The project proposes the retention of an existing four unit residential complex, which contributes to the existing variety of residences in this multi-family neighborhood.

7. *Sustainability and Green Building Design. Project design and materials to achieve sustainability and green building design shall be incorporated into the project.*

The project will be required to comply with the City's Green Building Ordinance. Specifically, the applicant proposes to replace existing single pane windows with more energy efficient dual pane windows.

ATTACHMENT B
RECOMMENDED CONDITIONS OF APPROVAL
210-216 Bryant St. / File No. 12PLN-00493

DEPARTMENT OF PLANNING AND COMMUNITY ENVIRONMENT

Planning Division

1. The plans submitted to obtain all permits through the Building Inspection Division shall be in substantial conformance with the revised plans, project details and materials received on February 27, 2013, except as modified to incorporate these conditions of approval.
2. All conditions of approval shall be printed on the cover sheet of the plan set submitted to obtain any permit through the Building Inspection Division.
3. Construction details, colors, materials, and placement of the signs and roof mounted equipment shall be submitted to the Planning Division for review prior to submittal of the building permit.
4. Prior to the issuance of a building permit, the applicant shall submit revised plans to the satisfaction of the Planning Director that modify the proportion of the first floor window on the far right of the front elevation so that it is more consistent with the other windows.
5. Prior to the issuance of a building permit, the applicant shall convert double hung windows to slider windows to maintain consistency as appropriate.
6. Upon submittal of an application for a building permit, the project is required to comply with the City's Green Building Program (PAMC 16.14). The project is required to complete a green building application, and implement the programs requirements in building plans and throughout construction. More information and the application can be found at www.cityofpaloalto.org/depts/plan/sustainability_green_building/green_building/applications/default.asp and all questions concerning the City's Green Building Program should be directed to Dionne Early at (650) 329-2189.
7. To the extent permitted by law, the applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the project, including (without limitation) reimbursing the City its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

Public Works Arborist

Aesthetic Tree Resources

8. Site Plan Requirements. (Reference: CPA Tree Technical Manual, Section 6.35).
Applicable to all projects. The site plans must include the minimum information required in the submittal checklist, tree disclosure statement (TDS) and the **City Tree Technical Manual (TTM)**, Section 6.30 and 6.35. One or more of the following elements is not provided for staff review. If the activity is within the dripline, then a tree protection report (TPR) is required for city review. The TPR will review potential impacts and recommend design changes and/or viable mitigation measures. To prepare the report, the architect or engineer shall provide the most recent plans to the project site arborist preparing the TPR and indicate the extent of grading, drainage excavation, below ground utility trenching, foundation and form work; identify the tree protection zone (TPZ) for each tree, restriction areas for access and/or travel over sensitive root areas, irrigation, trenching, landscaping and any other activity or improvements beneath the Regulated Trees. Correct the plan submittal to include:

- Show all existing conditions of the site, curb cuts, utilities and trees.
- Preliminary grading and drainage. Provide a plan that includes existing and proposed contours @ 2-foot intervals. Show any excavation proposed in the tree protection zone of regulated tree including neighboring trees overhanging the site. Drainage grading shall be directed away from any oak.
- Show plan notes for any excavation or activity proposed in the TPZ any regulated tree. Indicate on plans the area and details for removal of existing concrete, grading, new lawn and irrigation system over tree roots with the dripline area, consistent with TTM, Sec.2.40.
- Show the accurate TPZ fencing placement and specify Type I around the protected trees and Type II fencing around the public street trees, as noted in the tree survey or tree preservation report.
- Show all existing and proposed utility, telecommunication, driveway construction, transformer and pad size, above and below ground locations within the dripline of any regulated tree. Avoid any reference to utilities within 10 feet of public trees on either side of the sidewalk.
- Parking Area Shading. PAMC, chapter 18.40.130 (e) requires 50% surface parking shading. Provide a landscape shading plan using the city provided handout template or other qualified method (Handout: insert website)

9. Tree Protection Report (TPR) (Reference: CPA Tree Technical Manual, Section 6.30).
Prepare an updated TPR for any construction activity in the dripline (10-times diameter of a trunk) of a regulated tree. The TPR shall specifically describe foreseeable impacts and recommend design adjustments or alternatives needed to reduce or eliminate impacts of retained trees. Applicant and arborist shall used the criteria set forth in the tree preservation ordinance, PAMC 8.10.030/080, and the CPA Tree Technical Manual, Section 3.00, 4.00 and 6.30, available at:
(http://www.cityofpaloalto.org/environment/urban_canopy.asp). Unless otherwise approved by the Director on the basis of a final TPR, all development activity shall be located outside the dripline of a protected tree, including any grading, foundation, excavation, fill, etc. An approved TPR will provide information for the following critical areas:

- Tree Protection Zone (TPZ). List the precise recommended TPZ fencing placement for each tree, specify Type I around protected trees and Type II around street trees to be enclosed. Specify fence placement changes after demolition occurs.
 - Design review and changes. The TPR shall propose adequate soil area and conditions needed for optimum tree health and retention, and recommend mitigation measures or design changes for drainage, grading, underground trenching, foundations, cut, fill, compaction, exclusion area from irrigation, etc. Water drainage shall be directed away from oaks.
 - Inspections during construction. The TPR will outline a proposed site arborist inspection and reporting schedule to be followed. Site inspections shall be conditional to the implementation and success of the TPR. See Sheet T-1 Checklist.
 - To avoid improvements that may be detrimental to the regulated tree health, the TPR may need to review a basic landscape plan submitted by the applicant to ensure the new landscape is consistent with CPA Tree Technical Manual, Section 5.45 and Appendix L, Landscaping under Native Oaks.
10. Street Trees (Reference: PAMC 8.04.070): If a publicly owned tree is proposed to be removed, findings will be subject to Public Works depending upon the number and condition of existing street trees in the public right-of-way along the property frontage. The applicant may be required to replace existing and/or add new street trees per the direction of Public Works' arborist. Call Eric Krebs at 650-329-6905 to arrange a site visit so Eric or his staff can determine what street tree work, if any, will be required for this project.
11. Building Permit Review Submittals. Prior to submittal for staff review, the plans submitted for building permit shall be reviewed by the project site arborist to verify that all the arborist's recommendations have been incorporated into the final plan set. The submittal set shall be accompanied by the project site arborist's certification letter that the plans have incorporated the following information:
- Final Tree Protection Report (TPR) design changes and preservation measures.
 - Palo Alto Tree Technical Manual Standards, Section 2.00 and PAMC 8.10.080.
 - Outstanding items. Itemized list and which plan sheet the measures are to be located.
 - Landscape and irrigation plans are consistent with CPA Tree Technical Manual, Section 5.45 and Appendix L, Landscaping under Native Oaks and PAMC 18.40.130.
12. Site Plan Requirements. The final Plans submitted for building permit shall include the following information and notes on the relevant plan sheets:
- Sheet T-1 Tree Protection-it's Part of the Plan
(<http://www.cityofpaloalto.org/environment/urbancanopy.asp>), Applicant shall complete the Tree Disclosure Statement. Inspections and monthly reporting by the project arborist are mandatory. (All projects: check #1; with tree preservation report: check #2-6; with landscape plan: check #7.)
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- The Tree Preservation Report (TPR). All sheets of the TPR approved by the City, (Ned Patchett Consulting) shall be printed on numbered Sheet T-1 (T-2, T-3, etc) and added to the sheet index.
 - Protective Tree Fencing Type. Delineate on grading plans, irrigation plans, site plans and utility plans, Type II fencing around Street Trees and Type I fencing around Protected/Designated trees as a bold dashed line enclosing the Tree Protection Zone (per the approved Tree Preservation Report) per instructions on Detail #605, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.
 - Site Plan Notes. Note #1. Apply to the site plan stating, "All tree protection and inspection schedule measures, design recommendations, watering and construction scheduling shall be implemented in full by owner and contractor, as stated in the Tree Protection Report on Sheet T-1 and the approved plans". Note #2. All civil plans, grading plans, irrigation plans, site plans and utility plans and relevant sheets shall include a note applying to the trees to be protected, including neighboring trees stating: "Regulated Tree--before working in this area contact the Project Site Arborist at (Ned Patchett Consulting, 650 400-0020); Note #3. "Basement foundation plan. Soils Report and Excavation for basement construction within the TPZ of a protected tree shall specify a vertical cut (stitch piers may be necessary) in order to avoid over-excavating into the tree root zone. Any variance from this procedure requires City Arborist approval, please call (650) 329-2441." Note #4. Utility plan sheets shall include the following note: "Utility trenching shall not occur within the TPZ of the protected tree. Contractor shall be responsible for ensuring that no trenching occurs within the TPZ of the protected tree by contractors, City crews or final landscape workers. See sheet T-1 for instructions."
13. Tree Protection Verification. Prior to demolition, grading or building permit issuance, a written verification from the contractor that the required protective fencing is in place shall be submitted to the Building Inspections Division. The fencing shall contain required warning sign and remain in place until final inspection of the project.

During Construction

14. Plan Changes. Revisions and/or changes to plans before or during construction shall be reviewed and responded to by the project site arborist, with written letter of acceptance before submitting the revision to the city for review.
15. Tree Preservation Compliance. The owner and contractor shall implement all protection and Contractor and Arborist Inspection Schedule measures, design recommendations and construction scheduling as stated in the TPR, and is subject to code compliance action pursuant to PAMC 8.10.080. The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in the monthly activity report sent to the City. A mandatory Monthly Tree Activity Report shall be sent monthly to the City beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.

16. Tree Damage. Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.
17. General. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.

Post Construction

18. Maintenance. All landscape and trees shall be maintained, watered, fertilized, and pruned according to Best Management Practices-Pruning (ANSI A300-2001 or current version). Any vegetation that dies shall be replaced or failed automatic irrigation repaired by the current property owner within 30 days of discovery.

Public Works Engineering

19. OFFSITE IMPROVEMENTS: As part of this project, the applicant must replace those portions of the existing sidewalks, curbs, gutters or driveway approaches in the public right-of-way along the frontage(s) of the property that are broken, badly cracked, displaced, or non-standard, and must remove any unpermitted pavement in the planter strip. Contact Public Works' inspector at 650-496-6929 to arrange a site visit so the inspector can determine the extent of replacement work. The site plan submitted with the building permit plan set must show the extent of the replacement work or include a note that Public Works' inspector has determined no work is required. The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a *Street Work Permit* from Public Works at the Development Center.
20. The following comments are provided to assist the applicant at the building permit phase. You can obtain various plan set details, forms and guidelines from Public Works at the City's Development Center (285 Hamilton Avenue) or on Public Works' website: http://www.cityofpaloalto.org/depts/pwd/forms_permits.asp

Include in plans submitted for a building permit:

21. GRADING & DRAINAGE PLAN: The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. **Grading will not be allowed that increases drainage onto, or blocks existing drainage from, neighboring properties.** Public Works discourages rainwater to be collected and discharged into the street gutter, but encourages the developer to keep rainwater onsite as much as feasible by directing runoff to landscaped and other pervious areas of the site.
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22. STORM WATER POLLUTION PREVENTION: The City's full-sized *Pollution Prevention - It's Part of the Plan* sheet must be included in the plan set. Copies are available from Public Works at the Development Center or on our website:
<http://www.cityofpaloalto.org/civicax/filebank/documents/2732>
23. IMPERVIOUS SURFACE AREA: If the project will be creating or replacing 500 square feet or more of impervious surface, the applicant shall provide calculations of the existing and proposed impervious surface areas with the building permit application. The *Impervious Area Worksheet for Land Developments* form and instructions are available at the Development Center or on our website:
<http://www.city.palo-alto.ca.us/civicax/filebank/documents/2718>
24. LOGISTICS/TRAFFIC CONTROL PLAN: If the City alley (Lane 15 East) will be closed or encroached during construction of this project, a logistics plan including a traffic control plan shall be submitted with the building permit submittal. Refer to our website for *Logistics Plan Preparation Guidelines*.
<http://www.cityofpaloalto.org/civicax/filebank/documents/2719>
25. WORK IN THE RIGHT-OF-WAY - If any work is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, curb inlet, storm water connections or utility laterals, the following note shall be included on the *Site Plan* next to the proposed work:
26. "Any construction within the city right-of-way must have an approved *Permit for Construction in the Public Street* prior to commencement of this work. THE PERFORMANCE OF THIS WORK IS NOT AUTHORIZED BY THE BUILDING PERMIT ISSUANCE BUT SHOWN ON THE BUILDING PERMIT FOR INFORMATION ONLY."
27. FINALIZATION OF BUILDING PERMIT: The Public Works Inspector shall sign off the building permit prior to the finalization of this permit. All off-site improvements shall be finished prior to this sign-off. Similarly, all as-builts, on-site grading, drainage and post-developments BMP's shall be completed prior to sign-off.
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YOUNG AND BORLIK
ARCHITECTS, INCORPORATED

Attachment C

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November 27, 2012

Amy French, Planning Manager
Planning Division
City of Palo Alto
285 Hamilton Ave.
Palo Alto, CA 94301

RECEIVED

NOV 27 2012

Re: Project Description Letter for ARB Submittal
Design Enhancement Exception findings
Remodel and addition to 210-216 Bryant St.

Department of Planning &
Community Environment

Dear Ms. French,

This letter is to serve as the project description letter for the proposed improvement to the four-unit apartment building at the above address.

The property is zoned for RM-30 multi-family development, is 5,300 sf in size at approximately 50 feet wide and 106 feet deep, considered substandard per the current zoning standards. It is currently developed with an existing two-story apartment building with four units. Two of the apartments are two-bedroom units and the other two are one-bedroom units. Based on lot size, the permitted density in the current zoning of up to 30 units per acre would allow only three units where four exist. The total floor area of all the units is 2,714 sf, where 3,180 sf is allowed. The existing structural coverage is 2,272 sf where 2,210 sf is allowed. There are currently 8 parking spaces on site (four covered and four uncovered). Based on the existing number of bedrooms, the current zoning would require four covered parking spaces and three uncovered parking spaces. Plans of the existing apartment building are found on the City's microfilm records, and built to the standards in affect at that time (1960's).

The proposed project would add approximately 370 sf to the second floor of the building. No additional bedrooms would be added in this design. The interior of Apartment 214 upstairs would be remodeled throughout with an addition at the front side to increase the size of the unit. This added floor area and the window relocations would accommodate a new second bathroom and increase the living room space. A shallow bay window added facing the interior side adds some definition to break up the length of that elevation. The addition of a new covered outdoor balcony would also add private outdoor space, where none existed before. The interior of Apartment 216 upstairs would also be remodeled throughout, with associated window relocations per the new plan. There would be a small increase in size of the unit from the inclusion of a portion of the existing rear stairwell, which all sits below the existing roof structure. The remaining portion of the stairwell would be converted to an outdoor balcony for private open space. The interior of Apartment 212 downstairs would be remodeled, with associated window relocations per the new plan, but with no increase in size. The interior of Apartment 214 downstairs would remain the same, with only window replacements at the existing locations to match the rest of the building, and with no increase in size. Minor interior wall modifications would allow an interior laundry machine closet. The total proposed square footage of the building would be 3,084 sf, within the allowable 3,180 sf. limit.

There would be no increase in the number of apartment units, with regards to the existing non-conforming density on the lot. There would be no change to the number of bedrooms, or triggered changes to the required parking spaces, with regards to the existing non-conforming parking space size and back up distances. There would be no change to the existing structural building coverage. The second floor addition would conform to the required front yard setback of 20 feet, but there would be no change to the existing non-conforming front setback of 10 feet of the first floor below. The addition would conform to the side yard setback of 6 feet, as does the rest of the structure. We have improved the conditions related to outdoor space on the lot, even though there have been no changes to the number of bedrooms to affect the requirement. The only change would be an addition in floor area that would still leave the project within the allowable limit.

The new portions of the building would be constructed to match the existing, with composition roofing and stucco exterior siding. New windows throughout would replace the existing single pane windows. An existing large heritage redwood tree that sits about mid depth on the lot would remain and be protected throughout construction.

Also as part of this project we ask for a Design Enhancement Exception with regards to a 13 foot section of the proposed second floor addition that would encroach into the required side yard daylight plane. The existing second floor is about 51 feet in length, and stacks on top of the first floor below. Under current zoning standards that portion of the existing structure encroaches into the required daylight plane. The proposed addition in this project would align and blend with the existing second floor, which would maintain the regular eave line and proportions of the existing structure. We feel keeping the alignment of the second floor wall and eave line would maintain the architectural style, which is very balanced and regular. Conforming with the daylight plane for this short section would push the wall line over about 4 feet, and introduce offsets which would make the front elevation off-balanced not consistent with the original architecture.

Based on the text in 18.76.050, the purpose of the Design Enhancement Exception (D.E.E.) is to 1) enhance the proposed project without altering the function or use of the site or impact on surrounding properties and 2) enable the preservation of the architectural style of the existing improvements on site. As part of this proposal, the use, function, number of units, etc. would remain consistent with the existing conditions, and considering that 51 feet of the second floor has existed in this configuration for the entire life of the building, this small extension would not change the relationship or impact on the adjacent properties. Additionally, the regular nature of the architecture would be preserved by maintaining the existing wall and eave line, rather than introducing offset wall lines that would add eccentricities and change the balance of the elevation from the street. The exterior wall line of the addition as proposed also makes allowance for a new balcony to provide private outdoor space for this apartment, which does not currently exist, and would not meet the minimum size and dimensions if the addition were shifted for the daylight plane.

The granting of this exception to the daylight plane only would not result in a floor area that exceeds the allowable limit. There would be no impact on the existing parking, with no reductions or triggered increases in the required number of spaces. Since the additional area will be added to the second floor, there will not be a decrease in the open space or landscaped area on the site.

With regard to the required findings of a D.E.E.:

1. The lot is constrained by the existing location of the structure on the site and by the dominance of the large redwood tree that sits adjacent to it on this narrow lot. There would be no options to add floor area on the first floor that would conform to the current zoning setbacks yet not have

significant impacts on the tree root zone or necessitate its removal to achieve the same size addition. These existing physical features are unique to this property and are unlike any others in its immediate area.

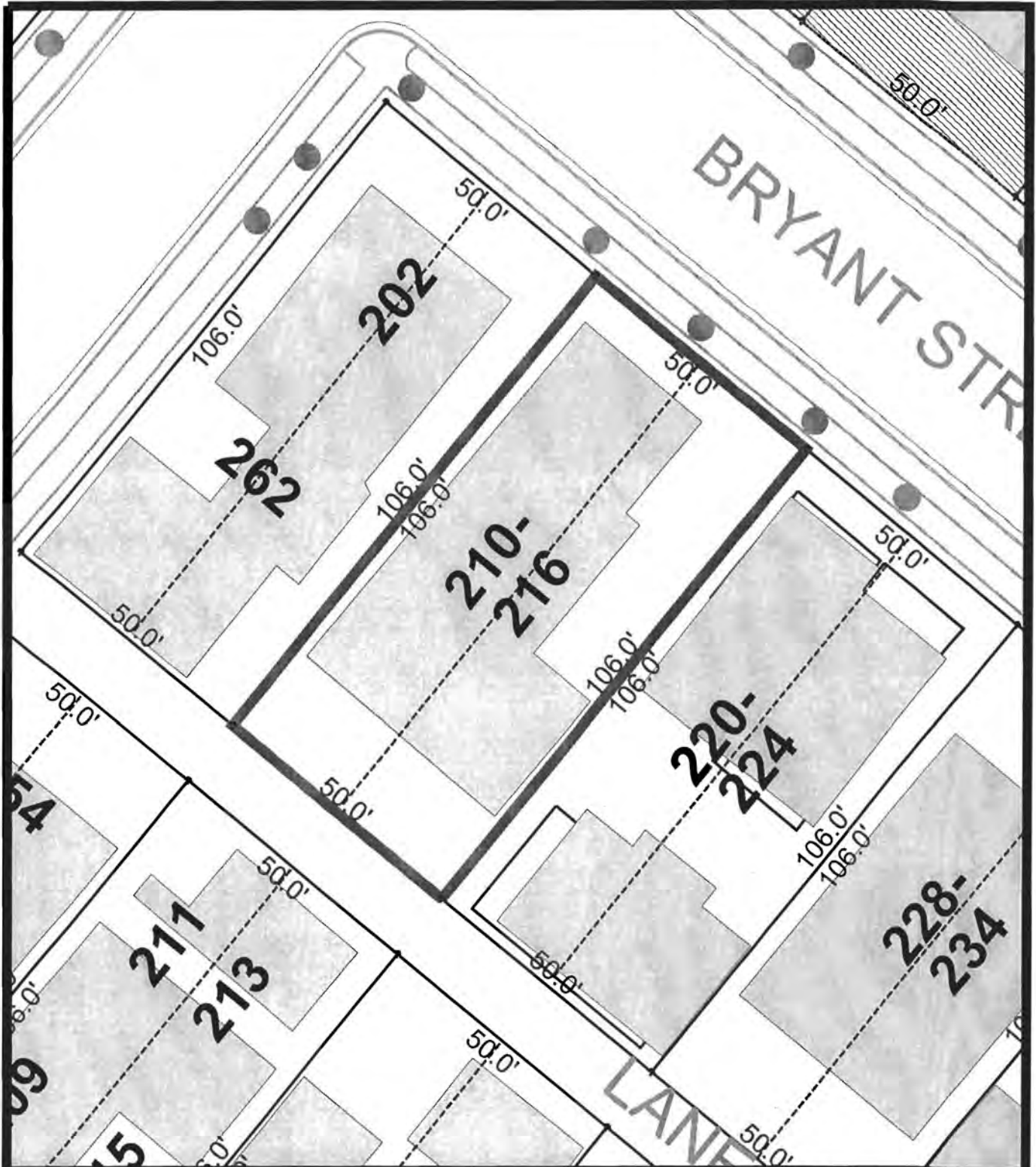
2. The approval of this exception for this minor encroachment into the daylight plane would allow the regular geometry of the architecture would be preserved, by maintaining the existing wall lines and roof eave lines of the original architecture. A strict application of the daylight plane per the current zoning would force a shift to the second floor that would set the walls and roof line of the second floor off center above the first floor walls and roof below.
3. The exception to the daylight plane at this short section of the addition would be a minor 13 foot extension of the existing 51 foot second floor wing of the structure. Related to the adjacent neighbor, an existing mature coast live oak would screen the portion of the addition, and there would be no windows at the addition to overlook that side. The minor portion of addition would not be detrimental to the vicinity, and it would be hard to perceive it as detrimental to the public health, safety, welfare, or convenience.

Thank you for your time and consideration in review of this project. Please contact us if you have any questions or need additional information in your review of this project.

Sincerely,



Daniel S. Rhoads
Young and Borlik Architects, Inc.



The City of
Palo Alto



Attachment D
210-216 Bryant St.

This map is a product of the
City of Palo Alto GIS

