



Director's Hearing Agenda

Regular Meeting Agenda: May 25, 2023

Council Conference Room & Zoom
4:00 PM

<https://zoom.us/join>

Meeting ID: 991 2250 8272

Phone number: 1 669 900 6833

Pursuant to [AB 361](#) Palo Alto Commission meetings will be held as “hybrid” meetings with the option to attend by teleconference/video conference or in person. To maximize public safety while still maintaining transparency and public access, members of the public can choose to participate in the meeting from home or attend the meeting in person. Information on how the public may observe and participate in the meeting is located at the end of the agenda or [online here](#). Masks are strongly encouraged if attending in person.

Members of the public may comment by sending an email to pdsdirector@cityofpaloalto.org or by attending the meeting in person or via Zoom virtual meeting to give live comments. Instructions for the Zoom meeting can be found on the last page of this agenda.

Call to Order

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Agenda Changes, Additions, and Deletions

The hearing officer may modify the agenda order to improve meeting management.

Action Items

Public Comment is Permitted. Applicants/Appellant Teams: Ten (10) minutes, plus five (5) minutes rebuttal. All others: Three (3) minutes per speaker.^{1,3}

1. 1095 Forest Avenue: Request for a Director's Hearing on Individual Review Decision

Adjournment

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Hearing Officer, provided that the non-speaking members agree not to speak individually.
 2. The Hearing Officer may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Hearing Officer may reduce the allowed time to speak to two minutes or less to accommodate a larger number of speakers.

Director's Hearings

Director's hearings may be requested for certain applications that the director, or his/her designee, has issued a tentative decision, such as Individual Review applications. A director's hearing is required for Parcel Map applications.

A decision is not rendered at the public hearing. Rather, the director or designee will consider evidence for and against the application or its modification and prepare a written decision approving, approving with conditions, or denying the project application within fourteen days of the hearing.

Notice of the decision will be mailed to the project applicant, the owners and occupants of all adjacent properties, and any person requesting notice of the decision.

The director's decision shall become final fourteen days after the date notice is mailed unless an appeal is filed. The director may, for good cause, specify in writing a longer period for filing an appeal at the time he or she issues the proposed decision.

The applicant or the owner or occupier of an adjacent property may file an appeal of the director's decision by filing a written request with the City Clerk before the date the director's decision becomes final. The written request shall be accompanied by a fee, as set forth in the municipal fee schedule.

Americans with Disability Act (ADA)

It is the policy of the City of Palo Alto to offer its public programs, services and meetings in a manner that is readily accessible to all. Persons with disabilities who require materials in an appropriate alternative format or who require auxiliary aids to access City meetings, programs, or services may contact the City's ADA Coordinator at (650) 329-2550 (voice) or by emailing ada@cityofpaloalto.org. Requests for assistance or accommodations must be submitted at least 24 hours in advance of the meeting, program, or service.

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Public Comment Instructions

Members of the Public may provide public comments to teleconference meetings via email, teleconference, or by phone.

1. **Written public comments** may be submitted by email to the project planner.
2. **Spoken public comments using a computer** will be accepted through the teleconference meeting. To address the Board, click on the link below. Please read the following instructions carefully.
 - You may download the Zoom client or connect to the meeting in-browser. If using your browser, make sure you are using a current, up-to-date browser.
 - You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
 - When you wish to speak on an agenda item, click on “raise hand”. The moderator will activate and unmute attendees in turn. Speakers will be notified shortly before they are called to speak. The Zoom application will prompt you to unmute your microphone when it is your turn to speak.
 - When called, please limit your remarks to the time limit allotted.
 - A timer will be shown on the computer to help keep track of your comments.
3. **Spoken public comments using a smart phone** will be accepted through the teleconference meeting. To address the Council, download the Zoom application onto your phone from the Apple App Store or Google Play Store and enter the Meeting ID below.
4. **Spoken public comments using a phone** use the telephone number listed below. When you wish to speak on an agenda item hit *9 on your phone so we know that you wish to speak. When called please limit your remarks to the agenda item and time limit allotted.

<https://zoom.us/join>

Meeting ID: 991 2250 8272

Phone number: 1 669 900 6833

(you may need to exclude the initial “1” depending on your phone service)

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Director's Hearing Agenda

Staff Report (ID # 15060)

Report Type: Action Items **Meeting Date:** 5/25/2023

Summary Title: 1095 Forest Avenue: Request for a Director's Hearing on Individual Review Decision

Title: 1095 Forest Avenue: Request for a Director's Hearing on Individual Review Decision

From: Jonathan Lait

Recommendation

Staff recommends that the Director take the following action(s):

1. Conduct a public hearing, receive testimony, and render a decision within 14 days consistent with Palo Alto Municipal Code Section 18.77.075 (f).

Background

Project Information

Owner: Jingchao Chen

Architect: Wanchen Cai

Property Information

Address: 1095 Forest Avenue

Neighborhood: Crescent Park

Lot Dimensions & Area: Approximately 61 ft wide, 118 ft long. Total lot area 7,205 sf

Housing Inventory Site: No

Protected/Heritage Trees: No

Historic Resource(s): No

Existing Improvement(s): Approximately 1273 sf; 1 story; approx. 17 ft in height; 1922

Existing Land Use(s): Single family house, detached garage

Adjacent Land Uses & Zoning: North: Single Family (R-1)

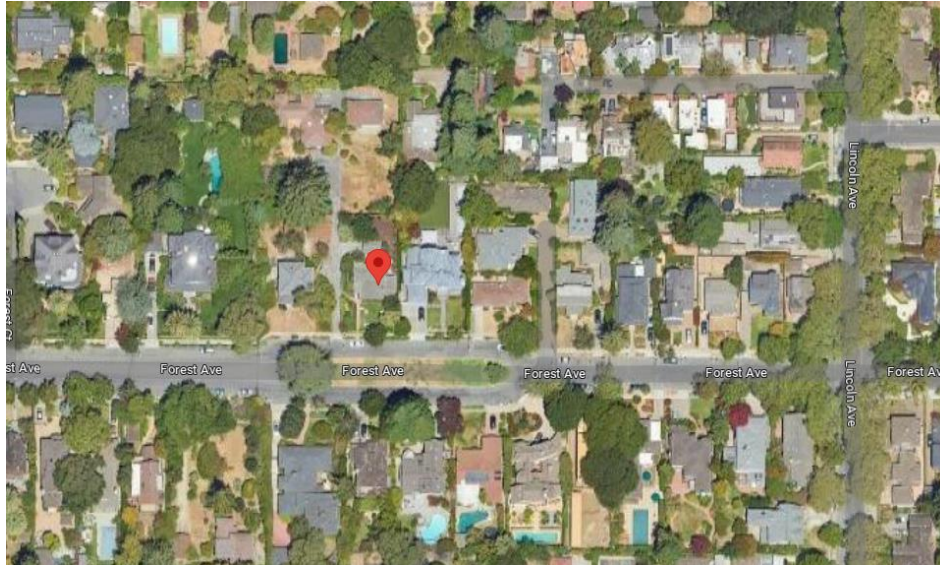
West: Single Family (R-1)

East: Single Family (R-1)

South: Single Family (R-1)

Aerial View of Property:

City of Palo Alto
 Planning & Development Services
 250 Hamilton Avenue
 Palo Alto, CA 94301
 (650) 329-2442



Source: Google Maps

Project Description

This hearing is to consider the timely request for Director's Review on a Tentative Approval of an Individual Review Application for deconstruction of an existing one-story home and construction of a two-story approximately 2,448 square foot home, 418 square foot garage, and 748 square foot ADU. The Director's Hearing request is included in Attachment C.

Zoning Compliance¹

The proposed project complies the Zoning Ordinance and seeks no exemptions from the regular standards.

Prior Staff Determination

This project received approval on the basis of meeting all of the requirements of the Zoning Ordinance and the Individual Review Guidelines, with conditions as shown in Attachment B. Further discussion of how the IR Guidelines are met is incorporated into the Request for Hearing section below.

Request for Hearing

The neighbor to the right side, at 1103 Forest has concerns regarding privacy to their upper floor windows and the backyard. No other relevant neighbor comments have been received.

Analysis

A link to the proposed house plans are included in Attachment D. The proposed house includes an uncovered second floor deck with 6 foot tall privacy walls on both sides, located 28.5 feet from the side property line, and 50 feet from the rear property line. Staff believe the side privacy walls and perimeter landscaping will screen views to other yards. There are also four

¹ The Palo Alto Zoning Code is available online: http://www.amlegal.com/codes/client/palo-alto_ca

windows facing the right side. The windows have sill heights of 5 feet in the primary bathroom and 6 feet in bedroom 2 and bathroom 2 to minimize privacy impacts. While these meet the typical IR privacy requirements, the architect has agreed to add obscured glazing to the primary bathroom windows. This would be incorporated into a revised Condition of Approval #3, for changes to the plans to be included in the Building Permit Plan Set.

The project as tentatively approved includes significant privacy landscaping. Where there is adequate space, 24 inch box Magnolia or Grecian Laurel trees will provide evergreen screening with a mature height of 20-30 ft. Our conditions of approval require these plants be at least 8 ft tall at the time of final inspection. The neighbor expressed concern about the space between the covered patio and the property line, due to potential views from the balcony. Staff analysis shows that views from the balcony in this direction would be limited by the privacy wall, one-story room form below, and neighbor's deciduous tree. In the initial Staff analysis, the proposed 5 gallon column Podocarpus/Yew Pine shrubs were disregarded as ornamental, since typical privacy shrub size is 24 inch box. However, the proposed species has a mature height of 20-30 ft. and it is the property owner's intent to provide privacy in this area, which is narrow and therefore requires a narrower plant species. The architect has agreed to increase the size to 15 gallon and 8 feet tall at the time of Final Inspection, in keeping with the IR Guideline Privacy Standards.

The neighbor's request for a Director's Hearing is based on the minimum required height of 8 feet not being tall enough. Over the years, Staff has found that sourcing trees and shrubs taller than this is often difficult and cost prohibitive for the property owners, because they are not commonly kept in stock at most nurseries. At this property in particular, there is also concern that new trees will not thrive this close to the neighbor's deciduous tree and fence-height shrubs. Staff does not recommend additional changes to the proposed landscaping.

In conclusion, the following changes to the Conditions of Approval are recommended at this time:

- The side facing primary bathroom windows shall be fully obscured glass
- The three proposed screen shrubs along the right side of the covered patio, shown as column podocarpus/yew pine on the site plan, shall be planted a minimum size of 15 gallons and shall be at least 8 feet tall at the time of final inspection.

Environmental Review

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is exempt under Guideline 15303 (Small Structures) which allows a single family residence to be built on an existing single-family parcel.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post* on May 12, 2023 which is 14 days in advance of the meeting. Postcard mailing occurred on May 10, 2023 which is 16 days in advance of the meeting.

Public Comments

As of the writing of this report, public comments were received from only the neighbor who formally requested the hearing. Correspondence is included in Attachment E.

Report Author & Contact Information

Emily Foley, Planner

(650) 617-3125

emily.foley@cityofpaloalto.org

Program Manager Contact Information

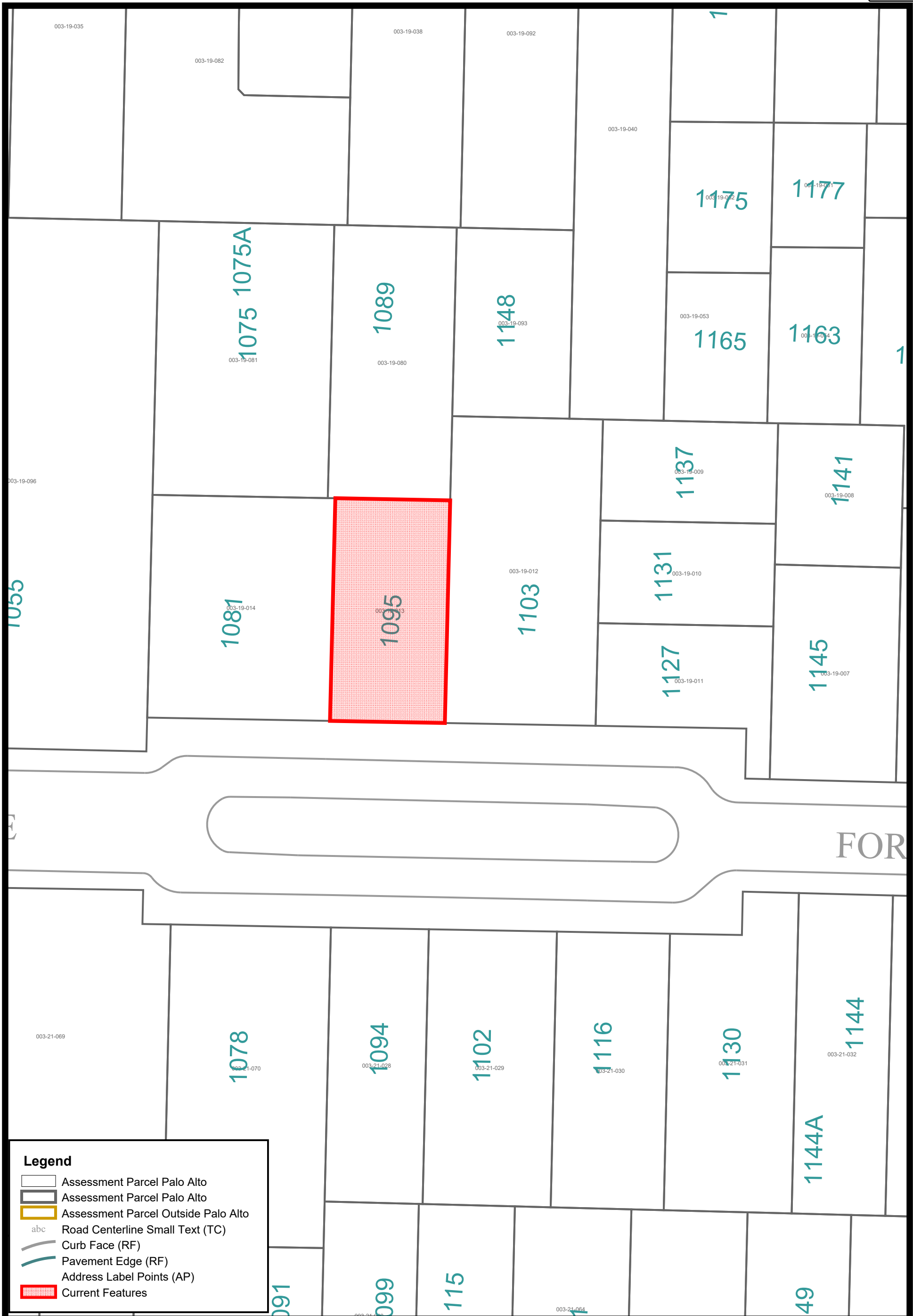
Jodie Gerhardt, AICP, Planning Manager

(650) 329-2575

jodie.gerhardt@cityofpaloalto.org

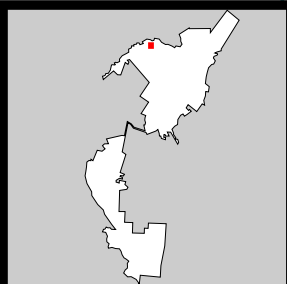
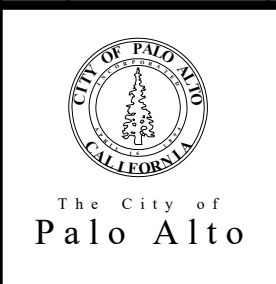
Attachments:

- Attachment A - Location Map(PDF)
- Attachment B - Tentative Approval Letter (PDF)
- Attachment C - Directors Hearing Request Email (PDF)
- Attachment D - Project Plans (DOCX)
- Attachment E - Additional Correspondence (PDF)



Legend

- Assessment Parcel Palo Alto
- Assessment Parcel Palo Alto
- Assessment Parcel Outside Palo Alto
- Road Centerline Small Text (TC)
- Curb Face (RF)
- Pavement Edge (RF)
- Address Label Points (AP)
- Current Features



Attachment A
1095 Forest Ave.

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



PLANNING & DEVELOPMENT SERVICES

CITY OF
**PALO
 ALTO** 250 Hamilton Avenue, 5th Floor
 Palo Alto, CA 94301
 (650) 329-2441

March 2, 2023

Wanchen Cai
 Studio S Squared Architecture, Inc.
 1000 S. Winchester Blvd, San Jose, CA 95128
wanchen@studios2arch.com

SUBJECT: 1095 Forest Avenue (22PLN-00139) Individual Review

The Director of Planning and Development Services has conditionally approved your Single Family Individual Review application to allow demolition of an existing single story residence and construction of a new two-story single-family residence with an attached two-car garage and a attached accessory dwelling unit in the R-1 zoning district. This approval was granted pursuant to the Palo Alto Municipal Code Sections 18.12.110 and 18.77.075. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Guideline Section 15303 (New Construction). As conditioned, the project meets all five of the *Palo Alto Single Family Individual Review Guidelines* and complies with the R-1 Zone District development regulations.

This approval will become effective 14 days from the postmark date of this letter, unless the Planning Department receives a written request for a Director's Hearing prior to the end of the business day 14 calendar-days after the postmark date. Only an applicant, or the owner or tenant of an *adjacent property* may request a hearing. As the plans may have been revised since the original submittal, interested parties may wish to review the tentatively approved plans online at the City's Planning webpage bit.ly/PABuildingEye.

This letter and attached conditions and findings shall be printed onto building permit plans relating to this approval. **If the building permit has not been issued and construction commenced within two years from the effective approval date, this approval will expire.** A written request for an extension may be submitted prior to the expiration date. The Director may grant a one-year extension of this approval.

Should you have any questions regarding this approval or need help reviewing the plan set, please contact Emily Foley, Project Planner, at (650) 617-3125 or e-mail at emily.foley@cityofpaloalto.org.

Sincerely,

DocuSigned by:

 EFA3557B6E9A43B...

Emily Foley, AICP
 Project Planner

cc: Neighbor notification list (adjacent neighbors)
 Property Owner

Attachment: Conditions of Approval

1095 Forest Ave. approval

Individual Review 22PLN-00139

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PLANNING DIVISION CONDITIONS:

1. **CONFORMANCE WITH PLANS.** Construction and development shall conform to the approved plans entitled, " Liu-Chen Residence, 1095 Forest Ave, Palo Alto, California," uploaded to the Palo Alto Online Permitting Services Citizen Portal on January 24, 2023 as modified by these conditions of approval.
2. **BUILDING PERMIT.** Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
3. **BUILDING PERMIT PLAN SET.** A copy of this cover letter and conditions of approval shall be printed on the second page of the plans submitted for building permit.
4. **PROJECT MODIFICATIONS:** All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
5. **OBSCURED/TRANSLUCENT GLAZING.** All obscure glazing, as shown on the plan set, shall be permanent in nature and shall remain for the life of the structure. Obscure glazing is either decorative glazing that does not allow views through placed into the window frame or acid etched or similar permanent alteration of the glass. Films or like additions to clear glass are not permitted where obscure glazing is shown. Obscure glazing shall not be altered in the future and shall be replaced with like materials if damaged. If operable, these windows shall open towards the public right-of-way.
6. **PRIVACY SCREENING.** All screening, as shown on the plan set, shall be permanent in nature and shall remain for the life of the structure. Screening shall be a maximum of 15 percent open. Screening shall not be altered and shall be replaced with like materials if damaged.
7. **REQUIRED PARKING:** All single family homes shall be provided with a minimum of one covered parking space (10 foot by 20 foot interior dimensions) and one uncovered parking space (8.5 feet by 17.5 feet).
8. **UTILITY LOCATIONS:** In no case shall utilities be placed in a location that requires equipment and/or bollards to encroach into a required parking space. In no case shall a pipeline be placed within 10 feet of a proposed tree and/or tree designated to remain.
9. **BAY WINDOWS:** **The two proposed bay windows shall have an interior base at least 18 inches above the floor joists, have no exterior skirt wall, projecting no more than two feet, shall have an interior height of no more than 7.5 feet (measured from the window seat to the underside of the roof), and with more than 50% window surface.** Bay windows that do not meet this

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definition will be counted towards the homes floor area ratio (FAR), which may cause the home to be out of compliance with required Zoning standards. Any changes to proposed bay windows must first be reviewed and approved by the Director of Planning and Community Environment.

10. NOISE PRODUCING EQUIPMENT: All noise producing equipment shall be located outside of required setbacks, except they may project 6 feet into the required street side setbacks. In accordance with Section 9.10.030, No person shall produce, suffer or allow to be produced by any machine, animal or device, or any combination of same, on residential property, a noise level more than six dB above the local ambient at any point outside of the property plane.
11. DAYLIGHT PLANE: The daylight plane must clear the point where the wall plane intersects the top of the roof material.
12. IMPERVIOUS SURFACE: A minimum of 60 % of the required front yard shall have a permeable surface that permits water absorption directly into the soil (Section 18.12.040 (h)). The building permit plan set shall include a diagram demonstrating compliance.
13. REQUIRED IR LANDSCAPING/TREES. The following landscaping is required to ensure the project's conformance with the City's IR Guidelines and therefore must remain for the life of the structure. Required screening trees and shrubs shall be a minimum size of 24 inch box and measure at least eight (8) feet tall.
 - a. Eight large screen trees planted in the rear yard, shown as Magnolia trees on the site plan.
 - b. Two large screen trees planted in the rear yard along the side lot line, shown as crepe myrtle on the site plan.
 - c. Two crepe myrtle planted along the interior side of the driveway.
14. NO NET LOSS OF CANOPY. The eighteen new trees shall be a minimum size of 36 inch box and measure at least 8 feet tall as shown on the plans prior to Planning Division signing off the final inspection for the building permit.
15. PROJECT ARBORIST. The property owner shall hire a certified arborist to ensure the project conforms to all Planning and Urban Forestry conditions related to landscaping/trees.
16. TREE PROTECTION FENCING. Tree protection fencing shall be required for the front street trees, and for all tree/shrubs proposed to be maintained.
17. FENCES. Fences and walls shall comply with the applicable provisions of Chapter 16.24, Fences, of the Palo Alto Municipal Code (PAMC). Heights of all new and existing fencing must be shown on the Building Permit plans.
 - a. Where the existing fence is located off the subject property and/or where the existing fence is failing, a new Code compliant fence shall be constructed.

1095 Forest Ave. approval

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18. ESTIMATED IMPACT FEE: Given the proposed building will replace existing square footage, and the ADU is less than 750 square feet, no additional impact fees are due.
19. PLANNING FINAL INSPECTION. A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, fenestration and hard surface locations. Contact your Project Planner at the number below to schedule this inspection.
20. PERMIT EXPIRATION. The project approval shall be valid for a period of **two years** from the original date of approval. Application for a one year extension of this entitlement may be made prior to expiration, by emailing Planning Support Staff at PlanDiv.Info@CityofPaloAlto.org. If a timely extension is not received, or the project has already received an extension and the applicant still wishes to pursue this project, they must first file for a new Planning application and pay the associated fees. This new application will be reviewed for conformance with the regulations in place at that time.
21. INDEMNITY: 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 for 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.

ZERO WASTE

22. REQUIRED DECONSTRUCTION. In conformance with PAMC 5.24, deconstruction and source separation is required for all residential and commercial projects where structures are being completely removed, formerly known as demolition. The requirements are applicable to building permit applications submitted on or after July 1, 2020. For more information, refer to the Deconstruction Permit Application Checklist or visit www.cityofpaloalto.org/deconstruction.
23. SALVAGE SURVEY FOR REUSE. A Salvage Survey is required for deconstruction permit applications. The survey submittal shall include an itemized list of materials that are salvageable for reuse from the project. The applicant shall source separate and deliver materials for reuse. Certification is required indicating that all materials identified in the survey are properly salvaged. At this time, the City's only approved vendor for this service is The ReUse People. Contact them to schedule this FREE survey by phone (888) 588-9490 or e-mail info@thereusepeople.org. More information can be found at www.TheReusePeople.org.
24. SOURCE SEPARATION FOR RECYCLING. The applicant shall source separate deconstruction materials into specific categories for recycling. Additional staging area for source separated materials will need to be considered. All materials shall be delivered to one of the City approved

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materials recovery facilities listed in Green Halo. More information can be found at www.greenhalosystems.com.

25. HAULING REQUIREMENT. All construction projects are required to utilize Green Waste of Palo Alto for the collection of all materials if using containers (bins or debris boxes) at project sites. Contractors may continue to self-haul material by using trucks, but must still deliver materials to one of the City approved processing facilities listed in Green Halo. Note that if one selects to self-haul, it is important to ensure that the weight tags from the recycling/waste facility specify the correct city of origin. Tags with the incorrect city of origin will not be accepted. To request containers, contact Green Waste of Palo.

GREEN BUILDING & ENERGY REACH CODE REQUIREMENTS:

NOTICE FOR PERMIT APPLICATIONS SUBMITTED ON OR AFTER 1/1/20: Please be advised that the Palo Alto City Council has approved Energy Ordinance 5485 and Green Building Ordinance 5481 for all new permit applications. The Green Building Ordinance has an effective date of January 1st, 2020 and the Energy Reach Code Ordinance has an effective date of April 1, 2020. To review the upcoming changes, visit the [Development Services webpage](#). On the left-hand side under "EXPLORE", hover over "Green Building" and select "Compliance." You may also email Green Building at GreenBuilding@cityofpaloalto.org for specific questions about your project.

29. GREEN BUILDING CONDITIONS OF APPROVAL

- a) The project is a new construction residential building of any size** and therefore must meet the California Green Building Code mandatory requirements outlined in Chapter 4, (with local amendments) plus Tier 2 minimum pre-requisites and electives outlined in Appendix A4* (with local amendments). The project must hire a Green Building Special Inspector for a pre-permit third-party design review and a third-party green building inspection process. The project must select a Green Building Special Inspector from the City's list of approved inspectors. PAMC 16.14.080 (Ord. 5481 § 1, 2019)
- (1) *Note: Projects subject to Tier 1 or Tier 2 shall not be required to fulfill any requirements outlined in Appendix A4.2 Energy Efficiency. All energy efficiency measures are found in the 2019 California Energy Code and the Palo Alto Energy Reach Code PAMC 16.17 & 16.18 as described in the Energy Reach Code section of this letter.
 - (2) **Accessory Dwelling Unit (Detached) Exception:
 - (a) Free standing detached Accessory Dwelling Units of new construction shall meet the following:
 - (i) California Green Building Standards Code Mandatory plus Tier 2 prerequisite requirements.
 - (ii) No Planning and Design electives.
 - (iii) Two (2) Water Efficiency and Conservation electives.
 - (iv) Two (2) Material Conservation and Resource Efficiency electives.
 - (v) One (1) Environmental Quality elective.

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- b) The project is a residential construction project of any size with a given valuation of \$25,000 or more and therefore must meet the enhanced construction waste reduction at Tier 2 (80% construction waste reduction). PAMC 16.14.260 (Ord. 5481 § 1 (part), 2019)
- c) The project is a new detached single-family, dwelling and therefore shall comply with the following requirements for electric vehicle supply equipment (EVSE):
- (a) In general. The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for each residence. The property owner shall provide as minimum a panel capable to accommodate a dedicated branch circuit and service capacity to install at least a 208/240V, 50 amperes grounded AC outlet (Level 2 EVSE). The raceway shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box, enclosure, or receptacle. The raceway shall be installed so that minimal removal of materials is necessary to complete the final installation. The raceway shall have capacity to accommodate a 100-ampere circuit.
 - (b) Design. The proposed location of a charging station may be internal or external to the dwelling, and shall be in close proximity to an on-site parking space. The proposed design must comply with all applicable design guidelines, setbacks and other code requirements. PAMC 16.14.420 (Ord. 5481 §1, 2019)

30. LOCAL ENERGY REACH CODE CONDITIONS OF APPROVAL – Effective 4/1/20

- a) The project includes new residential construction of any size and is submitted for building permit on or after April 1, 2020 and therefore triggers the Local Energy Efficiency Reach Code. All new residential construction projects of any size submitted after January 1, 2020 until March 31, 2020 shall comply with statewide mandatory energy standards as outlined in the 2019 California Energy Code, Title 24, Part 6.
- i) Single-Family Residential Options:
- (1) New single-family residential construction projects shall be designed to be all-electric.
 - (2) The installation of fireplaces, space-conditioning equipment, water heating system, clothes drying and cooking appliances shall be electric and not fueled by natural gas.
 - (a) An All-Electric Building complies with the performance standard if both the Total Energy Design Rating and the Energy Efficiency Design Rating for the Proposed Building are no greater than the corresponding Energy Design Ratings for the Standard Design Building.
 - (b) The Energy Budget for newly constructed buildings is expressed in terms of the Energy Design Rating, which is based on TDV energy. The Energy Design Rating (EDR) has two components, the Energy Efficiency Design Rating, and the Solar Electric Generation and Demand Flexibility Design Rating. The Solar Electric Generation and Demand Flexibility Design Rating shall be subtracted from the Energy Efficiency Design Rating to determine the Total Energy Design Rating. The Proposed Building shall separately comply with the Energy Efficiency Design Rating and the Total Energy Design Rating.

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- (i) Compliance demonstration requirements for performance standards: Certificate of Compliance. The Certificate of Compliance is prepared and signed by a Certified Energy Analyst and the Total Energy Design Rating of the Proposed Design shall be no greater than the Standard Design Building. (Ord. 5485 §1, 2019)

- b) Mandatory Photovoltaic (PV) Requirements:

- i) All new low-rise residential buildings shall have a photovoltaic (PV) system meeting the minimum qualification requirements as specified in Joint Appendix JA11, with annual electrical output equal to or greater than the dwelling's annual electrical usage. (CEC §150.1, 2019)

31. Additional Green Building and Energy Reach Code information, ordinances and applications can be found at http://www.cityofpaloalto.org/gov/depts/ds/green_building/default.asp. If you have any questions regarding Green Building requirements please call the Green Building Consultant at (650) 329-2179 or send an email to GreenBuilding@CityofPaloAlto.org.

URBAN FORESTRY

32. TREE PROTECTION COMPLIANCE. Type I tree protection shall be installed at all trees within construction area where trenching is to take place. For description of Type 1 tree protection please refer to T1 sheet. The owner and contractor shall implement all protection and inspection schedule measures, design recommendations and construction scheduling as stated in the TPR & Sheet T-1, 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. The mandatory Contractor and Arborist Monthly Tree Activity Report shall be sent monthly to the City (pwps@cityofpaloalto.org) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.
33. PLAN CHANGES. Revisions and/or changes to plans before or during construction shall be reviewed and responded to by the (a) project site arborist, or (b) landscape architect with written letter of acceptance before submitting the revision to the Building Department for review by Planning, PW or Urban Forestry.
34. 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.
35. 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

1095 Forest Ave. approval

Individual Review 22PLN-00139

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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.

36. TREE PROTECTION VERIFICATION. Prior to any site work verification from the contractor that the required protective fencing is in place shall be submitted to the Urban Forestry Section. The fencing shall contain required warning sign and remain in place until final inspection of the project.
37. EXCAVATION RESTRICTIONS APPLY (TTM, Sec. 2.20 C & D). Any approved grading, digging or trenching beneath a tree canopy shall be performed using 'air-spade' method as a preference, with manual hand shovel as a backup. For utility trenching, including sewer line, roots exposed with diameter of 1.5 inches and greater shall remain intact and not be damaged. If directional boring method is used to tunnel beneath roots, then Table 2-1, Trenching and Tunneling Distance, shall be printed on the final plans to be implemented by Contractor.

PUBLIC WORKS ENGINEERING

The following shall be addressed prior to issuance of a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit and/or Encroachment Permit.

38. PUBLIC WORKS STANDARD CONDITIONS SHEET: The Department of Public Work's full-sized "Standard Conditions" sheet shall be included in the improvement plans and the applicant shall comply with all conditions listed in the sheet. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":
<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>
39. SIDEWALK, DRIVEWAY, CURB & GUTTER: The applicant shall meet with a Public Works inspector by calling 650-496-6929 to determine portions of sidewalk, curb, gutter, and driveway approaches that shall be replaced along the project frontage. These portions shall be indicated on the site improvement plans. In addition, a Site Inspection Directive sheet shall be completed, signed by the inspector, and scanned onto the plan set. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link:
https://www.cityofpaloalto.org/files/assets/public/public-works/engineering-services/webpages/forms-and-permits/other-guidelines/pwe-site-inspection-directive_rev-2021.pdf
40. DRIVEWAY APPROACHES: The applicant shall comply with all regulations in PAMC Chapter 12.08 for driveway approaches. A summary of those regulations can be obtained from a staff member of Public Works Engineering Services or at the following link:
<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=69580.09&BlobID=66035>

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41. **STORM WATER POLLUTION PREVENTION SHEET:** The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet shall be included in the improvement plans. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":
<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>
42. **IMPERVIOUS SURFACE AREA WORKSHEET:** The project will be creating or replacing 500 square feet or more of impervious surface. Submit a copy of the Impervious Surface Area calculations as a separate document in resubmittal. The Impervious Area Worksheet for Land Developments form and instructions are available on our website:
<https://www.cityofpaloalto.org/files/assets/public/public-works/engineering-services/webpages/forms-and-permits/impervious-area-worksheet-for-land-developments-2021.pdf>
43. **GRADING & DRAINAGE PLAN:** The improvement plans shall be compliant with the "Grading & Drainage Guidelines for Residential Developments". The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":
<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>
44. **C.3 STORMWATER REGULATIONS:** This project creates or replaces over 2,500 square feet of impervious surface area. The applicant shall implement one or more of the following site design measures on improvement plans:
- Direct roof runoff into cisterns or rain barrels for reuse.
 - Direct roof runoff onto vegetated areas.
 - Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
 - Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
 - Construct sidewalks, walkways, and/or patios with permeable surfaces.
 - Construct driveways, and/or uncovered parking lots with permeable surfaces.
45. **STREETWORK PERMIT:** All improvement plans shall include the following note adjacent to proposed work in the public right-of-way. "Any construction within the public right-of-way requires an approved Street work Permit from Public Works Engineering".
46. **DEMOLITION PLAN:** The following note shall be placed adjacent to all affected trees on the Demolition Plan: "Excavation and trenching is restricted within the Tree Protection Zone (refer to T-1 Tree Protection Sheet) or as approved by the Urban Forestry Division at 650-496-5953. Any changes shall be approved by the same".

1095 Forest Ave. approval

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47. CONSTRUCTION STAGING: All improvement plans shall include the following note on the Site Plan and the Grading & Drainage Plan. "All construction materials and equipment shall be staged, stored, and stockpiled onsite and not on any public street".

48. SHARED ACCESS EASEMENT: Place the following note on the Site Plan: Contractor may use the easement to access the site but shall not use the easement to construct the project, stage or store materials, or for parking purposes. Contractor shall repair the entire driveway width of the easement upon any damage caused by construction.

49. FLOOD ZONE: This project is in a FEMA Special Flood Hazard Area and shall comply with the requirements as listed in the Flood Zone Screening Checklist. The checklist shall be provided at the initial intake of the building permit application. Prior to formal acceptance of the application, all items on the checklist shall be fully addressed per the review of Public Works Engineering. The Flood Zone Screening Checklist can be obtained at the following link under "Flood Zone Issues": <https://www.cityofpaloalto.org/files/assets/public/public-works/engineering-services/webpages/forms-and-permits/sfha-screening-checklist.pdf>

Foley, Emily

From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Thursday, March 16, 2023 11:31 AM
To: Foley, Emily
Cc: Stephen Evans
Subject: Director's Hearing please - 1095 Forest Ave
Attachments: image020.jpg; image018.png; image035.png; image028.png; image042.jpg; image047.png; image032.png; image033.png; image044.png; image038.png; image017.png; image010.jpg; image039.png; image027.png; image034.jpg; image046.jpg; image026.png; image008.png; image043.png; image041.png; image022.png; image048.png; image024.png; image036.png; image030.jpg; image031.png; image003.png; image014.png; image029.png; image045.png; image015.png; image037.png; image040.png

Hi Emily,

My husband and I would like to please request a Director's Hearing about the proposal at 1095 Forest Ave.

I would like to point out that, despite there being a note from the architect that the owners/ architects reached out to and spoke with the neighbors, unfortunately no one has contacted us at all, not the owners, nor the architect, at any point in this process. That is a real shame. We would have preferred to have these things discussed amongst ourselves and resolved them with our neighbors before the final submission/ without the need to involve the city. Sadly, that was not the case.

- 1) We would like to request a high tree line be added along the fence on the side of the property that runs along our living room and backyard as a privacy cover, particularly in the areas where our trees do not already provide this cover - that will benefit both properties.
- 2) The upstairs balcony of 1095 will have a direct line of sight into our whole backyard. We think this could be resolved by adding 2-3 mature, large, evergreen trees along the 1095 fence line that will block that view into our yard please.
- 3) It is also a problem that the upstairs bathroom at 1095 will overlook our bedroom and ask that these windows not be transparent - we ask that they please be the type of windows that let in light but cannot be seen through.
- 4) It also appears our master bedroom windows may be able to look down into the living room at 1095 on the ground floor, which we would prefer not to do of course.
- 5) Finally, it looks on the plan that the house is at an overall height above that of the other two-storey houses in the area.

Thank You,
Emily

On Wed, Mar 8, 2023 at 5:51 PM Emily Sawtell <emily.jane.sawtell@gmail.com> wrote:
Okay thank you, we will take a look now.

Best,
Emily

On Wed, Mar 8, 2023 at 4:58 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

Attachment D

Project Plans

Hardcopies of project plans are provided to the Chief Planning Official. These plans are available to the public online and/or by visiting the Planning and Community Environmental Department on the 5th floor of City Hall at 250 Hamilton Avenue.

Directions to review Project plans online:

1. Go to: <https://palalto.buildingeye.com/planning>
2. Search for "1095 Forest" and open record by clicking on the green dot
3. Review the record details on the left side and open the "more details" option
4. Use the "Records Info" drop down menu and select "Attachments"
5. Open the attachment named "**C3_1095 FOREST AVENUE_PLANS - Reviewed - Approved.pdf - Approved - for Final Review**" and dated 03/01/23 to review the tentatively approved plan set.

Foley, Emily

From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Tuesday, April 11, 2023 1:55 PM
To: Foley, Emily
Cc: Stephen Evans
Subject: Re: Director's Hearing please - 1095 Forest Ave

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Thanks very much Emily. The trees at 8 feet won't prevent the view right into our yard and into our pool from the balcony. It would need a couple of mature trees please.

On Thu, Apr 6, 2023 at 10:05 AM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

I spoke with the architect again. The shrubs currently proposed in the area we've been discussing are Yew Pines, which have a mature height of 20-30 ft. However, they were not originally counted as screening shrubs on the plans because the proposed size is only 5 gallon. If they are able to increase the size and guarantee a height of 8ft at final inspection (our typical standard for newly planted shrubs), would this be sufficient for you?

Thanks,
Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Tuesday, March 28, 2023 1:34 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Stephen Evans <serevans@hotmail.com>
Subject: Re: Director's Hearing please - 1095 Forest Ave

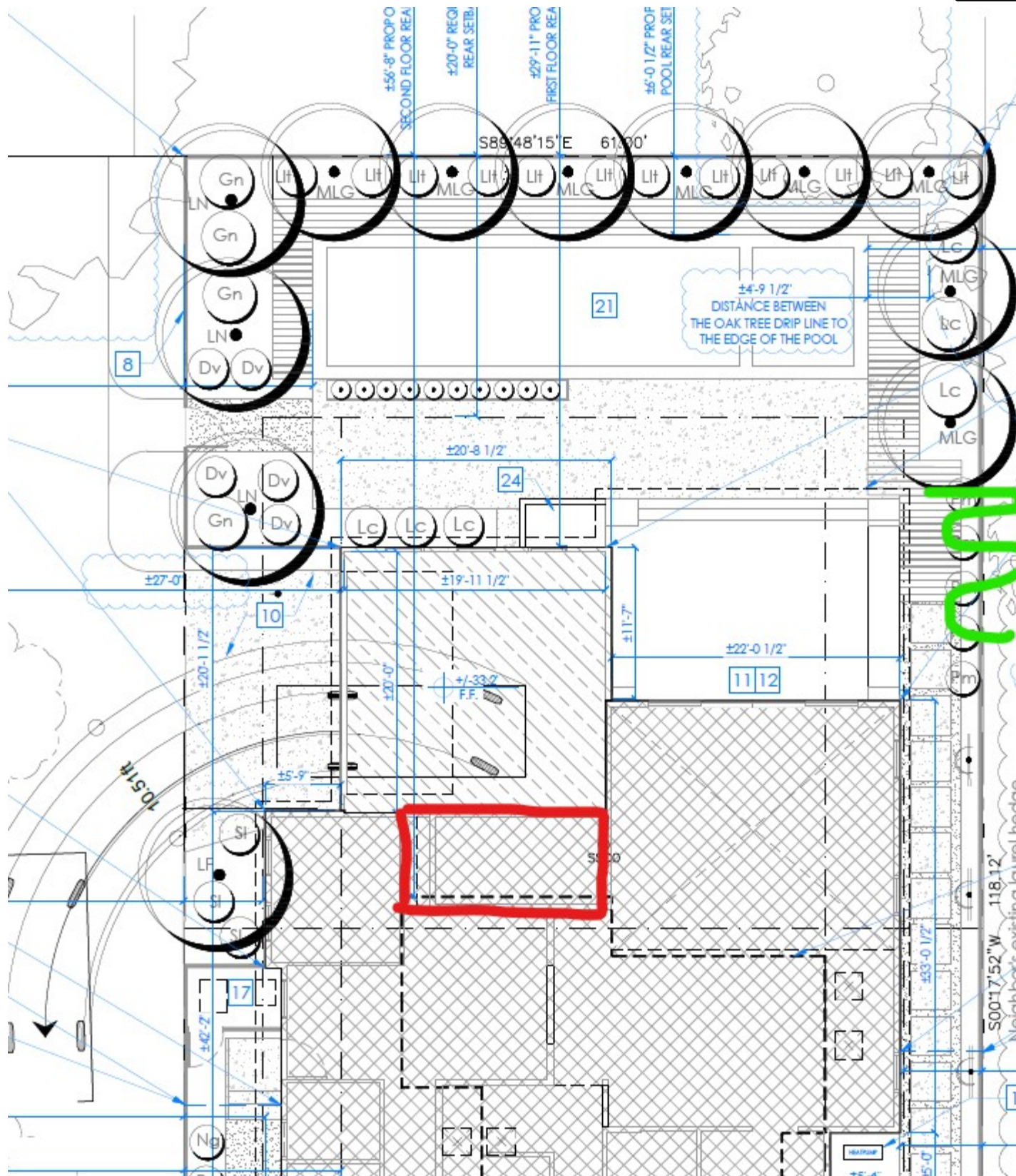
Thanks Emily. Great news on the bathroom windows. Yes, the green area you have marked out is exactly where we have the coverage problem - this is exactly where the balcony will look directly into our yard and pool - it's the spot where our hedge has not grown up/ won't grow, and where the only tree cover is deciduous, and even when green not very heavy cover, and there is still a gap even when those trees have leaves. Thanks

On Thu, Mar 23, 2023 at 3:51 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

Thank you for your responses. In the meantime, I confirmed with the architect that obscured glazing can be added to the bathroom windows.

I realized it is slightly unclear on the main site plan where the balcony is in relationship to the landscaping so I added mark ups below:



The red rectangle is the balcony, it is tucked well back from the edge of the house. The 5'6" privacy wall and vaulted roof to the right will block all views to the side. Magnolia trees block view to the rear and diagonally. The green

squiggle is the only spot where there's a combination of lower shrubs and your deciduous landscaping. I do not think it is feasible to add more to this area, particularly when the views are already partially screened.

Thanks,

Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Wednesday, March 22, 2023 2:00 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Stephen Evans <serevans@hotmail.com>
Subject: Re: Director's Hearing please - 1095 Forest Ave

Thanks for your reply Emily. My comments are inline below too...

On Thu, Mar 16, 2023 at 2:21 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily and Stephen,

Your request is received, and we will move forward with scheduling the hearing. I will need a couple weeks to write the report and notice the hearing, which will be scheduled for a Thursday afternoon pending Director Lait's availability. However, I would also like to respond to your concerns below:

1) We would like to request a high tree line be added along the fence on the side of the property that runs along our living room and backyard as a privacy cover, particularly in the areas where our trees do not already provide this cover - that will benefit both properties.

The plans show, and google maps concurs, that you have a significant (more than 8' tall) hedge along this property line. It does not appear appropriate to add more landscaping at this time. If there are gaps, it would be helpful for you to provide photos from your side that shows this.

ES: There is one section along the fence, in the area of 1095's backyard, where our hedge has not grown successfully. Will get photos.

2) The upstairs balcony of 1095 will have a direct line of sight into our whole backyard. We think this could be resolved by adding 2-3 mature, large, evergreen trees along the 1095 fence line that will block that view into our yard please.

The balcony has 6ft tall privacy walls to both sides. Views out the back to the sides will be blocked by the proposed Magnolia trees and your existing trees as shown on page A1.0a

ES: The issue here might be that our trees are deciduous so only give cover some of the year. I have tried to take a photo of what I mean (attached), but it's hard to give the sense of the exposure in the photo because of course the 1095 second level is not on yet. Where the balcony will be is in the direct line of sight through the trees.

3) It is also a problem that the upstairs bathroom at 1095 will overlook our bedroom and ask that these windows not be transparent - we ask that they please be the type of windows that let in light but cannot be seen through.

These windows have a 5ft sill, which we consider sufficient to provide privacy from casual viewing, but I will talk to the applicant about making these obscured glass.

ES: that would be great thanks

4) It also appears our master bedroom windows may be able to look down into the living room at 1095 on the ground floor, which we would prefer not to do of course.

Views from your house to this house are not considered under the purview of the IR Guidelines, and the existing hedge and fence should sufficient block views to the first floor. The windows are only about 3ft wide, so I am also less concerned than I would be if it was, for example an 8ft wide window.

5) Finally, it looks on the plan that the house is at an overall height above that of the other two-storey houses in the area.

The relative heights are shown on the streetscape diagram shown on page A0.1d of the plans. The heights of the adjacent houses were collected by the surveyor at the time of surveying the subject property. It shows the proposed house being slightly taller than your house, but slightly shorter than 1081 Forest to the left. Furthermore, we do not have a requirement that a new two-story house is required to be shorter than its neighbors, only that it be appropriate for the context. Being within 1ft of the neighboring height is appropriate.

Please let me know if you have any additional questions.

Thanks,

Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>

Sent: Thursday, March 16, 2023 11:31 AM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: Director's Hearing please - 1095 Forest Ave

Hi Emily,

My husband and I would like to please request a Director's Hearing about the proposal at 1095 Forest Ave.

I would like to point out that, despite there being a note from the architect that the owners/ architects reached out to and spoke with the neighbors, unfortunately no one has contacted us at all, not the owners, nor the architect, at any point in this process. That is a real shame. We would have preferred to have these things discussed amongst ourselves and resolved them with our neighbors before the final submission/ without the need to involve the city. Sadly, that was not the case.

- 1) We would like to request a high tree line be added along the fence on the side of the property that runs along our living room and backyard as a privacy cover, particularly in the areas where our trees do not already provide this cover - that will benefit both properties.
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Thank You,

Emily

On Wed, Mar 8, 2023 at 5:51 PM Emily Sawtell <emily.jane.sawtell@gmail.com> wrote:

Okay thank you, we will take a look now.

Best,

Emily

On Wed, Mar 8, 2023 at 4:58 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

Sorry for the delay, copyright law has changed in California and we now have to get permission from the architect to share the plans. I've done so and the plans are attached to this email.

Thanks,

Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>

Sent: Tuesday, March 7, 2023 11:50 AM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: time sensitive - help accessing plans needed please

Hi Emily,

I am wondering where I can please find the full set of current plans for which tentative approval has been granted for 1095 Forest Ave please? On the usual planning website I can only see attachment for some of the amendments, not the full final plans? (screenshot of what I see on the website is below). Hoping to get access ASAP please given the deadline for us to request a hearing if needed. Many thanks!

aca-prod.accela.com/paloalto/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=22PLN&capID2=00000&capID3=00139&agencyCode

Record 22PLN-00139:
Planning - Entitlement
Record Status: Under Review

Record Info ▾ Payments ▾

Click on **Record Info** tab above and select **Attachments** to view project plans and related documents

Select **Payments** tab above and select **Fees** to pay application fees

Attachments

For uploading initial plans and later requested documents, please select the "ADD" and then select files to upload. Once completed, be sure button. The screen will display a message indicating you have successfully uploaded your files.

****IMPORTANT****
 If you are re-submitting plans in response to a corrections report, you must use corresponding resubmit button on that specific correction so may cause a delay in our response. If you resubmit plans using the Add button by mistake, please notify your coordinator directly as they have re-submitted.

The maximum file size allowed is - 400 MB.
 ade;adp;bat;chm;cmd;com;cpl;exe;hta;htm;html;ins;isp;jar;js;je;lib;lnk;mde;mht;mhtml;msc;msp;mst;php;pif;scr;set;shb;sys;vb;vbe;vbs;vxd;wsc;wsf;wsh are disallowed file types to upload.

Upload Date	Category	Description	File Name	Latest Update	Record ID	Size	Action
03/01/2023	Approval Letter		1095 Forest Approval.pdf	03/01/2023	22PLN-00139	642.22 KB	Actions
04/27/2022	Supporting Documents	Application Forms	C1_1095 FOREST AVENUE_APPLY.pdf	03/01/2023	22PLN-00139	457.03 KB	Actions
04/27/2022	Supporting Documents	Prelim IR response + arborist report + title + historic resource evaluation collapse	C1_1095 FOREST AVENUE_DOCS.pdf	03/01/2023	22PLN-00139	8.32 MB	Actions
11/08/2022	Supporting Documents	Response letter+arborist report+supporting documents	C2_1095 FOREST AVENUE_DOCS.pdf	03/01/2023	22PLN-00139	12.33 MB	Actions

Many Thanks,

Emily

On Tue, Mar 7, 2023 at 11:40 AM Emily Sawtell <emily.jane.sawtell@gmail.com> wrote:

Hi Emily,

I am just writing to let you know that we received your postcard today letting us know that we need to respond if we want a Director's Hearing, otherwise the plans for 1095 Forest Ave will be approved by the city. Thank you. We will get back to you.

Best,

Emily

On Mon, Dec 19, 2022 at 3:18 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily and Stephen,

Thank you for providing your comments. I wanted to clarify a couple of items:

- The base flood elevation in your neighborhood is around 33.2 ft (above sea level), and our Public Works Engineering Department requires new houses to be built 1 ft above base flood elevation (34.2 ft). This is what is shown in the plan set and will not be reduced. Your house's first floor is also at 34 ft.
- Likewise, the proposed plate heights of 9'3 and 8'9 are comparable to yours. I'm going to recommend the architect looks at our records for your house to ensure the streetscape diagram is accurate, since I think it's potentially not quite lining up the way it should be.
- Privacy is not considered between first floor windows, such as the kitchen window. A standard 6 or 7ft residential fence is considered sufficient to mitigate casual viewing.
- Exterior lighting is not regulated by the Zoning Code or Individual Review Guidelines
- The perspective drawings on page 14 of the plan set show that there is no access to the flat roof of the patio cover, I believe this is the area you were concerned about? If you were looking at the floor plan on page 10, there is no flat roof space, that is the portion of the first floor that is "popped up", above the second floor floor plate, but not a part of the second floor. This area has a pitched roof typical to the rest of the house
- The second floor windows facing your house will not be a privacy issue. They are small, 5ft silled bathroom windows and a 6ft silled transom-type bedroom window. They will allow light in, but would be very limited in terms of view out.

Thanks,
Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

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The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Emily Sawtell <emily.jane.sawtell@gmail.com>

Sent: Friday, December 16, 2022 5:29 PM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Hi Emily,

Getting back to you on this as soon as was possible thanks! Please find our comments with regards to the revised submission for 1095 Forest Ave below thank you...

We note that some adjustments have been made by the owners, our neighbors at 1095 Forest Avenue, with regard to privacy, however there remain areas of concern that we would like to see addressed please. Specifically, as relates to the guidelines:

1) *Basic Site Planning: Placement of Driveway, Garage and House:*

- With regard to the placement of the pool and hot-tub and our desire that our oak tree and maples along the fence line of our property in our back corner area not be damaged, we note that the arborist report discusses proper pruning of any roots encountered during excavation. Thank you.

2) Neighborhood Compatibility for Height, Mass and Scale:

- Issues remain with the proportions of the proposed house and its compatibility with our house and others on the street. The house is still elevated off the ground much more than others in the neighborhood. We note the new plan has reduced the first floor wall height by 3" – resulting in a 3" drop of the eave line, but it is still about 12" above ours, and even more than other houses on the street. It looks like the gutter-line along the first floor is still proposed to be above ours. The second floor is also still proposed to be higher than ours in the front and back. The master bedroom floor is also still above ours and thus overlooks our property from above (this is also relevant to guideline 5 - privacy).
- The kitchen window has been sized down, due to the reduction in ceiling height over the kitchen, but the family room windows remain an issue - please see below.

3) Resolution of Architectural Form, Massing and Roof Lines:

- This issue was raised with the initial plans, both by us and the city, and not addressed: the guidelines mention not building "layer cake silhouette" houses when putting on a second floor extension. The proposed house has a layer cake look with its second floor, that does not blend with others in the neighborhood.

4) Visual Character of Street Facing Facades and Entries:

- This was not addressed in the new plans: the plans still show 16 exterior light fixtures on the front of the house, which seem excessive and potentially too bright
- This was not addressed in the new plans: The front facade still has multiple materials specified - stone, arches. square windows etc... that does not seem conducive to blending in on the street

5) Placement of Second-Story Windows and Decks for Privacy:

- The plate height of the second floor remains higher than that of our houses, and others and this remains a problem. We do note some improvements with the master height, windows and reduced size of the balcony.
- We would still like to please confirm that there will be no access to the flat roof area on the second floor - this area looks out over the whole of our back yard.

- We would love to please confirm that the master windows will no longer look into our master windows. This is not desirable for either property, especially for a bedroom.
- These issues still remain and we request that the plans be revised to lower the plate height of the family room please: the windows on the first floor on the west side will still look into the side of our yard and our house at our laundry and living room. The height of the windows and elevation off the ground exacerbate this problem. (Please note that the fence between 1095 and 1103 does not have any tree shielding above the fence line - the shrubs there currently are English laurels and below the fence line.)_Given that our trees along the fence line are too small top provide any privacy screening, we ask for trees to be planted at 1095 along the full length of the western fence line for privacy between our properties The Family room plate height is taller now 13'-6" vs 12'-0" before which puts the eave line about 15'-6" above the ground - a comment the City noted in their response on section G2, (last paragraph on page 6 of 8) which requested the "side walls and eave at the kitchen and family room be reduced in height so it matches the height of the dining room". The family room windows facing our house at 1103 Forest are still large and are aligned directly with our family room windows. The landscape plans show an espaliered vine at the fenceline at these windows, which will not provide any screening or privacy. Since the floor elevation of the proposed house has to be set above flood elevation, eye level from within the family room and kitchen is still about 8'-0" above the ground, and well over the 6'-0" fence. We need more robust evergreen screening shrub or tree planted at each window location for your privacy in addition to looking at a lower plate height at the family room.

Best,

Emily and Stephen Evans

On Thu, Dec 8, 2022 at 3:56 PM Foley, Emily <Emily.Foley@cityofpalalto.org> wrote:

Hi Emily,

Is it possible to receive comments before the holidays, or would you want it to be after anyway? Based on the current status of staff review, there will be an additional round of changes before it is considered for approval. You could wait until then to provide comments.

Thanks,

Emily



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Emily Foley, AICP

Planner

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>

Sent: Thursday, December 8, 2022 12:20 PM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Hi Emily,

I'm so sorry but there's just no way of getting the plans to you in the next week I'm so sorry. What is the usual time frame please?

Thank You,

Emily

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Hi Emily,

If you could provide any comments within a week from today, that would be preferable. Unfortunately I should have sent the plans to you sooner. I can be flexible if necessary.

Thanks,
Emily



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To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Many thanks for sharing these Emily. I will take a look. When are comments due on the changes please?



Best,
Emily

Foley, Emily

From: Wanchen Cai <wanchen@studios2arch.com>
Sent: Thursday, April 6, 2023 4:51 PM
To: Foley, Emily
Cc: Eugene Sakai; Jose Ares Abajo; Yang Liu 小朋友; Jingchao Chen; Greg Ing
Subject: Re: FW: Director's Hearing please - 1095 Forest Ave

Hi Emily,

We could upsize the Yew Pine to 15 gallons and it should meet the required 8' min. height. Thanks.

On Thu, Apr 6, 2023 at 10:00 AM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Wanchen,

Thank you for the clarification. The plans currently indicate they are proposed to be planted at the 5 gallon size. Would you be able to increase the size and guarantee they reach at least 8ft in height at the time of Planning Final Inspection?

Thanks,

Emily



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From: Wanchen Cai <wanchen@studios2arch.com>
Sent: Wednesday, April 5, 2023 9:53 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Eugene Sakai <esakai@studios2arch.com>; Jose Ares Abajo <jose@studios2arch.com>; Yang Liu 小朋友 <Lyang0906@gmail.com>; Jingchao Chen <jcc8887@gmail.com>; Greg Ing <greg@studios2arch.com>
Subject: Re: FW: Director's Hearing please - 1095 Forest Ave

Good morning Emily,

The tree you circle is the Yew Pine that is an evergreen narrow 'column' form that will eventually get 20'-30' tall. See photo and notation below.

The Podocarpus macrophyllus is a small tree or large shrub that forms a slender column, 20'-30' tall and 14' wide. Its pointed leaves are dark green in color, with a length of 4" needles. This makes a good hedge, screen, or single specimen plant. It can tolerate low light so Yew Pine is used in malls or narrow areas.



I've marked up the 20' tall tree in the plan below, as you could see, it will be taller than eyesights.



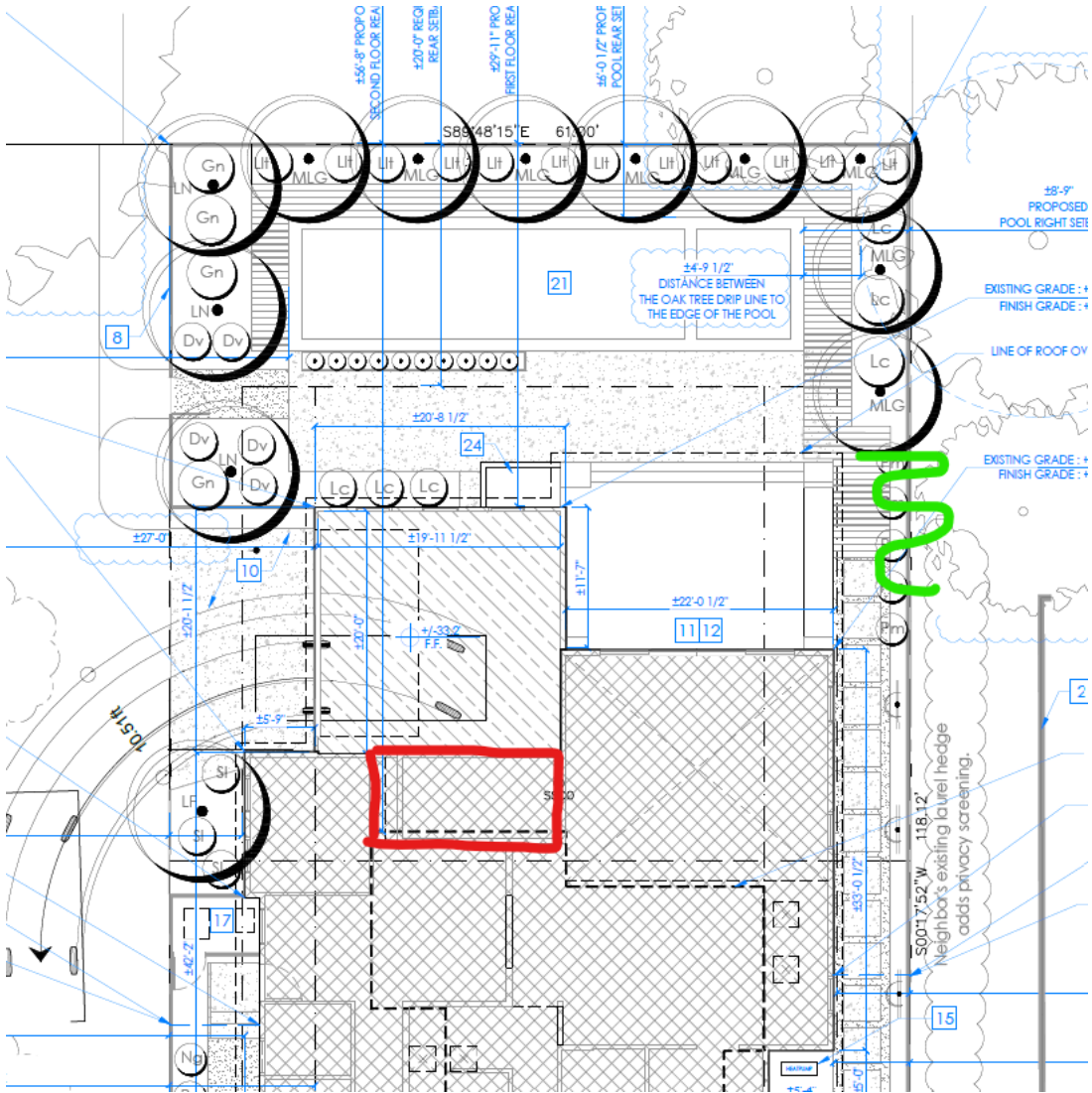
The owner is out of town at this point, but they will provide the photo on the weekend. We could discuss more when we have the photo, thank you.

On Tue, Apr 4, 2023 at 2:18 PM Foley, Emily <Emily.Foley@cityofpal Alto.org> wrote:

Hi Wanchen,

Preparing a presentation is optional, typically Director's Hearings are more informal/conversational.

I spoke with the neighbor again and they want taller landscaping planted in the area marked in green below. Do you have any initial thoughts? It may be helpful to get photos of the neighbor's landscaping from your side of the fence.



Thanks,

Emily



Emily Foley, AICP

Planner

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From: Wanchen Cai <wanchen@studios2arch.com>
Sent: Monday, April 3, 2023 12:33 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Eugene Sakai <esakai@studios2arch.com>; Jose Ares Abajo <jose@studios2arch.com>; Yang Liu 小朋友 <Lyang0906@gmail.com>; Jingchao Chen <jcc8887@gmail.com>
Subject: Re: FW: Director's Hearing please - 1095 Forest Ave

Hi Emily,

Follow up on this, do we need to prepare for a presentation? Thanks.

On Thu, Mar 23, 2023 at 5:09 PM Wanchen Cai <wanchen@studios2arch.com> wrote:

Hi Emily,

Great, thank you for letting me know. How long is the presentation that we are allowed to deliver?

On Thu, Mar 23, 2023 at 3:01 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Wanchen,

It is tentatively scheduled for 4/27, per Director Lait's availability.

Thanks,
Emily



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Planner

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From: Wanchen Cai <wanchen@studios2arch.com>

Sent: Friday, March 17, 2023 5:19 PM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Eugene Sakai <esakai@studios2arch.com>; Jose Ares Abajo <jose@studios2arch.com>; Yang Liu 小朋友 <Lyang0906@gmail.com>; Jingchao Chen <jcc8887@gmail.com>

Subject: Re: FW: Director's Hearing please - 1095 Forest Ave

Hi Emily,

Thank you for looping us in. We are willing to add obscured glazing for the master bathroom after discussing it with the owners.

Would you mind giving us an approximate date of the hearing when you have that information? Thanks a lot. Have a nice weekend.

On Thu, Mar 16, 2023 at 2:22 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Wanchen,

We received a request for a Director's Hearing, as seen below.

We will move forward in scheduling the hearing and further analyzing the neighbor's concerns. However, I wanted to check first off if you would be willing to add obscured glazing to the second floor primary bathroom windows?

Thanks,

Emily



Emily Foley, AICP

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>

Sent: Thursday, March 16, 2023 11:31 AM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Stephen Evans <serevans@hotmail.com>
Subject: Director's Hearing please - 1095 Forest Ave

Hi Emily,

My husband and I would like to please request a Director's Hearing about the proposal at 1095 Forest Ave.

I would like to point out that, despite there being a note from the architect that the owners/ architects reached out to and spoke with the neighbors, unfortunately no one has contacted us at all, not the owners, nor the architect, at any point in this process. That is a real shame. We would have preferred to have these things discussed amongst ourselves and resolved them with our neighbors before the final submission/ without the need to involve the city. Sadly, that was not the case.

- 1) We would like to request a high tree line be added along the fence on the side of the property that runs along our living room and backyard as a privacy cover, particularly in the areas where our trees do not already provide this cover - that will benefit both properties.
- 2) The upstairs balcony of 1095 will have a direct line of sight into our whole backyard. We think this could be resolved by adding 2-3 mature, large, evergreen trees along the 1095 fence line that will block that view into our yard please.
- 3) It is also a problem that the upstairs bathroom at 1095 will overlook our bedroom and ask that these windows not be transparent - we ask that they please be the type of windows that let in light but cannot be seen through.
- 4) It also appears our master bedroom windows may be able to look down into the living room at 1095 on the ground floor, which we would prefer not to do of course.
- 5) Finally, it looks on the plan that the house is at an overall height above that of the other two-storey houses in the area.

Thank You,

Emily

On Wed, Mar 8, 2023 at 5:51 PM Emily Sawtell <emily.jane.sawtell@gmail.com> wrote:

Okay thank you, we will take a look now.

Best,

Emily

On Wed, Mar 8, 2023 at 4:58 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

Sorry for the delay, copyright law has changed in California and we now have to get permission from the architect to share the plans. I've done so and the plans are attached to this email.

Thanks,

Emily



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From: Emily Sawtell <emily.jane.sawtell@gmail.com>

Sent: Tuesday, March 7, 2023 11:50 AM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>
 Subject: time sensitive - help accessing plans needed please

Hi Emily,

I am wondering where I can please find the full set of current plans for which tentative approval has been granted for 1095 Forest Ave please? On the usual planning website I can only see attachment for some of the amendments, not the full final plans? (screenshot of what I see on the website is below). Hoping to get access ASAP please given the deadline for us to request a hearing if needed. Many thanks!

aca-prod.accela.com/paloalto/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=22PLN&capID2=00000&capID3=00139&agencyC

Record 22PLN-00139:
Planning - Entitlement
Record Status: Under Review

Record Info ▾ Payments ▾

Click on **Record Info** tab above and select **Attachments** to view project plans and related documents

Select **Payments** tab above and select **Fees to pay** application fees

Attachments

For uploading initial plans and later requested documents, please select the "ADD" and then select files to upload. Once completed, be s button. The screen will display a message indicating you have successfully uploaded your files.

****IMPORTANT****
 If you are re-submitting plans in response to a corrections report, you must use corresponding resubmit button on that specific correcti so may cause a delay in our response. If you resubmit plans using the Add button by mistake, please notify your coordinator directly as tl have re-submitted.

The maximum file size allowed is- 400 MB.
 ade;adp;bat;chm;cmd;com;cpl;exe;hta;htm;html;lns;isp;jar;js;jse;lib;lnk;mde;mht;mhtml;msc;msp;mst;php;plf;scr;ict;shb;sys;vb;vbe;vbs;vxd;wsc;wsf;wsh are disallowed file types to upload.

Upload Date	Category	Description	File Name	Latest Update	Record ID	Size	Action
03/01/2023	Approval Letter		1095 Forest Approval.pdf	03/01/2023	22PLN-00139	642.22 KB	Action
04/27/2022	Supporting Documents	Application Forms	C1_1095 FOREST AVENUE_APPLY.pdf	03/01/2023	22PLN-00139	457.03 KB	Action
04/27/2022	Supporting Documents	Prelim IR response + arborist report + title + historic resource evaluation collapse	C1_1095 FOREST AVENUE_DOCS.pdf	03/01/2023	22PLN-00139	8.32 MB	Action
11/08/2022	Supporting Documents	Response letter+arborist report+supporting documents	C2_1095 FOREST AVENUE_DOCS.pdf	03/01/2023	22PLN-00139	12.33 MB	Action

Many Thanks,
 Emily

On Tue, Mar 7, 2023 at 11:40 AM Emily Sawtell <emily.jane.sawtell@gmail.com> wrote:

Hi Emily,

I am just writing to let you know that we received your postcard today letting us know that we need to respond if we want a Director's Hearing, otherwise the plans for 1095 Forest Ave will be approved by the city. Thank you. We will get back to you.

Best,

Emily

On Mon, Dec 19, 2022 at 3:18 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily and Stephen,

Thank you for providing your comments. I wanted to clarify a couple of items:

- The base flood elevation in your neighborhood is around 33.2 ft (above sea level), and our Public Works Engineering Department requires new houses to be built 1 ft above base flood elevation (34.2 ft). This is what is shown in the plan set and will not be reduced. Your house's first floor is also at 34 ft.
- Likewise, the proposed plate heights of 9'3 and 8'9 are comparable to yours. I'm going to recommend the architect looks at our records for your house to ensure the streetscape diagram is accurate, since I think it's potentially not quite lining up the way it should be.
- Privacy is not considered between first floor windows, such as the kitchen window. A standard 6 or 7ft residential fence is considered sufficient to mitigate casual viewing.
- Exterior lighting is not regulated by the Zoning Code or Individual Review Guidelines
- The perspective drawings on page 14 of the plan set show that there is no access to the flat roof of the patio cover, I believe this is the area you were concerned about? If you were looking at the floor plan on page 10, there is no flat roof space, that is the portion of the first floor that is "popped up", above the second floor floor plate, but not a part of the second floor. This area has a pitched roof typical to the rest of the house
- The second floor windows facing your house will not be a privacy issue. They are small, 5ft silled bathroom windows and a 6ft silled transom-type bedroom window. They will allow light in, but would be very limited in terms of view out.

Thanks,
Emily



Emily Foley, AICP

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Sent: Friday, December 16, 2022 5:29 PM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: Re: 1095 Forest Ave, Palo Alto - neighbor response to plan submitted (22PLN-00139)

Hi Emily,

Getting back to you on this as soon as was possible thanks! Please find our comments with regards to the revised submission for 1095 Forest Ave below thank you...

We note that some adjustments have been made by the owners, our neighbors at 1095 Forest Avenue, with regard to privacy, however there remain areas of concern that we would like to see addressed please. Specifically, as relates to the guidelines:

1) *Basic Site Planning: Placement of Driveway, Garage and House:*

- With regard to the placement of the pool and hot-tub and our desire that our oak tree and maples along the fence line of our property in our back corner area not be damaged, we note that the arborist report discusses proper pruning of any roots encountered during excavation. Thank you.

2) *Neighborhood Compatibility for Height, Mass and Scale:*

- Issues remain with the proportions of the proposed house and its compatibility with our house and others on the street. The house is still elevated off the ground much more than others in the neighborhood. We note the new plan has reduced the first floor wall height by 3" – resulting in a 3" drop of the eave line, but it is still about 12" above ours, and even more than other houses on the street. It looks like the gutter-line along the first floor is still proposed to be above ours. The second floor is also still proposed to be higher than ours in the front and back. The master bedroom floor is also still above ours and thus overlooks our property from above (this is also relevant to guideline 5 - privacy).
- The kitchen window has been sized down, due to the reduction in ceiling height over the kitchen, but the family room windows remain an issue - please see below.

3) *Resolution of Architectural Form, Massing and Roof Lines:*

- This issue was raised with the initial plans, both by us and the city, and not addressed: the guidelines mention not building "layer cake silhouette" houses when putting on a second floor extension. The proposed house has a layer cake look with its second floor, that does not blend with others in the neighborhood.

4) *Visual Character of Street Facing Facades and Entries:*

- This was not addressed in the new plans: the plans still show 16 exterior light fixtures on the front of the house, which seem excessive and potentially too bright
- This was not addressed in the new plans: The front facade still has multiple materials specified - stone, arches. square windows etc... that does not seem conducive to blending in on the street

5) *Placement of Second-Story Windows and Decks for Privacy:*

- The plate height of the second floor remains higher than that of our houses, and others and this remains a problem. We do note some improvements with the master height, windows and reduced size of the balcony.
- We would still like to please confirm that there will be no access to the flat roof area on the second floor - this area looks out over the whole of our back yard.

- We would love to please confirm that the master windows will no longer look into our master windows. This is not desirable for either property, especially for a bedroom.

- These issues still remain and we request that the plans be revised to lower the plate height of the family room please: the windows on the first floor on the west side will still look into the side of our yard and our house at our laundry and living room. The height of the windows and elevation off the ground exacerbate this problem. (Please note that the fence between 1095 and 1103 does not have any tree shielding above the fence line - the shrubs there currently are English laurels and below the fence line.)_Given that our trees along the fence line are too small top provide any privacy screening, we ask for trees to be planted at 1095 along the full length of the western fence line for privacy between our properties The Family room plate height is taller now 13'-6" vs 12'-0" before which puts the eave line about 15'-6" above the ground - a comment the City noted in their response on section G2, (last paragraph on page 6 of 8) which requested the "side walls and eave at the kitchen and family room be reduced in height so it matches the height of the dining room". The family room windows facing our house at 1103 Forest are still large and are aligned directly with our family room windows. The landscape plans show an espaliered vine at the fenceline at these windows, which will not provide any screening or privacy. Since the floor elevation of the proposed house has to be set above flood elevation, eye level from within the family room and kitchen is still about 8'-0" above the ground, and well over the 6'-0" fence. We need more robust evergreen screening shrub or tree planted at each window location for your privacy in addition to looking at a lower plate height at the family room.

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Thanks,

Emily



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Sent: Thursday, December 8, 2022 12:20 PM

To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>

Cc: Stephen Evans <serevans@hotmail.com>

Subject: Re: 1095 Forest Ave, Palo Alto - neighbor response to plan submitted (22PLN-00139)

Hi Emily,

I'm so sorry but there's just no way of getting the plans to you in the next week I'm so sorry. What is the usual time frame please?

Thank You,

Emily

On Thu, Dec 8, 2022 at 12:17 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

If you could provide any comments within a week from today, that would be preferable. Unfortunately I should have sent the plans to you sooner. I can be flexible if necessary.

Thanks,
Emily



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Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Many thanks for sharing these Emily. I will take a look. When are comments due on the changes please?

Best,

Emily

On Thu, Dec 8, 2022 at 9:53 AM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

The 1095 Forest plans were resubmitted, and are available to download here:
<https://paloalto.buildingeye.com/planning>

Please let me know if you have any questions.

Thanks,

Emily



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Emily Foley, AICP

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From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Wednesday, October 5, 2022 2:44 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Stephen Evans <serevans@hotmail.com>
Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Thank you Emily, love to hear when the submission comes back please.

And sounds like congratulations are in order!!

On Wed, Oct 5, 2022 at 9:19 AM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily and Stephen,

Thanks for checking in, however the applicant has not yet resubmitted.

Thanks,

Emily



Emily Foley, AICP

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FYI – I will be on vacation 9/16 through 10/4



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From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Tuesday, October 4, 2022 11:31 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Stephen Evans <serevans@hotmail.com>
Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Hi Emily,

Hope you are well. We are reaching back out to inquire as to whether any further changes or plans have been submitted for 1095 Forest Ave please? Any updates would be greatly appreciated.

Many Thanks,

Emily and Stephen

On Tue, May 17, 2022 at 5:11 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily and Stephen,

Thank you for your comments. They will be considered further as we continue our review of the project. However, I would like to touch on some items now:

0) *Historic Nature of the House*

The historic evaluation was done by qualified consultants and is not open for further consideration. Ultimately, while this house is old and was built in a style common to that time period, it is not a significant contributor to local history.

1) *Basic Site Planning: Placement of Driveway, Garage and House:*

- With regard to the placement of the pool and hot-tub, we would like to please see the arborist report. Our concern here is to please make sure that the excavation work will not damage our oak tree or the maples along the fence line of our property in our back corner area - we expect the roots of our trees extend under the fence into 1095 where the pool is shown. There is nothing about our property in the arborist report - we would like clarity here please.
- Your property is much deeper than 1095 Forest, and the arborist report is only required to look at trees that have a dripline overhanging. However, I will ask for more information, as I agree the report should show anything on your property line.

2) *Neighborhood Compatibility for Height, Mass and Scale:*

- There are multiple issues with the proportions of the proposed house and its compatibility with our house and others on the street. The proposal shows the house being elevated off the ground much more than others in the neighborhood. It looks like the gutter-line along the first floor is proposed to be quite a bit above ours. The second floor is also proposed to be higher than ours in the front and even higher again than ours in the back. The master bedroom floor is proposed to be what looks to be about 3 feet above ours and thus overlook our property from above (this is also relevant to guideline 5 - privacy). The back of the house on the second floor is five steps elevated above ours and out of proportion in height to houses in the area. The overall height of the house is elevated above others on the street.
- The streetscape elevation on sheet A0.4d shows the eave heights as being comparable. In general, within 18 inches is acceptable, but we will review this further. The house is raised approximately 2'4" above the ground as required by the flood zone.
- The proposed kitchen windows are unusually tall for the area, and appear out of proportion to the proposed house and our house and others on Forest Ave. The western wall of the kitchen from the exterior is also disproportionately large and especially tall.

3) *Resolution of Architectural Form, Massing and Roof Lines:*

- The guidelines mention not building "layer cake silhouette" houses when putting on a second floor extension. The proposed house has a layer cake look with its second floor, that does not blend with others in the neighborhood.

4) *Visual Character of Street Facing Facades and Entries:*

- The plans show 16 exterior light fixtures on the front of the house, which seem excessive and potentially too bright

- We do not typically regulate lighting, but we can offer this to the architect as a suggestion
- The front facade has multiple materials specified - stone, arches. square windows etc... that does not seem conducive to blending in on the street
- We do not regulate what architectural styles or materials are allowed, only that the proposed house is a cohesive design, and that the materials are good quality.

5) *Placement of Second-Story Windows and Decks for Privacy:*

- The 1095 master bedroom is proposed to be raised significantly above our master bedroom, exacerbating all the issues of overlooking both our master bedroom from above and the rear of our property.
- The proposed second floor balcony off the master bedroom at the back will look over the entirety of our backyard and we ask that it be removed. Please note there is not tree cover here as mentioned in the plan - the trees along the fence are english laurel shrubs, not above fence height and the larger trees will not obstruct the view across our yard from the proposed balcony (our larger trees are set further back on our property and not tall enough to provide cover and are already at full maturity). Furthermore, this balcony is large and designed as a seating area and this seating area will be directly outside our master bedroom. This will be a place to sit and linger and socialize and look out over our property. We are also concerned about the noise of making this a social area outside our bedroom. Furthermore, the balcony sits what we think is 3 feet higher than our second floor, adding to the ability to see our whole yard. No tree coverage would not be adequate at this height. We ask that the balcony be removed.
- We would like to confirm that there will be no access to the flat roof area on the second floor - this area looks out over the whole of our back yard.
- Correct
- The proposed master windows will look directly into our master windows. This is not desirable for either property, especially for a bedroom. In particular, the window in the proposed master bedroom that is closest to the back yard will look directly into/ be aligned with our master bedroom window at 1103 that's closest to our front yard. We ask that the windows be eliminated, or adequately offset from our existing windows so we are not looking into each other's bedrooms.
- Sheet A0.4 shows the windows are offset, but we can ask for these to be frosted glass.
- Similarly the windows on the first floor on the west side will look into the side of our yard and our house at our laundry and living room. The height of the windows and elevation off the ground exacerbate this problem. (Please note that the fence between 1095 and 1103 does not have any tree shielding above the fence line - the shrubs there currently are English laurels and below the fence line.)
- First floor windows are never considered privacy concerns.
- Given that our trees along the fence line are too small to provide any privacy screening, we ask for trees to be planted at 1095 along the full length of the western fence line for privacy between our properties

- The proposed outdoor entertaining area and kitchen is very close to our side fence and open along that side. We are concerned about privacy and noise here with social gatherings occurring at 1095 - the gatherings will be very close along the fence line in a significantly elevated open area with no enclosed wall. This doesn't seem desirable for either 1095 or our property - we will hear everything from their yard through that open side. Would it be possible to close off that side to offer us both more privacy when outdoors, and can the patio be lowered to the ground please? Furthermore it looks like an outdoor kitchen is proposed on that west side of the patio. We would like to confirm if this is an adequate set-back for a kitchen please?

- Outdoor kitchen areas are allowed anywhere in the rear yard. It could even be placed closer to the fence if it wasn't attached to the house. This is not part of the IR Guidelines. Any potential future gathering will be required to follow typical City Noise Ordinance requirements.

As stated previously, please consider any comments I did not respond to as still under review. You also asked if the rear neighbors received the notice, I have been speaking with the neighbor at 1089 Forest, as he has similar privacy concerns. I'm happy to schedule a phone call for further discussion. This week, I have the most availability on Thursday.

Thanks,

Emily



Emily Foley, AICP

Associate Planner

**CITY OF
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Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org





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The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Tuesday, May 17, 2022 1:36 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: McKay, Scott <Scott.McKay@CityofPaloAlto.org>; Stephen Evans <serevans@hotmail.com>
Subject: Re: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Some people who received this message don't often get email from emily.jane.sawtell@gmail.com. [Learn why this is important](#)

Dear Emily,

You will remember that I am writing with regard to the proposal for the tear-down and new build at 1095 Forest Ave, next door to our home at 1103 Forest Ave. Thank you for your time...

We have been residents on Forest Avenue for the past 10 years and are concerned at the proposed development. It will be extremely sad for the area to see a 107 year old house knocked down without further consideration of its historical significance to the street and to the area. We see that the property does not meet the standards required to be considered historical, but given the architect has not been identified, we wonder if the city does not agree this home adds color to the area and is significant as one of the town's oldest? Our concerns are across all five of Palo Alto's guidelines, primarily in the inconsistency of this proposal with the scale of homes on the street, and equally, with regard to significant intrusions on our privacy next door. We believe that neighbors on all sides will

ultimately have privacy issues with the proposed design, especially at the back of 1095, but unfortunately, the residences on the other side and the two at the rear of 1095 were all recently sold and the new occupants have yet to move in. They may not have received notice to give comments. Whilst we recognize that some changes have already been made proactively to acknowledge the very real privacy challenges that this design poses to its neighbors, we do not think these are sufficient.

We also have a question please: Are any of the trees on the property planned to be protected? We did not see this in the arborist report. Thanks!

We have listed our specific concerns below in keeping with the city's guidelines. We'd be more than happy to sit down with you and review at your convenience thank you!

1) *Basic Site Planning: Placement of Driveway, Garage and House:*

- With regard to the placement of the pool and hot-tub, we would like to please see the arborist report. Our concern here is to please make sure that the excavation work will not damage our oak tree or the maples along the fence line of our property in our back corner area - we expect the roots of our trees extend under the fence into 1095 where the pool is shown. There is nothing about our property in the arborist report - we would like clarity here please.

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- The proposed kitchen windows are unusually tall for the area, and appear out of proportion to the proposed house and our house and others on Forest Ave. The western wall of the kitchen from the exterior is also disproportionately large and especially tall.

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- We would like to confirm that there will be no access to the flat roof area on the second floor - this area looks out over the whole of our back yard.
- The proposed master windows will look directly into our master windows. This is not desirable for either property, especially for a bedroom. In particular, the window in the proposed master bedroom that is closest to the back yard will look directly into/ be aligned with our master bedroom window at 1103 that's closest to our front yard. We ask that the windows be eliminated, or adequately offset from our existing windows so we are not looking into each other's bedrooms.
- Similarly the windows on the first floor on the west side will look into the side of our yard and our house at our laundry and living room. The height of the windows and elevation off the ground exacerbate this problem. (Please note that the fence between 1095 and 1103 does not have any tree shielding above the fence line - the shrubs there currently are English laurels and below the fence line.)
- Given that our trees along the fence line are too small to provide any privacy screening, we ask for trees to be planted at 1095 along the full length of the western fence line for privacy between our properties
- The proposed outdoor entertaining area and kitchen is very close to our side fence and open along that side. We are concerned about privacy and noise here with social gatherings occurring at 1095 - the gatherings will be very close along the fence line in a significantly elevated open area with no enclosed wall. This doesn't seem desirable for either 1095 or our property - we will hear everything from their yard through that open side. Would it be possible to close off that side to offer us both more privacy when outdoors, and can the patio be lowered to the ground please? Furthermore it looks like an outdoor kitchen is proposed on that west side of the patio. We would like to confirm if this is an adequate set-back for a kitchen please?

Thanks so much for your time here. We are wondering what the next steps will be please after all comments and your review? Will the homeowner respond and will we get a chance to review changes?

Many Thanks,

Emily and Stephen Evans

On Fri, May 6, 2022 at 11:55 AM Emily Sawtell <emily.jane.sawtell@gmail.com> wrote:

Thanks very much Scott and Emily for your replies and pointing us in the right direction! We are compiling our comments and will get them over to you as soon as possible. Have a great weekend!

Best,

Emily

On Thu, May 5, 2022 at 1:05 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Emily,

My name is also Emily, and I am the project planner and main point of contact for your comments and questions.

The project at 1095 Forest was submitted on 4/27/22. There is a 30-day period for City Staff to review the project and provide comments as needed on how the plans do or do not meet city requirements. A project will typically go through 2-3 such rounds of review before it is considered ready to be approved.

You may provide comments at any time, but it is preferred that you provide initial comments within the first 21 days of project review. This would be by May 18th or so. If you have not yet seen the plan set, you may download them here: <https://aca-prod.accela.com/paloalto/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=22PLN&capID2=0000&capID3=00139&agencyCode=PALOALTO&IsToShowInspection=no>

Privacy from 2nd story windows is one of the Individual Review Guidelines:

The plans currently show five 2nd story windows facing your property. 3 meet the reasonable privacy standard by having a 5 ft. sill height. 2 windows have a 4' sill height, it is typical for us to ask that these have obscured glazing on the bottom half. There is also a 5' privacy wall on the rear balcony, to prevent side-facing views. The plans also propose a podocarpus privacy hedge at the side and rear of the backyard.

The pool equipment is not yet specified, and is not required to be until the plans are ready for building permit. The City of Palo Alto has a Noise Ordinance that applies to all noise-producing equipment including pool equipment and AC units. Such equipment cannot be located in the side or rear yard setbacks, and cannot be louder than 66 dbA measured at the property line.

Please let me know if you have any additional questions or would like to schedule a phone call.

Thanks,

Emily



Emily Foley, AICP

Associate Planner

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Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

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The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: McKay, Scott <Scott.McKay@CityofPaloAlto.org>
Sent: Thursday, May 5, 2022 11:45 AM
To: Emily Sawtell <emily.jane.sawtell@gmail.com>
Cc: Stephen Evans <stephen.evans@silverlake.com>; Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: RE: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted (22PLN-00139)

Hi Emily,

I have copied the Project Planner who is reviewing this application on this email. I think she will be able to have a closer look.

Scott McKay, AICP | Planner | C&D Debris Diversion Program Coordinator

ISA Certified Arborist | Planning & Development Services
[285 Hamilton Avenue | Palo Alto, CA 94301](#)
T: 650.617.3113 | E: Scott.McKay@CityofPaloAlto.org



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Please think of the environment before printing this email – Thank you!

From: Emily Sawtell <emily.jane.sawtell@gmail.com>
Sent: Thursday, May 5, 2022 9:18 AM
To: PlannerOnDuty <planner@CityofPaloAlto.org>
Cc: Stephen Evans <stephen.evans@silverlake.com>
Subject: [1095 Forest Ave, Palo Alto](#) - neighbor response to plan submitted

You don't often get email from emily.jane.sawtell@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hi There,

We live at [1103](#) Forest Ave, Palo Alto. Our next door neighbors at 1095 Forest Ave have put up a notice to indicate they have submitted plans to the city. We have looked at the plans, which indicate they will be removing the current house and erecting a new house. We have several concerns about their specific plans. I have tried to call to speak with someone or make an appointment, but have not been able to get through - no doubt you are busy there! My phone number is 650-223-3805 whenever someone is available please.

We need to please know:

- 1) What is the process to submit our concerns?
- 2) How long do we have to submit our concerns?
- 3) What will happen next?

Our concerns predominantly relate to our property being overlooked and noise from pool equipment.

Thank You,

Emily

--

Thank you for your time,

Wanchen Cai

Project Manager: Architecture

Studio S Squared Architecture, Inc.

1000 S. Winchester Blvd, San Jose, CA 95128
(408) 998 0983 x8

StudioS2arch.com | [Instagram](https://www.instagram.com) | [Houzz.com](https://www.houzz.com)

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Thank you for your time,

Wanchen Cai

Project Manager: Architecture

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Thank you for your time,

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Thank you for your time,

Wanchen Cai

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