

MEMORANDUM

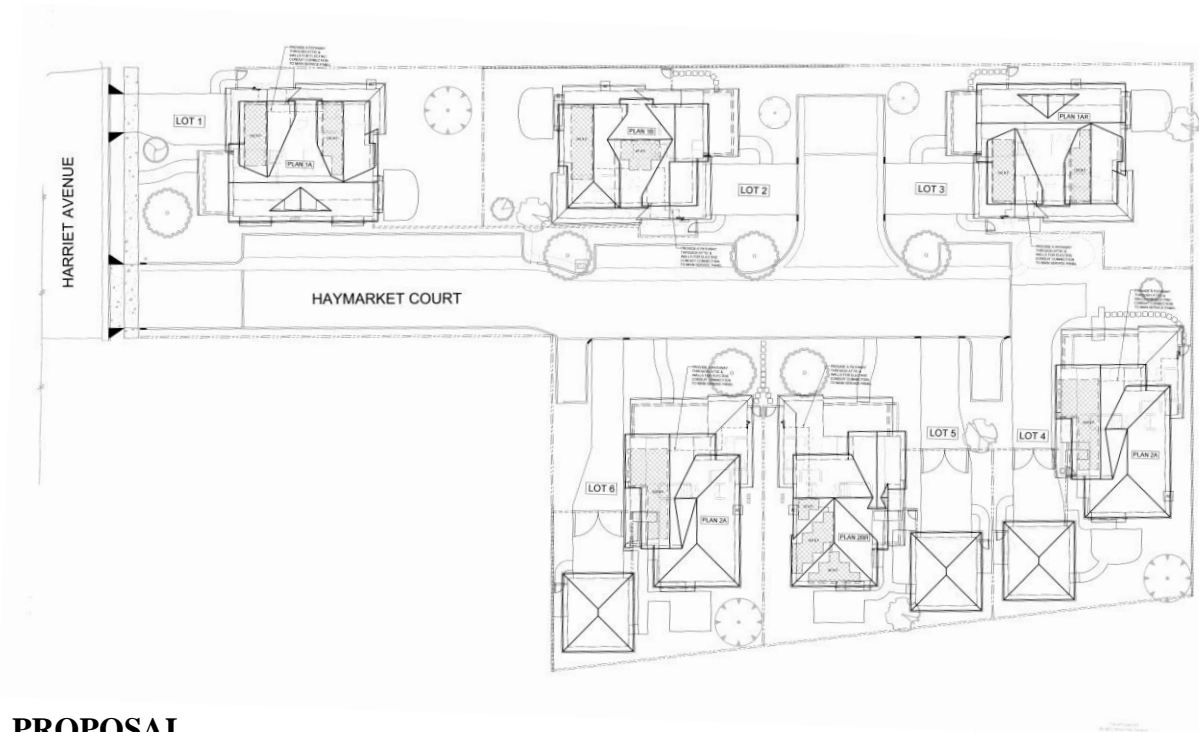


Community Development Department
Planning Division

To: Site and Architectural Review Committee **Date:** January 22, 2020
From: Daniel Fama, Senior Planner *DF*
Via: Paul Kermoyan, Community Development Director *PK*
File No.: PLN2019-328 ~ Major Planned Development Permit Modification
Address: 100, 200, and 300 Haymarket Ct. (formally 880 and 910 Harriet Avenue)

BACKGROUND

On December 4, 2018, the City Council approved a Planned Development Permit and Subdivision Map to allow a six-lot single-family residential development located along Harriet Avenue (reference **Attachment 1** – Location Map). Three of the homes incorporated attached garages and the other three detached garages, as shown on the site plan, below.



PROPOSAL

With the adoption of the City’s new Accessory Dwelling Unit (ADU) Ordinance, which eliminated minimum lot sizes, reduced setbacks, and allowed 2-story ADUs, the applicant is seeking to add 435 square-foot ADUs atop of the three detached garages (reference **Attachment 2** – Project Plans) on Lots 4, 5, and 6. Since the project is subject to an approved Planned Development Permit, the applicant has applied for a “Major Modification,” which is required for any increase to the approved square-footage.

PROJECT DATA

General Plan Designation: *Low Density Residential* (less than 4.5 Units/Gr. Acre)

Zoning: P-D (Planned Development)

Area Plan: San Tomas Area Neighborhood Plan (STANP)

Project Data						
	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6
Lot Size	6,709	6,801	6,708	6,774	6,774	7,187
First Floor SF	1,398	1,398	1,398	1,507	1,489	1,507
Second Floor SF	1,232	1,230	1,232	1,121	1,142	1,121
Garage SF	386	386	386	416	416	416
ADU SF	-	-	-	435	435	435
Total Area SF	3,016	3,014	3,016	3,479	3,482	3,479
FAR	.45	.443	.45	.514	.514	.484

DISCUSSION

Site Layout: The layout of the affected lots remains unchanged since the addition of the ADUs does not change the approved placement of the garages.

Design: The revised garage/ADU structures are shown below. The structures generally maintain design consistency with the primary homes (reference **Attachment 3** – Final Elevations), as required by the ADU Ordinance. However, staff has advised that the Lot 5 garage/ADU should incorporate shingled wall cladding to more closely match the architecture of the primary house.



Setbacks: The garage/ADU structures would all maintain a minimum 5-foot setback from side and rear property lines. This exceeds the minimum 4-foot setback required under State law.

Parking: New detached ADUs require one parking stall per unit. As allowed by State law, the driveways serving the garages satisfy this parking requirement since they exceed the minimum depth and width dimensions for a parking stall.

Privacy: The City’s ADU Ordinance requires that all second-story windows less than eight feet from rear and interior-side property lines be clerestory with the bottom of the glass at least six feet above the finished floor. The proposed ADUs comply with this requirement by placing the primary/egress windows interior into the lots and by use of clearstory windows on walls that abut property lines.

Floor Area Ratio: The proposed ADUs would increase the FAR of the affected lots beyond the 0.45 maximum, up to 0.514. State law now stipulates that the City’s FAR and Lot Coverage standards may be exceeded in order to allow up to an 800 square-foot ADU. The intent of this provision is to provide relief to homeowners who had already maximized the development capacity of their lot to create an ADU. In this regard, the Community Development Director has determined that this provision may only be exercised in association with existing homes. If a property owner proposes an ADU in association with a new home, then the expectation is for the property to satisfy the City’s FAR and Lot Coverage requirements.

However, the City’s ADU Ordinance also provides flexibility for Planned Development zoned properties by allowing a developer to ask for “less restrictive standards” as means to promote ADU production. Under this provision, the increase to FAR may be permitted by the City Council, subject to the action being approved by ordinance. Since the proposed floor area increase is intended to add modestly-sized ADUs and would not otherwise affect the scale or layout of the project, the proposed FAR increase may be seen as keeping with the intent of the State’s ADU legislation.

Attachments:

1. Location Map
2. Project Plans
3. Final Elevations