



Meeting Date: May 13, 2020

File No.(s): PLN2020-14375

Location: 4316 Fillmore Street, a 3,125 square-foot site located west side of Fillmore Avenue north of Agnew Road; APN: 104-11-060; property is zoned Single-Family Residential (R1-6L).

Applicant / Owner: Kaneshka Salehi

Owner: Thorlindur Thorolfsson

Request: **Architectural Review** of a new 1,066 square-foot two-story accessory unit with two bedrooms and one bathroom attached to the rear of an existing 539 square-foot one-bedroom, one-bathroom single-family residence with no existing or proposed on-site parking.

CEQA Determination: Categorical Exemption per CEQA 15301(e)(1), Existing Facilities

Project Planner: Rebecca Bustos, Senior Planner

Staff Recommendation: **Approve**, subject to conditions

Project Data

Lot Size: 3,125 sf.			
	Existing Floor Area (sq. ft.)	Proposed ADU (sq. ft.)	Proposed Floor Area w/ ADU (sq. ft.)
First Floor	539	468	1,007
Second Floor	n/a	598	598
Garage	n/a	n/a	n/a
Gross Floor Area	539	1,066	
Lot Coverage	539 / 3,125 = 17%	-	539 / 3,125 = 17% (ADU does not count toward lot coverage)
F.A.R.	539 / 3,125 = 0.17	-	1,066 / 3,125 = 0.34
% of 2nd floor to 1st floor	n/a	-	59%
Bedrooms/Baths	1/1	2/1	3/2
Flood Zone	X		

Points for Consideration

- The applicant proposes a new two-story ADU at the rear of the existing residence. Two-story ADUs are considered a discretionary approval and require review at the Development Review Hearing.
- The neighborhood is comprised of single- and two-story residential structures.
- The lot was legally established in 1888 via the Bethlehem subdivision.
- The lot is zoned R1-6L and is considered legal nonconforming. The lot is 3,125 square feet where 6,000 is required and has a 25-foot lot width where a 60-foot lot width is required.
- The existing residence is legal nonconforming as it does not have two covered parking spaces. In addition, the existing front setback is 14' 2", the side setback on the north side of the house is 1', and the side setback on the south side of the house is 3'1".
- Per Section 18.72.030(e) of the Zoning Ordinance, a parcel of land having an average width less than 50 feet and that was on record as of January 11, 1955, may reduce the interior side setback

width to 10% of the total lot width, but in no case to less than three feet. The width of the lot is 25 feet, 10 percent of which would be 2.5 feet; therefore, the interior side yard setback can be reduced to 3' on both sides.

- The ADU proposes 3' side setbacks on the first and second story. The side windows would be either clerestory or frosted to maintain privacy for the adjacent neighbors.

Findings supporting the Staff Recommendation

- 1) *That any off-street parking area, screening strips and other facilitates and improvements necessary to secure the purpose and intent of this title and the general plan of the City area a part of the proposed development, in that;*
 - The existing residence is legal nonconforming and does not provide the required two covered parking spaces. No parking is required for the addition of an accessory dwelling unit.
- 2) *That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard, in that;*
 - No parking is required for the addition of an accessory dwelling unit.
 - Public streets are adequate in size and design to serve the proposed single-family residence, and the use will not create a substantive increase in traffic.
- 3) *That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by this title and the general plan of the City, in that;*
 - The subject site is not within 200' of a designated Historic Resource Inventory property.
 - Pursuant to Section 18.72.030(e) of the Zoning Ordinance, the building may apply reduced side setbacks to 3'.
 - The development is a rear two-story addition to an existing single-family residence that is in keeping with the scale with the appearance of the existing neighborhood and tract. Two-story high walls are found in the adjacent neighborhood, and per the design guidelines the windows on the side elevations are clerestory and/or frosted.
- 4) *That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injuries to property or improvements in said neighborhood, in that;*
 - Privacy for neighbors is maintained as the design incorporated clerestory and frosted windows on the side elevations.
 - The project is subject to the California Building Code and City Code requirements, which serve to regulate new construction to protect public health, safety and general welfare.
- 5) *That the proposed development, as set forth in the plans and drawings, are consistent with the set of more detailed policies and criteria for architectural review as approved and updated from time to time by the City Council, which set shall be maintained in the planning division office. The policies and criteria so approved shall be fully effective and operative to the same extent as if written into and made a part of this title, in that;*

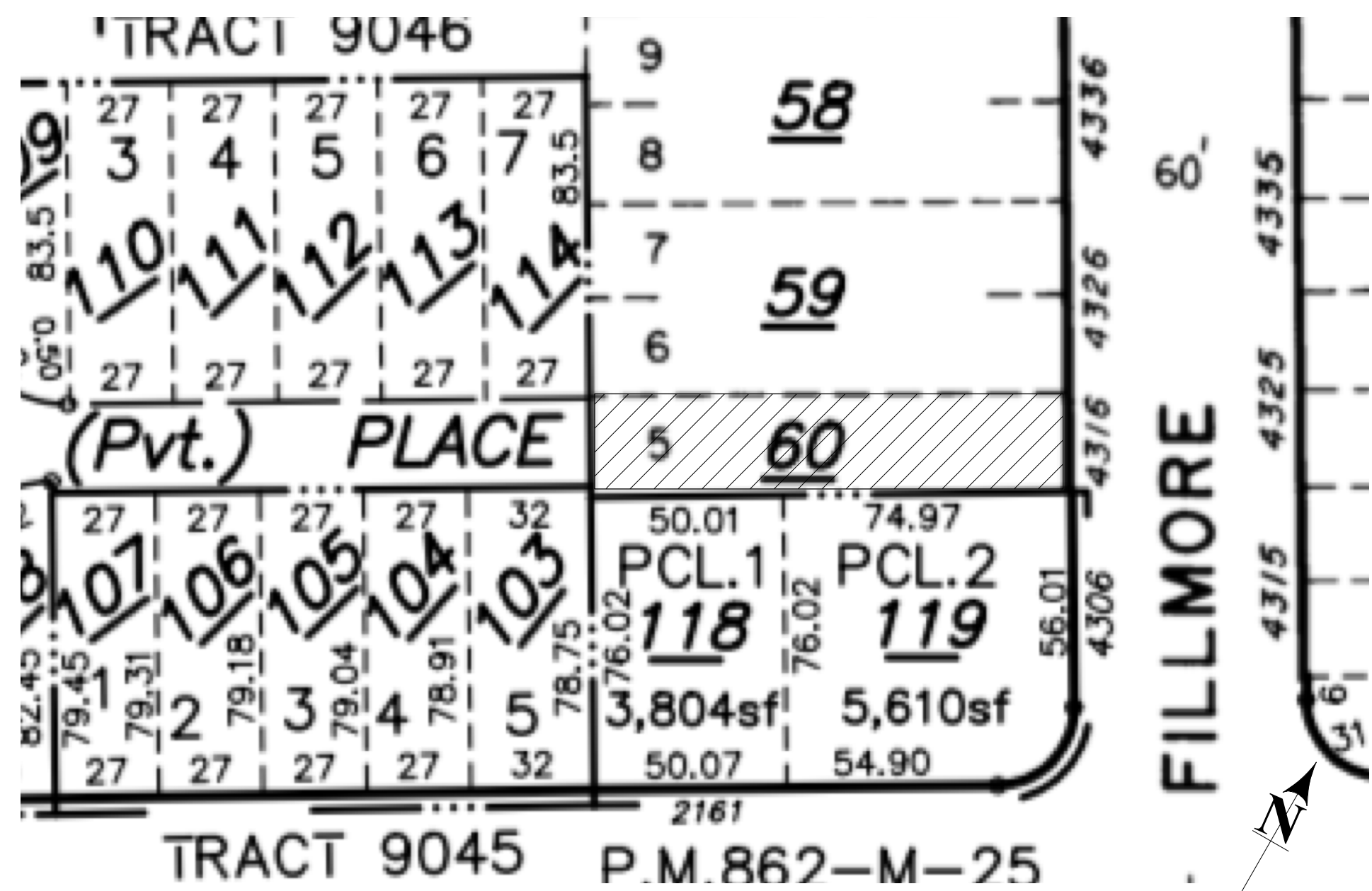
- The development, which includes shingle siding and composition shingle roofing, preserves the neighborhood character with an addition that is compatible in scale and character with existing houses in the neighborhood.
- The architectural features of the proposed second-story addition are true to the architectural form and appropriate for the neighborhood.

Conditions of Approval:

- 1) Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, and landscaping.
- 2) Developer/Owner is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- 3) Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.
- 4) Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits.

Attachments:

1. Development Plans



TITLE: 4613 FILLMORE STREET
 CITY: SANTA CLARA, CALIFORNIA
 CODES: 2019 CBC, 2019 CEC, 2019 CPC, 2019 CFC, CURRENT CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 ENERGY CODE, ALL CITY OF SANTA CLARA CODES AND ORDINANCES.
 OCCUPANCE GROUP: R RESIDENTIAL ZONE
 ZONING:
 CONSTRUCTION TYPE: V-B
 AUTOMATIC SPRINKLER SYSTEM: NO
 LIVE LOADS: ROOF 20 PSF, WIND: 110 MPH
 TOTAL NUMBER OF STORIES: 2
 PARCEL NUMBER: 104-110-60
 FLOOD ZONE: N/A
 EXISTING BUILDING FOOTPRINT: ±539 S.F.
 (E) RESIDENCE BLDG. LIVING AREA: ± 539 S.F.
 (E)TOTAL: ± 539 S.F.

NEW ADDITION 1ST FLOOR: ± 468 S.F.
 NEW ADDITION 2ND FLOOR: ± 598 S.F.
 (E) LIVING AREA: ±539 S.F.
 (N) TOTAL ADDITION: ± 1066 S.F.
 TOTAL S.F. ±1605
 TOTAL BUILDING FOOTPRINT: ± 1605 S.F.
 LOT AREA: ±3125 S.F.
 FAR (FLOOR AREA RATIO) 32.5%
 LOT COVERAGE: 32.5%
 BUILDING HEIGHT: ± 26'-0"
 ALLOWED: " "

- A0 PROPOSED SITE PLAN, GENERAL NOTES, PROJECT DATA, PLOT MAP
- A1.0 EXISTING PLAN AND ELEVATIONS
- A2.0 PROPOSED FLOOR PLAN
- A3.0 PROPOSED ELEVATIONS

PROJECT DATA

1) ADDITION OF 1066 S.F. ADU, AT THE REAR OF THE BUILDING.

PLOT PLAN

PROJECT SCOPE

INDEX

All work shall comply with the Current Edition of the 2019 CBC and all other codes and requirements, in their most recent edition. California Title 24 Energy codes, NEC and City of PROJECT location Amendments of the California plumbing, mechanical and electrical codes.

Contractor is to obtain any required permits for this work.

Contractor shall be responsible for all electrical, plumbing and fire protection work required by the Building Department.

Contractor shall verify all dimensions and existing conditions prior to starting work. Any discrepancies shall be reported to the designer for review.

Do not scale drawings. Dimensions shall take precedence over scale.

Contractor shall visit prior to submission of bid to review scope of work, demolition, etc.

Dimensions are to face of finish, unless otherwise noted (U.O.N)

Cutting and demolition shall be done by methods which will not jeopardize structural integrity of existing construction and will not damage portions to remain.

Contractor shall remove, cut, cap and repair as necessary any utilities, including but not limited to: electrical, mechanical, plumbing and fire sprinkler, where partitions are scheduled for demolition or are no longer operational or in service. All other existing utilities are to remain fully operational.

Contractor is to provide all necessary dust protection and/or barricading required to protect adjacent spaces and existing finishes. Contractor is responsible to repair any damages caused by contractor or their subcontractor.

Patch and repair any damages to floor, walls, ceilings, hardware, fixtures, windows, etc. as a result of the construction process. Match existing adjacent finishes as closely as possible. Align and sand smooth.

In general, the owner reserves the right to retain all material and equipment removed from the project. Any item or material not desired by the owner are to be removed from the site by Contractor at Contractor's expense.

If any questions arise as to the installation of any materials and/or equipment, or with the construction documents, the Contractor shall clarify the point with Architect or Designer before proceeding.

If any questions arise due to existing conditions apparent discrepancy between construction documents or any other reason, the Contractor will immediately notify the Architect or Designer and clarify the point with Architect or Designer.

Safety Measures: At all times the Contractor shall be solely and completely responsible for conditions of the job site including safety of persons property.

Total thickness of new walls shall match that of adjacent walls, U.O.N.

Construction of new walls, ceilings, utilities, etc. shall be modified with Architect's/Designer's approval, when in conflict with existing conditions.

Dimensions noted clear (clr) are not adjustable without approval by Architect/Designer.

The Contractor shall do all cutting, fitting or patching of work that may be required to make all parts fit together properly and shall not endanger any other work by cutting excavation or otherwise altering the total work or any part of it. All patching, repairing and replacing of materials and surfaced replace will, upon completion, match surrounding similar surfaces.

Install backing at walls as required for all wall mounted items including plumbing fixtures, cabinet work, etc.

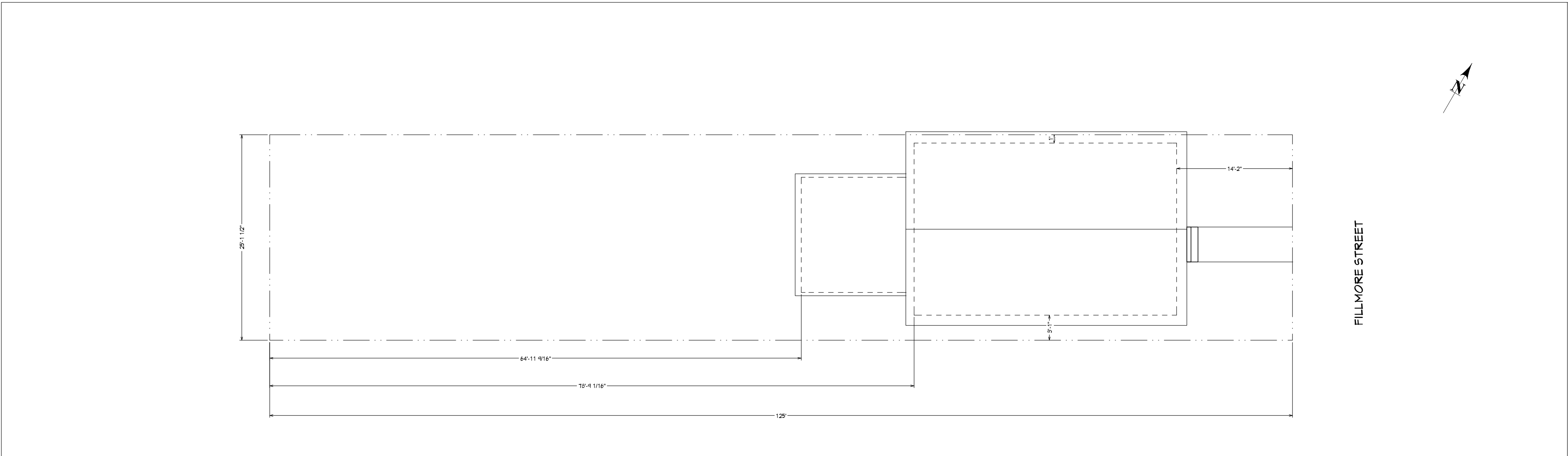
All exterior openings are to be weather-stripped.

Studs and furring shall provide plumb, true straight and rigid framing for support of collateral materials.

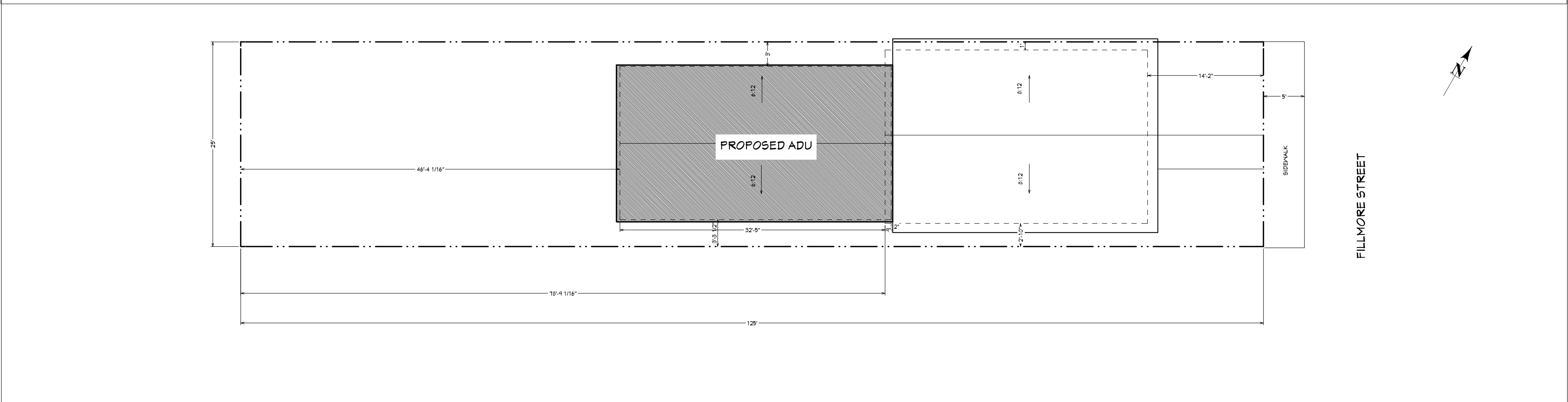
Install metal corner beads all exposed outside gypsum board edges. All gypsum wallboard shall be 3-coat finished, taped, and sanded between coats. Finished surfaces shall be plumb, level and planes, applied vertically with joints on bearings. All gypsum wallboard shall be mill finished 48" by 5/8" thick, unless otherwise noted by maximum length to minimize horizontal joints and tapered edges.

Contractor is responsible for construction clean up.

No wall telephone or electrical outlets shall be mounted back to back.



EXISTING SITE PLAN SCALE: 1/8"=1'-0"



PROPOSED SITE PLAN SCALE: 1/8"=1'-0"

GENERAL NOTES

PROPOSED SITE PLAN SCALE: 1/8"=1'-0"

NUMBER	DATE	REVISION BY	DESCRIPTION

PROJECT ADDRESS:
 4316 FILLMORE STREET
 SANTA CLARA, CALIFORNIA

**PROPOSED SITE PLAN,
 NOTES AND PROJECT
 DATA**

DRAWINGS PROVIDED BY:
 KANESHKA DESIGN GROUP
 5129 RAPPOLLA COURT
 PLEASANTON, CALIFORNIA 94588
 510-427-5009
 kaneshka@kaneshka.com

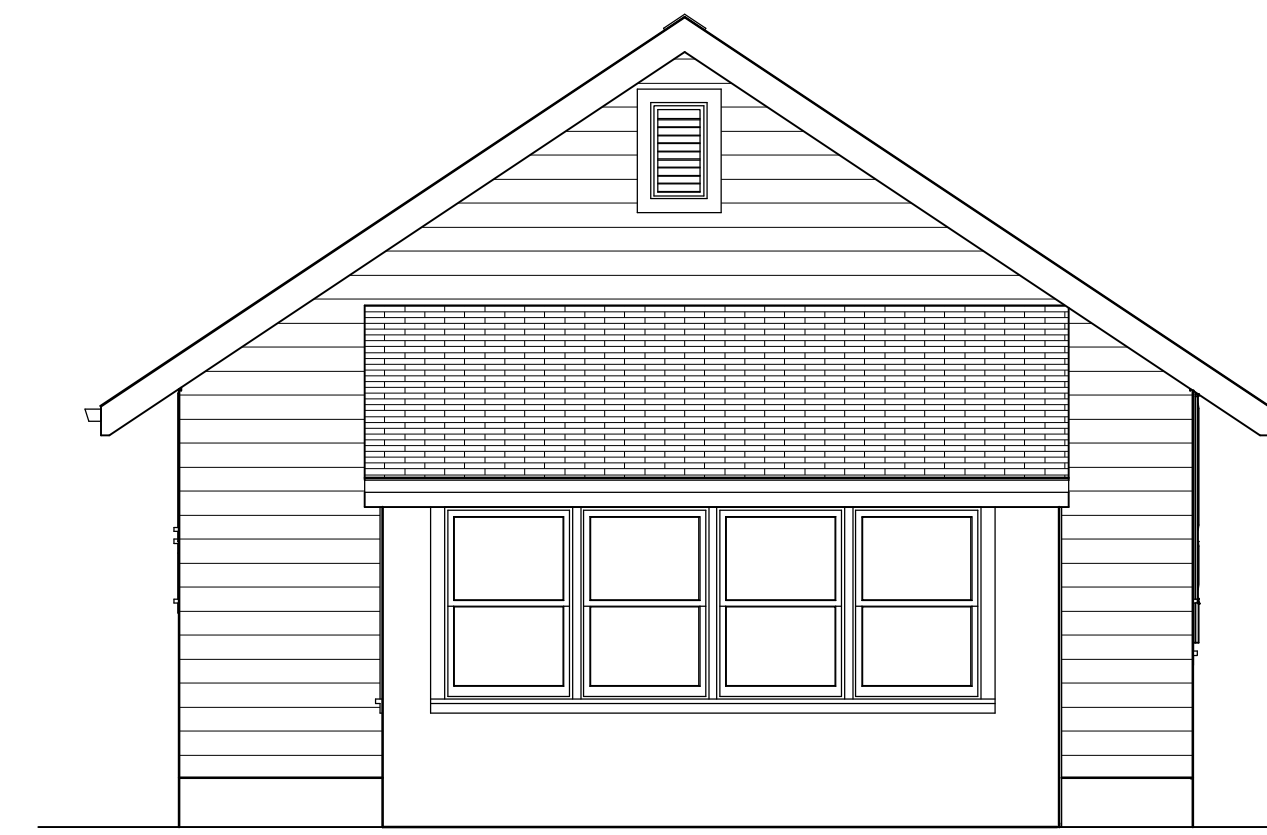
DATE:

5/5/20

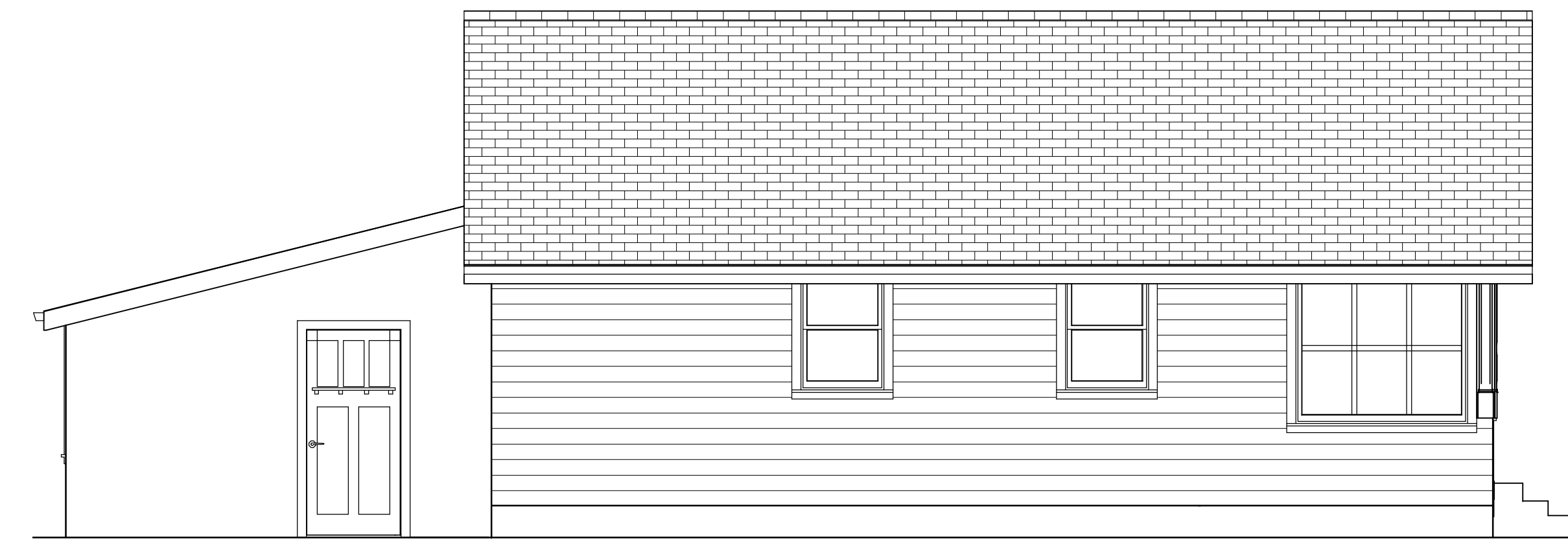
SCALE:

SHEET:

A0



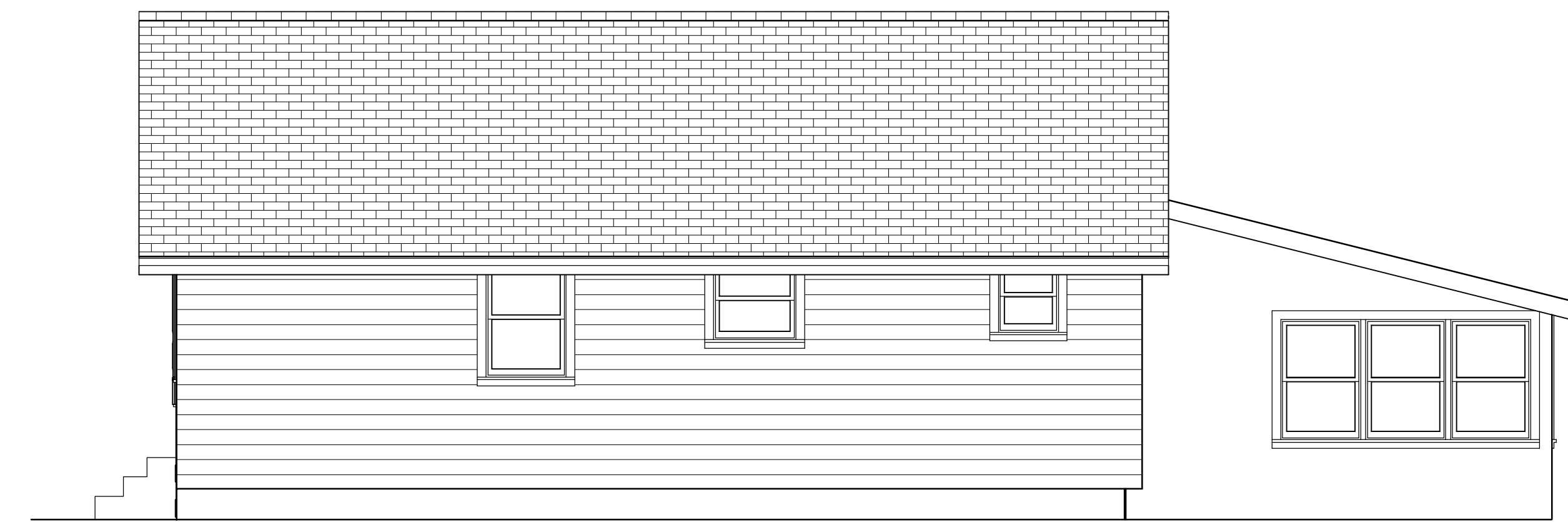
WEST ELEVATION



SOUTH ELEVATION

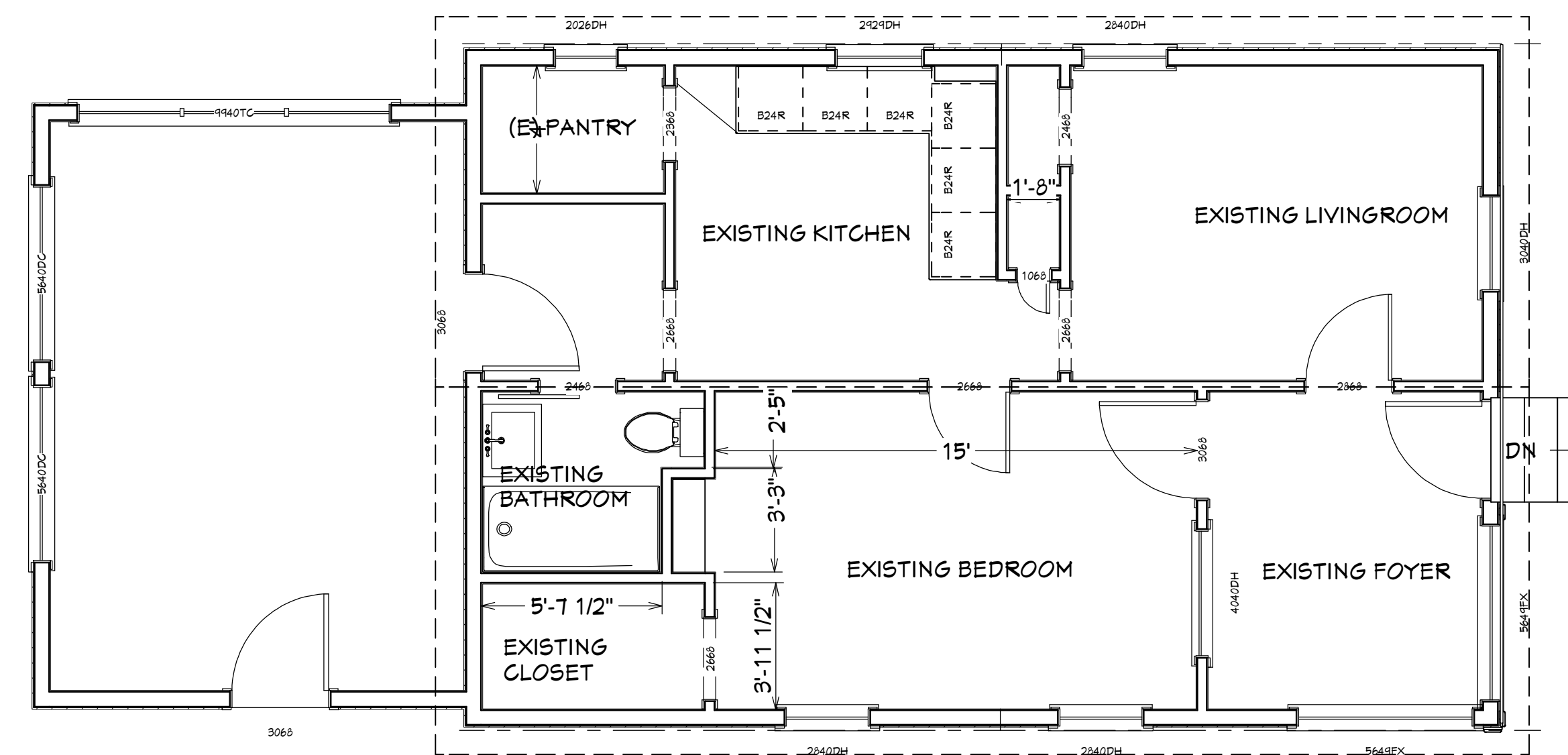


EAST ELEVATION



NORTH ELEVATION

EXISTING ELEVATIONS SCALE: 1/4"=1'-0"



EXISTING PLAN

SCALE: 1/4"=1'-0"

NUMBER	DATE	REVISED BY	DESCRIPTION

PROJECT ADDRESS:
4316 FILLMORE STREET
SANTA CLARA, CALIFORNIA

EXISTING PLAN AND ELEVATIONS

DRAWINGS PROVIDED BY:
KANESHKA DESIGN GROUP
5129 RAPPOLLA COURT
PLEASANTON, CALIFORNIA 94588
510-427-5009
kaneshka@kaneshka.com

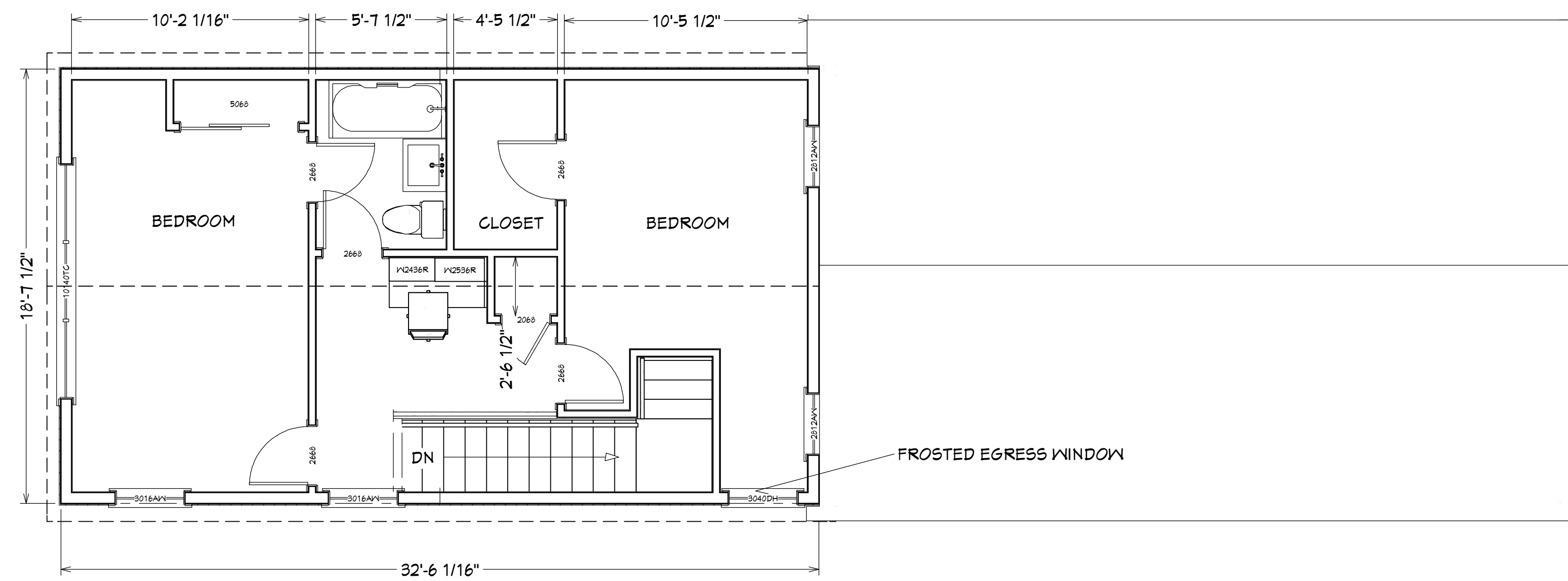
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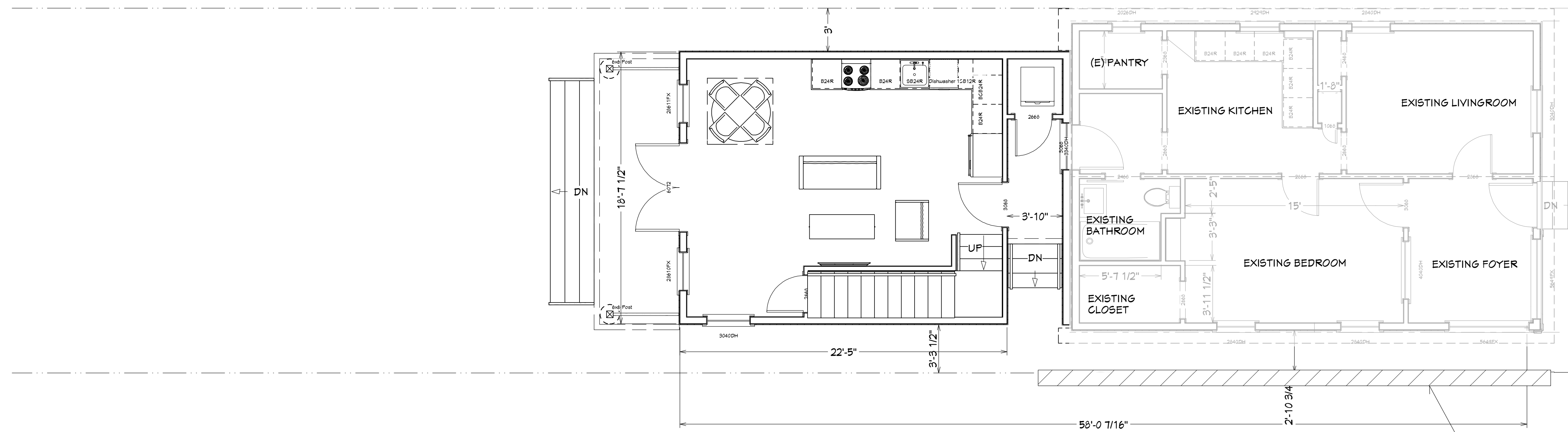
SCALE:

SHEET:

A1.0



PROPOSED SECOND FLOOR PLAN SCALE: 1/4"=1'-0"



PROPOSED FIRST FLOOR PLAN SCALE: 1/4"=1'-0"

PROPOSED EASEMENT TO BE RECORDED
THIS EASEMENT WILL ALLOW A 36" SIDE ACCESS.

REVISION TABLE	
NUMBER	DATE

PROJECT ADDRESS:
4316 FILLMORE STREET
SANTA CLARA, CALIFORNIA

**PROPOSED FLOOR
PLANS**

DRAWINGS PROVIDED BY:
KANESHKA DESIGN GROUP
5129 RAPPOLLA COURT
PLEASANTON, CALIFORNIA 94588
510-427-5009
kaneshka@kaneshka.com

DATE:
5/5/20

SCALE:

SHEET:
A2.0



NORTH ELEVATION

ROOF RIDGE 25'-1 5/8"
 SECOND FLR CEILING 20'-5/8"
 SECOND FLOOR 12'-5/8"
 FIRST FLR CEILING 11'-0"
 GROUND FLOOR 2'-0"
 FINISHED GRADE 0'-0"



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

NUMBER	DATE	REVISION BY	DESCRIPTION

PROJECT ADDRESS:
 4316 FILLMORE STREET
 SANTA CLARA, CALIFORNIA

PROPOSED ELEVATIONS

DRAWINGS PROVIDED BY:
 KANESHKA DESIGN GROUP
 5129 RAPPOLLA COURT
 PLEASANTON, CALIFORNIA 94588
 510-427-5009
 kaneshka@kaneshka.com

DATE:
 5/5/20

SCALE:
 1/4"=1'-0"

SHEET:
 A3.0

Shirby certify that I am the proprietor of the tract of land shown and delineated on the map hereto attached that said tract has been laid out and the Blocks and Lots numbered according to the instructions that the attached map fully and faithfully represents said Tract its name and its subdivisions and I hereby dedicate the streets (roads), alleys and squares as shown on the accompanying maps to the use of the Public forever. Dated San Francisco Cal Oct 22nd 1855. Signe C. Fitzschlag



State of California. On this 22nd day of Oct A D 1855 before me, Chas Platten, County Recorder in and for the County of Santa Clara personally appeared C. Fitzschlag known to me to be the owner of the above certified and he acknowledged to me that the same is done for the purpose herein mentioned. In Witness Whereof I have hereunto set my hand and seal of office this 22nd day of Oct 1855. Chas Platten Recorder
John D. Connel Deputy

RECORDED AT REQUEST
H. J. P. 2072
in Book 12 of Maps on 41
at 25 min past 2 o'clock
P. M. Records of
Co., Cal.
Chas Platten
COUNTY RECORDER
By Juan S. Casulo

