



## Agenda Report

20-842

Agenda Date: 10/14/2020

### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

Public Hearing: Action on Appeal of Architectural Review Approval by the Community Development Director for the property at 2847 Sycamore Way

#### **REPORT IN BRIEF**

Project: Appeal of Architectural Review Approval by the Community Development Director for the proposed 499 square foot 4th bedroom and foyer addition to the front of the home, 48 square foot covered porch and a 71 square foot garage addition. The existing home is currently a 2,278 square foot, 3-bedroom, 3 1/2 bath residence with an existing 395 square foot garage. Approval of the addition would result in 2,777 square foot, 4-bedroom, 3 1/2 bath residence with a 466 square foot garage. The proposal includes changing the orientation of the garage so that it will be consistent with the majority of the neighborhood.

Applicant: Sangwook Lee

Owner: James Jeon

General Plan: Very Low Density Residential

Zoning: Single Family Residential (R1-6L)

Site Area: 7,405 square feet

Existing Site Conditions: Developed with a two-story 2,278 square foot three bedroom, and three and a half bathroom single family residence with an attached 395 square foot two car garage.

Surrounding Land Uses: One- and two-story single-family residences.

Issues: Neighborhood opposition to potential privacy, scale, and building massing impacts of the proposed one story addition, citing inconsistency with the neighborhood pattern.

Staff Recommendation: Deny the appeal and uphold the Community Development Director's approval for the proposed addition.

#### **BACKGROUND**

The applicant, Sangwook Lee, on behalf of the property owner, James Jeon, filed an application on May 21, 2020 proposing a 499 square foot, 4th bedroom and foyer addition to the front of the existing home, 48 square foot covered porch and a 71 square foot garage addition to an existing 2,278 square foot, 3-bedroom, 3 1/2 bath, 2-story residence with an existing 395 square foot garage with a substandard depth of 17'-8". The proposal also includes changing the orientation of the garage to face the street. There are no changes proposed on the second floor. This would result in a 2,777 square foot, 4-bedroom, 3 1/2 bath 2-story residence with a 466 square foot garage with conforming dimensions of 20' x 20'-9".

The project was considered and approved administratively on August 17, 2020 after making the findings pursuant to the chapter 18.76, Architectural Review of the Zoning Code. Following this approval, staff circulated a courtesy notice on August 18 to all property owners within a 300 foot radius, notifying them of the approval and to provide an opportunity to file an appeal. The courtesy notice was provided because of the project's unique history, with previous opposition to a prior project proposal that was denied by the Architectural Committee in 2018. On August 21, 2020, the appellants, Deborah and Daniel Smith, filed a timely appeal of the August 17, 2020 determination.

A previous application was submitted by the property owners on June 8, 2018 and was considered by the Architectural Committee. The previous application met the development standards in the R1-6L zoning district and was thus recommended for approval by staff. The Architectural Committee twice continued the 2018 proposal for redesign at the Architectural Committee meetings on July 17, 2018 and August 29, 2018 to address the concerns from the neighbors. The final design would have allowed for a 451 square foot home expansion and a 49 square foot garage expansion, with no porch addition. That application was denied at the Architectural Committee meeting on September 19, 2018.

## **DISCUSSION**

The property is zoned Single Family Residential (R1-6L). The city records show that the residence as existing is 2,278 square feet plus a 395 square foot garage, for a total of 2,673 square feet. The house was originally constructed in 1960 with 4 bedrooms. Later, in 1965 a second story was added, converting it into a 5 bedroom house. In 2017, building permits were issued to remove walls from two of the bedrooms, making it an open area. As such it is currently a 3 bedroom residence and the proposed addition would now be considered a fourth bedroom addition.

Based on the policies in place, the previous application submitted in 2018, required the fourth bedroom addition to be approved at the Architectural Committee. However, on February 11, 2020 the City Council adopted an ordinance amending Chapter 18.76 (Architectural Review) of the Zoning Code. This Zoning Code amendment took effect earlier this year and the amendment requires only single family home additions proposing 5 or more bedrooms or two or more exterior accesses to bedrooms to be heard at a public Development Review Hearing.

Single-family additions with four or fewer bedrooms are permitted after staff-level architectural review, subject to compliance with the Zoning Code regulations, and no longer require a public hearing. The new application, which was submitted to the City on May 21, 2020, meets all the zoning requirements and is consistent with the Single Family Design Guidelines and was therefore approved by City staff. Administrative architectural decisions can be appealed to the Planning Commission and as such, a courtesy notice of the decision was sent to properties within 300 feet. A table providing a comparison between the various iterations of the previous application and the proposed application has been included for reference in Attachment 3, Project Data Summary and Maps.

The proposed addition will have a building coverage of 39%, which is within the maximum building coverage requirement of 40% in the R1-6L zoning district. The front bedroom addition conforms to the front set-back requirement of 20 feet in the R1-6L zoning district, providing a front set back of approximately 33 feet, which is 13 feet beyond the code requirement.

The applicant also proposes a 3'-5" addition (71 square foot area) to the existing substandard depth

of the garage (17'-8") to meet the minimum required depth of garage (20' clear). The garage addition is 22' from the property line, which exceeds the 20 feet front set back requirement and is consistent with the prevailing garage orientation pattern on Sycamore Way. The majority of the homes are set back 22 feet to 23 feet on Sycamore Way. The proposed garage size will be 465 square feet. Pursuant to Section 18.66.030 of the Zoning Code, attached accessory buildings not exceeding six hundred (600) square feet are allowed by right. The garage door opening would be reoriented from the side facing access to front facing access and parallel to the Sycamore Way. The applicant is proposing a new driveway to access the garage from Sycamore Way. On Sycamore Way, 25 houses of the total 32 houses have the same garage orientation as proposed project.

### *Conclusion*

The proposed fourth bedroom addition is an administrative approval. The proposal conforms to all the requirements of the Single Family zoning district (R1-6L) and the Single family design guidelines. It would not have an undue impact on the adjacent homes or the neighborhood as the entire addition is one story and limited in square footage.

### **ENVIRONMENTAL REVIEW**

The project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(e)(1), Existing Facilities, which exempts additions to existing structures when the addition will not exceed 2,500 square feet or 50% of the floor area before the addition, whichever is less. Here, the applicant is proposing an addition of 618 square feet to an existing 2,278 square foot dwelling with a 395 square foot garage.

### **FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense typically covered by processing fees paid by the applicant.

### **COORDINATION**

This report was coordinated with the City Attorney's Office.

### **PUBLIC CONTACT**

On August 18, 2020, a courtesy notice was mailed to property owners within 300 feet of the project to convey the Director of Community Development's administrative approval of the proposed house modifications and the appeal process of the decision.

On September 30, 2020, a notice of public hearing of this item was posted in at least three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project.

Public correspondence received up to the time of this Staff Report is attached for reference.

### **ALTERNATIVES**

1. Adopt a resolution to deny the appeal and uphold the Community Development Director's approval of the proposed addition at 2847 Sycamore Way.
2. Approve the appeal and overturn the Community Development Director's approval of the proposed addition at 2847 Sycamore Way.

**RECOMMENDATION**

1. Adopt a resolution to deny the appeal and uphold the Community Development Director's approval of the proposed addition at 2847 Sycamore Way.

Prepared by: Nimisha Agrawal, Associate Planner

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Planning Manager

**ATTACHMENTS**

1. Resolution to Deny the Appeal
2. Appeal Request
3. Project Data Summary and Maps
4. Correspondence
5. Property Owner's Statement
6. Development Plan