



# City of Santa Clara

1500 Warburton Avenue  
Santa Clara, CA 95050  
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## Agenda Report

22-36

Agenda Date: 1/12/2022

### REPORT TO DEVELOPMENT REVIEW HEARING

#### SUBJECT

Action on a proposed 463 square foot attached Accessory Dwelling Unit (ADU) located at 354 Kellogg Way.

**File No.(s):** PLN21-15280

**Location:** 354 Kellogg Way, a 5,880 square foot lot located at the northwest corner of Kellogg way and Atherton Drive; APN: 296-10-018; the property is zoned Single-Family Residential (R1-6L)

**Applicant:** Yin Su

**Owner:** Ivy Wong

**Request:** Architectural Review of a 463 square-foot one-bedroom and one-bathroom attached Accessory Dwelling Unit (ADU) located outside of the existing building envelope.

**Project Data:** see Attachment 2 for full-sized table

Lot Size: 5,880 sq. ft.			
	Existing Floor Area (sq. ft.)	Proposed Addition (sq. ft.)	Proposed Floor (sq.ft.)
First Floor	1,104		1,104
Second Floor			
Garage	459		459
ADU	n/a	463	463
Covered Patio	n/a		
Gross Floor Area			2,026
Lot Coverage	$1,563/5,880 = 26\%$		$2,026/5,880 = 34\%$
F.A.R.	$1,563/5,880 = .266$		$2,026/5,880 = .343$
Bedrooms/Baths	3/2		3/2
ADU Bedrooms/Baths	n/a		1/1
Flood Zone	X		X

#### Points for consideration

- The project includes a 616 square foot attached Accessory Dwelling Unit (ADU) located outside of the existing building envelope which provides a 5' -1" side setback and a 5' - 3" rear setback.

- The project site is located in FEMA Flood Zone X, which is considered a moderate to low risk area.
- A neighborhood notice was distributed to properties within a 300-foot radius of the subject site for this project review.
- There are no active code enforcement cases for this property.

### **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 proposal provides the required two covered parking spaces with an existing two car garage.
  - The required parking spaces are not located in the required front yard or side yard landscaped areas.
  - The proposed project provides areas surfaced with all-weather materials for parking of vehicles.
- 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;*
  - The proposed attached ADU would not create traffic congestion or hazards.
  - Public streets are adequate in size and design to serve the proposed ADU, 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 proposed ADU located to the rear of the main residence is consistent with the scale and design similar to that of the existing surrounding neighborhood which consists of primarily one- and two-story residences.
- 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;*
  - 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 project would create a house design that is compatible in scale and character with the housing types that are typical in the neighborhood as the proposed design of the ADU will have similar massing and height to the adjacent properties.

**Conditions of Approval:**

1. The garage shall be maintained clear and free for vehicle parking use at all times. It shall not be used only for storage.
2. Prior to the issuance of a Building Permit, the development of the site and all associated improvements shall conform to the approved plans with File No. PLN-21-15280, on file with the Community Development Department, Planning Division.
3. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
4. Maintain the front yard landscaping between the house and sidewalk. New landscape areas of 500 square feet or more or rehabilitated landscape areas of 2,500 square feet or more shall conform to the California Department of Water Resources Water Efficient Landscape Ordinance.
5. Developer/Owner is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
6. 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.
7. 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.

**ENVIRONMENTAL REVIEW**

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

**FISCAL IMPACT**

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

**PUBLIC CONTACT**

On December 23, 2021, a notice of public hearing of this item was posted within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Planning Staff has not received public comments for this application.

**RECOMMENDATION**

**Approve** the 463 square-foot one-bedroom and one-bathroom attached accessory dwelling unit (ADU) located outside of the existing building envelope, subject to conditions.

Prepared by: Steve Le, Associate Planner, Community Development

Approved by: Lesley Xavier, Principal Planner, Community Department

**ATTACHMENTS**

1. Development Plans
2. Project Data

