



# MEMORANDUM

Date: September 12, 2013

TO: Planning Commission

FROM: Ken Johnson, Senior Planner, via John Swiecki, Community Development Director

SUBJECT: **Workshop for Preliminary Proposal of Housing Subdivision at the End of William and Thomas Avenues;** as requested by Property Owner, Dr. Pritam Sabharwal.

The owner of approximately 4.75 acres of vacant land at the end of Thomas Ave. and William Avenue (a "paper street") has proposed a subdivision of 10 new homes, under the City's clustered development ordinance, within the Brisbane Acres. The owner is seeking to build all 10 homes to the maximum allowable floor area of 5,500 sq ft. The proposed map configuration is unprecedented in Brisbane and raises a number of significant policy and design concerns. Given these issues and the substantial investment on the part of the applicant to finalize his applications, staff has scheduled this workshop. The workshop is intended to allow the applicant to present his development concept, for staff to highlight the major policy and design concerns, and for the Commission to offer feedback as it deems appropriate for the applicant's consideration.

This is not a public hearing and staff has not completed a full analysis of the proposal. Staff offers the general comments below for the Commission's consideration. Note that no materials were received from the owner for inclusion in this memorandum. It's anticipated that the owner will provide additional information during the workshop.

## Key Development Regulations

The owner's concept utilizes the clustered development provisions which were adopted by City Council in 2011, allowing clustered development on smaller home sites than would otherwise be allowed under conventional zoning. This allows for more contiguous open space to be preserved than would otherwise occur. For development of a single family home, without clustered development, the Brisbane Acres development zoning regulations require a minimum lot area of 20,000 sq ft, with minimum lot dimensions of 110 ft wide by 140 ft deep.

The clustered development provisions allow for the same density of 1 unit per 20,000 sq ft for the overall subdivision, but subject to a use permit and design permit individual home sites may be reduced to lots as small as 5,000 sq ft. At least 40% of the total area of the subdivision would be required to be dedicated to habitat. Adjustments to the minimum lot width and lot depth standards may also be granted by the City through the required clustered development use permit

and design permit. The required development regulations of a maximum of 25% lot coverage, a maximum 0.72 floor area ratio (FAR) (not to exceed 5,500 sq ft of floor area), and the height limit of 35 ft would all still apply to a clustered development.

### **Proposed Concept & Issues**

The proposed subdivision has significant challenges in that the site is divided by a cliff, with the lower portion being virtually inaccessible. That lower portion is proposed as habitat to meet the 40% dedication requirement.

Subdivision pattern: Based on the maximum FAR of 0.72 lot sizes of at least 7,639 sq ft would be necessary in order to maximize the floor area of each home at the 5,500 sq ft limit. To accomplish this, the owner has proposed that almost all of the lots cross over or run along the roadway or have long narrow rear yards, in "Z" or "L" shapes.

1. Almost all of the lots would be functionally and visually on the order of 4,000 sq ft and the placement of 5,500 sq ft, 35 foot high homes has important ramifications on the visual character, lot usability and parking.
2. The "yards" would not be reasonably connected or associated with the homes leaving their long term maintenance and usability by future owners in question.
3. The zoning provisions regulating setbacks and heights of structures within the front setback would be unclear.

Butterfly Nursery House: Lot 6 has been proposed to include a butterfly nursery within the basement of the home, with a basement height of 5 ft 11 in ("floor area" is 6 ft and over, per the Municipal Code).

4. The building official has indicated that, per state building code, the minimum height for a basement is 6 ft 8 in, in which case the basement will count as floor area and the house would be over the 5,500 sq ft limit.
5. The owner has indicated that this would be open to the public for educational purposes, but it is unclear how this would be addressed from either a building or zoning standpoint.
6. It is unclear what the intended height of the overall structure would be or the impact on views across the ridgeline, or how the overall mass of the structure will impact views.

A summary table is provided which outlines the development regulations relative to the proposed development.

#### **Attachments:**

- Table 1 Summary of Development Regulations & Proposed Development
- Aerial Photo/Site Vicinity
- Site Plan - Proposed Subdivision of Lots

**Table 1**  
**Summary of Applicable Development Regulations &**  
**Proposed Development at the End of Thomas Ave and William Ave (a “paper street”)**

	Brisbane Acres BMC Section 17.12.040 Development Regulations	Brisbane Acres Clustered Development BMC Section 17.12.055 Provisions	Owner's Proposal
<b>Site Area – min.</b>		40,000 sq ft	206,910 sq ft
<b>Density of Development</b>	1 unit per lot (20,000 sq ft), plus SDU's by permit	1 unit per 20,000 sq ft, plus SDU's by permit	1 unit per 20,691, plus SDU's?
<b>Lot Area – min.</b>	20,000 sq ft	5,000 sq ft with dedication of minimum 40% to habitat – per use permit/design permit	Varies 7,680 sq ft to 36,638 (functionally approximately 4,000 sq ft +)
<b>Lot Dimensions – min.</b>	110 ft. width by 140 ft depth	Per use permit/design permit	40 ft + widths and undermined depth
<b>Setbacks – min.</b>			
<b>Front</b>	10 ft; Except garages may be to the lot line on lots with slopes over 20% per BMC Section 17.32.070	10 ft; Except garages may be to the lot line on lots with slopes over 20% per BMC Section 17.32.070	TBD
<b>Side</b>	10% of lot width, but not less than 5 ft	10% of lot width, but not less than 5 ft	5 ft +
<b>Rear</b>	10 ft	10 ft	TBD
<b>Lot Coverage – max.</b>	25%	25%	≤25% (functionally ?)
<b>Floor Area Ratio (FAR) – min.</b>	0.72	0.72	≤0.72 (functionally up to 1.4+/-)
<b>Height of Structures – max.</b>	35 ft maximum; except within 20 ft of the front lot line there's a 20 ft height limit; also garages may be to a height of 15 ft above the elevation of the center of the adjacent street.	35 ft maximum; except within 20 ft of the front lot line there's a 20 ft height limit; also garages may be to a height of 15 ft above the elevation of the center of the adjacent street.	TBD – applied for height exception
<b>Ridgeline</b>	Design Permit required	Design Permit required	Design Permit incomplete

	Parking Regulations BMC Section 17.34.010	Recommended by the Planning Commission to City Council for homes over 1800 sq ft	Owner's Proposal
<b>Parking for Single Family Homes – min.</b>	2 garage or carport spaces, plus 2 on-street or off street spaces (up to 50% compact)	2 garage or carport spaces, plus 2 on-street or off street spaces (up to 50% compact)	TBD – applied for parking exception
<b>Secondary Dwelling Units</b>	2 standard on-site spaces	1 on-site space for ≤900 sq ft unit, plus 1 on-site space if over 900 sq ft or more than 1 bedroom	TBD

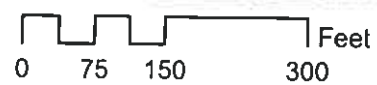
Notes:  
Additional subdivision and development regulations will apply.





Aerial Photo/Location Map  
Proposed Subdivision  
End of "William" & Thomas Aves.

G.1.4



Note: Site boundaries have been approximated.



