

294 Tyrella
Project Consistency Comments

On June 29, 2023, the following comments were provided to the applicant of 294 Tyrella regarding the proposed project plans and materials submitted to staff. Although these items are not required to be addressed for the project application to be complete, they provide information to the applicant on which aspects of the project are inconsistent with City standards, regulations, and policies.

1. The formal application will require a Development Review Permit, Heritage Tree Removal Permit, and Tentative Map (if condominiums are proposed) application. Additionally, since the proposed project is not fully consistent with R3 zoning district development standards, the project may apply State Density Bonus Law provisions that provide a mechanism for modifications to the development standards and requirements of the R3 development standards as concessions or waivers. However, each of the development standards needs to be listed as either a concession or waivers and it should be indicated in a table how the proposed development standards compare to or differ from the required development standards of the R3 zoning district.
2. **Inconsistencies with the R3 zoning district development standards** – The project does not comply with the following development standards (**in bold text**) in the “Proposed” column with respect to City Code [Section 36.10.70](#):

Standard	Requirement	Proposed (Bold text indicates non-consistency with requirements)
Density	35 DU/acre	177 DU/acre
Floor Area Ratio	1.05 FAR (maximum)	3.89 FAR
Setbacks	Front: 15' Sides: 15' or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate which is approximately 68', whichever is greater Rear: 15' or height of adjacent building wall of subject parcel as measured to top of wall plate, which is	Front: 10' on Tyrella Sides: 6' to 10'0" Rear: 10'

	approximately 68' whichever is greater	
Site Coverage	35% (maximum)	~76%
Height Limit	45' max height 36' top of wall plate	81'10" max height 71'11" (wall plate height is approximate as is inaccurately measured)
Personal Storage	500 cubic feet	15 units have 208 cubic feet 15 units have 330 cubic feet 55 units have no storage
Open Area	55%, of which 40 square feet of private open space per unit	52 units will have 65 -72 square feet of private open space Private open space is not in compliance, but total open area standard complies
Parking (Section 36.35.50)	Studio unit: 1.5 spaces per unit x 33 units = 50 stalls 1-bedroom unit greater than 650 square feet or 2-bedrooms or more x 52 units = 104 stalls Guest parking: 15% x 154 Total Required = 154 parking stalls + 23 guest parking	87 parking stalls + 6 guest stalls parking
Bicycle Parking (Section 36.32.50)	1 space per unit for a total of 85 spaces	70 long-term parking spaces and 7 guest parking.

	15% of the parking spaces required or 6 spaces for the project shall be conveniently located for guest parking	Some guest parking is located in the second-floor garage, which is not convenient for guests as it requires gate-access.
Bicycle Parking Facilities (Section 36.32.85)	Restricted access. Bicycle parking facilities located within an interior locked room or locked enclosure accessible by key only to the owners or operators of the bicycles parked within. The maximum capacity of each restricted room or enclosure shall be ten (10) bicycles	Proposed bicycle facilities exceed the maximum capacity of each restricted room, at up to 24 spaces per room.

3. **BMR Guidelines:** Per City Code [Section 36.40.10](#), the location and design of the BMR shall be reasonably dispersed throughout the project, be consistent with federal and state fair housing laws, and have a distribution of units by number of bedrooms proportionate to the market-rate units. The project plans show all BMR units to be one-bedroom, but two-bedroom units are included in the project for market-rate. Please revise the proposed BMR units to be proportionate to the market-rate units.

4. **Public Park:** Per [Section 41.1](#) of the City Code, a multifamily apartment is required to dedicate and/or pay in lieu fees. The project is proposing a 226 square foot on-site dedication of land for a mini park, but the site has not been identified in the General Plan or Park and Open Space Plan as being designated as a park. Therefore, the site is ineligible to dedicate the mini park and per Section 41.3.c, an in-lieu fee is required.

5. **Tree Replacement Plan:** Per Chapter 32 of the City Code, two replacement trees for every heritage tree removed, and one replacement tree for every one non-heritage tree must be planted. The project proposes 8 heritage tree removals and 8 non-heritage trees, for a total of 24 replacement trees, but 20 are proposed. if there are opportunities to plant additional on-site trees, additional trees shall be planted, otherwise an in-lieu fee shall be required. Please increase landscape area and incorporate additional tree plantings to comply with the tree replacement requirements.

6. **Off-Street Parking Access:** Per City Code [Section 36.32.80](#), no parking space backup shall occur within the first twenty (20) feet from the street right-of-way or parking lot entrance or exit, but the project proposes parking is within less than 10' from the Middlefield Road property line. Please remove the parking within 20' of the property line to ensure compliance with the off-street parking requirements.