

5. [18-0488](#) **Proposed Project:** Rezone - Change the zoning from R-1 (Low Density Residential) to R-0 (Low Density Residential) for two lots.
File #: 2018-7309
Location: 932 Eleanor Way and 1358 Hampton Drive (APNs: 313-01-033, 313-01-034)
Zoning: R-1
Applicant / Owner: Cyrus Fakhari (applicant and owner)
Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines

EXCERPT OF MINUTES

Planning Commission

Meeting Minutes - Final

July 23, 2018

Section 15061(b)(3).

Project Planner: Shétal Divatia, (408) 730-7637,
sdivatia@sunnyvale.ca.gov

Senior Planner Shetal Divatia presented the staff report.

Vice Chair Simons asked staff about future difficulty building on the proposed lots without variances. Senior Planner Divatia stated that it is possible to develop on those lots without variances. Assistant Director Andrew Miner noted that the corner lot would be the most difficult due to the two frontages.

Chair Howard opened the Public Hearing.

Cyrus Fakhari, applicant and owner, presented images and information about the proposed project.

Commissioner Rheume clarified with Mr. Fakhari that he owns both houses and is planning a future subdivision of the two lots into three lots, with one home per lot. Commissioner Rheume confirmed with Mr. Fakhari that his biggest concern is to stop the development of Accessory Dwelling Units (ADU's) and monster homes. Commissioner Rheume stated an opinion that financially it doesn't make sense to build one story homes. Commissioner Rheume confirmed with Assistant Director Miner that the minimum lot size is 6,000 sq. ft. for an R-0 zoned lot.

Commissioner Weiss clarified with Mr. Fakhari that he is remodeling the house at 932 Eleanor Way and living at 1358 Hampton Drive.

Assistant Director Miner provided clarification regarding the ADU lot size requirements.

Mary Sullivan discussed her concerns with the proposed project's impact on parking and its incompatibility with the neighborhood's character. Ms. Sullivan requested that the Planning Commission reject the rezoning request.

Chair Howard asked Ms. Sullivan for her comments about ADU's. Ms. Sullivan stated that small ADU's are fine if they are appropriately setback and conform with neighborhood aesthetics.

Henry Alexander III, Sunnyvale resident, discussed his concerns with the proposed project's impact on parking, safety and traffic.

Chair Howard confirmed with Mr. Alexander that he is in opposition to the proposed rezone. Chair Howard discussed parking implications at an increased zoning density with Mr. Alexander.

Mr. Fakhari presented additional information about the proposed project.

Chair Howard closed the Public Hearing.

Vice Chair Simons confirmed with Senior Planner Divatia that both lots must meet the zoning standards to complete a lot line adjustment at staff level. Vice Chair Simons clarified with Assistant Director Miner that land could not be transferred between lots to meet those zoning standards.

Chair Howard asked staff if a two story ADU would meet setback requirements. Assistant Director Miner advised that it would have to meet the 20-foot rear setback requirement.

MOTION: Commissioner Simons moved and Commissioner Harrison seconded the motion for Alternative 2 – Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and deny the request to rezone the two parcels.

Vice Chair Simons commented on the juxtaposition of building three R-0 homes with three ADU's or two R-1 homes with two ADU's. Vice Chair Simons commented on his dislike of spot zoning and noted that this would be a rezone on the edge of a zoning district that has been fixed for a long time. Vice Chair Simons stated an opinion that it would be inappropriate to rezone.

Commissioner Harrison commented that California state policy encourages the development of ADU's. Commissioner Harrison stated that the City Council designated this area as R-1 in 1996 and that the City's vision is to encourage diversity among types of housing, including large lots. Commissioner Harrison commented that this would be spot zoning unless there was an overall evaluation of different lots adjacent to public transit.

The motion carried by the following vote:

- Yes: 6 -** Commissioner Weiss
Commissioner Howe
Commissioner Olevson
Vice Chair Simons
Commissioner Rheaume
Commissioner Harrison
- No: 1 -** Chair Howard

Assistant Director Miner stated that this item goes to the City Council on August 28, 2018.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

Assistant Director Miner stated that the City Council denied the appeal of the proposed project at 617 East Evelyn Avenue. Assistant Director Miner stated that staff will present the design examples for the El Camino Real Specific Plan at the July 31st, 2018 City Council study session. Assistant Director Miner stated that the proposed project at 1230-90 Oakmead Parkway and the appeal for the proposed project at 814 Coolidge Avenue will be heard by the City Council on July 31, 2018.

ADJOURNMENT

Chair Howard adjourned the meeting at 9:52 PM.