



**File #:** 23-0590

**Document Title:** Supplemental Staff Report Information

(1) Which condition of approval requires the developer to "execute a maintenance agreement for perpetual maintenance of certain improvements within [...] easements per page 5 of the staff report?

*COA EP-19 addresses perpetual maintenance of the sidewalk improvements which would include the 6-foot street dedication easement. EP-19. STREETSCAPE IMPROVEMENTS: Along project frontage on Crescent Avenue, remove existing concrete curb, gutter, sidewalk, and curb bulb out and install new concrete curb and 2' gutter per current City standards. Install an attached 6' wide sidewalk (not including 6-inch curb) and 4' park strip behind the back of sidewalk. The perpetual maintenance of sidewalk improvements along the project frontages shall be the sole responsibility of the property owner. [SDR] [PUBLIC WORKS]*

(2) How does Condition of Approval GC-14 interact with the state density bonus law?

*COA GC-14 - if there are future modifications proposed at the site, the waivers to development standards granted as part of the State Density Bonus Law and the Special Development Permit approval will still stand. Future modifications would need to conform with all other development standards of the SMC at the time. GC-14. FUTURE HOME ADDITIONS/MODIFICATION: Future home modifications/additions will be subject to the Sunnyvale Municipal Code development standards for properties within the R3 zoning district, such as setbacks, parking, lot coverage and floor area ratio. Home modifications/additions will be subject to the required permit procedures in place at that time, to ensure conformance with development standards, design guidelines, and compatibility with the subdivision and neighboring properties. [COA] [PLANNING]*

(3) The website linked in Condition of Approval BP-17 (related to the Green Building Program) is outdated. Should the link be updated?

*The new link is: <https://www.sunnyvale.ca.gov/business-and-development/planning-and-building/green-building>*

(4) Should the Planning Commission expect to see how the project will achieve 90 Build-It-Green points prior to approval?

*The applicant will present the updated checklist at the Planning Commission meeting of May 22, 2023.*

## GreenPoint Rated Checklist: Existing Multifamily

The GreenPoint Rated Checklist tracks green features for a unit or building. A project is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green. To achieve a Whole Building label, a project must have a minimum of 50 points. To achieve an Elements label, a project must have a minimum of 25 points (capped at 49 points). Both labels have minimum point requirements outlined at the end of the checklist. Both labels also have required measures highlighted in the checklist (See Key below). For more information about a particular measure or the prerequisites listed at the bottom of the checklist, see the GreenPoint Rated Existing Multifamily Rating Manual.

### How to Use Checklist

Select either Whole Building or Elements label in Cell Q3. The Elements label is for projects that cannot meet the requirements for the Whole Building label. Elements projects are often only doing partial renovation work.

To get points for a particular measure, choose from the green dropdown menu found in Column A. The points for each measure will automatically calculate under Column N, "Point Achieved" as well as at the bottom of the Checklist (Row 307). Choosing "Yes" or "≥90%" will give you full credit for that measure. For items that allow partial credit, choose the appropriate % amount (minimum of 10%) based on both the new and existing conditions for the entire building.

### Key

(**Whole Building**) = Required measure for the Whole Building label

(**Elements**) = Required measure for the Elements label

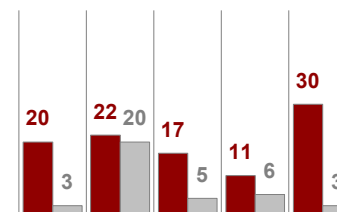
(**EPA IAP**) = Requirement for meeting GreenPoint Rated Measure PJ1

GreenPoint Rated is provided as a public service by Build It Green, a professional non-profit whose mission is to promote healthy, energy and resource efficient buildings in California. For more information please visit [www.builditgreen.org/greenpointrated](http://www.builditgreen.org/greenpointrated).



Enter Label: **Whole Building**

Total Targeted Points: **100**



Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
<b>AA. COMMUNITY DESIGN AND PLANNING</b>			Possible Points						
	<b>1. Conserve Resources by Increasing Density -15 Units Per Acre or Greater (1 Point for every additional 5 dwelling units/acre) Enter Dwelling Units per Acre</b>	0	10						
	<b>2. Design for Walking &amp; Bicycling</b>								
Yes	a. Provide Dedicated, Covered & Secure Bicycle Storage for 15% of Residents	1	1						
No	b. Provide Secure Bicycle Storage for 5% of Non-Residential Tenants and Visitors	0	1						
	<b>3. Alternative Transportation</b>								
	a. Site has Pedestrian Access Within ½ Mile of Community Services:								
	TIER 1: Enter number of services within ½ Mile:								
	1) Day Care      2) Community Center      3) Public Park								
	4) Drug Store      5) Restaurant      6) School								
	7) Library      8) Farmer's Market      9) After School Programs								
	10) Convenience Store Where Meat & Produce are Sold								
	TIER 2: Enter number of services within ½ Mile:								
	1) Bank      2) Place of Worship      3) Laundry/Cleaners								
	4) Hardware      5) Theater/Entertainment      6) Fitness/Gym								
	7) Post Office      8) Senior Care Facility      9) Medical/Dental								

Enter Project Name	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
10) Hair Care      11) Other Commercial Office      12) Full Scale Supermarket								
i. 5 Services Listed Above (Tier 2 Services Count as 1/2 Service Value)	0	1						
ii.10 Services Listed Above (Tier 2 Services Count as 1/2 Service Value)	0	1						

23-0590 Added Attachment 13 (posted 20230522)

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
TBD	b. Development is within 1/2 Mile Walking Distance of a Major Transit Stop (Commuter Train/Light Rail Transit System) or Two or More Planned/Current Bus Line Stops	0	1						
	c. Reduced Parking Capacity								
TBD	i. Less than 1.5 Parking Spaces Per Unit	0	1						
TBD	ii. Less than 1.0 Parking Spaces Per Unit	0	1						
<b>4. Outdoor Gathering Places</b>									
Yes	a. Private or Semi-Public Outdoor Gathering Places for Residents (Minimum of 50 sf Per Unit) (mutually exclusive with AA4b)	1	1						
TBD	b. Outdoor Gathering Place of Compact Site Provides Natural Elements (mutually exclusive with AA4a) (Projects Must Be a Minimum of 50 dwelling units/acre)	0	1						
Yes	c. Outdoor Gathering Places are Contiguous to & Have Direct Access to At Least Two Tier 1 Community Services (See AA3a)	1	1						
<b>5. Design for Safety and Vandalism Deterrence</b>									
Yes	a. Residence Entries Have Views to Callers (Windows or Double Peep Holes) & Can Be Seen By Neighbors	1	1						
TBD	b. All Main Entrances to the Building and Site are Prominent and Visible from the Street	0	1						
<b>6. Include Universal Design Principles in Units</b>									
Yes	a. 50% of Units	1	1						
Yes	b. 80% of Units	1	1						
<b>7. Affordability</b>									
	a. Units are Dedicated to Households Making 80% or Less of AMI								
Yes	i. 10% of All Units	1	1						
TBD	ii. 25%	0	1						
TBD	iii. 50% or More	0	1						
Yes	b. Development Includes Multiple Bedroom Units At or Less Than 80% AMI (Minimum of Two 3-Bedroom Units)	1	1						
TBD	c. At least 20% of Units at 120% or Less of AMI are For-Sale	0	1						
Total Available Points in Community Design and Planning: 28		8.0							
<b>A. SITE</b>			Possible Points						
TBD	<b>1. Protect Topsoil and Minimize Disruption of Existing Plants &amp; Trees</b>	0	1			1			
<b>2. Divert Construction and Demolition Waste</b>									
Yes	a. Divert All Cardboard, Concrete, Asphalt, & Metals ( <b>Whole Building &amp; Elements</b> )	Y				R			
Yes	b. Divert 25% of Remaining Construction & Demolition Waste (Excluding all Materials Diverted in A2a)	2				2			
Yes	<b>3. Construction Environmental Quality Management Plan is Conducted (EPA IAP)</b>	2			2				
TBD	<b>4. Use Minimum 25% Recycled Content Aggregate</b>	0				1			
Yes	<b>5. Cool Site: Reduce Heat Island Effect on Site</b>	1	1						
Total Available Points in Site: 8		5.0							



Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
<b>B. LANDSCAPE</b>			Possible Points						
17.0%	Enter percentage of total site area dedicated to landscaping. Sites with less than 10% of the total site area dedicated to landscaping can only earn up to 4 points for measures B1 through B7. Calculate the landscape area percentage by dividing the landscape area by the total site area. Include the building footprint(s) and all other developed portions of the site up to the site boundary.								
Yes	<b>1. Group Plants by Water Needs (Hydrozoning)</b>	2					2		
Yes	<b>2. Mulch All Planting Beds a Minimum of 3 Inches</b>	2					2		
	<b>3. Construct Resource-Efficient Landscapes</b>								
Yes	a. No Invasive Species Listed by Cal-IPC Are Planted	1				1			
Yes	b. No Plant Species will Require Shearing	1				1			
Yes	c. 75% of Plants are Drought-tolerant, California Natives, Mediterranean or Other Appropriate Species	3					3		
	<b>4. Minimize Turf in Landscape</b>								
Yes	a. Turf Shall Not Be Installed on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less than 8 Feet Wide	2					2		
Yes	b. Turf Is ≤ 25% of Landscaped Area	2					2		
	<b>5. Install High-Efficiency Irrigation Systems</b>								
Yes	a. System Uses Only Low-Flow Drip, Bubblers or Sprinklers	2					2		
Yes	b. System Has Smart (Weather-based) Controllers	3					3		
Yes	<b>6. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil</b>	3					3		
	<b>7. Design Landscape to Meet Water Budget</b>								
Yes	a. Install Irrigation System That Will Be Operated at ≤70% Reference ET (B1. and B2. are Prerequisites for Credit)	1					1		
Yes	b. Install Irrigation System That Will Be Operated at ≤ 50% Reference ET (B1, B2. and B5a. or B5b. are Prerequisites for Credit)	1					1		
Yes	<b>8. Incorporate Community Garden</b>	1	1						
	<b>9. Source Water Efficiency</b>								
TBD	a. Use Recycled Water for Indoor and/or Outdoor Water Use	0					2		
No	b. Use Rainwater for Indoor and/or Outdoor Water Use	0					4		
	<b>10. Outdoor Play Structures and Outdoor Furniture</b>								
Yes	a. Play Structures & Surfaces Have an Average Recycled Content ≥20%	1				1			
TBD	b. Environmentally Preferable Exterior Site Furnishings	0				1			
Yes	<b>11. Reduce Light Pollution by Shielding Fixtures and Directing Light Downward</b>	1	1						
Yes	<b>12. High Efficacy Site Lighting</b>	1		1					
TBD	<b>13. Energy Efficient Water Heaters/Pumps for Pools and Fountains</b>	0		1					
Total Available Points in Landscape: 35		<b>27.0</b>							
<b>C. DESIGN CONSIDERATIONS</b>			Possible Points						
	<b>1. Existing Building Commissioning</b>								
TBD	a. Equipment Review and Verification	0		1					
Yes	b. System Testing	2		2					
TBD	c. Remediation Plan, System Manual, and Operator Training	0		1					
TBD	<b>2. Conduct Green Physical Needs/Property Conditions Assessment</b>	0		0.5	0.5		0.5		
Total Available Points in Design Considerations: 5.5		<b>2.0</b>							

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
<b>D. FOUNDATION, STRUCTURAL FRAME &amp; BUILDING ENVELOPE</b>			Possible Points						
TBD	1. Building Envelope Survey and Correction ( <b>Whole Building</b> )	N		R					
TBD	2. Foundation Survey and Correction ( <b>Whole Building</b> )	N		R					
3. Replace Portland Cement in Concrete with Minimum 20% Recycled Flyash and/or Slag									
Yes	a. Minimum 20% Flyash and/or Slag Content	1				1			
TBD	b. Minimum 30% Flyash and/or Slag Content	0				2			
TBD	4. Design, Build and Maintain Structural Pest and Rot Controls (Low-Rise Only)	0			1	1			
5. Optimal Value Engineering									
TBD	a. Studs at 24 Inch on Center at Interior Non-Bearing Walls and Top Floor	0				1			
≥90%	b. Door & Window Headers Sized for Load	1				1			
6. Use Engineered Lumber									
TBD	a. Engineered Beams and Headers	0				1			
≥90%	b. Wood I-Joists or Web Trusses for Floors	1				1			
≥90%	c. Oriented Strand Board for Subfloor	1				1			
≥90%	d. Oriented Strand Board for Wall and Roof Sheathing	1				1			
TBD	7. Insulated Headers	0		1					
8. Use FSC-Certified Wood									
TBD	a. Dimensional Lumber, Studs and Timber	0				4			
TBD	b. Panel Products	0				2			
9. Retrofit/Upgrade Structure for Wind/Seismic Lateral Load Reinforcement									
TBD	a. Partial Lateral Load Reinforcement Upgrade/Retrofit	0				2			
TBD	b. Complete Building Lateral Load Reinforcement Upgrade/Retrofit	0				2			
Total Available Points in Foundation, Structural Frame & Building Envelope: 22		5.0							
<b>E. EXTERIOR</b>			Possible Points						
1. Durable Cladding System									
TBD	a. Install a Rain Screen Wall System	0				2			
TBD	b. Use Durable and Non-Combustible Cladding Materials	0				1			
≥90%	2. Use Durable and Fire Resistant Roofing Materials/Assembly	1				1			
TBD	3. Vegetated Roof (2 points for 25% of Roof, 4 points for 50% of Roof)	0	4						
Total Available Points in Exterior: 8		1.0							
<b>F. INSULATION</b>			Possible Points						
1. Install Insulation with 75% Recycled Content									
TBD	a. Walls	0				1			
TBD	b. Ceilings	0				1			
TBD	c. Floors	0				1			
Total Available Points in Insulation: 3		0.0							
<b>G. PLUMBING</b>			Possible Points						
TBD	1. Plumbing Survey and Correction ( <b>Whole Building &amp; Elements</b> )	N					R		
2. Water Efficient Fixtures									
TBD	a. All Fixtures Meet Federal Energy Policy Act of 1992 ( <b>Whole Building</b> )	N					R		
≥90%	b. Install High Efficiency Toilets (Dual Flush or ≤ 1.28 Gallons Per Flush (gpf))	2					2		
c. High Efficiency Urinals or No-Water Urinals Are Specified:									
TBD	i. Average Flush Rate is ≤0.5 gpf	0					1		
TBD	ii. Average Flush Rate is ≤0.1 gpf	0					1		

23-0590 Added Attachment 13 (posted 20230522)

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
≥90%	d. High Efficiency Showerheads Use ≤ 2.0 Gallons Per Minute (gpm) at 80 psi	3					3		
	e. Flow Limiters Or Flow Control Valves Are Installed on All Faucets								
TBD	i. Bath Faucets ≤ 1.5 gpm at 60psi	0					1		
TBD	ii. Kitchen Faucets ≤ 2.0 gpm	0					1		
Yes	<b>3. Insulate All Hot Water Pipes (EPA IAP)</b>	2		1			1		
	<b>4. Central Domestic Hot Water Survey and Tune-Up</b>								
TBD	a. CDHW System Survey and Maintenance Manual	0					1		
TBD	b. CDHW System Upgrades (G4a. Is Prerequisite for Credit)	0					2		
TBD	<b>6. Water Submetering: Bill Tenants for Actual Usage</b>	0					4		
Total Available Points in Plumbing: 18		<b>7.0</b>							
<b>H. HEATING VENTILATION AND AIR CONDITIONING</b>		<b>Possible Points</b>							
TBD	<b>1. HVAC Survey (Whole Building &amp; Elements)</b>	<b>N</b>			<b>R</b>				
TBD	<b>2. Combustion Safety Backdraft Test (Whole Building &amp; Elements)</b>	<b>N</b>			<b>R</b>				
TBD	<b>3. Carbon Monoxide Testing and Correction (Whole Building)</b>	<b>N</b>			<b>R</b>				
TBD	<b>4. Install High Performing Zoned Radiant Hydronic Heating</b>	0			2				
TBD	<b>5. Install High Efficiency Air Conditioning with Environmentally Preferable Refrigerants</b>	0	1						
	<b>6. Advanced Ventilation Practices for Cooling</b>								
TBD	a. Operable Windows/Skylights Induce Cross Ventilation (1+ Rooms in 80% of Units)	0		1	1				
TBD	b. ENERGY STAR Ceiling Fans and Light Kits in Living Areas & All Bedrooms	0		1					
	<b>7. Advanced Mechanical Ventilation for IAQ</b>								
TBD	a. Compliance with ASHRAE 62.1 and 62.2 Mechanical Ventilation Standard (As Adopted in Title 24 Part 6).	0			1				
TBD	b. Advanced Ventilation Practices	0			1				
TBD	c. Outdoor Air Ducted to Bedroom and Living Areas of Home	0			2				
≥90%	d. ENERGY STAR Bathroom Fans on Timer or Humidistat	1			1				
TBD	e. Kitchen Range Hood Exhaust System Vented to Outside	0			1				
	<b>8. Advanced HVAC Practices for Distributed Systems</b>								
Yes	a. Conduct Diagnostic Testing of System	1			1				
Yes	b. Conduct Flow Hood Test and Assess Delivery of Air for Distributed Systems	1			1				
Yes	c. Air Conditioning Compressor Operates Properly and Refrigerant Charge is Optimal	2			2				
TBD	<b>9. Garage Ventilation Fans Are Controlled by Carbon Monoxide Sensors (EPA IAP)</b> (Passive Ventilation Not Eligible)	0			1				
≥90%	<b>10. Install Carbon Monoxide Alarms (EPA IAP)</b>	1			1				
Total Available Points in Heating Ventilation and Air Conditioning: 18		<b>6.0</b>							
<b>I. RENEWABLE ENERGY</b>		<b>Possible Points</b>							
TBD	<b>1. Solar Hot Water System Preheats Domestic Hot Water</b>	0		4					
	<b>2. Offset a Percentage of the Project's Estimated Electricity Demand with Onsite Renewable Generation</b>								
Yes	a. 60% of Common Area Load	4	2	2					
Yes	b. 90% of Common Area Load	4	2	2					
Yes	c. 10% or More of Residential Units Load	4	2	2					
Total Available Points in Renewable Energy: 16		<b>12.0</b>							

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
<b>J. BUILDING PERFORMANCE</b>			Possible Points						
TBD	<b>1. Complete Energy Survey (Elements)</b>	N		R					
<b>2. Energy Upgrades (Elements Only, Mutually Exclusive with J3)</b>									
<b>Tier 1 (Each Worth 1 Point)</b>									
TBD	a. Attic Insulation Meets or Exceeds Code (5 Story Maximum)	0		1					
TBD	b. Cool Roof	0		1					
TBD	c. Crawl Space Insulation Meets or Exceeds Current Code	0		1					
TBD	d. 75% of Wall Insulation Meets or Exceeds Current Code	0		1					
TBD	e. 80% of Windows Meet Current Code	0		1					
TBD	f. High Efficiency Space Heating (Central Furnace ≥ 90% AFUE; Central Boiler is 85%, HPSF 8)	0		1					
TBD	g. 14 SEER, 11.5 EER Air Conditioning Unit in Each Unit (in climate zones 2,4, 8 - 15)	0		1					
TBD	h. Complete Comprehensive Air Sealing Measures or Blower Door Test is .5ACH50 for Low Rise	0		1					
TBD	i. High Efficiency Water Heater ≥ .62 EF or Central Boiler ≥ .85 AFUE	0		1					
TBD	j. Recirculation Controls on Timer or Demand Installed	0		1					
<b>Tier 2 (Each Worth 0.5 Points)</b>									
TBD	k. 50% of Wall Insulation Meets or Exceeds Current Code	0		0.5					
TBD	l. Radiant Barrier in Attic	0		0.5					
TBD	m. 14 SEER, 11.5 EER Air Conditioning Unit in Common Areas (All Climate Zones)	0		0.5					
TBD	n. 14 SEER, 11.5 EER Air Conditioning Unit in Each Unit (Climate Zones 1,3,5,6,7,16)	0		0.5					
TBD	o. Programmable Thermostat/Temperature Control in Common Areas and Each Unit	0		0.5					
TBD	p. Temperature Modulation Control on Boiler	0		0.5					
2023	<b>3. Meet Energy Budget for Building Based on Year (Whole Building)</b>	10.8		30					
Yes	<b>4. Comprehensive Utility Bill Analysis</b>	1		1					
Yes	<b>5. Title 24 Prepared and Signed by a CABEC Certified Energy Plans Examiner (CEPE)</b>	1		1					
<b>6. Participation in Utility Program with Third Party Plan Review</b>									
TBD	a. Energy Efficiency Program (EPA IAP)	0		1					
TBD	b. Renewable Energy Program with Min. 30% Better Than Title 24 (High Performing Home)	0		1					
Total Available Points in Building Performance: 17+		12.8							
<b>K. FINISHES</b>			Possible Points						
<b>1. Entryways</b>									
TBD	a. Design Entryways to Reduce Tracked-In Contaminants for All Home Entrances	0			1				
TBD	b. Permanent Walk-Off Systems Are Provided at All Main Building Entrances & In Common Areas	0			1				
TBD	<b>2. Use Recycled Content Paint on All Exteriors</b>	0				1			
<b>3. Low/No-VOC Paints &amp; Coatings (EPA IAP)</b>									
TBD	a. Low-VOC Interior Wall/Ceiling Paints (<50 grams per liter (gpl))	0			1				
≥90%	b. Zero-VOC: Interior Wall/Ceiling Paints (<5 gpl)	1			1				
≥90%	c. Use Low-VOC Coatings That Meet SCAQMD Rule 1113	2			2				
TBD	<b>4. Use Low VOC Caulks, Construction Adhesives &amp; Sealants that Meet SCAQMD Rule 1168</b>	0			1				

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
<b>5. Environmentally Preferable Materials for Interior Finishes (FSC-Certified Wood, Reclaimed Lumber, Rapidly Renewable, Recycled Content, Finger-Jointed, or Local)</b>									
TBD	a. Cabinets	0				1			
TBD	b. Interior Trim	0				1			
TBD	c. Shelving	0				1			
TBD	d. Doors	0				1			
TBD	e. Countertops	0				1			
TBD	<b>6. For Newly Installed Products, Reduce Formaldehyde in Interior Finish – Meet Current CARB Airborne Toxic Control Measure (ATCM) for Composite Wood Formaldehyde Limits by Mandatory Compliance Dates (Whole Building &amp; Elements) (EPA IAP)</b>	N			R				
<b>7. Reduce Formaldehyde in Interior Finish - Exceed Current CARB ATCM for Composite Wood Formaldehyde Limits Prior to Mandatory Compliance Dates</b>									
TBD	a. Doors	0				1			
TBD	b. Cabinets and Countertops	0				2			
TBD	c. Interior Trim and Shelving	0				1			
TBD	<b>8. Durable Cabinets</b>	0				1			
TBD	<b>9. At Least 25% of All Newly Supplied Interior Furniture has Environmentally Preferable Attributes</b>	0				1			
Total Available Points in Finishes: 19		3.0							
<b>L. FLOORING</b>			Possible Points						
TBD	<b>1. Use Environmentally Preferable Flooring (Minimum 15% of Floor Area)</b> A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete, or F) Local. <i>Flooring Adhesives Must Meet SCAQMD Rule 1168 for VOCs</i>	0				4			
≥90%	<b>2. Low-Emitting Flooring (EPA IAP)</b> Section 01350, CRI Green Label, Floorscore, etc.	2			2				
Total Available Points in Flooring: 6		2.0							
<b>M. APPLIANCES &amp; LIGHTING</b>			Possible Points						
TBD	<b>1. Electrical Survey (Whole Building)</b>	N			R				
TBD	<b>2. Verification of Entire Electrical System</b>	0				2			
<b>3. ENERGY STAR Appliances</b>									
≥90%	a. Install ENERGY STAR Dishwasher (Must Meet Current Specifications)	2		1			1		
	b. install ENERGY STAR Clothes Washer								
TBD	i. Meets ENERGY STAR and CEE Tier 2 Requirements (Modified Energy Factor ≥2.0; Water Factor ≤6.0) (Total 3 Points)	0		1			2		
≥90%	ii Meets ENERGY STAR and CEE Tier 3 Requirements (Modified Energy Factor ≥2.2; Water Factor ≤4.5) (Total 5 Points)	2					2		
	c. Install ENERGY STAR Refrigerators in ALL Locations								
TBD	i. ENERGY STAR-Qualified & < 25 Cubic Feet Capacity	0		1					
TBD	ii. ENERGY STAR-Qualified & < 20 Cubic Feet Capacity	0		1					
TBD	<b>4. Common Laundry Facilities Are Provided for All Occupants</b>	0				1			
TBD	<b>5. Provide Built-In Recycling Center In Each Residential Unit</b>	0				1			
TBD	<b>6. Low-Mercury Lamps (Linear and Compact Fluorescent)</b>	0				1			

23-0590 Added Attachment 13 (posted 20230522)

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
TBD	7. Install High-Efficacy Interior Lighting	0		1					
≥90%	8. Install Lighting Controls (Timers, Dimmers, Occupancy Sensors)	1		1					
Total Available Points in Appliances & Lighting: 16		5.0							
<b>N. OTHER</b>			Possible Points						
TBD	1. Incorporate GreenPoint Rated Checklist in Blueprints ( <b>Whole Building &amp; Elements</b> ) ( <a href="#">EPA IAP</a> )	N	R						
	2. Operations & Maintenance Manuals and Training ( <a href="#">EPA IAP</a> )								
TBD	a. Provide O&M Manual and Orientation to Building Maintenance Staff ( <b>Whole Building</b> )	N		R					
TBD	b. Train and Certify Upper Management & Maintenance Staff	0			1		1		
TBD	c. Provide Maintenance Manual and Orientation to Occupants	0		1			1		
TBD	3. Residents Are Offered Free or Discounted Transit Passes	0	2						
Yes	4. Educational Signage of Project's Green Features	1	1						
Yes	5. Pre-Construction Kick-Off Meeting with Rater, Contractor and Subs	1	1						
TBD	6. Incorporate Unit "Green-Up" Policy	0			1				
	7. Hazardous Materials Testing								
Yes	a. Lead Testing and Remediation	1			1				
Yes	b. Asbestos Testing and Remediation	1			1				
Total Available Points in Other: 11		4.0							
<b>O. (Not Used)</b>									
<b>P. INNOVATIONS</b>			Possible Points						
	<b>A. Site</b>								
	1. Stormwater Control: Prescriptive Path (Maximum of 3 Points, Mutually Exclusive With PA2)								
TBD	a. Use Permeable Paving for 25% of Driveways, Patios and Walkways	0	1						
TBD	b. Install Bio-Retention and Filtration Features	0	2						
TBD	c. Route Downspout Through Permeable Landscape	0	1						
TBD	d. Use Non-Leaching Roofing Materials	0	1						
	2. Stormwater Control: Performance Path (Mutually Exclusive With PA1):								
TBD	Perform a Soil Percolation Test and Capture and Treat 85% of Total Annual Runoff	0	3						
	<b>D. Foundation, Structural Frame and Building Envelope</b>								
TBD	1. Use Radon Resistant Construction ( <a href="#">EPA IAP</a> )	0			2				
TBD	2. Install a Foundation Drainage System ( <a href="#">EPA IAP</a> )	0				2			
TBD	3. Moisture Controlled Crawlspace ( <a href="#">EPA IAP</a> )	0			2				
	<b>E. Exterior</b>								
TBD	1. Flashing Installation Techniques Specified and Third-Party Verified ( <a href="#">EPA IAP</a> )	0				1			
	<b>H. Heating Ventilation and Air Conditioning</b>								
TBD	1. Pressure Relieve the Ductwork System (Mutually exclusive with H3) ( <a href="#">EPA IAP</a> )	0		1					Mutually exclusive with H4
TBD	2. Install High Efficiency HVAC Filter (MERV 6+, Mutually exclusive with H3) ( <a href="#">EPA IAP</a> )	0		1					Mutually exclusive with H4
TBD	3. Design & Install HVAC System to ACCA Manual J, D, and S ( <a href="#">EPA IAP</a> )	0		4					
	<b>J. Building Performance</b>								
TBD	1. Obtain EPA Indoor airPlus Certification (Total 39 possible points, not including Title 24 performance; read comment)	0		2					
TBD	2. Third-Party Testing of Mechanical Ventilation Rates for IAQ Meets ASHRAE 62.2 ( <a href="#">EPA IAP</a> )	0			2				
TBD	3. ENERGY STAR® New Homes: Multifamily High-Rise Pilot Program	0		1					



23-0590 Added Attachment 13 (posted 20230522)

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Responsible Party	Notes
<b>K. Finishes</b>									
TBD	1. Use Moisture Resistant Material in Wet Areas ( <a href="#">EPA IAP</a> ) (Kitchens, Bathrooms, Utility Rooms & Basements)	0			1	1			
<b>N. Other</b>									
1. Innovation: List innovative measures that meet green building objectives. Enter in the number of points in each category in the blue cells for a maximum of 4 points for the measure. The "points achieved" column will be automatically fill in based on the sum of the points in each category. Points and measures will be evaluated by Build It Green.									
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0							
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0							
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0							
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0							
TBD	Innovation: Enter up to 4 Points in blue cells at right. Enter description here	0							
Total Available Points in Innovation: 19+		0.0							
<b>Summary</b>									
Total Available Points		287	56	84	37	59	52		
Minimum Points Required (Whole Building)		50	3	20	5	6	3		
Minimum Points Required (Elements)		25	2	8	2	2	2		
<b>Total Points Achieved</b>		100	20	21.8	17	11	30		

**Project has not yet met the recommended minimum requirements for Whole Building**

- Total Project Score of At Least 50 Points

**- Required measures:**

-A2a: Divert All Cardboard, Concrete, Asphalt, &amp; Metals

-D1: Building Envelope Survey and Correction

-D2: Foundation Survey and Correction

-G1: Plumbing Survey and Correction

-G2a: All Fixtures Meet Federal Energy Policy Act

-H1: HVAC System Survey

-H2: Combustion Safety Backdraft Test

-H3: Carbon Monoxide Testing and Correction

-J3: Meet Energy Budget for Building Based on Year

-K6: Meet CARB ATCM for Composite Wood Formaldehyde Limits

-M1: Electrical Survey

-N1: Incorporate GreenPoint Rated Checklist in Blueprints

-N2a: Provide O&amp;M Manual to Building Maintenance Staff

**- Minimum points in specific categories:**

-Community (3 points)

-Energy (20 points)

-IAQ/Health (5 points)

-Resources (6 points)

-Water (3 points)



**File #:** 23-0580

**Document Title:** Supplemental Staff Report Information

### **Variance Applications in the Proposed Project's Vicinity**

- 462 E. McKinley Avenue (2016-7412): <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?ID=2768464&GUID=E5C3A54E-C99C-41A4-8398-1E43686F79D9&Options=&Search=>
- 435 E. McKinley Avenue (2017-7961): <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?ID=3537181&GUID=F26DC2BF-4F7A-496A-80AF-2C7C4C17BDDF&Options=&Search=>
- 474 E. McKinley Avenue (2019-7111/Front Yard Variance): <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?ID=3924264&GUID=3B168FE1-CDCD-4F40-9F44-A478FE0E950A&Options=&Search=>
  - See site plan on pages 2 to 4
- 502 Bryan Avenue (1984-0195/Rear Setback)
  - See additional information on pages 5 to 12
- 475 Lincoln Avenue (2013-7185/Garage Setbacks)
  - See staff report on pages 13 to 37
- 483 Lincoln Avenue (2007-0249/Rear Setback)
  - See staff report on pages 38 to 60

Staff is unable to provide comments on the required setback of the accessory structure at 418 Bryan Avenue since the floor area and height of the structure are unknown. An accessory structure under eight feet in height and 120 square feet or less could have zero setback or require up to 10 feet if it exceeds either of those dimensions.





## ANALYSIS

ASSESSOR'S PARCEL #	209-22-027
LOT AREA:	5,0000 S.F.
ZONING:	R-0
TYPE OF CONSTRUCTION:	V-B
OCCUPANCY RATING:	R-3, U
EXISTING USE:	SINGLE FAMILY RES.
SLOPE OF LOT	BUILT IN 1943 FLAT LOT

### EXISTING

EXISTING LIVING:	1139 S.F.
EXISTING GARAGE:	604 S.F.
TOTAL EXISTING	1743 S.F.

### PROPOSED

NEW LIVING	75 S.F.
TOTAL (E & N) SQUARE FOOTAGE	1818 S.F.

M.F.A/F.A.R.	2250 S.F.
ACTUAL FLOOR AREA	1818 S.F. 36%

ACTUAL COVERAGE	1818 S.F.
ALLOWABLE COVERAGE	2250 S.F.

COVER SHEET/SITE PLAN	1
BLUEPRINT FOR CLEAN BAY	2
TITLE 24	3
MF-1R	4
FLOOR PLANS	5
ROOF PLAN - ELEVATIONS	6
STRUCTURAL DETAILS	S1
FOUNDATION/ROOF FRAMING	S2

REVISIONS		
REV #	DATE	BY
DESIGNERS SIGNATURE		
		
THE PLANS, IDEAS AND DESIGNS SHOWN ON THESE DRAWINGS ARE THE PROPERTY OF THE DESIGNER. DEVICES SOLELY FOR THIS PROJECT. PLANS SHALL NOT BE USED, WHOLE OR IN PART, FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION. JOSH MINER DESIGN		



## NOTE TO CONTRACTOR

THE CONTRACTOR AND/OR SUPPLIER OF MATERIALS SHALL NOT SCALE ANY DIMENSIONS FOR CONSTRUCTION PURPOSES. IN THE EVENT A DIMENSION IS REQUIRED THAT DOES NOT OCCUR ON THE DRAWINGS AND/OR A DIMENSION ERROR IS FOUND ON THE DRAWINGS, THE CONTRACTOR AND/OR SUPPLIER OF MATERIALS WILL NOTIFY THE OFFICE OF MICHELLE MINER DESIGN, AND REQUEST ASSISTANCE AS SOON AS POSSIBLE. IF ANY ERROR IS FOUND ON PLAN OF ANY KIND NOTIFY MICHELLE MINER DESIGN. THE CONTRACTOR AND/OR SUPPLIER OF MATERIALS SHALL BE SOLELY RESPONSIBLE FOR THE RESULTS OF ERRORS, DISCREPANCIES AND OMISSIONS WHICH THE CONTRACTOR AND/OR MATERIAL SUPPLIER FAILED TO NOTIFY THE OFFICE OF MICHELLE MINER DESIGN. PRIOR TO CONSTRUCTION AND/OR FABRICATION OF THE WORK, NO DEVIATION FROM THE PLANS IN ANY WAY SHALL BE MADE WITHOUT THE WRITTEN CONSENT OF MICHELLE MINER DESIGN. APPROVAL BY THE CITY INSPECTOR DOES NOT CONSTITUTE AUTHORITY TO DEVIATE FROM THE PLANS OR OTHER DOCUMENTS PROVIDED BY THE OFFICE OF MICHELLE MINER DESIGN.

## SPECIAL NOTES

BEFORE YOU START CONSTRUCTION REVIEW ALL SHEETS CAREFULLY. READ THE GREEN CHECKLIST SHEETS AND THE TITLE 24 SHEETS FOR REQUIREMENTS AS RULES HAVE CHANGED AND THERE MAY BE THINGS YOU ARE NOT EXPECTING

## SCOPE OF WORK

FILL IN 75 SQ. FT. PORCH TO EXPAND LIVING ROOM. NEW CANTILVERED WINDOW SEAT. RE-DESS GABLE ENDS WITH HARDI PLANK CEMENT SIDING.

SITE GRADING AND PAVING WILL MANAGE SURFACE WATER AWAY FROM BUILDINGS

EXISTING PUBLIC RIGHT OF WAY - ANY CONSTRUCTION WITHIN THE RIGHT-OF-WAY MUST HAVE AN APPROVED "PERMIT FOR CONSTRUCTION IN THE PUBLIC STREET" PRIOR TO THE COMMENCEMENT OF THIS WORK. THE PERFORMANCE OF THIS WORK IS NOT AUTHORIZED BY THE BUILDING PERMIT ISSUANCE BUT SHOWN ON THE BUILDING PERMIT FOR INFORMATION ONLY.

WATER METER - CONTRACTOR TO COORDINATE (N) METER WITH LOCAL WATER COMPANY. IF REQUIRED BY INCREASED FIXTURE LOAD.

ELECTRICAL METER LOCATION - CONTRACTOR TO COORDINATE WITH PG&E FOR UPGRADE TO (E) ELECTRICAL SERVICE IF APPLICABLE.

UFER GROUND CONNECTION PER CEC 250-52 IF APPLICABLE.

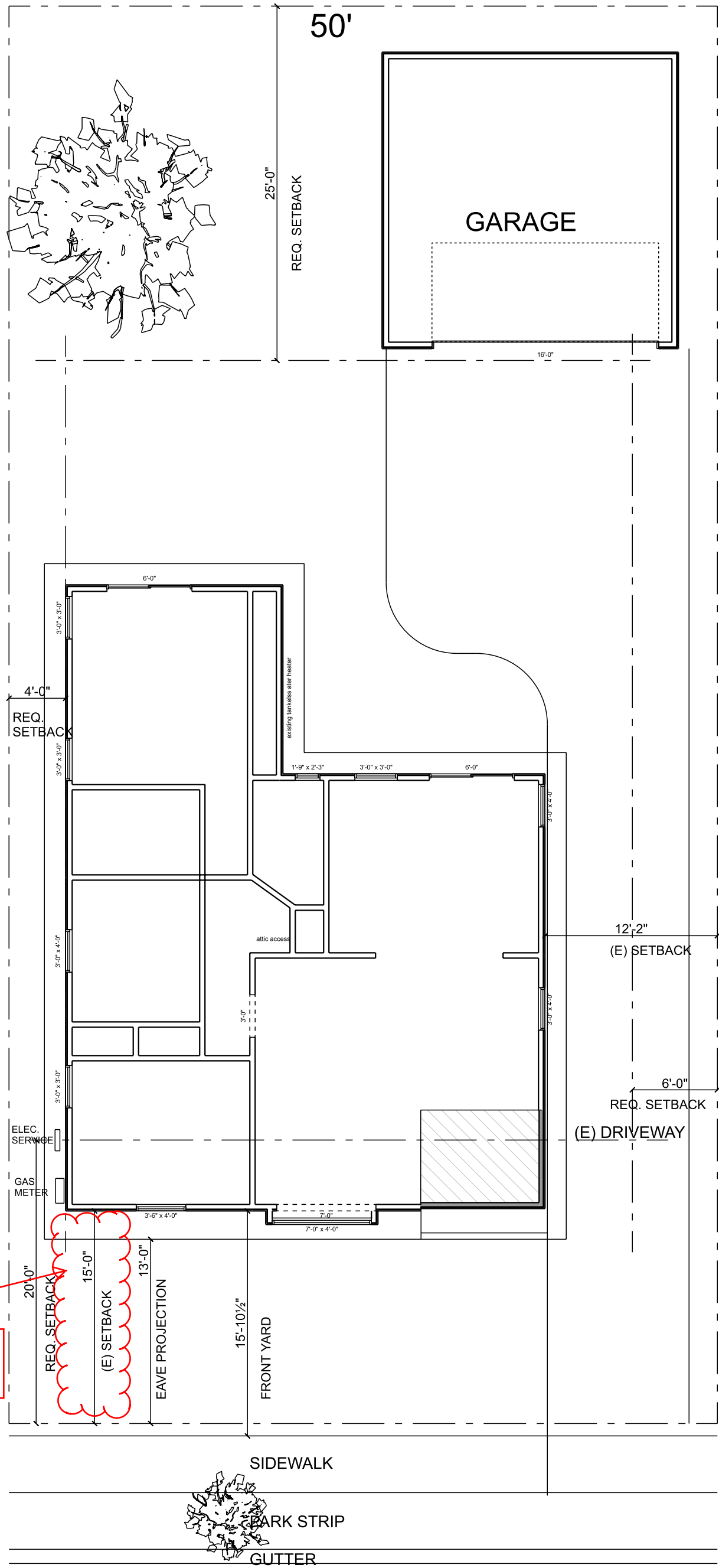
(E) TREE(S) TO REMAIN - PROTECTED AS REQUIRED DURING CONSTRUCTION - DO NOT LEAVE MATERIALS OR EQUIPMENT IN ROOT AREAS FOR EXTENDED PERIODS OF TIME. SEE AIRPORTS REPORTS (IF PROVIDED) FOR ADDITIONAL INFORMATION.

HARDSCAPE SLOPE AWAY FROM HOUSE AT 2% MIN.

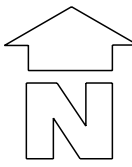
(N) 36" MIN. DEEP LEVEL LANDING PER CRC 311.3 W STEPS ( MAX 7.75 RISER ) - PROVIDE EQUAL RISERS IF MORE THAN ONE STEP.

(N) A/C UNIT CONDENSER PAD(S) PROVIDE ELECTRICAL TO THIS LOCATION AS REQUIRED. VERIFY SIZE AND QUANTITY WITH HVAC CONTRACTOR. A/C UNITS TO COMPLY WITH JURISDICTION'S NOISE ORDINANCE, IF APPLICABLE.

CURB CUT PER LOCAL JURISDICTION STANDARDS DETAIL, IF APPLICABLE



E MCKINLEY AVE



## SITE PLAN

SCALE: 1/8" = 1'-0"

## GENERAL NOTES

ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF MICHELLE MINER DESIGN PRIOR TO COMMENCING.

VERIFY LOCATION OF UTILITIES AND EXISTING CONDITIONS AT SITE PRIOR TO CONSTRUCTION AND BIDDING.

CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR METHOD AND MANNER OF CONSTRUCTION AND FOR ALL JOB SITE SAFETY DURING CONSTRUCTION.

SLOPE ALL FINISH GRADES IN: 5% 5'-0" AWAY FROM STRUCTURE FOR POSITIVE DRAINAGE @ LANDSCAPED AREA & SLOPE GRADE 2% MIN. @ PAVED AREAS.

ALL WORK APPLIANCES AND EQUIPMENT SHALL COMPLY WITH C.E.C. TITLE 24 RESIDENTIAL ENERGY STANDARDS.

NO CONSTRUCTION EQUIPMENT OR PRIVATE VEHICLES SHALL PARK OR BE STORED WITHIN THE DRIPLINE OF ANY ORDINANCE PROTECTED TREES ON SITE.

ADDRESS NUMBERS ON BUILDING SHALL BE CLEARLY VISIBLE FROM STREET OR ROAD FRONTING THE PROPERTY. MIN. 4" HIGH X 1" WIDE PER CRC R319.

DUCT OPENINGS, TO BE COVERED AND PROTECTION OF MECHANICAL EQUIPMENT TO BE PROVIDED DURING CONSTRUCTION

VOC COMPLIANCE - CAULKS, SEALANTS, ADHESIVES, SHALL BE COMPLIANT WITH MIR LIMITS FOR ROC AND OTHER COMPOUNDS (TABLE 4.504.1)

PAINTS AND COATINGS COMPLIANT WITH VOC LIMITS (TABLE 4.504.3)

AEROSOLS AND COATINGS SHALL BE COMPLIANT WITH MIR LIMITS FOR ROC AND OTHER TOXIC COMPOUNDS

VERIFICATION AND DOCUMENTATION OF VOC LIMITS AND FINISH MATERIALS

VOC COMPLIANCE - CARPET & CARPET SYSTEMS

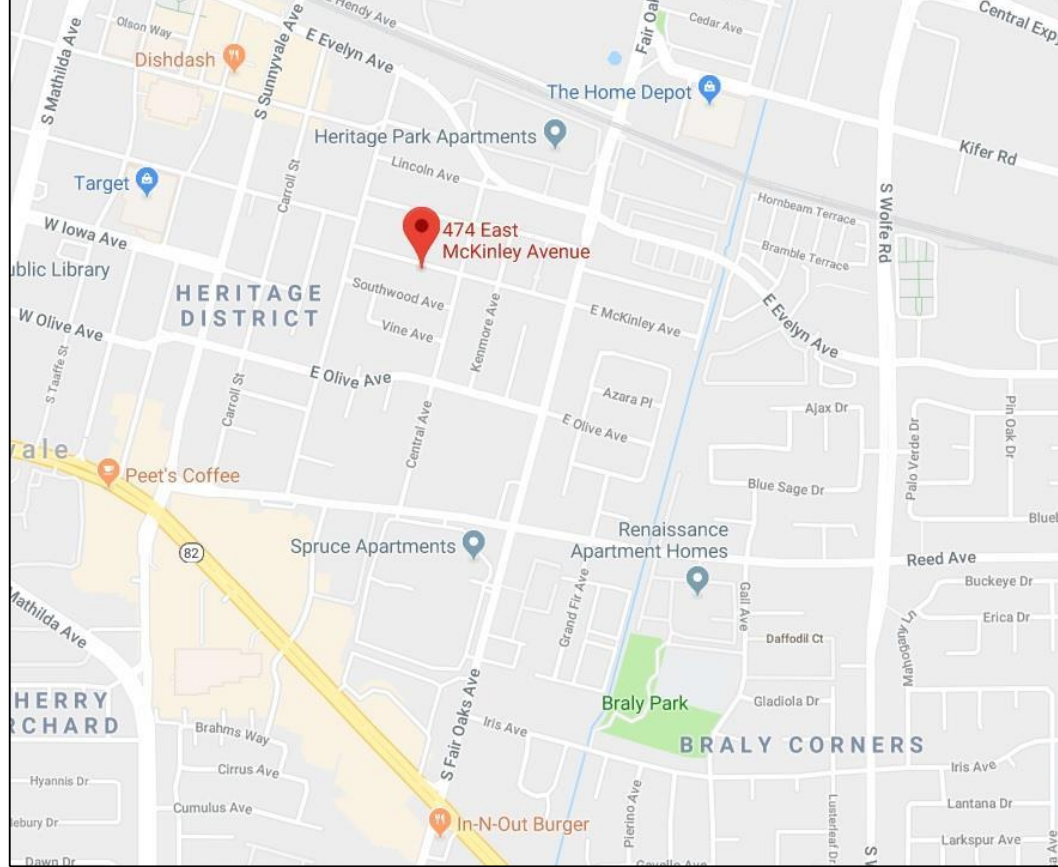
80% FLOOR AREA RECEIVING RESILIENT FLOORING MEET VOC-EMISSION LIMITS PER CHPS

PARTICLEBOARD, MDF, HARDWOOD PLYWOOD COMPLY WITH LOW FORMALDEHYDE EMISSION STANDARDS. (TABLE 4.504.5)

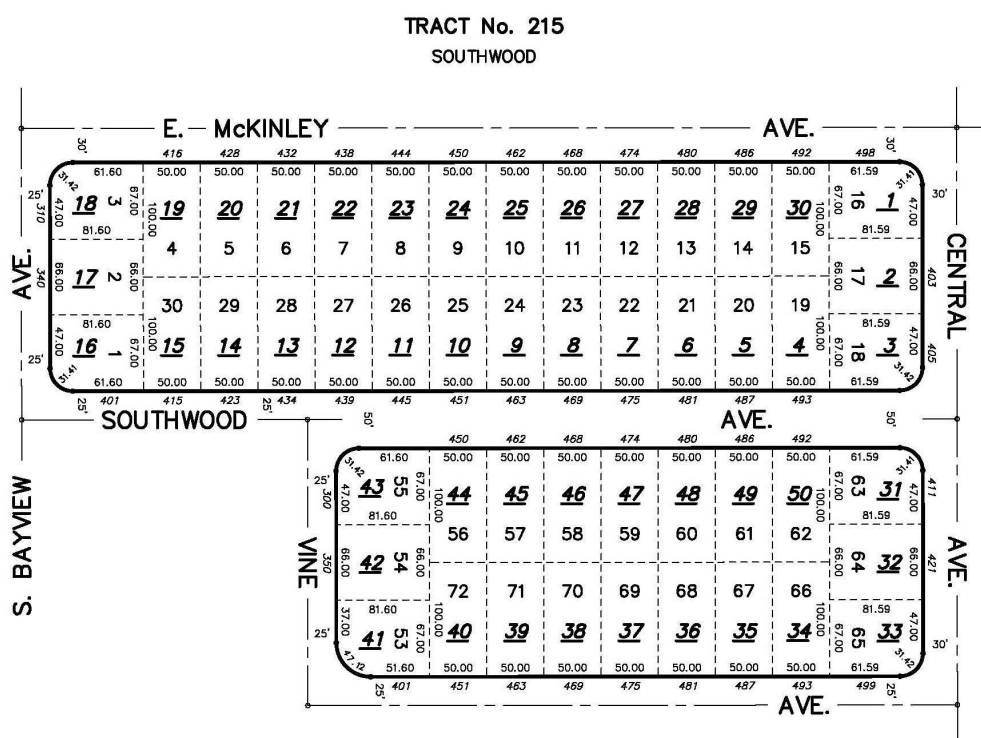
MOISTURE CONTENT OF FLOORS AND WALLS CHECKED BEFORE ENCLOSURE

BATHROOM EXHAUST FANS SHALL TERMINATE OUTSIDE BUILDING AND CONTROLLED BY HUMIDITY CONTROL

## VICINITY MAP



## PARCEL MAP



## PERSONAE

### OWNER

Hekkert Residence  
474 E. McKinley Ave.  
Sunnyvale  
CA 94086  
(408) 509-1781

### DESIGNER

MICHELLE MINER DESIGN  
MICHELLE MINER  
18488 PROSPECT RD. #6  
SARATOGA, CA 95070  
(408) 396-0984

### STRUCTURAL ENGINEER

MHA CONSULTING ENGINEERS  
1623 WRIGHT AVE.  
SUNNYVALE, CA 94087  
(408) 735-1524

### TITLE 24

JOSH MINER  
342 STOWELL AVE.  
SUNNYVALE, CA 94085  
(408) 394-6882

## Hekkert Residence

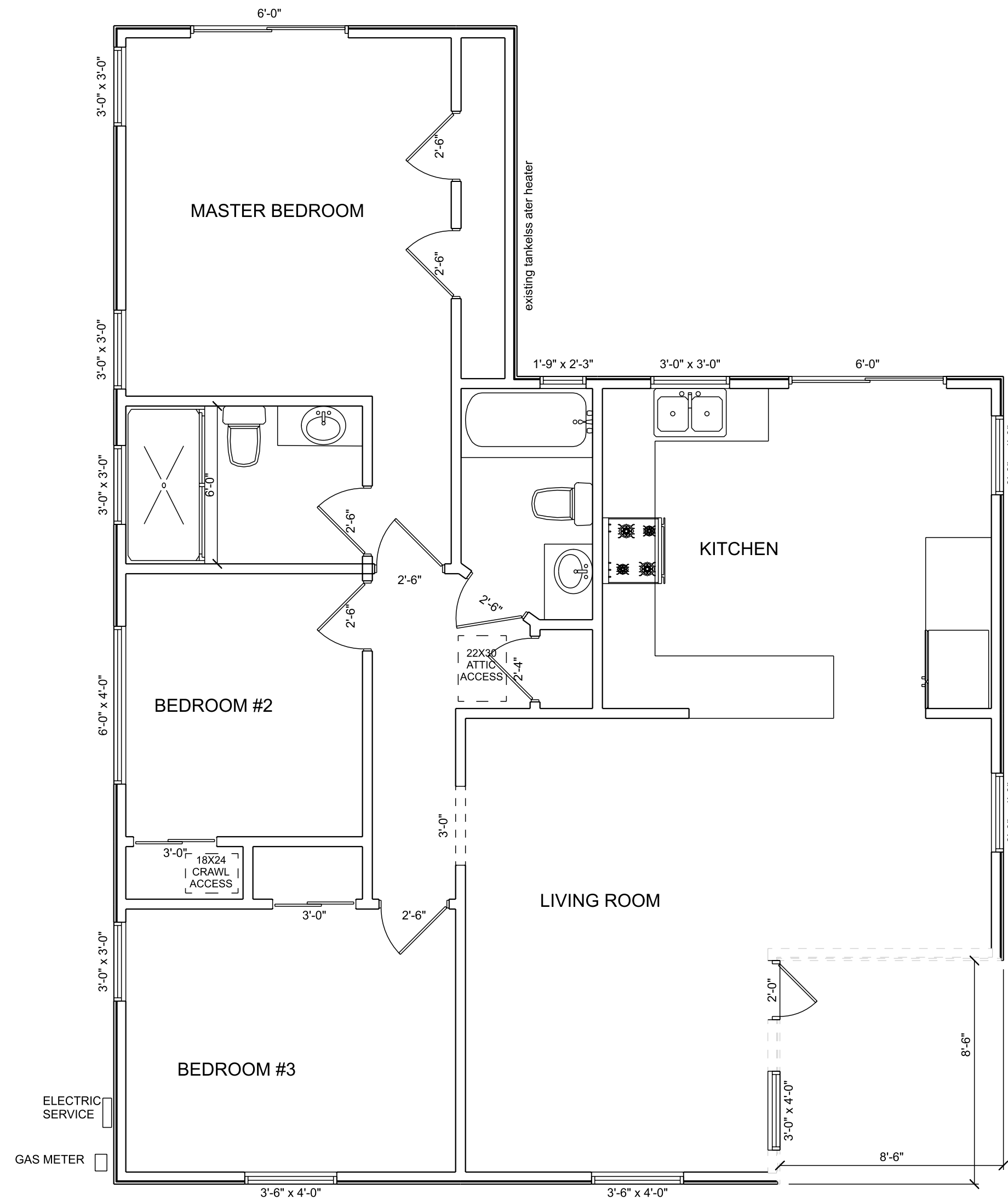
474 E. MCKINLEY AVE. SUNNYVALE, CA 94086

(408) 509-1781 Malenebaer@gmail.com

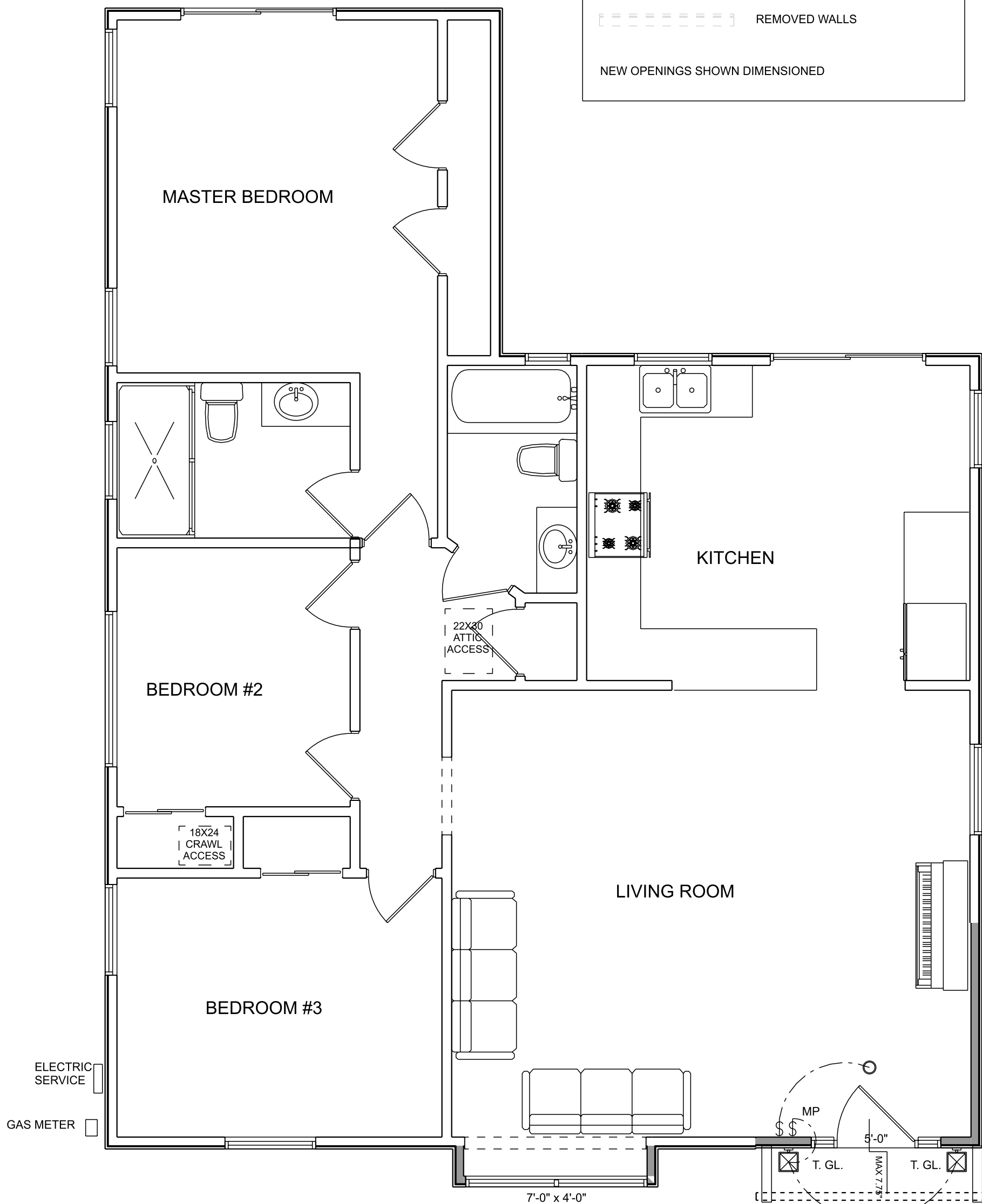
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2/7/2019  
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AS SHOWN  
JOB NO.

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1/5





EXISTING/DEMO PLAN



NEW FLOOR PLAN



LEGEND

EXISTING WALLS

NEW WALLS

REMOVED WALLS

NEW OPENINGS SHOWN DIMENSIONED

ELECTRICAL LEGEND

ELECTRICAL	SYMBOL
can light 6inch	○
exterior light 03	⊗
switch	⌞

MP= MOTION W/ PHOTO CELL

ATTIC VENTILATION CALC'S:

75 S.F. / 150 = .5 S.F.  
BALANCE 50% INTAKE, 50% EXHAUST = .5 S.F.  
.5 S.F. (144) = 72 S.I. INTAKE AND 72 S.I. EXHAUST

INTAKE DRILLED EAVE VENTS  
8.5 L.F. / 1.33 = 6 BLKS  
6 BLKS (3) = 18 HOLES  
18 (3,142)(1.563) = 88 S.I.

8.5 LINEAR FEET OF RIDGE  
8.5 LINEAR FEET (18) S.I. PER FOOT = 153 S.I.  
(OR GABLE VENTS OR COMBINATION)

DRILL ALL 2X BLOCKING W/ (3) 2 1/2" DIA. HOLES  
& 2" CONT. SCREENED VENTS

50% OF THE REQUIRED VENTILATING AREA WILL BE PROVIDED  
BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE  
SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR  
CORNICE VENTS WITH THE BALANCE OF THE REQUIRED VENTILATION  
PROVIDED BY EAVE OR CORNICE VENTS.

FOUNDATION VENTILATION CALC'S:

75 S.F. / 150 / .58 = .86 VENTS SPACED EQ.  
FOR CROSS VENTILATION. USE 6"X 14" SCREENED  
FND VENTS OR APPROVED EQ.

REPLACE ANY VENTS THAT ARE COVERED  
BY NEW CONSTRUCTION

Hekert Residence

474 E. MCKINLEY AVE. SUNNYVALE, CA 94086  
(408) 509-1781 Malenebaer@gmail.com

JOSH MINER design

18488 Prospect Rd. #6 Saratoga, CA 95070  
408.394.6882 JoshMinerDesign@gmail.com

REVISIONS

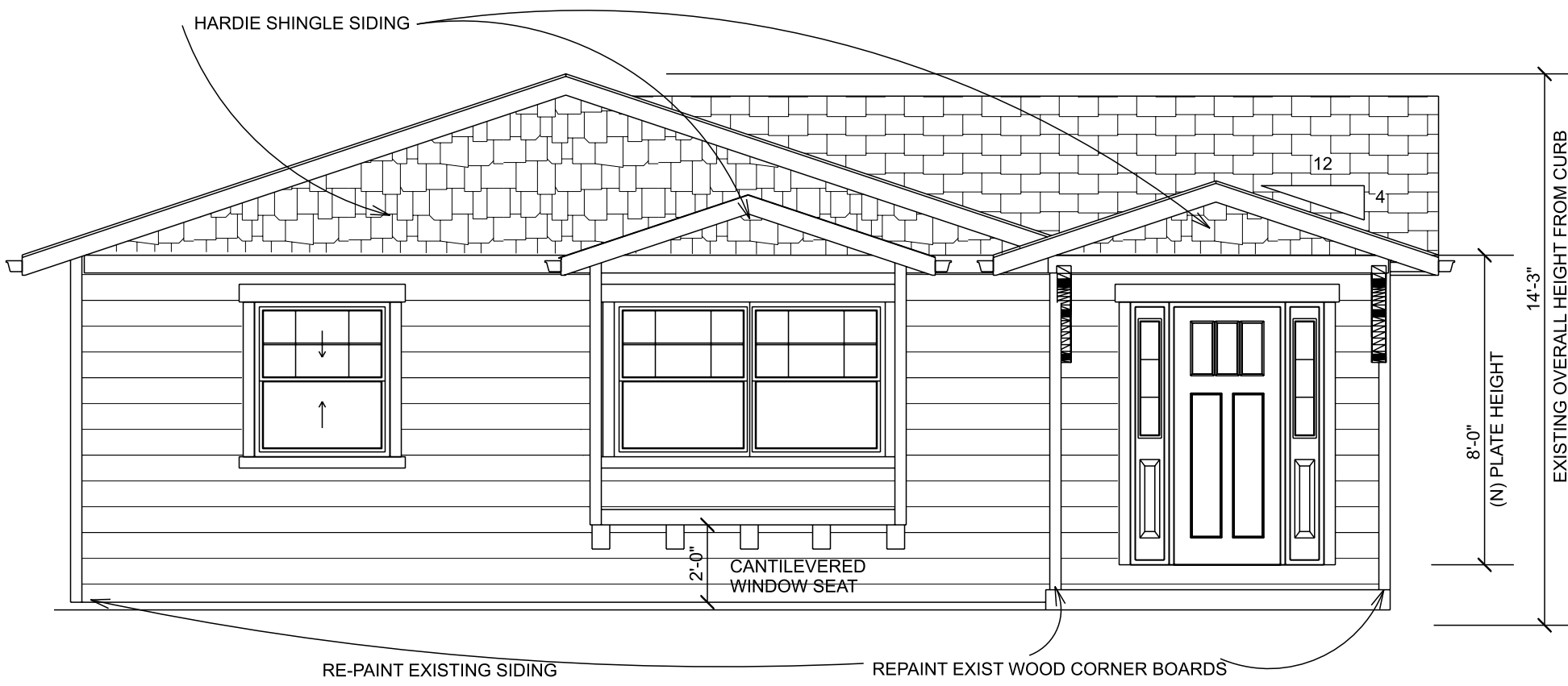
REV #	DATE	BY

DESIGNERS SIGNATURE

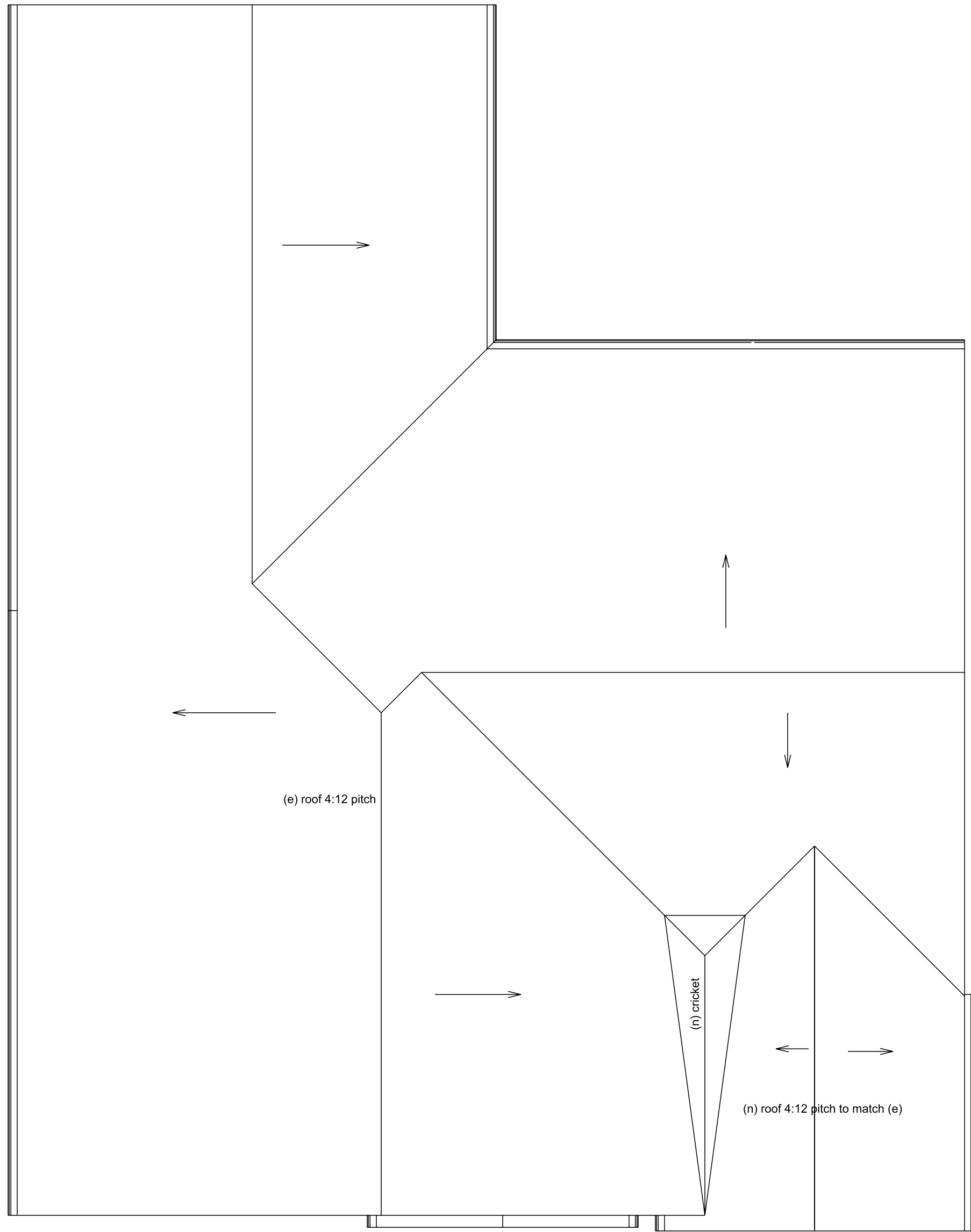
THE PLANS, IDEAS AND DESIGNS SHOWN ON THESE DRAWINGS ARE THE PROPERTY OF THE DESIGNER. DEvised SOLELY FOR THIS PROJECT. PLANS SHALL NOT BE USED, WHOLE OR IN PART, FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION. JOSH MINER DESIGN

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FLOOR PLANS



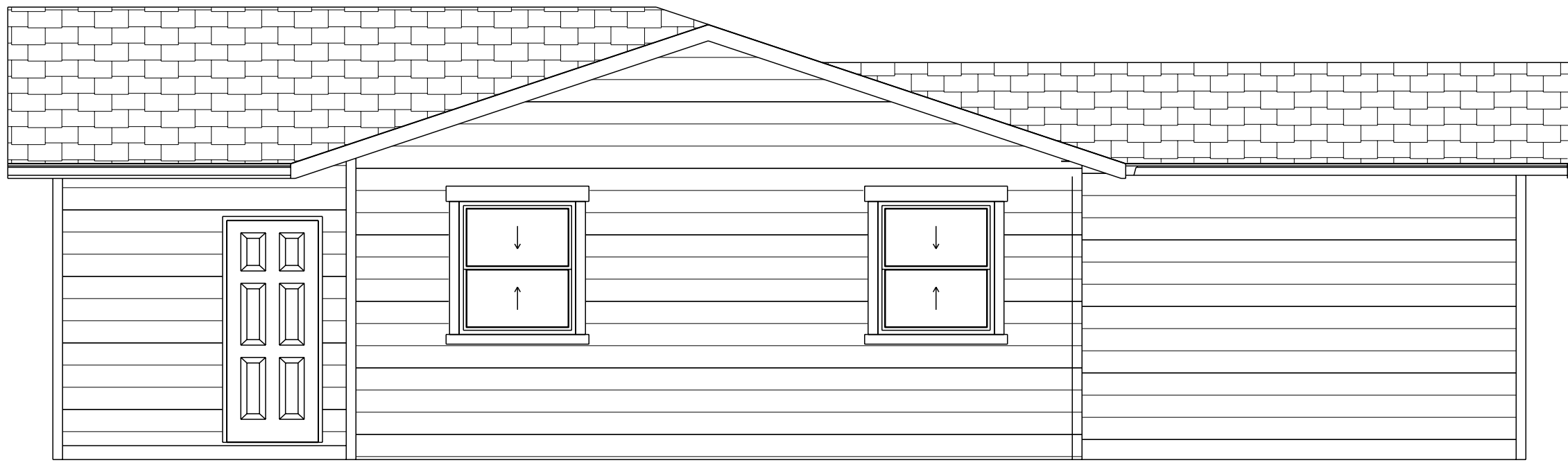
1/4" NEW FRONT ELEVATION



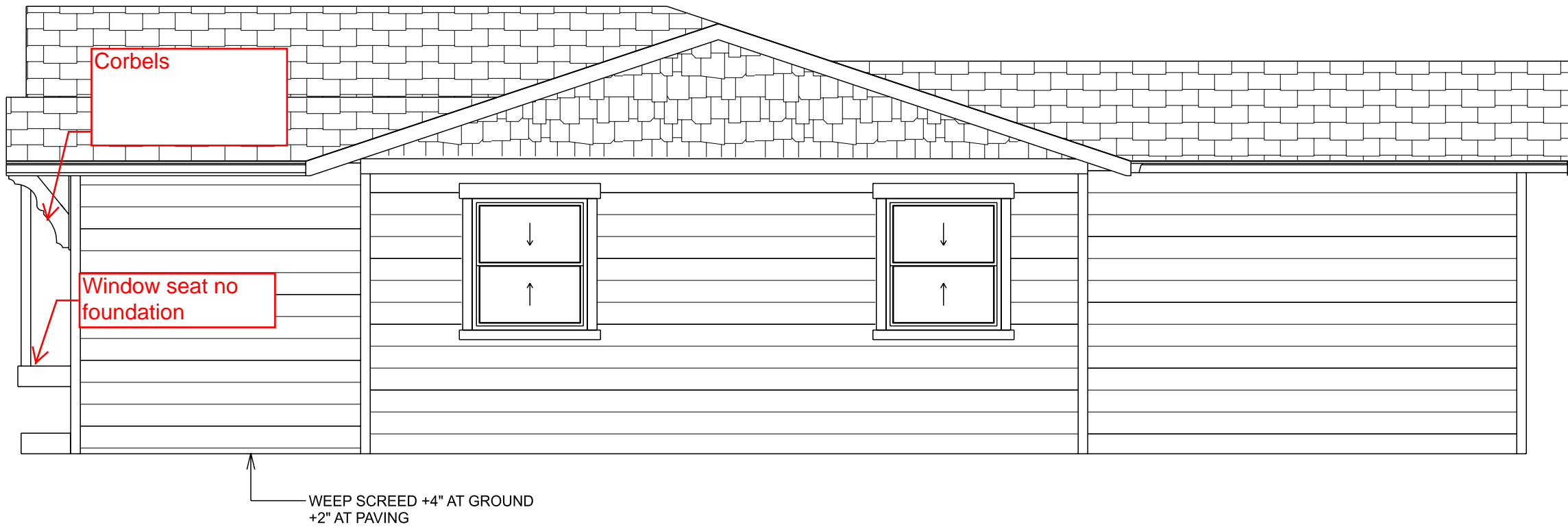
1/4" ROOF PLAN



1/4" EXISTING FRONT ELEVATION



1/4" EXISTING RIGHT SIDE ELEVATION



1/4" NEW RIGHT SIDE ELEVATION

REVISIONS		
REV #	DATE	BY
DESIGNERS SIGNATURE		
		
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**JOSH MINER**  
— design —  
18488 Prospect Rd. #6 Saratoga, CA 95070  
408.394.6882 JoshMinerDesign@gmail.com

**Hekkert Residence**  
474 E. MCKINLEY AVE. SUNNYVALE, CA 94086  
(408) 509-1781 Malenebaer@gmail.com

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JM
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JM
DATE
2/7/2019
SCALE
AS SHOWN
JOB NO.

## Attachment 6

23-0580 Added Attachment 6 (posted 20230522) 60

APPLICATION FOR PLANNING COMMISSION OR ADMINISTRATIVE HEARINGS  
DEPARTMENT OF COMMUNITY DEVELOPMENT, Planning Division

File No.: V-84-29

Account #	Planning Office Use Only	Related Files:
11.3159	<input type="checkbox"/> Use Permit (\$ )	Accepted by: <u>5255</u> Date: <u>5-11-84</u>
11.3159	<input type="checkbox"/> SDP (\$ ) <input type="checkbox"/> Design	PRC Mtg. Date: <u>5-19</u>
11.3159	<input type="checkbox"/> Plan Approval (\$ )	(PC) Admin Mtg. Date: <u>6-11-84</u>
11.3608	<input type="checkbox"/> Sub: (Prelim)(Tent)(Cond.Except)( \$ )	Council Mtg. Date: <u>(tentative)</u>
11.3609	<input checked="" type="checkbox"/> Variance (\$ <u>30</u> )	
11.3603	<input type="checkbox"/> Rezone (\$ )	
11.3611	<input type="checkbox"/> Env. Cl. (\$ )	
	<input type="checkbox"/> Neg. Dec.	
	<input type="checkbox"/> E.I.R. (\$ )	
	<input type="checkbox"/> C.E. #	

Existing Zoning: R-2 M. Section 19.44.020

General Plan Designation: \_\_\_\_\_

Distribution:  
☐ Routine ☐ Other: \_\_\_\_\_

TOTAL FEE \$ 30.00

**TO BE COMPLETED BY APPLICANT (PLEASE TYPE OR PRINT LEGIBLY):**

ADDRESS OF SUBJECT PROPERTY: 502 BRYAN AV.Assessor's Parcel Number: 202-12-41 Size of Property: 6560  
(Net Acres or Square Feet)

PROPERTY OWNER: Legal Name DOROTHY M. PEARSON  
Address (Street) 502 BRYAN AV. City SUNNYVALE CA Zip 94086  
Phone (Business) ( ) (Home) ( )

APPLICANT: Name JOSE & MARILYN GUINTANA  
Address (Street) 502 BRYAN AV. City SUNNYVALE CA Zip 94086  
Phone (Business) ( ) (Home) 408 736-6571

CONTACT PERSON: Name SOME Firm or Co. \_\_\_\_\_  
Phone (Business) 408 736-6571

Application for Approval to Allow: A 7' REAR YARD WHERE A MINIMUM OF 10' IS REQUIRED ON A CORNER LOT FOR A SECOND STORY ADDITION.

I certify that the foregoing statements and information are true and that any submitted material, statements or plan designs are correct to the best of my knowledge and belief; and that I agree to accept the approved application, subject to the provisions of all pertinent City Ordinances. I understand that the Planning fees are non-refundable.

*Dorothy Pearson*

(Property Owner's Signature)

5-9-84

(Date)

NOTE: Only those persons whose names and addresses are given will be notified of meetings

(Form Distribution: White, Planning; Canary, Applicant; Pink, Revenue) CD301 (Rev. 11/1/83)



V-84-29

## Sunnyvale Planning Commission - Agenda

## PUBLIC HEARING - VARIANCE

June 11, 1984

## REPORT IN BRIEF

V-84-29 Dorothy M. Pearson (Jose and Marianne Quintana): Application to allow a 7 foot rear yard where a minimum of 10 feet is required on a corner lot for a second story addition. The property is located at 502 Bryan Avenue in an R-2 Zoning District.

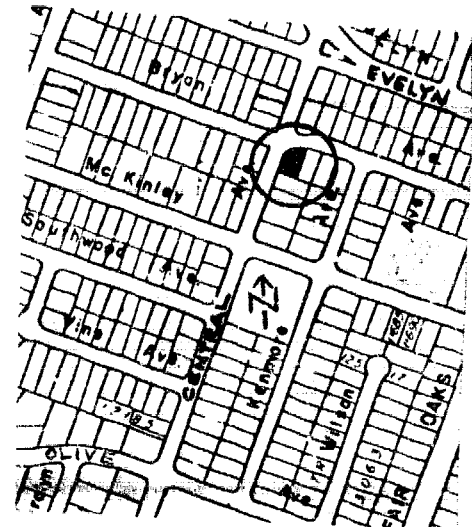
**Issues** Distance from adjacent neighbor's structure; solar access for neighbor and visual privacy for neighbor

**Existing Site Conditions** Single-story single-family home with detached garage

**Surrounding Land Uses** Single-family

**Environmental Status** A Class 5 Categorical Exemption relieves this project from California Environmental Quality Act provisions, as amended, and Resolution #355-81.

**Recommendation** Approve with conditions



PROJECT DATA	Existing	Proposed	Required or Permitted
Type of Project	single-family house	add second story accessory unit	by Use Permit
Lot Size	5500 sq. ft.	5500 sq. ft.	6750 sq. ft.
No. of Units	one	two	two with Use Permit
Floor Area	1645 sq. ft.	1888.5 sq. ft.	2220 sq. ft.
Bldg. Coverage	25.63%	34%	35%
No. of Bldgs. on Site	two	one (connect buildings)	
No. of Stories	one	two	two
Bldg. Height	14'4"	22'	30'

V-84-29 - Dorothy M. Pearson

2.

<u>PROJECT DATA</u>	<u>Existing</u>	<u>Proposed</u>	<u>Required or Permitted</u>
Setbacks:			
a. Front	18'	18'	20'
b. Side	13' (garage)	10'	4'
c. Rear	1'6" (garage)	7' (second story addn.)	10'
d. Reducible Front (corner lot)	16'	16'	9'
No. of Parking Spaces	4 (2 covered)	4 (2 covered)	2 for accessory unit (1 covered)
Solar Energy Provisions	none	unknown	yes

ANALYSISBackground

This variance is submitted in conjunction with Use Permit #5255 for a second story accessory dwelling unit.

Overview of Proposal

The proposed second story addition would be setback from the rear property line 7 feet. Although the Municipal Code recognizes the smaller lot width as the rear yard (opposite the narrow frontage along Bryan), the applicant states that the area between the garage and the "rear property line" consists of only 1'6" and functions as a side yard not a rear yard.

The applicant is requesting a setback of 7 feet which would normally be the required setback for a second story addition adjacent to a side yard.

Applicant's Justifications

Attached are the justifications submitted by the applicant stating in essence that the existing 1'6" distance between the garage and the property line is currently below the minimum permitted by the existing Zoning Ordinance. The proposed second story at 7 feet from the property line would not increase the nonconformity.

Solar Access

The proposed addition would be built on the south side of the subject lot and therefore will not have the impact on the lots to the east, except as may occur during the very late afternoon hours. The property to the south will not be affected.

V-84-29 - Dorothy M. Pearson

3.

Staff Comments

The applicant has submitted drawings that illustrate an effort to accommodate concerns of the neighbor immediately to the south; they have "setback" the second story addition to the distance that would normally be required for a second story addition adjacent to a side yard. Although the area between the and rear property line consists of 1'6" and is technically unusable, the Municipal treats this area as a rear yard. Staff feels that this is an impractical situation with regards to this particular piece of property.

RECOMMENDATION

Approval based upon the findings stated below and subject to the following conditions:

A. FINDINGS:

1. The property's exceptional or extraordinary circumstances are the narrow shape of the subject lot and the fact that this is a corner lot.
2. The variance is needed for the preservation of substantial property rights because the zoning code provides for an accessory dwelling unit, with a Use Permit, and this is the only location available for the accessory unit.
3. The variance is not detrimental or injurious because the applicant has demonstrated a willingness to design the second story addition taking into consideration neighbor's concerns and assurance of adequate light and air for the property to the south.

B. CONDITIONS OF APPROVAL:

1. Comply with all requirements of Use Permit No. 5255.
2. A Variance for any permitted use, once exercised, shall become null and void if the property is not used for such use for a period of one year or more.
  - a. The variance shall be valid only in conjunction with detailed plans as submitted, or as may be modified by the reviewing authority of the City during a public hearing. Minor changes of the approved plans may be approved administratively by the Director of Community Development.
3. No inoperable vehicles shall be stored out-of-doors at the site for more than 24 hours.
4. Details of exterior building materials and color scheme shall be submitted to the Director of Community Development for approval.



V-84-29 - Dorothy M. Pearson

3.

Staff Comments

The applicant has submitted drawings that illustrate an effort to accommodate concerns of the neighbor immediately to the south; they have "setback" the second story addition to the distance that would normally be required for a second story addition adjacent to a side yard. Although the area between the garage and rear property line consists of 1'6" and is technically unusable, the Municipal Code treats this area as a rear yard. Staff feels that this is an impractical situation with regards to this particular piece of property.

RECOMMENDATION

Approval based upon the findings stated below and subject to the following conditions:

A. FINDINGS:

1. The property's exceptional or extraordinary circumstances are the narrow shape of the subject lot and the fact that this is a corner lot.
2. The variance is needed for the preservation of substantial property rights because the zoning code provides for an accessory dwelling unit, with a Use Permit, and this is the only location available for the accessory unit.
3. The variance is not detrimental or injurious because the applicant has demonstrated a willingness to design the second story addition taking into consideration neighbor's concerns and assurance of adequate light and air for the property to the south.

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1. Comply with all requirements of Use Permit No. 5255.
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3. No inoperable vehicles shall be stored out-of-doors at the site for more than 24 hours.
4. Details of exterior building materials and color scheme shall be submitted to the Director of Community Development for approval.

MINUTESJune 11, 1984Planning Commission Action

Comm. Philips moved for **approval**, in accordance with staff recommendation, seconded by Comm. Nakamura and **carried** with Comm. Reese dissenting. (Comm. Tantilla absent)

V-84-29 - Dorothy M. Pearson (Jose and Marianne Quintana)

4.

Public Discussion:

This application was discussed concurrently with the companion Use Permit (#5255). Please refer to that file for the discussion.

1. This applied for variances concerns a technically termed "rear yard," when in fact this "rear yard" has been functioning as a side yard. The property line in question is 1'6" from the garage. I am asking you to leave the garage as it is and propose the second story to be 7' from the property line. Please refer to drawings.
2. The configuration of the property and the location of the house on the lot has created the problem of the set back. I cannot see any harm to or interference with our neighbors if the variance is granted.
3. The proposed addition will, <sup>be</sup> in no way, detrimental to the property. If you will please refer to the drawings I feel they illustrate that the proposed addition will enhance the property and therefore be an asset to the neighborhood.



## CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

June 12, 2013

**File Number:** 2013-7185

**Permit Type:** Variance

**Location:** 475 Lincoln Avenue (near Central Avenue) (209-04-006)

**Applicant/Owner:** Richard Bettencourt/Danielle Valliere

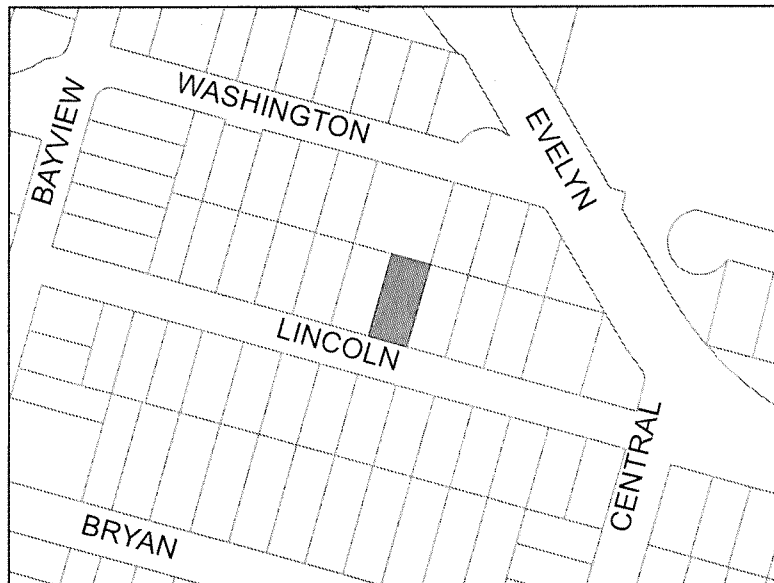
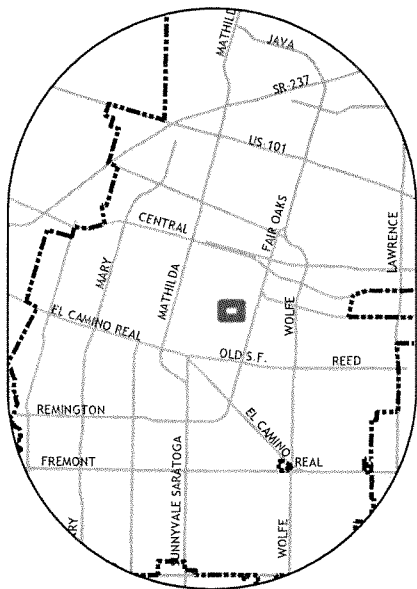
**Staff Contact:** Elise Lieberman, Assistant Planner, (408) 730-7443

**Project Description:** To allow the demolition of an existing legal nonconforming detached one-car garage with nonconforming setbacks and to allow the construction of a larger and taller one-car garage. Existing nonconforming setbacks will remain, but the height of the garage will increase from 8' to 13'.

**Reason for Permit:** A Variance is required for a garage built within the required setbacks and to increase the non-conformity of an existing structure.

**Issues:** Setbacks

**Recommendation:** Approve with Conditions



500

Feet



## PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Residential Low-Medium Density	Same
Zoning District:	R-2	Same
Lot Size:	5,400	Same
Total Sq. Ft.:	1,548	1,555
Lot Coverage:	28.7%	28.8%
Parking:	1 (covered by garage), 1 (covered by carport)	1 (covered by garage) (carport removed)
Front Setback:	26'-6"	Same
Left Setback:	2'-3"	Same
Right Setback:	35'-5"	Same
Rear Setback:	1'-8"	Same
Height:	14' (house with parapet), 8'-6" (garage with parapet)	14' (house with parapet), 13'-6" (garage with parapet)

Previous Planning Projects related to Subject Application	<b>No</b>
Neighborhood Preservation Complaints	<b>No</b>
Deviations from Standard Zoning Requirements: The existing home does not provide covered parking in accordance with the current zoning code; however the existing garage is currently legal nonconforming. A Variance is needed to rebuild the garage.	<b>Yes</b>

**Background:** A one-car garage currently exists on the property which is considered legal nonconforming with legal nonconforming setbacks.

**Site Plan:** The home is situated on a mid-block lot within an older neighborhood of single-family homes built from the 1920s to 1940s. The proposal is to re-build the existing one-car garage in the same location as the original as its condition is deteriorating. The proposed garage would be 1'-8" from the rear property line and 2'-3" from the left side property line which is the same as the existing structure. A Variance is not required to rebuild the garage as it currently exists; however a Variance is required because the applicants propose to increase the garage height which increases its non-conformity. They also intend to expand the two rear corners of the garage, increasing the footprint of the garage by 7 square feet thereby increasing the non-conforming building footprint.

**Floor Plan:** The floor plan of the existing house would not be altered. The applicant intends to expand the rear of the garage by 7 square feet so that it is

the same width as the main body of the garage. They also propose to increase the height of the building from 8'-6" (including the parapet) to 13'-6" (including the parapet) to increase storage space. The main floor of the proposed garage would have a plate height of 8'. The second story storage area would have a maximum plate height of approximately 3'-7".

**Architecture:** The existing garage has siding on three sides with stucco in the front and a small parapet on top. The proposed garage would be built to resemble the existing house more closely by using stucco on all four walls and adding architectural features to match those found on the front of the house. Roll roofing materials would be used to match the existing house. No windows would be included in the garage.

**Parking:** The site currently provides one covered and one uncovered parking space which is considered to be existing non-conforming as current parking standards require two covered and two uncovered parking spaces. An illegal carport covering is located on the left side of the existing house. Staff is requesting that this structure be removed as part of Condition of Approval GC-4 as it cannot meet current setback requirements or Single Family Design Techniques. The carport would need to be a minimum of 4 feet from the side property line and resemble the architectural style of the house.

**Variance Justification:** The applicant has provided justifications for the Variance in Attachment C and a proposal in Attachment D. The common development pattern within the neighborhood includes detached garages within the rear yard including those built at or near the property line. Many of these structures are built within the required setbacks and are considered legal nonconforming as they predate City codes. A Variance was approved in 2007 which allowed a similar request for a detached garage within the rear and side yard setbacks at 483 Lincoln.

A Variance would also be needed for the added height as the proposed height would be 5 feet taller than the existing garage. For a detached required garage under 15 feet in height, the Zoning Code would require the proposed structure to meet a rear yard setback of 10 feet and a side yard setback of minimum 4 feet.

**Public Contact:** A total of 7 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters were received.

**Environmental Determination:** A Categorical Exemption Class 1 (minor changes in use) relieves this project from CEQA provisions.

## **FINDINGS**

In order to approve the Variance the following findings must be made:

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. **(Finding met)**

The subject property and its surrounding neighborhood do not meet current standards for an R-2 zoning district within the City. This neighborhood is unique as many lots are smaller than currently allowed and numerous homes have non-conforming detached garages that do not meet current side yard and rear yard setback requirements. The added 7 square feet of space in the back and the increased height of the proposed re-built garage will allow room for both storage space and a vehicle. Many other properties in the surrounding neighborhood enjoy the privileges of maintaining a similar configuration as the proposed design.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. **(Finding met)**

The proposed Variance would allow the subject property to upgrade parking facilities while maintaining the neighborhood pattern of detached garages within the rear yard. Many of the homes maintain garages with zero or non-conforming side and rear yard setbacks including the neighboring properties on either side. A number of the detached garages are also taller than the existing garage. The proposed Variance would allow the applicant to increase the height of the garage to a comparable height of those located within the neighborhood.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. **(Finding met)**

Many of the homes within the neighborhood have legally constructed detached garages within the rear yard that do not meet current setback requirements. Many of these structures are considered legal nonconforming or have been through a Variance approval (483 Lincoln, 480 Lincoln and 487 Lincoln). Granting the Variance will not constitute a special privilege, but rather will allow the applicant to enjoy the same privileges as other property owners in the immediate neighborhood.

**ALTERNATIVES:**

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1. Approve the Variance with recommended Conditions in Attachment A.
2. Approve the Variance with modifications.
3. Deny the Variance.

**RECOMMENDATION**

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Alternative 1. Approve the Variance with recommended Conditions in Attachment A.

Reviewed by:



Gerri Caruso  
Principal Planner

Prepared By: Elise Lieberman, Assistant Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Variance Justification Letter from the Applicant
- D. Garage Variance Proposal from the Applicant



**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
June 12, 2013**

**Planning Application 2013-7185**  
475 Lincoln Avenue

Variance to allow 2'-3" where 4' is required for side yard setbacks  
and 1'-8" where 10' is required for rear yard setbacks.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

**GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE  
APPROVED PROJECT.**

- GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:  
All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing.  
[COA] [PLANNING]
- GC-2. PERMIT EXPIRATION:  
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior

to expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)

GC-3. TREES:

No protected trees are approved for removal as part of this project. [SDR] (PLANNING)

GC-4. CARPORT:

Remove the existing non-permitted carport.

**BP: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).**

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]



Lincoln Avenue  
California 94086

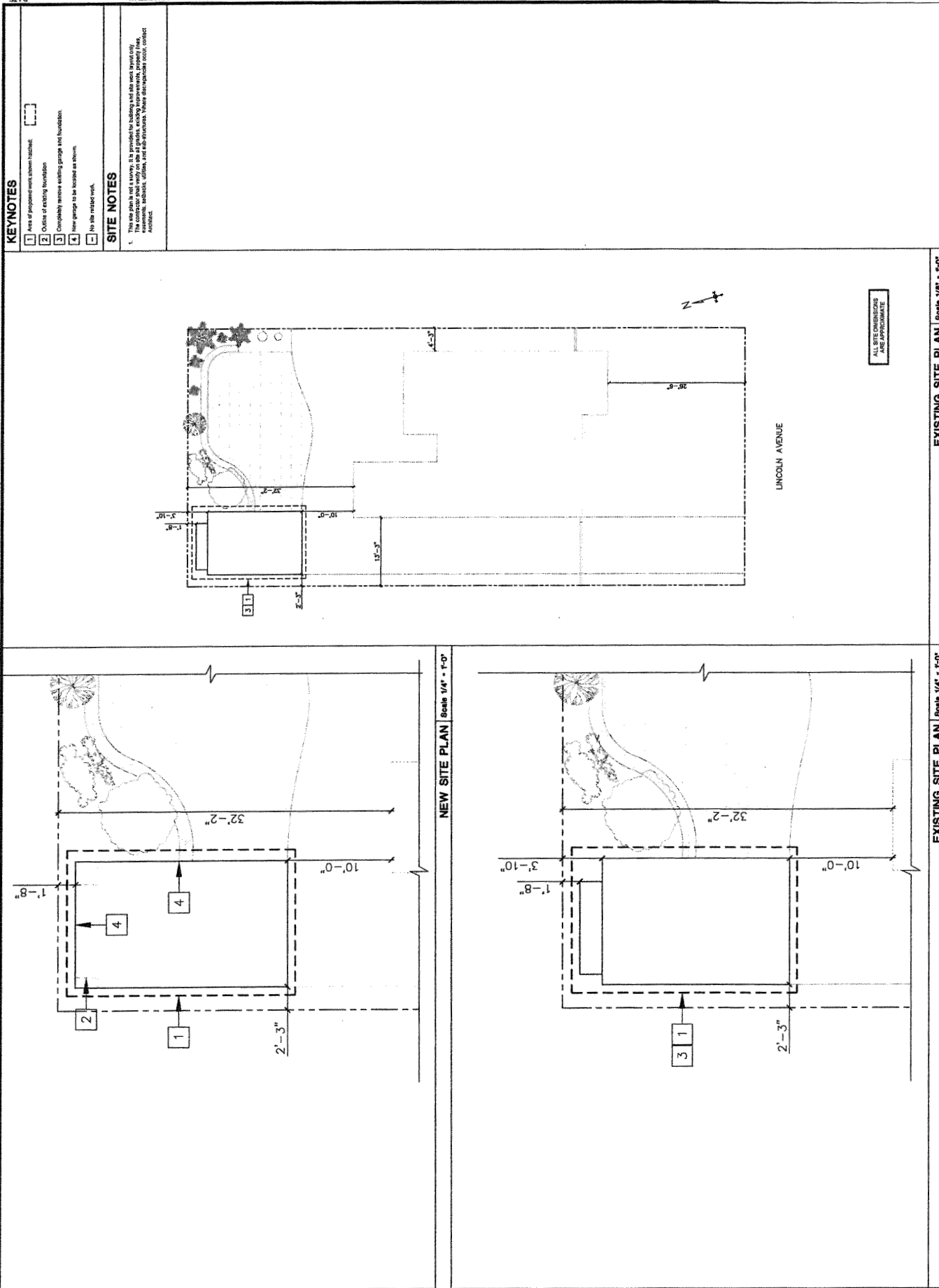

[illegible]



JR Structural, Inc.  
600 Main Street, Suite E  
Pleasanton, California 94566  
(925) 468-9000 Fax: (925) 468-9006  
www.jrstructural.com

Hunt Garage  
475 Lincoln Avenue  
Hayward, California 94606  
APN #209-04-006

REV	DESCRIPTION	DATE

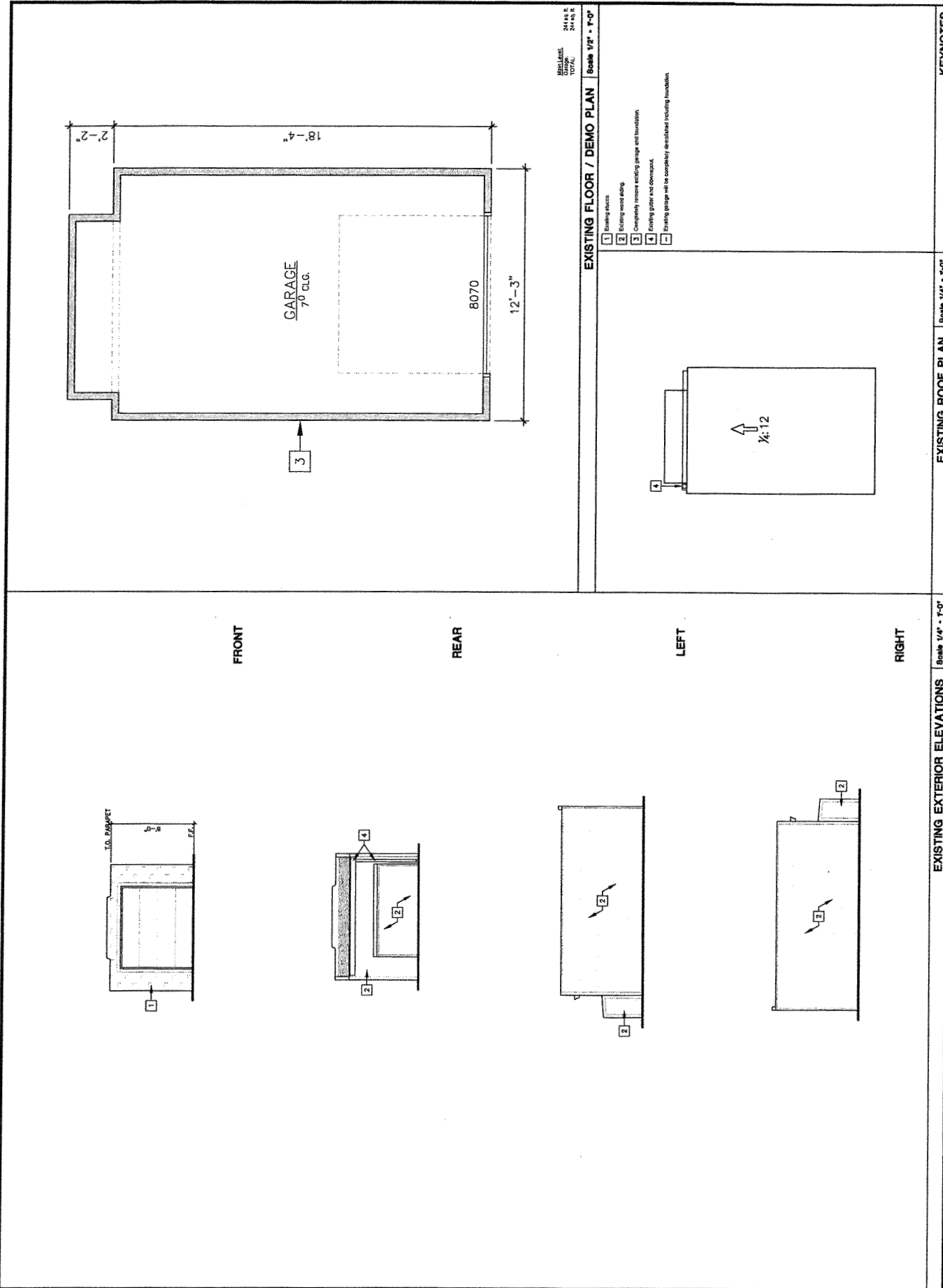


DATE	REV	DESCRIPTION

JR Engineering, Inc.  
600 Main Street, Suite E  
Pleasanton, California 94566  
(925) 469-0000 Fax: (925) 469-8008



Hunt Garage  
475 Lincoln Avenue  
Hayward, California 94028  
APN #208-04-006



KEYNOTES

Scale 1/4" = 1'-0"

EXISTING ROOF PLAN

Scale 1/4" = 1'-0"

EXISTING EXTERIOR ELEVATIONS

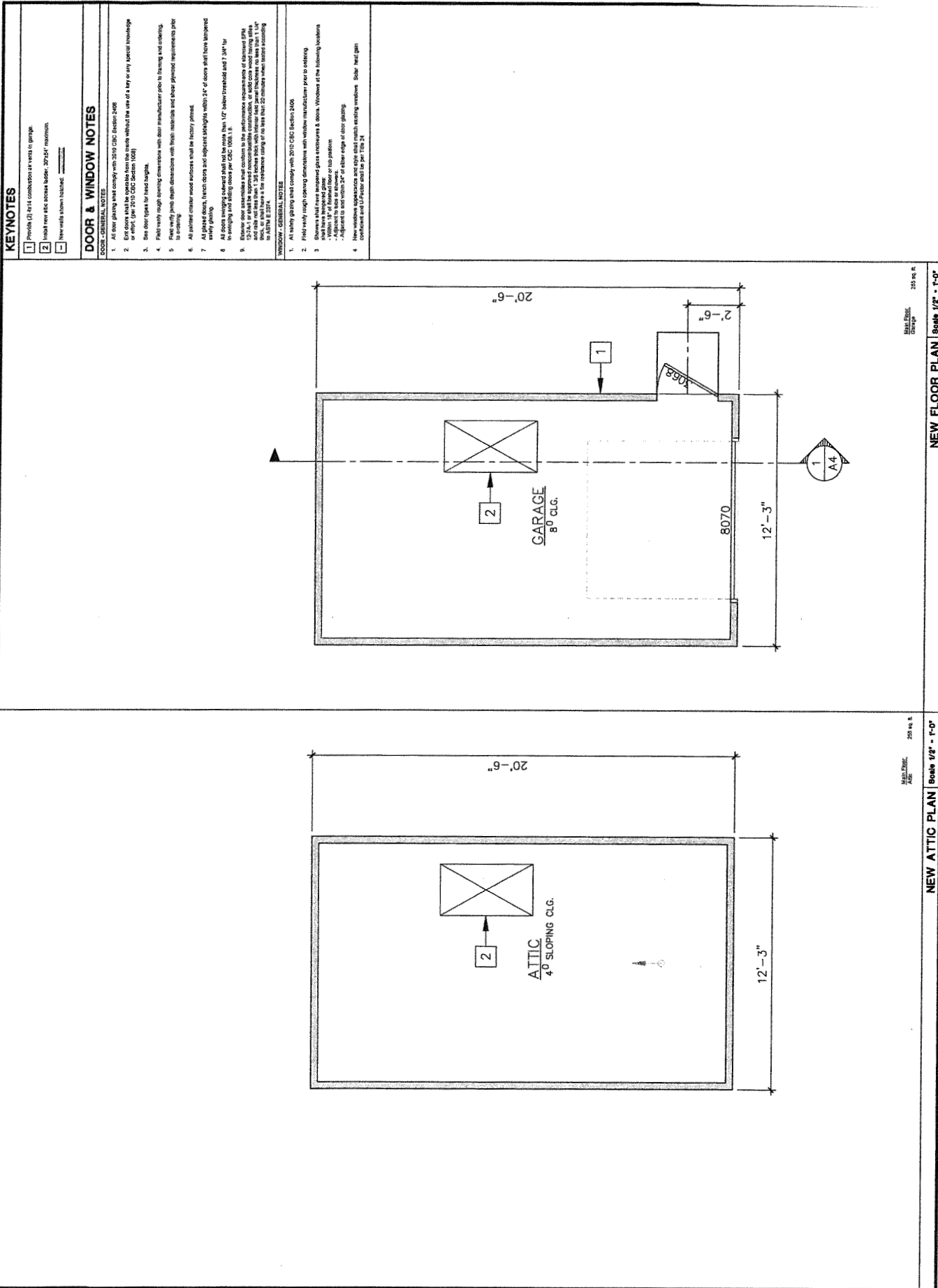


REV	DESCRIPTION	DATE

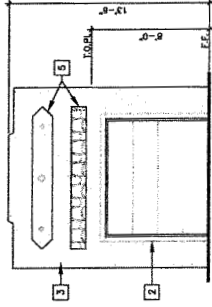
**JR Structural, Inc.**  
JR Structural, Inc.  
100 Main Street, Suite E  
Pittsburg, California 94066  
(925) 499-8000 Fax: (925) 499-8006  
www.jrstructural.com



**nt Garage**  
Lincoln Avenue  
Pittsburg, California 94066  
#209-04-006



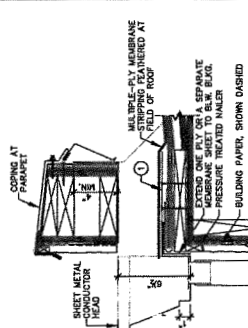
- 1 New rot roofing to match existing main residence.
- 2 Install rim around new doors to match existing main residence.
- 3 New 2" stone finished to match existing main residence.
- 4 New scupper ran out to match existing main residence.
- 5 New architectural features to match existing main residence.
- 6 New 4x14 combination air vent.
- 7 No openings to garage permitted on this side.



A diagram of a room layout. In the center is a light fixture labeled 'L'. To the left is a chair labeled 'C'. To the right is a table labeled 'T' with a lamp labeled 'L' on it. A small box labeled 'S' is on the wall between the chair and the table.

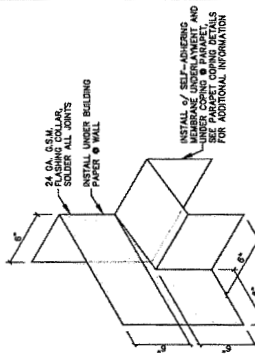
ROOF PLAN 8 on 1/4" = 1'-0"

**3 METAL COPING • PARAPET**



① FASTEN SCUPPER TO BLKG., SET FLANGE IN COMPATIBLE ROOF CEMENT. PRIME FLANGE BEFORE STRIPPING

**SCUPPER THROUGH PARAPET**



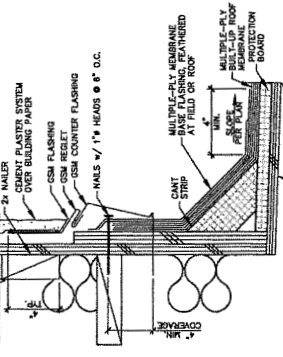
5	PARAPET WALL FLASHING COLLAR
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**FLASHING OF EXTERIOR WALL OPENINGS**



1 FLASHING AT EXTERIOR WALL OPENINGS

2x NAILER



**BUILT-UP ROOF AT CEMENT**

## - PLASTER WALL



JR Structural, Inc.  
900 Main Street, Suite E  
Pleasanton, California 94566  
(925) 469-9000 Fax: (925) 469-9008

pt Garage  
Lincoln Avenue  
Lincoln, California 94008  
Tel: (209) 940-0008

DATE	DESCRIPTION	REV

**KEYNOTES**

- 1. New Electrical Conditions:
  - a. Changes are required to be shown below for all new construction or where representations are required in the following areas (Refer to Sheet 63):
    - 1. Dwelling Units: All new 120-volt, single phase, 15- and 20-ampere receptacles installed in dwelling units shall be provided with GFCI protection.
    - 2. Garages:
    - 3. Basements:
    - 4. Commercial:
    - 5. Other locations:
    - 6. Bathrooms - where the receptacles are installed to serve the complete surface of the bathtub or shower, the receptacle shall be provided with GFCI protection.
    - 7. All added receptacles 120 Volts, 15 & 20 amp, receptacles shall be listed tamper resistant receptacles.
    - 8. All garage receptacles shall be per 2010 NEC article 210.8 (GFI).

**LIGHTING NOTES**

- 1. All hard-wired wall switches, controlled light fixture or lighting outlet shall be installed in every habitable room, bathroom, hallway, garage, and in outdoor entrance per CEC 210.70.
- 2. New receptacles installed in unoccupied areas shall be rated GFI and installed per 2010 NEC article 210.8 (GFI).

**RESIDENTIAL LIGHTING STANDARDS**

As per lighting code compliance with the requirements of Title 24 building efficiency standards.

**REQUIREMENTS, GARAGES, COMMERCIAL, LAUNDRIES, BATHS, AND OUTDOOR AREAS:**  
All lighting must be GFI.

- 1. On low-voltage lighting controlled by a vacancy sensor.
- 2. On low-voltage lighting controlled by a timer switch.
- 3. On low-voltage lighting controlled by a vacancy sensor.
- 4. On low-voltage lighting controlled by a timer switch.

**REQUIREMENTS, GARAGES, COMMERCIAL, LAUNDRIES, BATHS, AND OUTDOOR AREAS:**  
All lighting must be GFI.

- 1. On low-voltage lighting controlled by a vacancy sensor.
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- 3. On low-voltage lighting controlled by a vacancy sensor.
- 4. On low-voltage lighting controlled by a timer switch.

**ELECTRICAL LEGEND**

- 1. Single Direction with battery backup
- 2. CO Detector with battery backup
- 3. Smoke Detector (CO Detector) with battery backup
- 4. Exhaust Fan
- 5. Exhaust Fan / Light Combo
- 6. Ceiling Supply Register
- 7. Floor Supply Register
- 8. Return Register
- 9. Single Pole Switch
- 10. Single Pole Switch with Dimmer
- 11. Wall Mounted Light Fixture
- 12. Electrical Main Panel
- 13. Single-Sided
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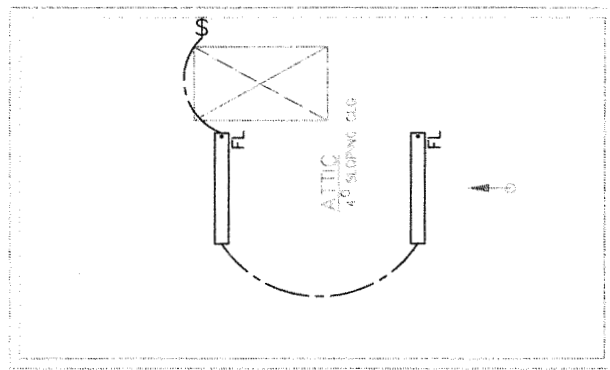
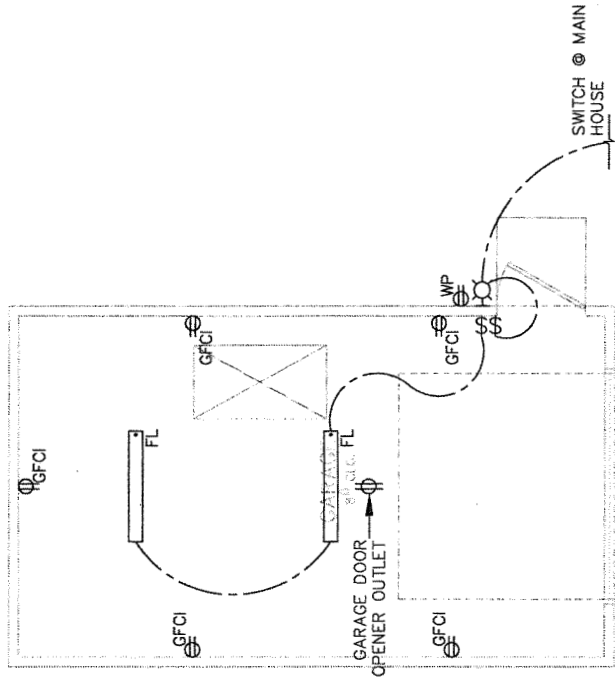





TABLE NO. 2304.8.1 NAILING SCHEDULE (PARTIAL LIST)		NAILING	
CONNECTION	DETAILS	GAUGE	SIZE
1.	JOIST TO SILL OR GROUND, TYPICAL	(3) 80	
2.	SOLE PLATE TO JOIST OR BLOORING, TYPICAL	160 AT 18" O.C.	
3.	SOLE PLATE TO STUD, TYPICAL (AT 3" SILL PLATE)	160 AT 16" O.C.	
4.	STUD TO STUD, TYPICAL	(2) 200	
5.	DOUBLE STUDS, FACE NAIL	160 AT 16" O.C.	
6.	DOUBLE TOP PLATES, FACE NAIL	160 AT 16" O.C.	
7.	DOUBLE TOP PLATES, FACE NAIL	(3) 80	
8.	BLOORING BEAM TO JOIST, TOP NAILERS	90 AT 9" O.C.	
9.	JOIST TO TOP PLATE, TYPICAL	160 AT 16" O.C.	
10.	JOIST TO JOIST, TOP NAILERS	90 AT 9" O.C.	
11.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
12.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
13.	CEILING JOIST TO PLATE, TYPICAL	(4) 80	
14.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
15.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
16.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
17.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
18.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
19.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
20.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
21.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
22.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
23.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
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27.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
28.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
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30.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
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41.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
42.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
43.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
44.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
45.	CEILING JOIST TO PLATE, TYPICAL	(3) 80	
46.	CEILING JOIST TO PLATE, TYPICAL	(3) 160	
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Roof shall be framed with rafters per the "Roof Framing Schedule". Use Simpson's type LUS' rafter and joint hangers, u.s.a.

Nail roof sheathing with 8d nails at 6" o.c. at all supported sides and 12" o.c. at intermediate supports, u.o.n. Roof sheathing sheets located at roof edges or changes in framing shall be at least 24 inches wide or shall be edge blocked and nailed. Edge nail plywood to all roof collectors (rafters with horizontal straps).

Install double 2x posts, minimum below all roof beams. Contractor shall verify framing layout to ensure continuous and solid blocking under all concentrated loads.

See general notes for additional requirements. All detail callouts shall be considered typical. The contractor shall review the detail sheets for details not specifically referenced.

## CEILING FRAMING SCHEDULE

Ceiling shall be framed with 2x8 joists installed at 16" o.c. maximum, u.o.n.

Minimum window and door header size shall be 4x8 u.o.n.

Ceilings shall be sheathed with  $\frac{1}{2}$ " plywood or equivalent OSB.

## SPREAD FOOTING FOUNDATION NOTES

[illegible]

H042: Simpson SSTB20 with del 2x post min.  
H044: Simpson SSTB24 with del 2x post min.  
H048: Simpson SSTB28 with (X) 2x post min.  
Simpson Strongwall: Simpson SWAB7/8 or SSTB28 per plans.  
Simpson Steel Strongwall: Simpson SWAB3MHS (exterior condition)

HCU11: Simpson S81x30 with 4x6 post at 2x4 wall or 6x6 post at 2x6 wall  
HCU14: Simpson S81x30 with heavy hex anchor nut and 4x6 post at 2x4 wall or 6x6 post at 2x6 wall

Step foundation as required for floor elevation changes and compliance with details. The contractor shall grade the site to provide proper surface drainage away from the foundation at all locations. Roof over

All foundation plates and mudsills shall be pressure treated Douglas Fir or Hem Fir marked or branded by an approved agency. See shear-wall schedule for sheorwall locations that require 3x (minimum) mudsills. Adjust foundation member lengths as necessary for 2x mudsills. Foundation plates

Foundation anchor remains as necessary for 3x masonry. Foundation plates and muddalls shall be bolted to the foundation with not less than 5/8" diameter steel bolts. 3" square x 0.228" thick plate washers are required at abutments (standard washers ok elsewhere). Embed anchor bolts 7" into concrete foundation wall or 12" into grouted masonry, and space not more than 48" apart unless otherwise noted on the Specifications Schedule.

There shall be a minimum of two bolts per board with one bolt located within 12" of each end. See details for additional information.

## FOUNDATION SCHEDULE

The foundation shall consist of a 5" concrete slab on grade with thickened footings and pods. The concrete slab shall be reinforced with #4 bars at 16" o.c. each way.

All anchor bolts shall be 5/8" diameter with 3" square x 0.225" thick plate washers at shearwalls and standard washers elsewhere. Contractor shall review the Shearwall Schedule for locations where 3x mudsills are required, if any. Adjust foundation anchor lengths as necessary for 3x mudsills.

Foundation concrete strength shall be 3000 psi @ 28 days, minimum. Structural design is based on 2500 psi concrete therefore no special inspection is required.

Landscape slabs shall be independent of the building foundation. The contractor shall install expansive joint material between all slabs and the foundation.

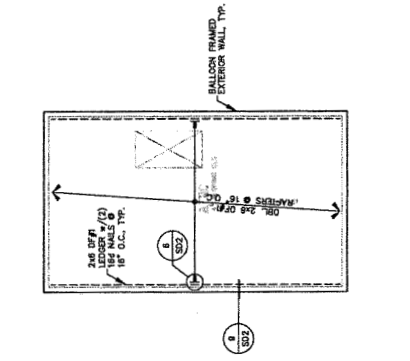
The project architect is responsible for specifying dimensions to all project elements. The dimensions shown on the foundation plans shall not be used for construction. The foundation shall be constructed using the dimensions shown on the wall and column plans.

**MASA MUDSILL ANCHORS**

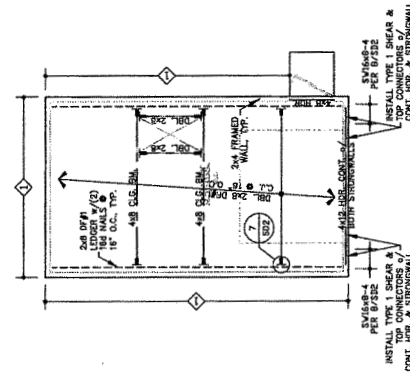
**SIMPSON WASA MUDSILL ANCHORS MAY BE USED AS AN ALTERNATE TO**

ANCHOR BOLTS IN ACCORDANCE WITH THE FOLLOWING SCHEDULE	MASA ANDERSON
SEASONAL TYPE	
NON-STRUCTURAL WALLS	48" O.C.
TYPE 1	36" O.C.
TYPE 2	24" O.C.
TYPE 3	24" O.C. $\frac{1}{2}$ " DIA. MUDSILL
TYPE 4	24" O.C. $\frac{1}{2}$ " DIA. MUDSILL
TYPE 5	18" O.C. $\frac{3}{4}$ " DIA. MUDSILL
TYPE 6	18" O.C. $\frac{1}{2}$ " DIA. MUDSILL
TYPE 7	USE ANCHOR BOLTS

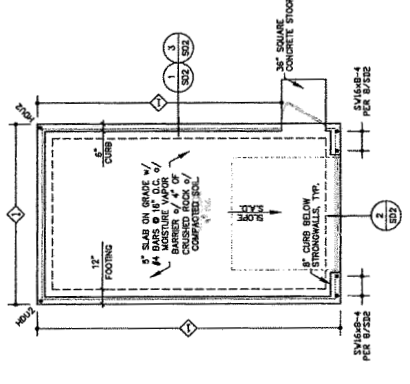
\*AT 2x MUDSILLS, ANCHORS MAY BE USED VERTICAL TO THE WALL STUD. AT 3x MUDSILLS BOTH MASA LEGS MUST BE BENT OVER THE MUDSILL.



## ROOF FRAMING PLAN



## CEILING FRAMING PLAN



EQUIPMENT PI AN

## Variance Justifications

**1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or soundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district.**

Our 1301 sq ft Mediterranean style stucco one story flat roof home with a single detached garage is located on a small lot at 475 Lincoln Avenue. Our need and request to the Sunnyvale Committee is to replace our existing garage, which is in poor repair with a new garage in the same footprint, while increasing the height to match the house height and create attic space. We would stucco the entire exterior to match the house (current garage has only the front stucco'd). We desperately need the added garage height so we can add attic storage space and accommodate a vehicle inside. We do not have the option to move the garage to meet the current code standards since it would make the garage inaccessible for a vehicle.

Our neighborhood is filled with detached garages that are located on top of boundary lines and garages that are much taller and bigger than our proposed plans. We have the shortest (height) detached garage on the block and neighboring block. In addition there are nearby homes that are 2 stories, and double car garages more than double the size of ours.

**2. The granting of the Variance will not be materially detrimental to the public welfare or the injurious to the property, improvements, or uses with the immediate vicinity and with the same zoning district.**

Our detached garage is not a living space, and does not have any windows, so we wouldn't be adding any privacy concerns to our neighbors. The property directly behind our garage (located on Washington avenue) is an apartment complex with a much larger garage that is right up against our back fence. The property has no backyard, only a parking lot and is made up of several complexes.

We are being consistent with feel of the neighborhood and streets behind us that are filled with detached garages. Even with the added height to the garage we will still be smaller in height compared to most structures nearby. We have several homes that you can see from our backyard that are 2 story structures. Our one story Mediterranean flat roof home is tiny compared to some of our neighboring homes. The garage would not exceed the height of our one story home and would NOT be detrimental to our neighbors and public welfare.

**3. Upon granting of the Variance, the intent and purpose of the ordinance will be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners with the same zoning district.**

The majority of Lincoln Ave & Washington Avenue has higher detached garage structures than our

property. There are also several that are closer to the property lines than the code allows for, and closer to the property line than our garage is. The property directly behind our garage is an apartment complex with two much larger double car garages that are right up against our fence. Lincoln avenue has a smaller apartment complex on the end. Washington avenue has multiple apartment complexes as well as a large townhouse complex that rises above the area (420 East Evelyn Ave).

The homes within this neighborhood consist of detached garages that are right on property lines. There are many that would be the same height as our proposed plans and some that are even taller. We have one of the smallest footprints with the rest being much wider. Some garages are double that pair with two story homes.

PLEASE NOTE:

Since we need to pursue the Variance Route for approval on the garage height change we have included as a secondary item as not to affect the critical height increase approval. The secondary item addresses the rear garage indentation.

We currently have an indentation with the rear garage width and to us it made sense to extend so it's flush with the garage length. This portion is accessible via the interior of the garage. The footprint will be pretty much exact, the exception being adding the extra square ft to the rear width so it extends to the current garage length.

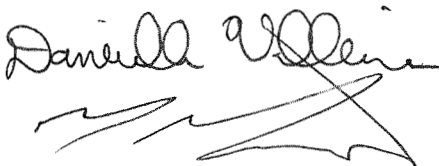
Please refer to the attached materials:

*Garage Variance Proposal - Bound Presentation*

*Garage Architectural Plans - Bound Presentation*

Thank you for your time and review.

Sincerely,



Danielle Valliere & Tad Hunt  
475 Lincoln Ave  
Sunnyvale, CA 94086

Tad (m) 408-425-1737

Danielle (m) 408-455-2633

# Garage Variance Proposal

475 Lincoln Ave

Tad Hunt and Danielle Valliere

475 Lincoln Ave  
Sunnyvale, CA 94086

Home: 408-735-8793  
Mobile: 408-425-1737

Draft 2

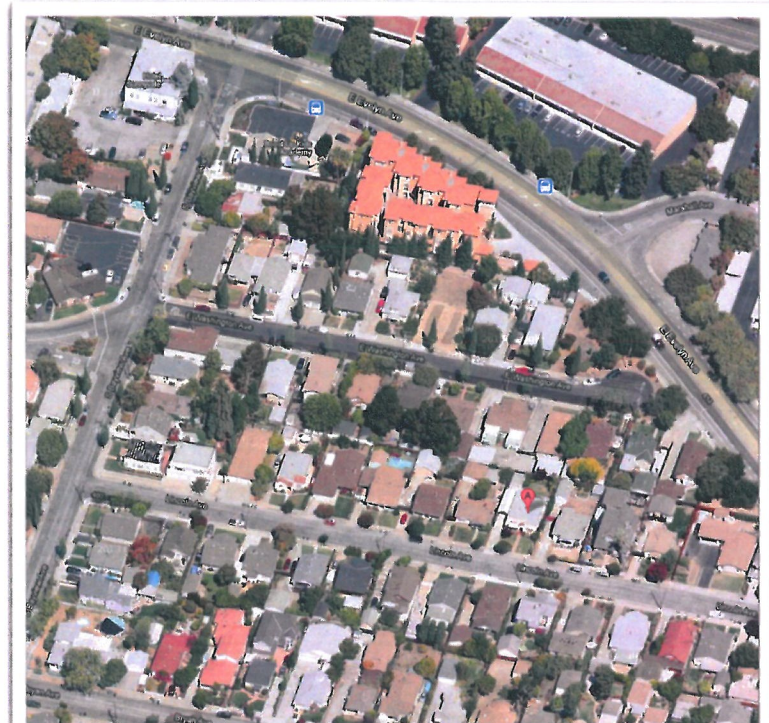
ATTACHMENT  
Page 1 of 7



## 475 Lincoln Avenue

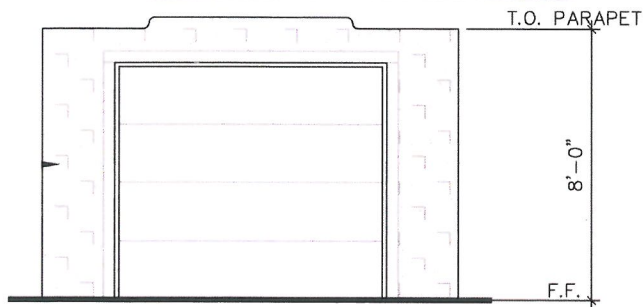


Front View – Mediterranean style stucco, flat roof, ceramic tile, and styling with blue and white tile



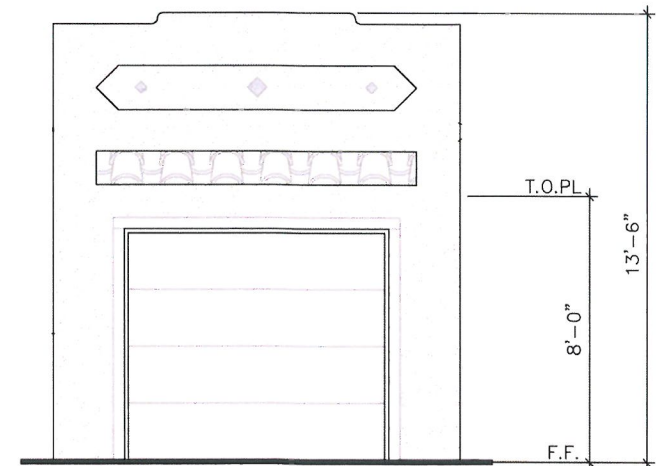
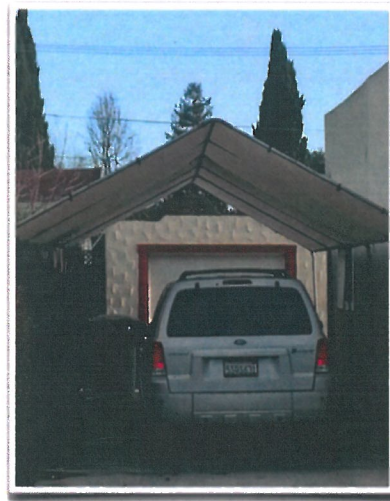
# Variance Proposal Overview

Replace existing garage, which is in poor repair, with a new garage in the same footprint



Existing Garage

Increase the garage height to match the house height, creating attic space



Proposed Garage

Stucco the entire exterior to match the house (existing garage is only stucco'd on the front)

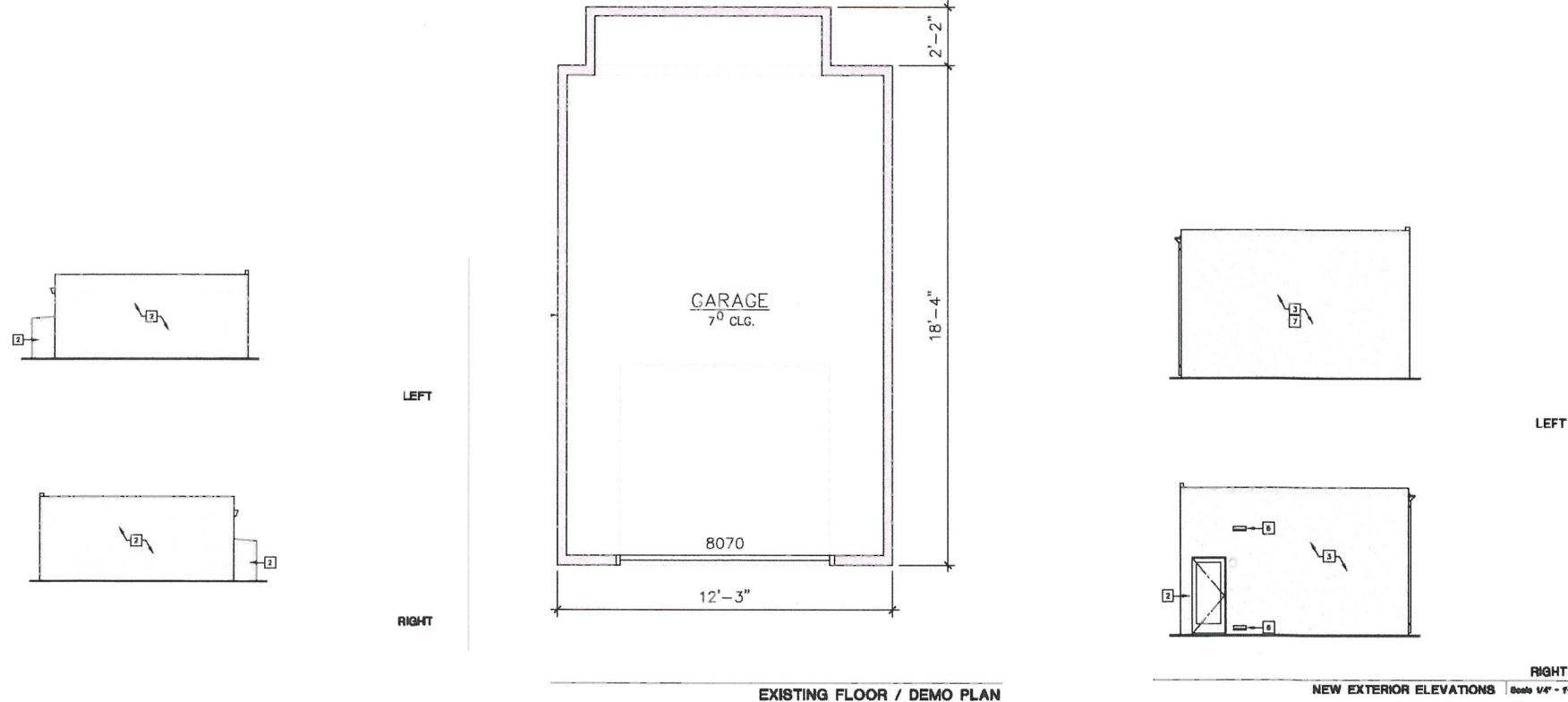


# Variance Proposal : Secondary

Since we need to pursue the Variance Route for approval on the garage height change we have included as a secondary item as not to affect the critical height increase approval.

We currently have an indention with the rear garage width & it to us it made sense to extend so it's flush with the garage length. This portion is accessible via the interior of the garage.

The footprint will be pretty much exact, the exception being the extra square ft to the rear width, so it extends to the garage length.



# Neighborhood Garage Sizes

Compared to existing garage  
(highlighted in green)

#	Larger (footprint)	Taller	Closer or same dist to prop line
1	X	X	X
2	X	X	X
3	X	X	X
4	X	X	X
5	X	X	X
6	X	X	X
7	X	X	
8	X	X	X

Compared to proposed garage

#	Larger (footprint)	Taller or Same	Closer or same dist to prop line
1	X	X	X
2	X		X
3	X		X
4	X	X	X
5	X	X	X
6	X		X
7	X		
8	X	X	X



ATTACHMENT

5

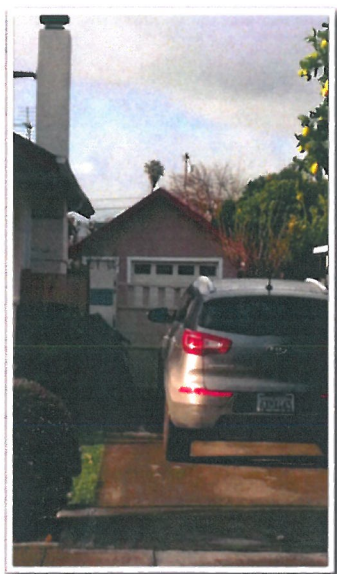
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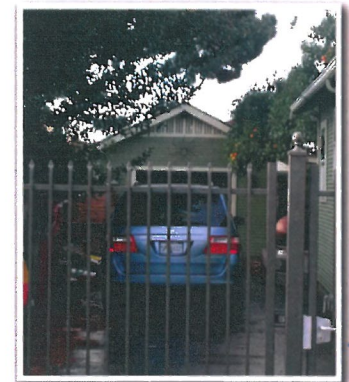
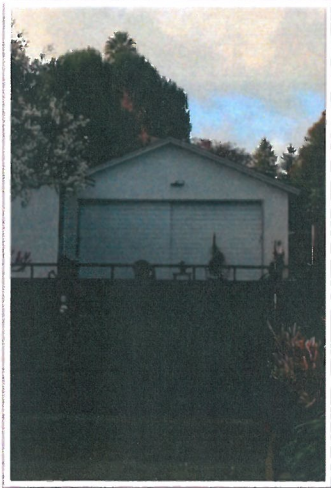
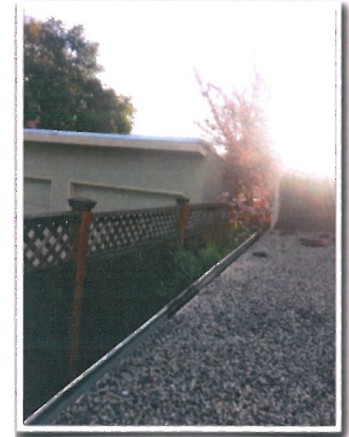
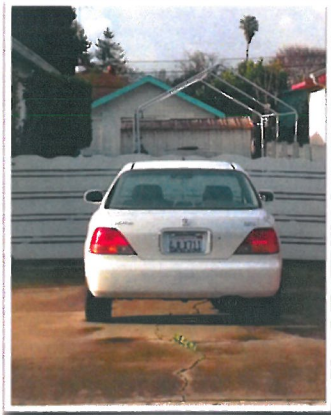
## Neighborhood Garage Photos (1 of 2)



\* Photos from Lincoln Ave and Washington Ave



## Neighborhood Garage Photos (2 of 2)



\* Photos from Lincoln Ave and Washington Ave



## CITY OF SUNNYVALE REPORT Planning Commission

**July 9, 2007**

- SUBJECT:**           **2007-0249** – Application for related proposals on a 5,400 square foot site located at **483 Lincoln Avenue** (near E. Evelyn Ave.) in an R-2 (Low Medium Density Residential) Zoning District.
- Motion               **Design Review** to allow new two-story home and detached garage totaling 3,042 square feet resulting in a 56% Floor Area Ratio (FAR) where 45% FAR may be allowed without Planning Commission review.
- Motion               **Variance** from Sunnyvale Municipal Code section 19.34.030 to allow a four-foot rear yard setback for the proposed detached garage where a minimum of 10 feet is required.
- Motion               **Variance** from Sunnyvale Municipal Code section 19.56.020 to allow the second-story addition to reduce the solar access of the adjacent property's roof by 22% where a maximum of 10% reduction is permitted.

### REPORT IN BRIEF

**Existing Site Conditions**           Single Family Home

#### Surrounding Land Uses

North	Single Family Home (Low-Medium Density)
South	Single Family Home (Low-Medium Density)
East	Single Family Home (Low-Medium Density)
West	Single Family Home (Low-Medium Density)

**Issues**                   Floor Area / Bulk  
Rear Yard Setback  
Solar Access for Neighboring Property

**Environmental Status**           A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation**           Approve Design Review with conditions (reduced floor area), Approve Variance request for reduced rear yard setback and Approve Variance request for reduction in solar access.



## PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED / PERMITTED
<b>General Plan</b>	Residential Low Medium	Same	Residential Low Medium
<b>Zoning District</b>	R-2	Same	R-2
<b>Lot Size (s.f.)</b>	5,400	Same	8,000 min.
<b>Gross Floor Area (s.f.)</b>	1,264	<b>3,042</b>	2,160 max. without PC review
<b>Lot Coverage (%)</b>	25.6%	35.6%	40% max.
<b>Floor Area Ratio (FAR)</b>	23.4%	<b>56.3%</b>	45% max. without PC review
<b>Building Height from curb (ft.)</b>	Approx. 18'	28'8"	30 max.
<b>No. of Stories</b>	1	2	2 max.
<b>Setbacks (First Story / Second Story Facing Property)</b>			
<b>Front</b>	House: 21' Garage: 80'	House: 20' / 25' Garage: 84'	20' / 25' min.
<b>Left Side</b>	House: 15' Garage: 5'	House: 12' 8" (16' 8" total) / 12' 8" (19' 8" total) Garage: 4'	4' side min.(12' total) / 7' side min. (18' total)
<b>Right Side</b>	House: 5' Garage: 33'	House: 4' (16' 8" total) / 7' (19' 8" total) Garage: 25'	4' side min.(12' total) / 7' side min. (18' total)
<b>Rear</b>	House: 45' Garage: 4'	House: 42' / 40' <b>Garage: 4'*</b>	10' min. (25% max.) / 20' min.
<b>Parking</b>			
<b>Total Spaces</b>	2	4	4 min.
<b>Covered Spaces</b>	1 (tandem)	2	2 min.
<b>Solar Shading</b>			
<b>Neighbor Roof Coverage (%)</b>	0%	<b>22%</b>	10% max.

\* While the rear yard setback is already 4 feet, the proposed design increases the non-conformity by expanding the width of the garage from 12 to 21 feet.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

## **ANALYSIS**

### **Description of Proposed Project**

The applicant proposes demolishing the existing home and detached tandem rear yard garage and constructing a new two-story home with a two-car garage located in the rear yard. The total Floor Area Ratio (FAR) of 56% requires this application to be considered by the Planning Commission. The new garage requires a Variance as it proposes to increase an existing legal-nonconforming rear yard setback. And the new house requires a Variance as it will restrict the solar access of the roof of the neighboring house.

### **Background**

There are no previous planning applications related to the subject site.

### **Environmental Review**

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions includes minor additions and no change in use.

### **Design Review**

**Site Layout:** The subject site is located in a predominantly one-story neighborhood, with the design of the two-story homes in the neighborhood having a larger roof-line with a dormer window. This typical neighborhood design gives the appearance of a tall one-story house and the proposed project is similar.

The proposed site layout is similar to the existing configuration, with a driveway along the western side of the house leading to a rear yard garage. This is the predominant pattern in the neighborhood.

The application was initially for a total of 2,716 square feet, resulting in a 50% FAR. As the roof line was modified, in response to staff input on architecture, additional floor area was added. The resulting floor area totals 3,042 square feet for an FAR of 56%.

**Architecture:** The proposed house is a craftsman-style two-story structure with a large roof-line that gives the appearance of a tall one-story house with a dormer window. The initial design had a heavier roofline; but the applicant worked with staff to reduce the overall height, modify the roof design, and modify the dormer.



The following table includes Design Guidelines which were considered in the analysis of the project.

Single Family Home Design Techniques	Comments
3.2A. Accommodate garages in locations similar to the pattern common in the neighborhood.	This rear yard garage configuration is similar for many of the homes in the vicinity of the site and is in conformance with the Sunnyvale Design Techniques.
3.4A. The area of the second floor should not exceed the common standard of the neighborhood. For new second stories in predominantly one-story neighborhoods, the second floor area should not exceed 35% of the first floor area (including the garage area).	The second story of the proposed home is 67% of the first floor and garage combined area. The design technique is not met; however, the design of the roof minimizes the appearance of the house being two-story when viewed front the front. A proposed condition of approval is to reduce the overall FAR, which will further reduce appearance of bulk.
3.5. Relate roofs to those on nearby homes.	The craftsman style design is compatible with other homes in the neighborhood. When viewed from the front, the south-facing roof extends down to the first story, with only a dormer window to indicate a second story.
3.6. Design homes to respect the privacy and sun access of neighbors.	The shadow analysis demonstrates that the proposed two-story structure exceeds the allowable 10% of shading to the neighboring roof (see Variance section); this impact can be reduced by modifying the roofline. Staff recommends that the second story windows along both sides of the home be high sill to minimize the possible impacts on privacy.

**Landscaping:** Landscaping plans are not required for single-family homes. The site meets the R-2 landscaping area requirement of 850 square feet and the open space requirement of 500 square feet. If the project is approved, the applicant shall apply for a Tree Removal Permit for any trees that are 38 inches or greater in circumference, as measured four feet above the ground. Trees that are to be retained shall be protected during construction.

**Parking/Circulation:** The proposed garage and driveway layout provides the two covered and two uncovered parking spaces required for a single-family dwelling greater than 1,800 square feet. The layout is somewhat constrained

given that the location of the house is only 20 feet from the garage, which results in the covered and uncovered parking spaces on the right side being partially obstructed by the uncovered parking space on the left. This could be addressed by reducing the footprint of the house to allow for additional backing distance from the garage. The architect has indicated that the angled corner feature could be increased up to one foot without a major impact on the design of the house and the second-story layout.

The 12-foot wide driveway exceeds the required 10 feet. The proposed side yard doorway to the house adjacent to the driveway could affect the driveway width because it would require a three-foot wide stoop with stairs (per Building Code requirements) to accommodate the difference between the floor and grade height. Including the stoop would result in a 9-foot driveway (or 9 foot 8 inches to the property line). This conflict results in two options: not include the doorway, or reduce the western side of the house by four inches and have the driveway extend to the property line.

**Variance: Reduced Rear Yard Setback for Garage**

The proposed garage rear yard setback is the same as the existing setback (4 feet). A Variance is required given that the new design will increase the non-conformity by increasing the width of the garage from 12 feet to 21 feet. While the existing garage is already 57% of the width that is proposed, the greater size will visually impact the neighboring property, providing a more walled-in appearance. However, reduced rear yard setbacks are common in this neighborhood and several Variances have been granted in the past for similar type configurations (see Attachment F).

Requiring the garage to have a greater setback would impact the uncovered parking area and the backing distance. The site can be reconfigured to locate the garage attached to the rear of the home on the east side, which would enable the garage to meet the setback requirement. The applicant has not indicated an interest in this option.

**Variance: Solar Access**

The Sunnyvale Municipal Code does not allow for permits to be issued for construction that will interfere with the solar access of more than 10% of the roof of a neighboring property during daily hours between 9:00 a.m. and 3:00 p.m. throughout any solar cycle (SMC 19.56.020). The proposed structure will impact more than 10% of the roof of the one-story house located to the west of the site for limited periods of the year.

It is of note that only approximately half of the roof of the neighboring property faces south and would therefore have solar access. The date of primary impact

would be on the winter solstice (December 21<sup>st</sup>). The solar study (Attachment E) indicates that on December 21<sup>st</sup> at 9:00 a.m. the entire roof of the neighboring house would have an almost 22% solar shading impact, but that 0% of the south-facing roof would be impacted. And by 9:30 a.m., the shading of the total roof would reduce to less than 12% (all on the north-facing roof).

**Compliance with Development Standards/Guidelines:** The zoning code calls for a minimum of 10 foot setback for single-family homes and for accessory structures over 120 square feet; the proposed rear yard setback for the garage does not meet this requirement. The solar impact on the house located to the west of the site will have its solar access of the roof during limited hours during the year.

**Expected Impact on the Surroundings:** The neighborhood has a mix of one and two-story homes with predominantly one-story homes in the vicinity of the subject site. The area is likely to transition to more two-story homes in the future. While the proposed structure is large, staff finds that a reduction in FAR (by 230 square feet) could help address the compatibility issue with the neighborhood. Privacy glass on some of the second-story windows will enhance the privacy of the neighbors. The proposed design is anticipated to have a minimal impact on the solar access on the neighboring property.

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### **Fiscal Impact**

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No fiscal impacts other than normal fees and taxes are expected.

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### **Public Contact**

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No communication regarding the project has been received by the public.

<b>Notice of Negative Declaration and Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• 347 notices mailed to property owners and residents adjacent to the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li></ul>

## Conclusion

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### Discussion:

*Floor Area.* Given the predominantly single-story neighborhood, staff is concerned with the amount of floor area being proposed on the small lot. Initially proposed at 50%, the area increased to 56% with subsequent revisions, which is likely to result in a bulky appearance of the new home. Staff is recommending that the floor area of the home be reduced to a maximum of 52% FAR (2,808 square feet).

While the roof line provides an appearance of a large one-story home, the Design Guidelines recommend that the second story not exceed 35% of the first floor area (including the garage), and the proposed second-story almost doubles that guideline (67%). Staff recommends that most of the reduction in floor area come from the second story of the home.

*Variance for Reduced Setback:* Staff considers Variance request reasonable given several factors. These include the predominant neighborhood pattern of reduced setbacks for garages, the limitations of the substandard lot size, and the City's requirement for a larger garage to allow for an expansion to the home. While a different configuration of attaching the garage to the home would allow for the setback requirements to be met, the design would separate the home from the backyard.

*Variance for Solar Impact:* The information provided by the applicant indicates that the impact on solar access of the neighboring property will be minimal. Staff believes that the intent of the Municipal Code to protect solar access is preserved with the proposed design.

**Findings, General Plan Goals and Conditions of Approval:** The Findings for the Design Review (with proposed modifications to the floor area) and for both Variances were made (Attachment A). Staff is recommending approval of the Design Review (with the proposed conditions) and approval of both Variances (Attachment B).

## Alternatives

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1. **Approve** Design Review with conditions (reduce FAR), **Approve** Variance for reduced rear garage setback, and **Approve** Variance for reduction in solar access.
2. **Approve** Design Review with modified conditions, **Approve** Variance for reduced rear garage setback, and **Approve** Variance for reduction in solar access.

3. **Approve** Design Review with modified conditions, **Deny** either Variance for reduced rear garage setbacks, or Variance for reduction in solar access.
4. Deny the project.

### **Recommendation**

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Alternative 1.

Prepared by:

Jamie McLeod  
Project Planner

Reviewed by:

Gerri Caruso  
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter from the Applicant
- E. Solar Study
- F. Aerial View of Neighborhood (circa 2000)



### **Recommended Findings – Design Review**

The proposed project is desirable in that the project's design and architecture conforms with the policies and principles of the Single Family Home Design Techniques.

<b>Basic Design Principle</b>	<b>Comments</b>
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The proposed design maintains the prevailing pattern with the craftsman style homes (the neighborhood offers an eclectic mix of designs with predominantly craftsman style), and rear yard garage configuration.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The proposed size of the house is larger than the standard size of the homes in the neighborhood. The combination of design and staff recommended reduction in FAR will help address the issue of bulk.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The design of the home is similar to the current layout, which matches the predominant layout found in the neighborhood.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The visual impact of parking is minimized by the rear yard covered and uncovered parking.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The proposed materials are similar to those found in the neighborhood.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed design suggested a quality product. Review of materials will be included in the Building Permit stage.
<i>2.2.7 Preserve mature landscaping</i>	No mature trees are proposed for removal. The conditions of approval require a Tree Removal Permit for removal of any protected trees.

**Recommended Findings – Variance for Reduced Rear Yard Setback**

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district.

*Finding met.* While the 50 foot lot width is standard for this neighborhood, it is substandard per the Municipal Code standard of 76 feet. The narrow lot does not allow for a two-car garage to be side-by-side with the house, resulting in the proposed configuration. Most of the other one-story homes in the neighborhood have existing legal non-confirming rear yard setbacks for their one-car garages. The SMC requirement of a two-car garage restricts site layout options if the applicant is not permitted to increase the non-conformity.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

*Finding met.* While granting the Variance will increase the building area along the rear property line, the impact on the neighbor is not deemed to have a notably negative impact on the neighbor, who also has an existing reduced setback for their garage. The garage is single-story with the highest point of the roof oriented away from the property line.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

*Finding met.* The pattern of garages located in the rear yard with a reduced rear yard setback is the predominant neighborhood pattern. In cases where other neighbors have made additions in the past, this same type of Variance has been approved. Requiring the applicant to modify their design would impact this pattern.

**Recommended Findings – Variance for Solar Access**

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1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district.

*Finding met.* The narrow lot width limits the owner's ability to fully utilize their property and construct a two-story home that doesn't impact the adjacent neighbor. The proposed modification to reduce the FAR of the design may further reduce the impact on the neighboring property.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

*Finding met.* As recommended by staff, the design of the home is compatible with the neighboring properties and granting of the Variance will have only an incremental impact on the solar access of the adjacent home. The design minimizes the impact on the neighboring property with the larger setback (for the driveway) on the western boundary.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

*Finding met.* The request for a reasonably-sized two-story home is compatible with this neighborhood. Granting of the Variance will have only an incremental impact on the solar access of the home during the time of concern (9:00 a.m. to 3:00 p.m.) for only a few hours of the year. Reasonable solar access of the adjacent property will be maintained and the intent of the Municipal Code is still met by granting the Variance.

**Recommended Conditions of Approval – Design Review**

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit. Unless otherwise noted, all conditions shall be subject to the review and approval of the Director of Community Development.

**1. GENERAL CONDITIONS**

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- C. The Design Review shall be null and void one year from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- D. Reduce floor area to a maximum FAR of 52% (2,808 square feet).
- E. Remove or modify the entrance/exit from the west side of the home to avoid the conflict between required stoop and driveway.
- F. Reduce northern-western corner projection of home by 1-foot to allow for additional backing area for vehicles.
- G. Modify the two second-story rear windows on the east side of the house to be privacy glass or other treatment to address privacy concerns.
- H. To address storm water runoff pollution prevention issues, downspouts shall be routed to landscaped areas.
- I. Removal of any protected tree (circumference of 38-inches or greater when measured at 4-feet 6-inches from the ground) requires a Tree Removal Permit.
- J. Provide a Tree Protection Plan for all on-site and off-site protected trees that may be impacted by any phase of demolition and/or construction on the site. The Tree Protection Plan shall be reviewed and approved by the Director of Community Development prior to issuance of demolition permits. The Tree Protection Plan shall remain in place on site throughout all phases of demolition and construction.

**2. COMPLY WITH OR OBTAIN OTHER PERMITS**

- A. Obtain necessary Building permits.

2007-0249

Attachment B

Page 2 of 2

- B. Obtain necessary Encroachment permits from the Department of Public Works for any proposed off-site improvements.
- C. Obtain approval from the Fire Division of Public Safety Department for installation of a fully automatic fire sprinkler system and approved smoke detectors prior to issuance of a Building Permit.

**3. DESIGN/EXTERIOR COLORS AND MATERIALS**

- A. Final exterior building materials and color scheme are subject to review and approval of the Director of Community Development prior to issuance of a building permit.
- B. Roof material shall be 50-year dimensional composition shingle, or of similar quality and dimension as approved by the Director of Community Development.

**4. FEES**

- A. Pay School Impact Fee, if applicable, prior to issuance of a Building Permit. (Contact the school district to determine the amount or if a fee is required.)

**5. UNDERGROUND UTILITIES**

- A. All proposed utilities, including services drops, shall be undergrounded.

**Recommended Conditions of Approval – Variance for Reduced Setback**

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

**1. GENERAL CONDITIONS**

- A. Variance only valid in conjunction with construction of approved Design Review for single-family home.

**Recommended Conditions of Approval – Variance for Solar Access**

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

**1. GENERAL CONDITIONS**

- A. Variance only valid in conjunction with construction of approved Design Review for single-family home.



PROPOSED MILLER/BOGATAY RESIDENCE

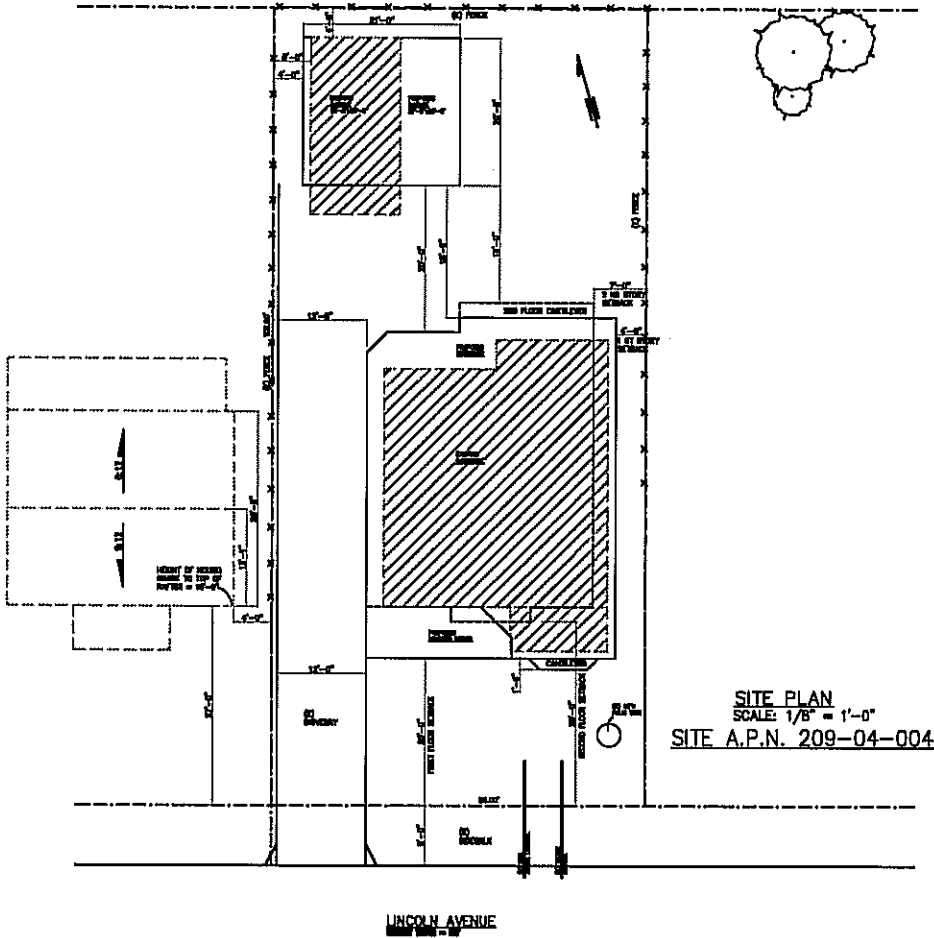
**BUILDING DATA:**  
A.P.N. 209-04-004  
LOT SIZE = 5400 SF  
TOTAL FOOTPRINT (E) = 1,388 SF  
TOTAL FOOTPRINT (P) = 1,925 SF  
LOT COVERAGE (E) = 25.7%  
LOT COVERAGE (P) = 35.6%

**SHEET INDEX**  
A1 - SITE PLAN AND COVER SHEET  
A2 - UPPER & LOWER LEVEL FLOOR PLANS  
A3 - HOUSE ELEVATIONS  
A4 - GARAGE ELEVATIONS

**LANDSCAPE NOTES:**  
NO NEW LANDSCAPING TO OCCUR.  
PARCEL IS FLAT

- EROSION CONTROL NOTES:** (as applicable)
- 1. ALL DISTURBED SOIL TO BE REVEGETATED AS PER COUNTY OF SANTA CLARA, SANTA CLARA EROSION CONTROL MIX (1-1/2 LB/1000 SF) STRAW MULCH, 2-3 BAILS/1000 SF FERTILIZER: 16-20-0, 21 LB/1000 SF OR EQUIVALENT, BETWEEN OCT. 15 - APRIL 15 EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES.
  - 2. ALL RAINWATER RUNOFF FROM EXISTING ROOF AREAS ARE COLLECTED WITH G.I. GUTTERS AND DOWNSPOUTS AS SHOWN AND CONNECTED TO 4" DIA PVC PIPE AND DISCHARGED TO DAYLIGHT @ STREET.
  - 3. GRADING SHALL BE LESS THAN 100 CUBIC YARDS FOR MINOR PAD CLEARING AND FOOTING EXCAVATIONS.
  - 4. ANY EXCESS MATERIAL SHALL BE DISPOSED OF OFF-SITE OR STOCKPILED IN A MANNER TO AVOID RUNOFF ONTO ADJOINING PROPERTIES.
  - 5. UPON COMPLETION OF CONSTRUCTION, ALL REMAINING EXPOSED AREAS SHALL BE PERMANENTLY REVEGETATED PER THIS PLAN.
  - 6. ANY MATERIAL STOCKPILED DURING CONSTRUCTION SHALL BE COVER WITH PLASTIC.
  - 7. DURING CONSTRUCTION, NO TURBID SITE WATER SHALL BE PERMITTED TO ENTER ADJOINING PROPERTIES. USE OF SILT AND GREASE TRAPS, FILTER BERMS OR HAY BALES MAY BE USED TO PREVENT SUCH DISCHARGE.

- GENERAL NOTES:**
- 1. ALL GRADING TO CONFORM TO SANTA CLARA COUNTY GRADING AND EROSION CONTROL ORDINANCE.
  - 2. ALL ORGANIC MATERIAL SHOULD BE THOROUGHLY STRIPPED AND REMOVED FROM THE PROPOSED BUILDING AREAS.
  - 3. ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF DAVID MILLER, ELAINE BOGATAY OR NOLAN DESIGNS PRIOR TO COMMENCING.
  - 4. VERIFY LOCATION OF UTILITIES AND EXISTING CONDITIONS AT SITE PRIOR TO CONSTRUCTION.
  - 5. ALL WORK TO BE IN CONFORMANCE WITH 1997 U.B.C., U.M.C. & U.P.C. AND 1993 EDITION OF N.E.C. AND ALL PERTINENT LOCAL CODES AND ORDINANCES.
  - 6. CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR METHOD AND MANNER OF CONSTRUCTION AND FOR ALL JOB SITE SAFETY DURING CONSTRUCTION.



**SITE PLAN**  
SCALE: 1/8" = 1'-0"  
SITE A.P.N. 209-04-004

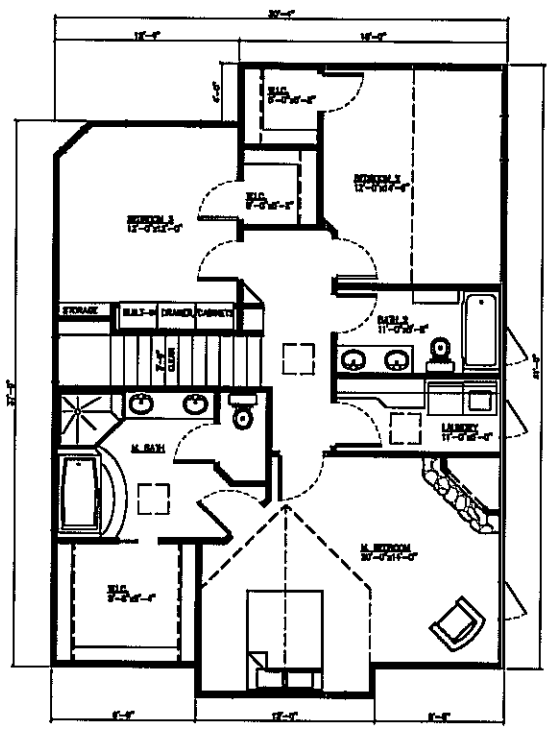
REVISION	BY
8/24/05	KOF
1/18/07	KOF
5/1/07	KOF

NO-LAN DESIGNS, KAREN D. PERALTA  
1125 HARPER COURT  
SANTA CRUZ, CALIFORNIA 95062  
(408) 416-4197

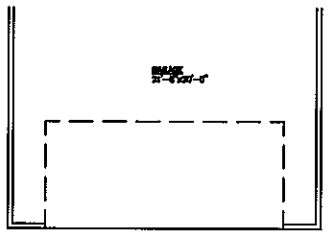
SITE PLAN

A.P.N. 209-040-04

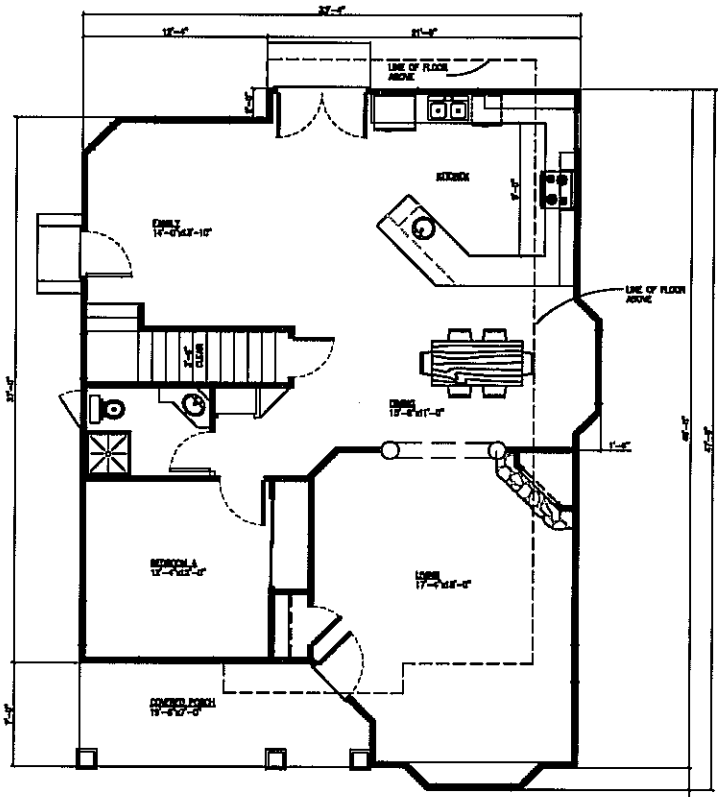
DESIGNER  
(408) 790-8884



**PROPOSED UPPER FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
0 1 2 3 4  
1218 SQUARE FEET (PROPOSED CONDITIONS)



**PROPOSED GARAGE FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
0 1 2 3 4  
SEE SHEET A-1 FOR FULL PLAN



**PROPOSED LOWER FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
0 1 2 3 4  
1404 SQUARE FEET (PROPOSED CONDITIONS)

**WALL LEGEND**  
PROPOSED WALLS

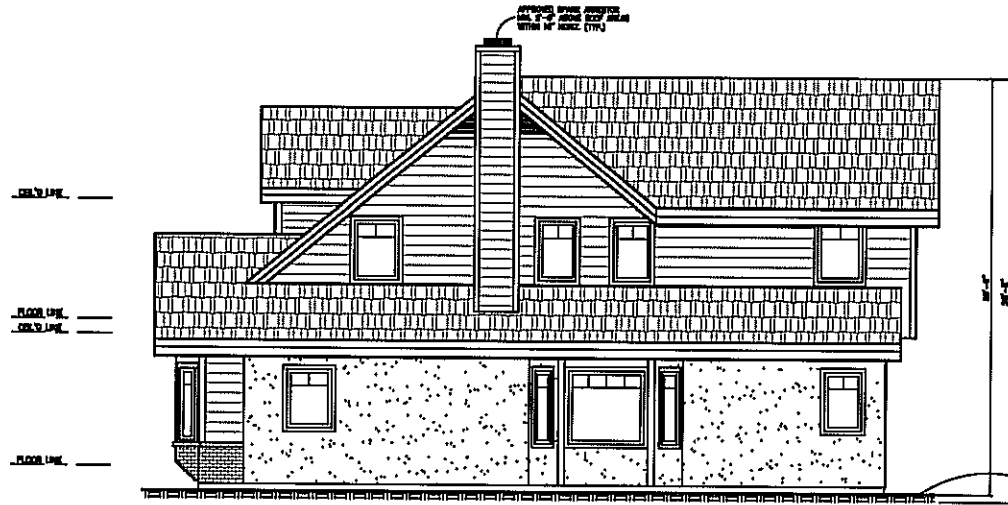
REVISION	BY
8/13/05	EB
8/24/05	EB
1/18/07	EB
8/14/07	EB

NOLAN DESIGNS, KAREN D. PERALTA  
1125 HARPER COURT  
SANTA CRUZ, CALIFORNIA 95062 (408) 416-1197

FLOOR PLANS

A.P.N.  
208-040-04

**PAY RESIDENCE**  
086 (408) 780-8854

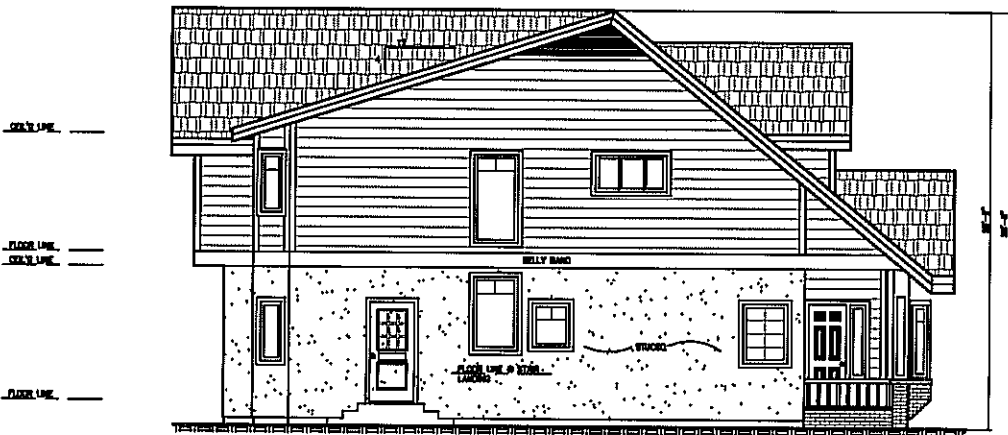


**EAST (SIDE) ELEVATION**  
SCALE: 1/8"=1'-0"



**NORTH (REAR) ELEVATION**  
SCALE: 1/8"=1'-0"

**EXTERIOR FINISH MATERIALS:**  
ROOF: ARCHITECTURAL DIMENSIONAL SHINGLES 1/2" X 16" X 12"  
1/2" X 16" CED. PLANK, SHINGLES 1/2" X 16" X 12"  
CEILING: 1/2" X 16" CED. PLANK  
WALLS: 1/2" X 16" CED. PLANK  
FLOOR: 1/2" X 16" CED. PLANK  
PORCH: 1/2" X 16" CED. PLANK  
ROOF: 1/2" X 16" CED. PLANK  
WALLS: 1/2" X 16" CED. PLANK  
FLOOR: 1/2" X 16" CED. PLANK  
PORCH: 1/2" X 16" CED. PLANK



**WEST (SIDE) ELEVATION**  
SCALE: 1/8"=1'-0"



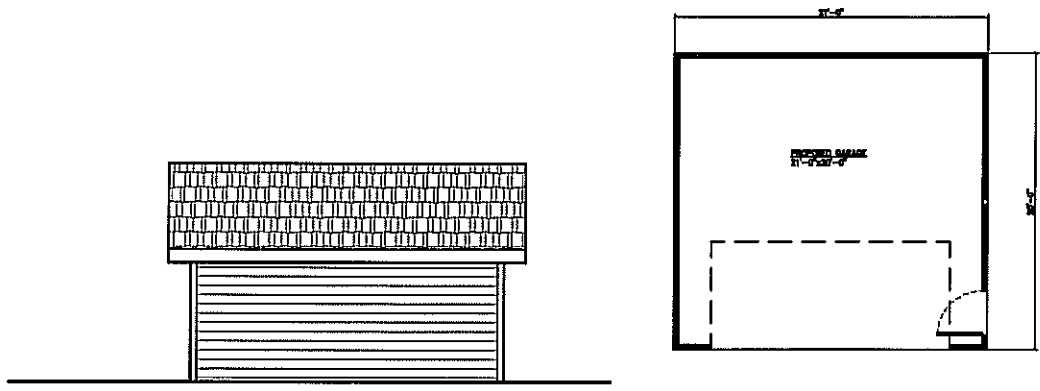
**SOUTH (FRONT) ELEVATION**  
SCALE: 1/8"=1'-0"

REVISION	BY
1/24/07	WJ
1/18/07	WJ
2/1/07	WJ
4/18/07	WJ
5/14/07	WJ

NOLAN DESIGNS, KAREN D. PERALTA  
1125 HARPER COURT  
SANTA CRUZ, CALIFORNIA 95062  
(831) 476-4897

**ELEVATIONS**  
A.P.N.  
208-040-04

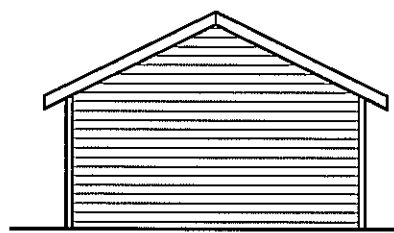
**NCE**  
18) 780-8824



**NORTH (REAR) ELEVATION**  
SCALE: 1/8" = 1'-0"

**PROPOSED GARAGE FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
400 SQ. FT. (PROPOSED GARAGE SPACE)

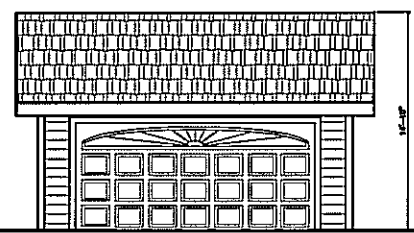
**EXTERIOR FINISH MATERIALS**  
ROOF: ASPHALT/FLYSH SHINGLES 30 YR. WLT.  
SIDING: 1/2" OSB PANEL, EXTERIOR GRAIN 3/4" OSB PANEL 1/2" OSB PANEL  
DOOR: 1/2" OSB PANEL  
WINDOWS: 1/2" OSB PANEL  
TRIM: 1/2" OSB PANEL



**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**SOUTH (FRONT) ELEVATION**  
SCALE: 1/8" = 1'-0"

REVISION	BY
0/24/20	KCP
1/18/22	KCP
0/14/27	KCP
NOLAN DESIGNS, KAREN D. PERALTA 1125 HARPER COURT SANTA CRUZ, CALIFORNIA 95062 (850) 416-497	
GARAGE ELEVATIONS	
A.P.N. 200-040-04	
WAY RESIDENCE 4086 (408) 730-5824	



**Proposed House and Garage Project**  
**483 Lincoln Ave.**

**Scope of Project:**

To replace current structures house and garage with current code standards.

**Justification:**

1. The current garage was built prior to the 1983 changes in building code and is now a non-conforming structure. We want to rebuild the garage from its current size of 12' x 24' to the city's minimum standards for a 2-car garage of 400sq. ft. reserved only for 2-car parking.
2. The existing garage structure will also meet the property safety requirements set in fire standards of minimum 4' setback. This will be in keeping with the city's current allowances for a non-conforming structure.
3. All properties in this area have detached garages set in the backyards. We would like to preserve this feature. We believe this keeps within the city's view to reduce the number cars parked on local streets.

**Additional Property Improvements Plans:**

The property improvements to the garage and house are to commence at the same time.

House to be demo and NEW 2 story house constructed in keeping with local charm.

ArchiGraphics/AREA Title 24  
PO Box 4014  
Felton, CA 95018  
(831) 335-3656

7/2/2007

### **Solar Access Ordinance review**

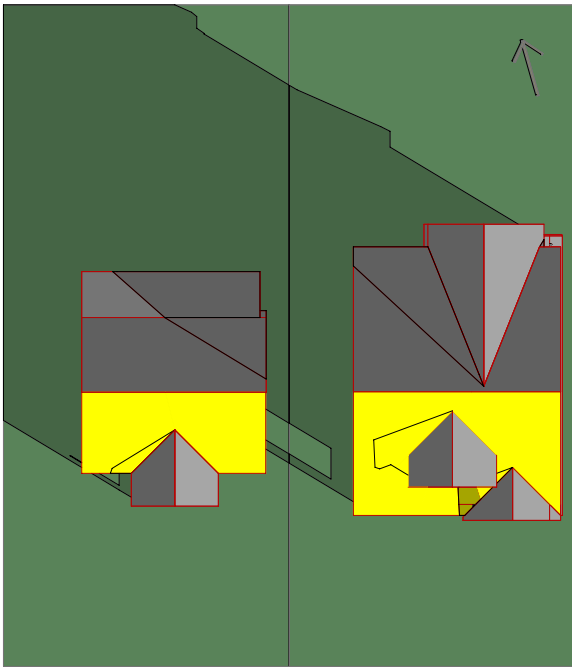
483 Lincoln Ave  
Cupertino

On winter solstice, the proposed 2-story addition at 483 Lincoln Avenue **does not** impact the adjacent buildings' solar access as their South facing roof plane is not shaded. The only adjacent roof plane being shaded is the North facing roof on the adjacent 1-story SFD. While the ordinance does not differentiate the orientation of structure receiving the shading effects, solar access concerns only the South facing areas for collectors for either water heating or PV. Even if the 1-story SFD was to rebuild their roof, or to place their panels on a support system to face South, the angle and plane would be much higher in elevation in the rear and would not be as limiting as the current structure.

#### **Conclusion:**

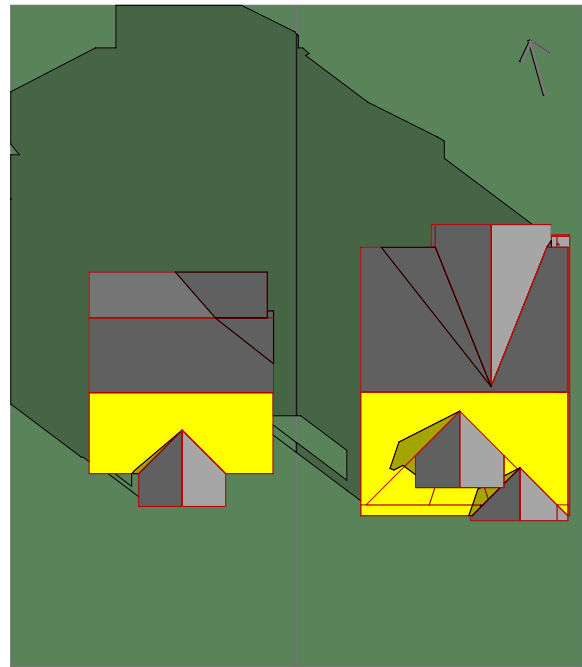
Due to the fact that access to south facing roof plans are not shaded, the proposed 2<sup>nd</sup> story addition does not affect neighbors solar access on December 21 between 9 am and 3pm.

Lynette Sergius CEA CEPE  
Owner, ArchiGraphics/AREA Title 24

9:00 am  
Dec. 21

## ROOF AREAS:

	Roof area (SF)	Shaded area (SF)	Shaded area (%)
Total roof	1,223	268	21.9%
South roof	400	0	0.0%

9:30 am  
Dec. 21

## ROOF AREAS:

	Roof area (SF)	Shaded area (SF)	Shaded area (%)
Total roof	1,223	144	11.8%
South roof	400	0	0.0%

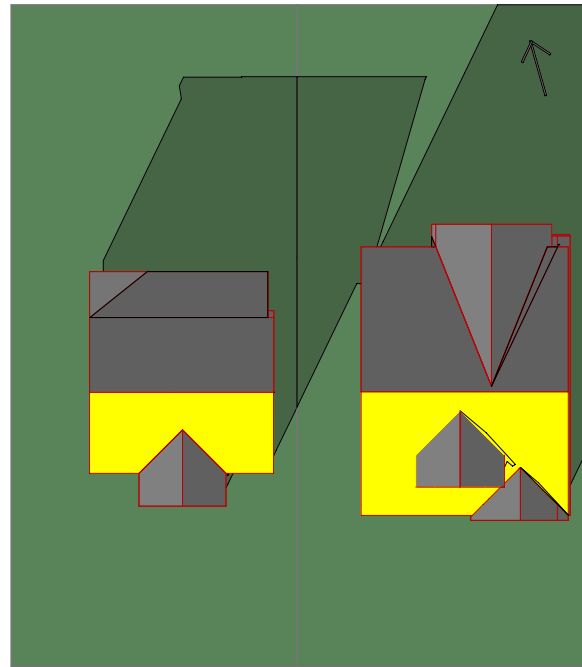
10:00 am  
Dec. 21



ROOF AREAS:

	Roof area (SF)	Shaded area (SF)	Shaded area (%)
Total roof	1,223	63	5.1%
South roof	400	0	0.0%

3:00 pm  
Dec. 21



ROOF AREAS:

	Roof area (SF)	Shaded area (SF)	Shaded area (%)
Total roof	1,223	0	0.0%
South roof	400	0	0.0%



