



# City of Sunnyvale

## Notice and Agenda - Final Planning Commission

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Monday, March 9, 2015

7:00 PM

Council Chambers and West Conference  
Room, City Hall, 456 W. Olive Ave.,  
Sunnyvale, CA 94086

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### **7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM**

- 1      [15-0288](#)      **File #:** 2014-7985  
**Location:** 1050-1060 Helen Avenue (APNs: 213-35-009, -010)  
**Zoning:** C-2/ECR (Commercial Highway Business / Precise Plan for El Camino Real)  
**Proposed Project:** related applications on a 0.59-acre site:  
                         **SPECIAL DEVELOPMENT PERMIT** to construct 7 two-story homes (3 duets and 1 detached home); and  
                         **VESTING TENTATIVE MAP** to subdivide 2 lots into 8 lots, including 7 ownership lots and one common lot.  
**Applicant / Owners:** Fred Azarm (applicant) / FMA Development LLC,  
D'Ambrosio Brothers Investments Company (owners)  
**Environmental Review:** Mitigated Negative Declaration  
**Project Planner:** Timothy Maier, (408) 730-7257,  
tmaier@sunnyvale.ca.gov

### **2 Public Comment on Study Session Agenda Items**

### **3 Comments from the Chair**

### **4 Adjourn Study Session**

*Any agenda related writings or documents distributed to members of the Planning Commission regarding any open session item on this agenda will be made available for public inspection in the Planning Division office located at 456 W. Olive Ave., Sunnyvale CA 94086 during normal business hours, and in the Council Chambers on the evening of the Planning Commission meeting pursuant to Government Code §54957.5.*

### **8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS**

### **CALL TO ORDER**

**SALUTE TO THE FLAG****ROLL CALL****PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS**

*Speakers are limited to 3 minutes for announcements of related commission events, programs, resignations, recognitions, acknowledgments.*

**CONSENT CALENDAR**

- 1.A    [15-0286](#)            Approval of the Draft Minutes of the Planning Commission Meeting of February 23, 2015

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2        [15-0240](#)            **File #:** 2015-7063  
**Location:** 1268 Townsend Terrace (APN: 202-37-025)  
**Zoning:** R-1.5/PD (Low Medium Density Residential / Planned Development) Zoning District  
**Proposed Project:**  
          **SPECIAL DEVELOPMENT PERMIT:** for a first and second floor addition of 152 square feet to an existing two-story, single-family residence resulting in a building size of 2,368.5 square feet and 54.9% floor area ratio (FAR). The project also includes the expansion of the front porch.  
**Applicant / Owner:** Flanders Bay Company (applicant) / Tyson Leistiko (owner)  
**Environmental Review:** Categorically Exempt Class 1  
**Project Planner:** Momoko Ishijima, (408) 730-7532, [mishijima@sunnyvale.ca.gov](mailto:mishijima@sunnyvale.ca.gov)

3      [15-0289](#)

**File #:** 2014-7624

**Location:** 1026 Lois Avenue (APN: 198-34-011)

**Zoning:** R-0

**Proposed Project:**

**DESIGN REVIEW** to allow construction of a new two-story home with a total floor area of 2,993 square feet (2,566 square feet living area and a 427-square foot garage) resulting in 49.8% floor area ratio (FAR).

**Applicant / Owner:** BO Design (applicant) / Haiyan Gong (owner)

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

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

4      [15-0287](#)

**Standing Item:** Potential Study Issues for 2016

**NON-AGENDA ITEMS AND COMMENTS**

-Commissioner Comments

-Staff Comments

**INFORMATION ONLY ITEMS**

**ADJOURNMENT**

*Any agenda related writings or documents distributed to members of the Planning Commission regarding any open session item on this agenda will be made available for public inspection in the Planning Division office located at 456 W. Olive Ave., Sunnyvale CA 94086 during normal business hours, and in the Council Chambers on the evening of the Planning Commission meeting pursuant to Government Code §54957.5.*

*Agenda information is available by contacting The Planning Division at (408) 730-7440. Agendas and associated reports are also available on the City's web site at [sunnyvale.ca.gov](http://sunnyvale.ca.gov) or at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting.*

*Planning a presentation for a Planning Commission meeting?  
To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available at [Presentations.inSunnyvale.com](http://Presentations.inSunnyvale.com).*

*PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.*

*PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

*Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Planning Division at (408) 730-7440. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.106 ADA Title II)*





# City of Sunnyvale

## Meeting Minutes - Draft Planning Commission

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Monday, February 23, 2015

7:00 PM

Council Chambers and West Conference  
Room, City Hall, 456 W. Olive Ave.,  
Sunnyvale, CA 94086

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### **7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM**

- 1      [15-0217](#)      **File #:** 2014-7900  
**Location:** 625 E. Taylor Avenue (APN: 205-29-006)  
**Zoning:** M-S/ITRR3 (Industrial and Service/Industrial-to- Medium  
Density Residential) Zoning District  
**Proposed Project:**  
             **SPECIAL DEVELOPMENT PERMIT** for a 20 unit, 3-story  
             townhouse development;  
             **TENTATIVE MAP**  
**Applicant / Owners:** Samir Sharma (applicant) / 627 TAYLOR LLC  
(owners)  
**Environmental Review:** TBD  
**Project Planner:** Rosemarie Zulueta, (408) 730-7437,  
rzulueta@sunnyvale.ca.gov

#### **2 Results of 2015 City Council Study Issues Workshop**

#### **3 Public Comment on Study Session Agenda Item**

#### **4 Comments from the Chair**

#### **5 Adjourn Study Session**

### **8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS**

#### **CALL TO ORDER**

Chair Melton called the meeting to order at 8:00 p.m.

#### **SALUTE TO THE FLAG**

Chair Melton led the salute to the flag.

**ROLL CALL**

**Present:** 6 - Chair Russell Melton  
Vice Chair Ken Olevson  
Commissioner Ralph Durham  
Commissioner Sue Harrison  
Commissioner Larry Klein  
Commissioner Ken Rheaume  
**Absent:** 1 - Commissioner David Simons

**PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

**1.A**      [15-0215](#)      Approval of the Draft Minutes of the Planning Commission  
Meeting of February 9, 2015

Comm. Klein noted that he voted in dissent of item 6 on the February 9 agenda, and said the motion should have reflected his modification to allow tandem parking for 25% of the units in multi-family dwellings. Trudi Ryan, Planning Officer, said staff would make the appropriate changes.

MOTION: Comm. Klein moved to approve the draft minutes as amended. Comm. Durham seconded. The motion carried by the following vote:

**Yes:** 6 - Chair Melton  
Vice Chair Olevson  
Commissioner Durham  
Commissioner Harrison  
Commissioner Klein  
Commissioner Rheaume

**No:** 0

**Absent:** 1 - Commissioner Simons

**PUBLIC HEARINGS/GENERAL BUSINESS**

**2**      [15-0195](#)**File #:** 2014-8042**Location:** 866 Markham Terrace (APN: 165-46-097)**Zoning:** R-1.7/PD (Low Medium Density Residential / Planned Development) Zoning District**Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT:** for a first floor addition of 356 square feet to the front and rear of the existing two-story, single-family residence resulting in a building size of 2,483.8 square feet including a 403.8-square foot garage and a floor area ratio (FAR) of 63.1%.

**Applicant / Owner:** Ya Xu and Miying Nan (owners)**Environmental Review:** Categorically Exempt Class 1**Project Planner:** Momoko Ishijima, (408) 730-7532,  
mishijima@sunnyvale.ca.gov

Momoko Ishijima, Associate Planner, presented the staff report, and noted that a correction to the plans was placed on the dais to show the existing rear elevation.

Comm. Rheaume confirmed with staff that the floor area ratio (FAR) of some lots of the development were originally approved by City Council above the 50 percent maximum.

Chair Melton opened the public hearing.

Miying Nan, the property owner, gave a presentation on the proposed project.

Comm. Rheaume discussed with Ms. Nan options for potentially reducing the addition by 80 square feet.

Chair Melton closed the public hearing.

Comm. Rheaume moved Alternative 2 to approve the Special Development Permit, as requested by the applicant, with the conditions in Attachment 4 (excluding condition PS-1 to reduce coverage).

Comm. Durham seconded.

Comm. Rheaume said the proposed architecture meets the design guidelines and follows the single family home design techniques, and he agrees that it is situated in a unique location and does not seem to be impacting neighbors' privacy. He said we have talked before about investing in the community and land is expensive, so it is good to see that someone can invest in their property and add value to it while investing in their neighborhood and in the City. He added that he can make the

findings for the project.

Comm. Durham said he will be supporting the motion, and that there is a slight technicality in the 15-foot height rule that was made several years after this home was put in. He said the two percent difference in FAR is minor, and that the property owners have one of the larger lots in the neighborhood and could probably reduce the kitchen back wall by three feet and come in under the 80 foot reduction, but that it does not seem worth it for the cost of the project. He said the fact that they have limited neighbor exposure also helped him make the findings.

Comm. Harrison said she will not be supporting the motion, and that while she understands the applicants consideration that this is a unique property, part of the basic code of the Planning Commission is to not grant special privilege to one party. She said her concern is not necessarily about the proposed project, but is about setting a precedence for other projects to exceed the lot coverage. She added that she understands that the rules changed in the middle of the game with regard to the FAR, but that this is about lot coverage. She added that she appreciates the applicant's circumstances but she cannot vote to make the exception.

Comm. Klein said he will not be supporting the motion, that this was a special development project when first designed and the lot size is very small. He said the original project set aside a certain amount of open space and maximum lot coverage, which was 40 percent for all properties in this community, and that all the properties are small in size as opposed to a majority of the single family properties in Sunnyvale. He said this specific project created very small lots and set a maximum lot coverage, and that what we are trying to do now is give a specific homeowner a variance on that concept, and that as much as he understands that it may cause the homeowner to change part of the design, he cannot support a special use for this applicant.

Vice Chair Olevson said he will be supporting the motion, that the lot is surrounded on several sides by government property and no neighborhood, and with the geography of this very small lot he can see where the applicant is boxed in. He said he is sensitive to the need to keep current homes with growing needs rather than buying a new home and recognizes the argument of his fellow Commissioners that the area was zoned with very small lot sizes and homes in mind. He said he sees that it is almost an island in terms of a lack of immediate neighbors, that there are no privacy issues and no second story request and that the project is basically ground floor expansion not seen by the neighbors or the City and does not affect City services. He added that he can make the findings for the Special Development

Permit and thinks it meets the General Plan and is compatible with the neighborhood.

Chair Melton said he will be supporting the motion, that this is a nice project with a beautiful house in a beautiful neighborhood. He noted that former Mayor Spitaleri said Sunnyvale is a City in transition with growing families, and what we have here is a multigenerational family in a unique situation. He said he is also tracking the argument about the original zoning of the property, but that there is something unique about the situation of the lot regarding the school and bus yard and the property being an island in its own regard in this neighborhood. He expressed appreciation to the applicant for coming forth with the project which will be a real capital addition to the neighborhood and a great investment into the City of Sunnyvale. He added that he can make the findings for this project.

MOTION: Comm. Rheume moved Alternative 2 to approve the Special Development Permit, as requested by the applicant, with the conditions in Attachment 4 (excluding condition PS-1 to reduce coverage).

Comm. Durham seconded. The motion carried by the following vote:

**Yes:** 4 - Chair Melton  
Vice Chair Olevson  
Commissioner Durham  
Commissioner Rheume

**No:** 2 - Commissioner Harrison  
Commissioner Klein

**Absent:** 1 - Commissioner Simons

**3      [15-0216](#)      Standing Item:** Potential Study Issues for 2016

Chair Melton requested information for a potential study issue on municipal oversight for large, freestanding structures such as the water tower on Hendy Avenue.

**NON-AGENDA ITEMS AND COMMENTS**

**-Commissioner Comments**

None.

**-Staff Comments**

Trudi Ryan, Planning Officer, discussed Planning related City Council items, and announced upcoming joint study sessions with the City Council.

**INFORMATION ONLY ITEMS**

None.

**ADJOURNMENT**

With no further business Chair Melton adjourned the Planning Commission meeting at 8:32 p.m.



# City of Sunnyvale

## Agenda Item

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15-0240

Agenda Date: 3/9/2015

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### REPORT TO PLANNING COMMISSION

#### SUBJECT

**File #:** 2015-7063

**Location:** 1268 Townsend Terrace (APN: 202-37-025)

**Zoning:** R-1.5/PD (Low Medium Density Residential / Planned Development) Zoning District

**Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT:** for a first and second floor addition of 152 square feet to an existing two-story, single-family residence resulting in a building size of 2,368.5 square feet and 54.9% floor area ratio (FAR). The project also includes the expansion of the front porch.

**Applicant / Owner:** Flanders Bay Company (applicant) / Tyson Leistiko (owner)

**Environmental Review:** Categorically Exempt Class 1

**Project Planner:** Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

#### REPORT IN BRIEF

**General Plan:** Residential Low Medium Density (7-14 du/ac)

**Existing Site Conditions:** Single-family residence

**Surrounding Land Uses**

**North:** Single-family residence

**South:** Single-family residence

**East:** Single-family residence

**West:** Single-family residence

**Issues:** Neighborhood compatibility, Floor Area Ratio

**Staff Recommendation:** Approve the Special Development Permit with conditions

#### BACKGROUND

The existing two-story, single-family residence was constructed in 1997 as part of a 24-unit single-family home development by The Building Works/Classic Communities. The existing residence is approximately 2,217 square feet with a Floor Area Ratio (FAR) of 51.4%. There are no planning applications related to the subject site since the home was constructed.

The subject development is zoned R-1.5/PD. The R-1.5/PD zoning district was created to allow smaller lots (4,200 square feet minimum) with smaller homes (40% lot coverage and 50% FAR) for a more affordable single-family detached home option. The Planned Development combining district allows site design flexibility.

This Special Development Permit application requires Planning Commission review due to a requested FAR exceeding 45%. The Planning Commission may take into account the proposed architecture, existing neighborhood, and adopted Single Family Home Design Techniques. This applicant is also requesting an addition which exceeds the 50% FAR limitation allowed in the R-1.5/PD zoning district. The Planned Development combining district allows approval of specified deviations to the zoning code including FAR. See Attachment 2 for the Data Table of the project.

### **Description of Proposed Project**

The project is a proposal for first and second story additions totaling 152 square feet to the rear of the existing two-story residence resulting in a building size of 2,369 square feet and a FAR of 54.9%. The addition would accommodate the expansion of the family room on the first floor and the expansion of the master bathroom and closet on the second floor. The existing fireplace and chimney would be removed. The project also includes the expansion of the front covered porch by 58 square feet with an attic storage area above which would only be accessible through a pull down entry from the porch landing.

### **ENVIRONMENTAL REVIEW**

A Categorical Exemption Class 1 (minor alterations to existing structure) relieves this project from CEQA provisions.

### **DISCUSSION**

**Architecture:** The 24-unit development was designed in the California Craftsman Bungalow style with horizontal shipboard lap siding or shake siding, gable roof forms with decorative rafter tails, front porches and masonry bases. The existing architecture of the home is similar to the other homes in the development with horizontal siding exterior and composition shingle roofing material. As proposed, the rear additions would match the existing materials and design of the house.

The front porch would be modified to include craftsman style details with an exposed truss detail at the gable end, tapered columns and a stone column base. The dormer over the garage door would be modified from horizontal siding to cement shake siding. A new dormer with cement shake siding is proposed over the front porch in the area of the proposed storage area. Staff has included a condition to limit the use of the storage space over the front porch (see Attachment 4). The garage door would be modified to a carriage door style garage door and the front door would be modified to a craftsman style door.

**Applicable Design Guidelines and Policy Documents:** The proposed addition is consistent with the adopted Single Family Home Design Techniques, as it generally maintains the existing shape, form and streetscape. In addition, the privacy impacts are minimal as no new windows are proposed to the second floor. The storage area over the front porch is not proposed to be habitable space. Recommended Findings related to the Single Family Home Design Techniques are located in Attachment 3.

### **Development Standards**

**Front Setback:** The front setback standard for the subdivision, as approved by the original Special Development Permit, ranges between 18 to 24 feet. The proposed expansion of the front porch would reduce the front setback on the subject property from 21 feet six inches to 17 feet six inches.



The deviation of six inches can be considered through the Special Development Permit.

**Floor Area Ratio:** Since the development was constructed in 1997, approximately seven homes have increased floor area beyond the 50% FAR limitation by creating a loft area within a vaulted ceiling area (>15-foot ceiling height). In those cases, there were minimal changes to the exterior of the house and no increase in the footprint.

It should be noted that when this neighborhood was originally developed, the City did not count vaulted ceiling areas above 15 feet in height as gross floor area or include it in the FAR calculation. In 2009, the Zoning Code definition of "Gross Floor Area" for single-family homes was amended to include areas with a 15-foot ceiling height or greater to be counted twice. With this change in the definition, all of the homes in the development with a vaulted ceiling area in the living room greater than 15 feet would now be calculated with an increased FAR over 50%.

The following table shows the differences in FAR for the original (1993) and the current definition for floor area.

	1997 original	2009 current
Existing house	47.7%	51.4%
Proposed house	51.2%	54.9%

When compared to the FAR of the surrounding neighborhood and other approvals for additions as demonstrated in the table (Attachment 7), the FAR would be comparable to the prevailing patterns of the neighborhood. The project meets the Single Family Home Design Techniques for the exterior design and neighborhood compatibility.

**Fiscal Impact:** No fiscal impacts other than normal fees and taxes are expected.

#### **Notice of Public Hearing, Staff Report and Agenda**

- Published in the *Sun* newspaper
- Posted on the site
- 94 notices mailed to property owners and residents within 300 feet of the project site
- Posted on the City of Sunnyvale's website
- Provided at the Reference Section of the City of Sunnyvale's Public Library
- Agenda Posted on the City's official notice bulletin board

**Public Contact:** One neighbor contacted staff to inquire about the Home Owner's Association review. The applicant has submitted a letter from the Home Owner's Association representatives. (Attachment 6)

#### **Conclusion**

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Design Review and Special Development Permit and Recommended Conditions of Approval (Attachment 4). Recommended Findings and General Plan Goals are located in Attachment 3.

**Alternatives**

1. Approve the Special Development Permit with the conditions in Attachment 4
2. Approve the Special Development Permit with modified conditions.
3. Deny the Special Development Permit and provide direction to staff and the applicant where changes should be made.

**Recommendation**

Recommend Alternative 1 in accordance with the Findings in Attachment 3 and Conditions of Approval in Attachment 4.

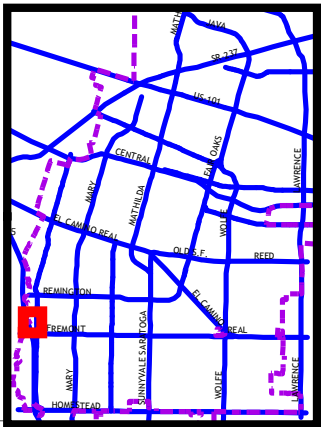
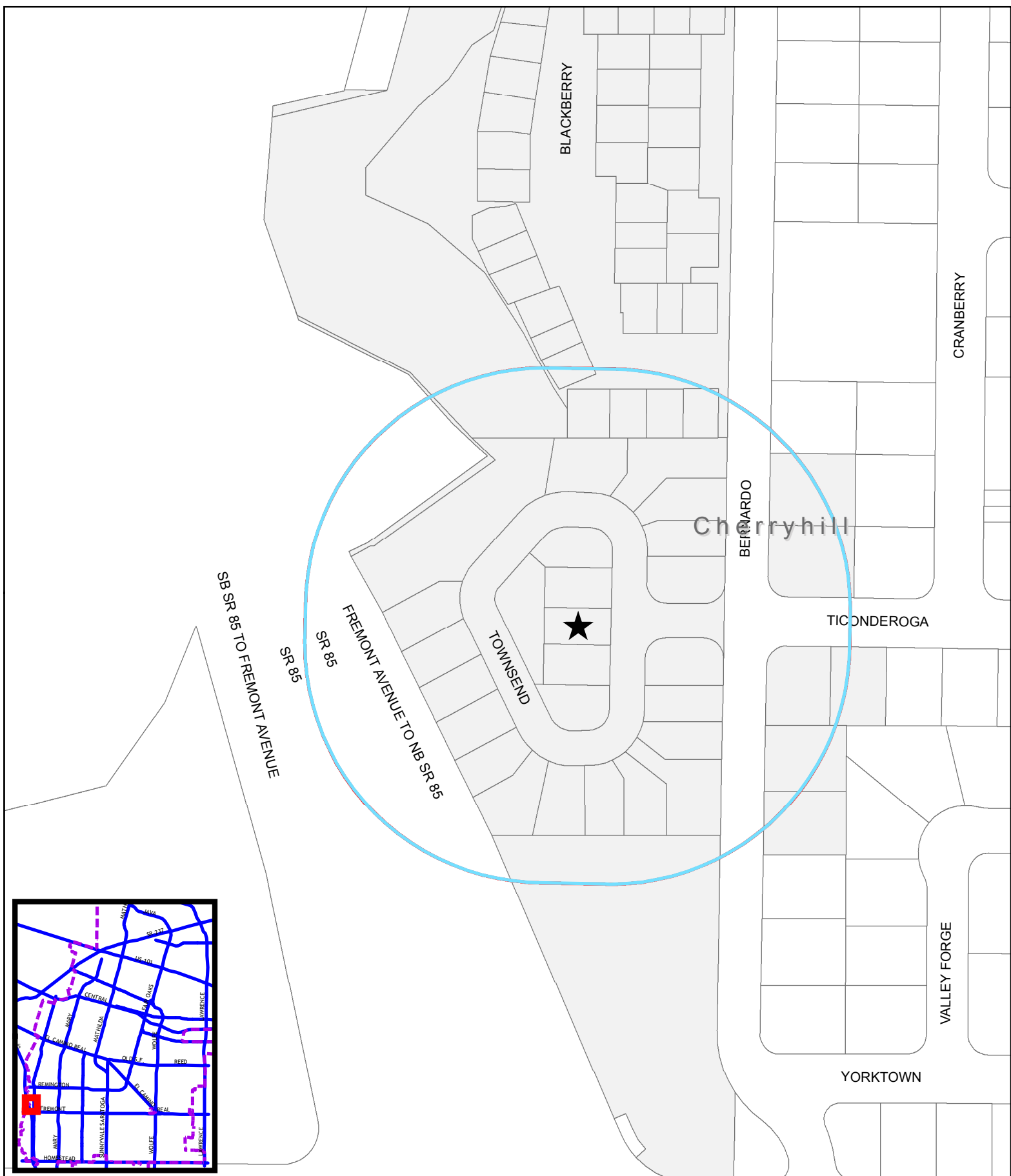
Prepared by: Momoko Ishijima, Associate Planner

Reviewed by: Ryan Kuchenig, Senior Planner

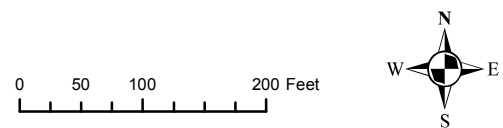
Approved by: Trudi Ryan, Planning Officer

**ATTCHMENTS**

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. Letters from Home Owner's Association and neighbors
7. FAR Comparison



2015-7063  
 1268 Townsend Ter. (APN: 202-37-025)  
 SPECIAL DEVELOPMENT PERMIT



**PROJECT DATA TABLE**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED/ AS PERMITTED BY APPROVED SDP</b>
<b>General Plan</b>	Residential Low Medium Density	Same	Residential Low Medium Density
<b>Zoning District</b>	R-1.5 / PD	Same	R-1.5 / PD
<b>Lot Size (s.f.)</b>	4,309	Same	4,309
<b>Gross Floor Area (s.f.)</b>	2,216.5	2,368.5	2,154 (Threshold for Planning Commission Review)
<b>Lot Coverage (%)</b>	30.3%	33.4%	40% max.
★ <b>Floor Area Ratio (FAR)</b>	51.4%	54.9%	50% threshold
<b>Building Height (ft.)</b>	28'	28'	30' max.
<b>No. of Stories</b>	2	2	2 max.
<b>Setbacks (main residence)</b>			
★ <b>Front:</b>			
<b>1<sup>st</sup> Floor</b>	21' 6"	17' 6"	18'~24'
<b>2<sup>nd</sup> Floor</b>	22' 6"	22' 6"	n/a
<b>Right Side:</b>			
<b>1<sup>st</sup> Floor</b>	8' 0"	8' 0"	6'~12'
<b>2<sup>nd</sup> Floor</b>	8' 0"	8' 0"	n/a
<b>Left Side:</b>			
<b>1<sup>st</sup> Floor</b>	10' 0"	8' 0"	6'~12'
<b>2<sup>nd</sup> Floor</b>	10' 0"	8' 0"	n/a
<b>Rear:</b>			
<b>1<sup>st</sup> Floor</b>	20' 0"	20' 0"	21'~30'
<b>2<sup>nd</sup> Floor</b>	20' 0"	20' 0"	n/a
<b>Parking</b>			
<b>Total Spaces</b>	4	4	4 min.
<b>Covered Spaces</b>	2	2	2 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

## RECOMMENDED FINDINGS

### Design Review

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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.

Basic Design Principle	Comments
2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns	The front porch expansion does not impact the orientation of the home towards Townsend Terrace and reflects the prevailing patterns in the neighborhood.
2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.	The proposed addition is a smaller addition to the rear of the house. The front porch expansion respects the scale and Craftsman style character of the neighborhood. The proposed addition is within the allowable height of 30 feet.
2.2.3 Design homes to respect their immediate neighbors	The proposed design respects the privacy of adjacent neighbors as the additions are modest in size and there are no new windows proposed.
2.2.4 Minimize the visual impacts of parking.	Two covered and two uncovered parking spaces are provided as is the requirement.
2.2.5 Respect the predominant materials and character of front yard landscaping.	The exterior materials are similar to those found in the neighborhood and applied in a manner consistent with the architecture.
2.2.6 Use high quality materials and craftsmanship.	The proposed design matches the existing home. These materials are consistent with the City's adopted Single Family Design Techniques and the surrounding neighborhood.
2.2.7 Preserve mature landscaping.	No landscape changes are proposed.

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## **Special Development Permit**

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The required Findings for this project are:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. *[Finding Made]*

**Policy LT -4.1:** Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

**Policy LT-4.4:** Preserve and enhance the high quality character of residential neighborhoods.

The proposed project maintains existing housing stock that is compatible with the neighborhood and complies with the previous Planned Development approval.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. *[Finding Made]*

As conditioned, the project is expected to have minimal impacts on surrounding properties. The additions will not have privacy impacts since it is a modest addition to the rear of the property with no new windows and the neighbor's privacy are protected. The front porch expansion has a storage area above with a window, however, this area will be limited to use as storage. The project meets the Single Family Home Design Techniques, incorporates Craftsman style designs of the development and will conform to the neighborhood standard in FAR as it has transitioned over time.

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
March 9, 2015**

Planning Application 2015-7063  
1268 Townsend Terrace

Special Development Permit for a first and second floor addition of 152 square feet to the rear of the existing two-story, single-family residence resulting in a building size of 2,368.5 square feet and a floor area ratio (FAR) of 54.9%. The project also includes the expansion of the front porch.

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:

<b>GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</b>
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- 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. INDEMNITY:**

The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]

**GC-4. NOTICE OF FEES PROTEST:**

As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]

**BP: THE FOLLOWING CONDITIONS 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]

**BP-4. BEST MANAGEMENT PRACTICES:**

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:



- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
  - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
  - ii) Dumpster drips from covered trash and food compactor enclosures.
  - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
  - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
  - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

**BP-5. SOLAR ANALYSIS**

Verify that the addition does not cast shadow more than 10% of a neighboring roof.

**DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.****DC-1. BLUEPRINT FOR A CLEAN BAY:**

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

**DC-2. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:**

- a. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.
- b. Construction equipment must be maintained per manufacturer's specifications.

- 
- c. Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:
- i. Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
  - ii. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
  - iii. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
  - iv. Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes.  
[COA] [PLANNING]

DC-4. DUST CONTROL:

At all times, the Bay Area Air Quality Management District's CEQA Guidelines and "Basic Construction Mitigation Measures Recommended for All Proposed Projects", shall be implemented. [COA] [PLANNING]

**AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.**

AT-1. STORAGE ABOVE THE PORCH:

The use permitted as part of this application shall comply with the following condition:

- a) The attic area above the front porch shall be utilized for storage only.
- b) The attic area will be limited to less than 7 feet in height.
- c) Should the homeowner decide to convert the space to habitable space, approval of a new Special Development Permit and Building Permit will be required. [COA] [PLANNING]

**END OF CONDITIONS**

### SCOPE OF PROPOSED WORK

A 2-story addition to a wood-framed, two-story, single-family residence with attached two-car garage.

### CODES

All work to comply with the Current California Building Code, Fire, Plumbing, Mechanical, and Electrical Codes i.e. State amended ICC, UMC, AND UPC, AND NEC.

### PROJECT SUMMARY

#### • PROJECT DESCRIPTION

Owner:

Project address:

Zoning

#### • LOT INFORMATION

Shape: Rectangular  
Width: 51'-6"  
Depth: 83'-8"  
Area: 4309 s.f.  
Avg. Slope: less than 5%

#### • BUILDING INFORMATION

Construction Type: V-B  
Occupancy Group: R-3  
Building Height: From adjacent curb 28'-0"  
Building Footprint: Existing 1306 s.f., Proposed 1440 s.f.

Lot Coverage: Existing 30.3%, Proposed (incl front porch) 33.4%

Building Areas: existing proposed  
Habitable/Conditioned 1685 s.f. 1837 s.f.  
Area w/cg exceeding 15' 162.5 s.f. 162.5 s.f.  
Garage 369 s.f. 369 s.f.  
Covered Porch 96 s.f. 154 s.f.

Floor Area Ratio: Existing 51.4%, Proposed 54.9%

Setbacks: existing proposed  
• Front 21.5 ft. 17.5 ft.  
• Rear 20 ft. 20 ft.  
• North Side 8 ft. 8 ft.  
• South Side 10 ft. 8 ft.

## ATTACHMENT 5 PAGE 1 OF 10

Tyler & Heather Cooke  
1268 Townsend Terrace  
Sunnyvale, CA 94087  
1268 Townsend Terrace  
Sunnyvale, CA 94087  
R1.5/PD

# FLANDERS BAY COMPANY

### GENERAL NOTES

1. THESE DRAWINGS ARE THE PROPERTY OF FLANDERS BAY COMPANY & PATRICK J. FLANDERS I AND SHALL NOT BE USED ON ANY JOB OTHER THAN THAT FOR WHICH THEY WERE INTENDED WITHOUT THE WRITTEN AGREEMENT OF PATRICK J. FLANDERS I.
2. FLANDERS BAY CO ASSUMES NO RESPONSIBILITY FOR THE QUALITY OF WORK & MATERIALS, METHODS OF CONSTRUCTION, OR TIMELINESS IN PERFORMANCE OF WORK AT THE JOB SITE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FEES, TAXES & ASSESSMENTS AND THE OBTAINING OF ALL APPLICABLE PERMITS.
4. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH THE FEATURES OF THE SITE AND THESE DRAWINGS PRIOR TO BEGINNING ANY WORK.
5. THE OWNER & CONTRACTOR SHALL CAREFULLY STUDY & COMPARE THESE DOCUMENTS; ANY ERRORS, OMISSIONS OR CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF FLANDERS BAY CO. AS SOON AS POSSIBLE.
6. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF FLANDERS BAY CO. PRIOR TO BEGINNING ANY WORK.
7. ALL WORK SHALL CONFORM TO ALL REQUIREMENTS OF THE U.B.C., CITY & COUNTY REGULATIONS AND ORDINANCES, ALL OTHER STATE & LOCAL CODES, AND ALL MECHANICAL & ELECTRICAL CODES AS THEY APPLY TO THIS PROJECT.
8. ALL WORK SHALL BE FIRST QUALITY, PERFORMED IN A WORKMANLIKE MANNER AND IN KEEPING WITH ACCEPTED BUILDING PRACTICES.
9. ALL FIXTURES, EQUIPMENT, & SPECIALTY ITEM SIZES & REQUIREMENTS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION AND INSTALLATION.
10. ALL FIXTURES, APPLIANCES, MATERIALS, FINISHES AND OTHER ITEMS NOT SPECIFIED BY MANUFACTURER, MODEL NUMBER, OR OTHER DESCRIPTION SHALL BE SELECTED AND APPROVED BY THE OWNER(S) PRIOR TO INSTALLATION.
11. ALL WORKMANSHIP AND INSTALLATION SHALL CONFORM TO MANUFACTURER'S RECOMMENDATIONS.



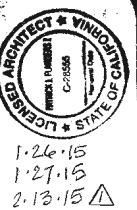
## 1268 TOWNSEND TERRACE SUNNYVALE CALIFORNIA

www.flandersbayco.com

### DRAWING INDEX

#### COVER SHEET

C2 Street Scape-Exist. & Proposed  
SP1 Site Plan  
A1 Floor Plans-Exist.  
A2 Floor Plans-Proposed  
A3 Exterior Elevations-New & Proposed  
A4 Street Elevation-Exist. & Proposed  
A5 Roof Plan-Exist. & Proposed







Collins TruWood  
1/2" Old Mill Lap  
Siding (7" exposed)



Stone Column Base



**TruWood®**  
SIDING

DESCRIPTION

TruWood 7/16" and 1/2" Lap Siding with our popular Old Mill® textured surface has the look of cedar without the defects, hassles, or high cost. It's engineered for less waste. You won't find any checks, cracks or surface variations. Paint goes on smoothly and uniformly. The result: a high quality appearance that adds to the architectural appearance and the value of your project.

Our siding has combined competitive price and high quality to set a new industry standard for value. Expert craftsmanship and proven performance make TruWood Siding an excellent choice for today's quality and value conscious builders.

USES

TruWood Siding is designed for use in residential single-family and multi-family housing and adds style to remodeling and light commercial projects. Whether you are a professional builder or a do-it-yourselfer, TruWood Siding delivers style and impact to all your outside building projects.

1268 Townsend Terrace



Random Square  
Straight Edge  
12" x 48" (5" exposure)  
16" x 48" (7" exposure)  
Shown in Taupe

Allura 7"  
Fiber Cement Shake

Colors Shown



BODY	TRIM	ACCENT	ACCENT 2
SW 2821 Downing Stone	SW 2851 Sage Green Light	SW 2846 Roycroft Bronze Green	SW 0050 Classic Light Buff

Sherwin Williams



CertainTeed  
Landmark TL  
Shenandoah



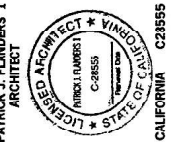


2 STREETScape - EXISTING



1 STREETScape - PROPOSED

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**BAY COMPANY**  
481 N SANTA CRUZ AVE STE 128  
LOS GATOS, CA 95030  
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ADDITIONS TO & REMODEL OF  
1288 TOWNSEND TERRACE  
SUNNYVALE, CA 94087  
FOR THE FAMILY OF  
TYSON LEISTIKO & HEATHER COOKE

DATE:  
1 1-26-15  
2 1-27-15

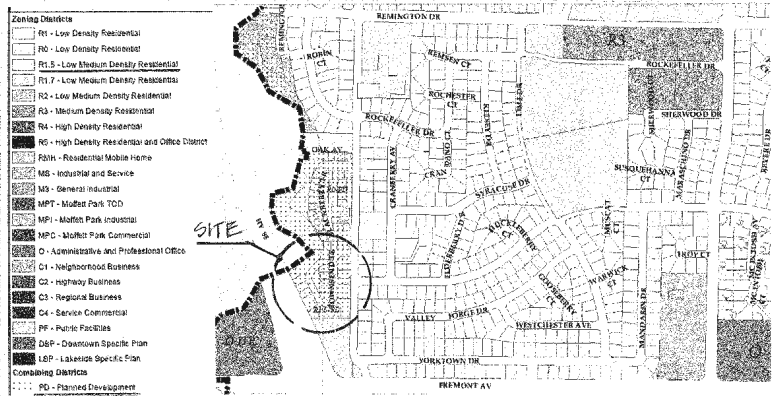
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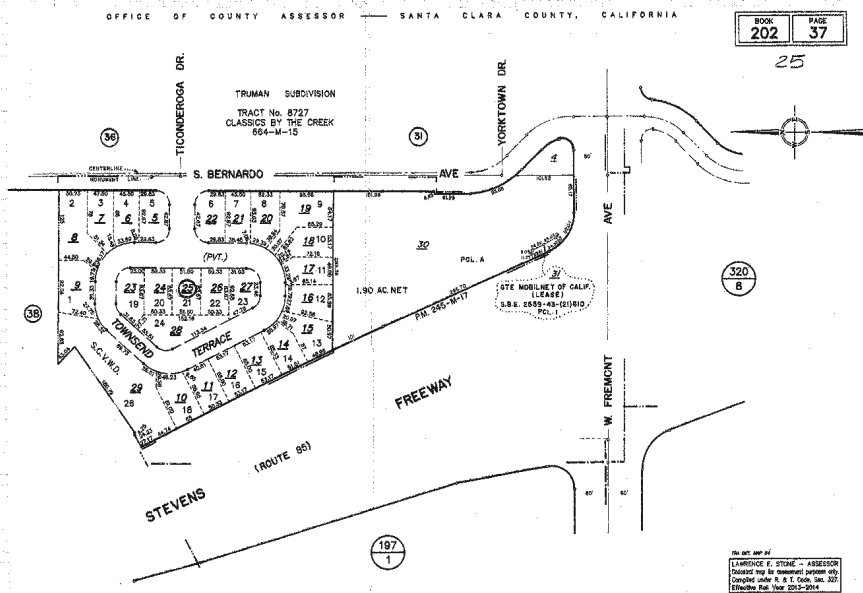
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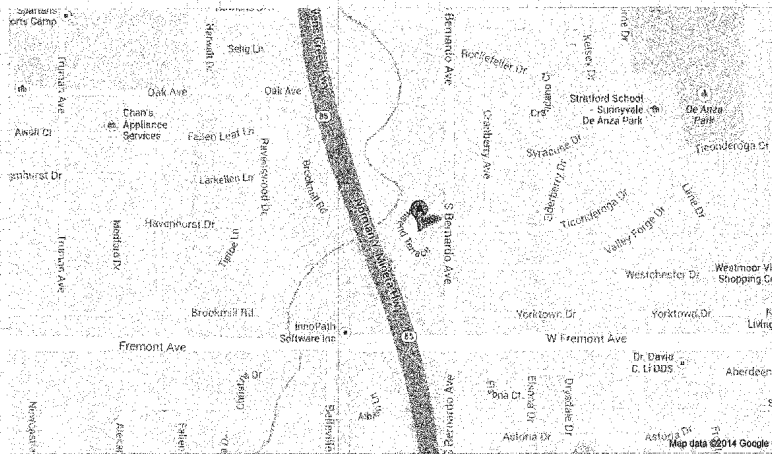




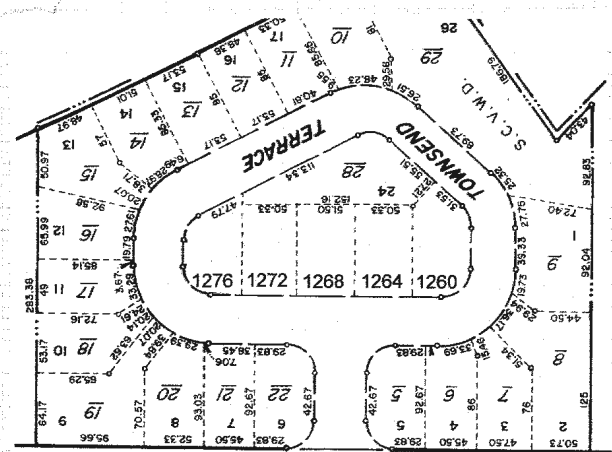
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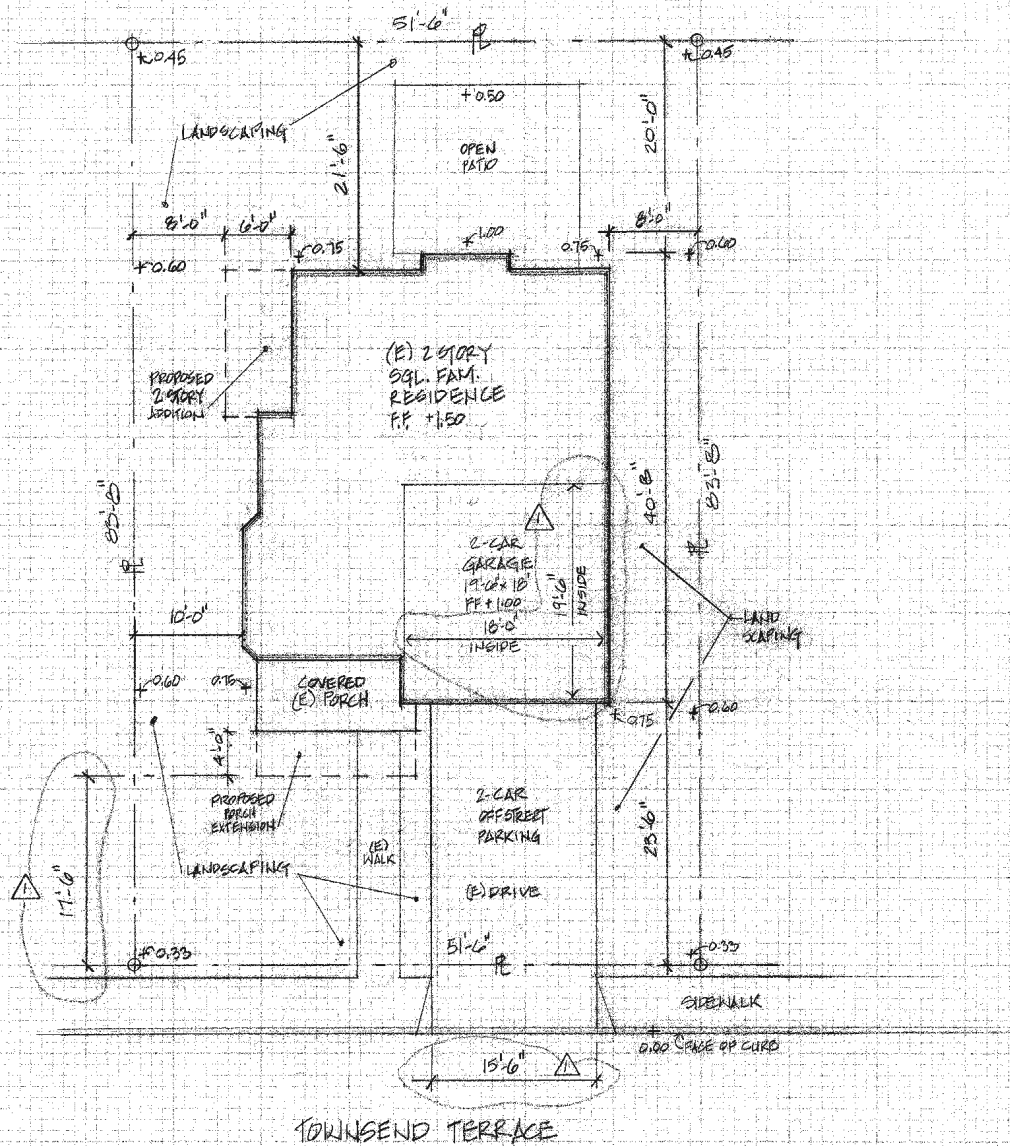
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4 VICINITY MAP  
NO SCALE



Address	Setback					Combined
	Front	Left 1 <sup>st</sup>	Left 2 <sup>nd</sup>	Right 1 <sup>st</sup>	Right 2 <sup>nd</sup>	
1260	17'-4"	4'	4'	N/A	N/A	12'
1264	17'-6"	4'	4'	8'	8'	12'
1268 Proposed	17'-6"	8'	8'	8'	8'	16'
1272	17'-6"	8'	8'	4'	4'	12'
1276	17'-4"	N/A	N/A	4'	4'	



5 SITE PLAN  
1/8"=1'-0"

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PATRICK J. FLANDERS  
ARCHITECT  
481 N. SANTA CRUZ AVE., STE. 208  
LOS GATOS, CA 95030  
408 354 0949

ADDITIONS TO & REMODEL OF  
1268 TOWNSEND TERRACE  
SUNNYVALE, CA 94087  
TYSON LEISTIKO & HEATHER COOKE

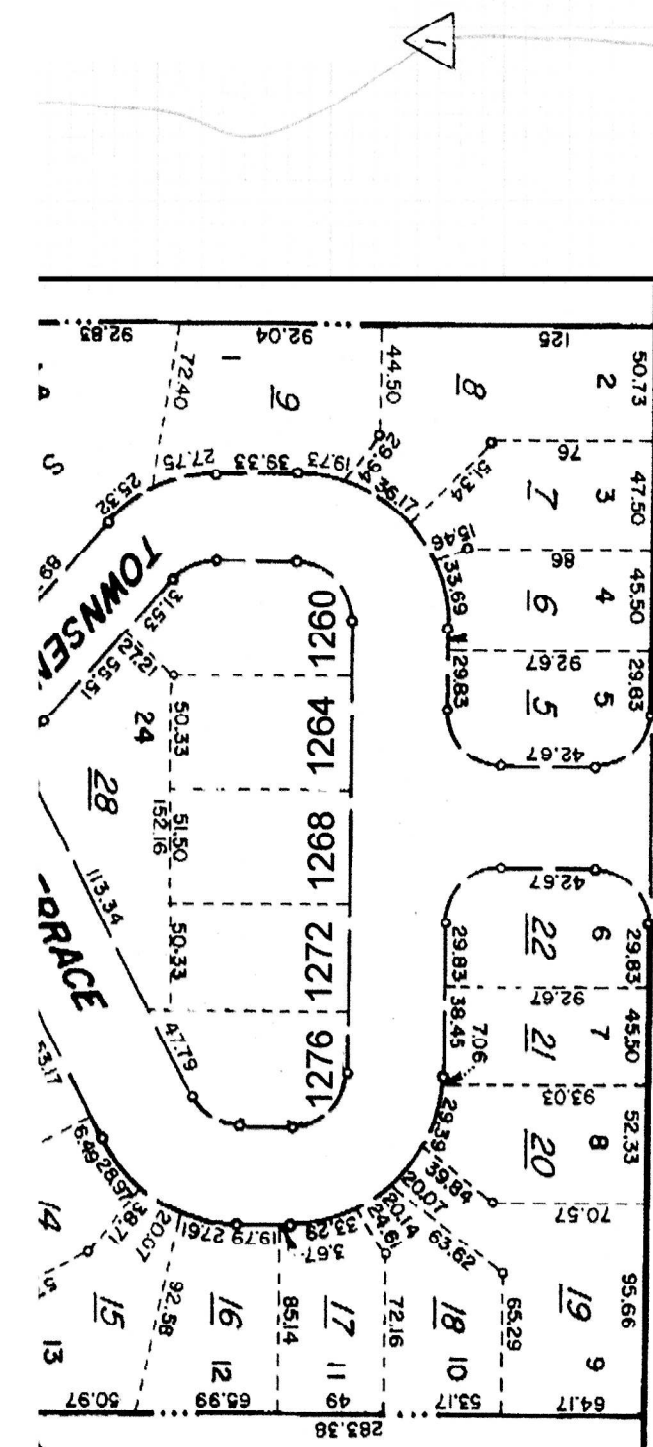
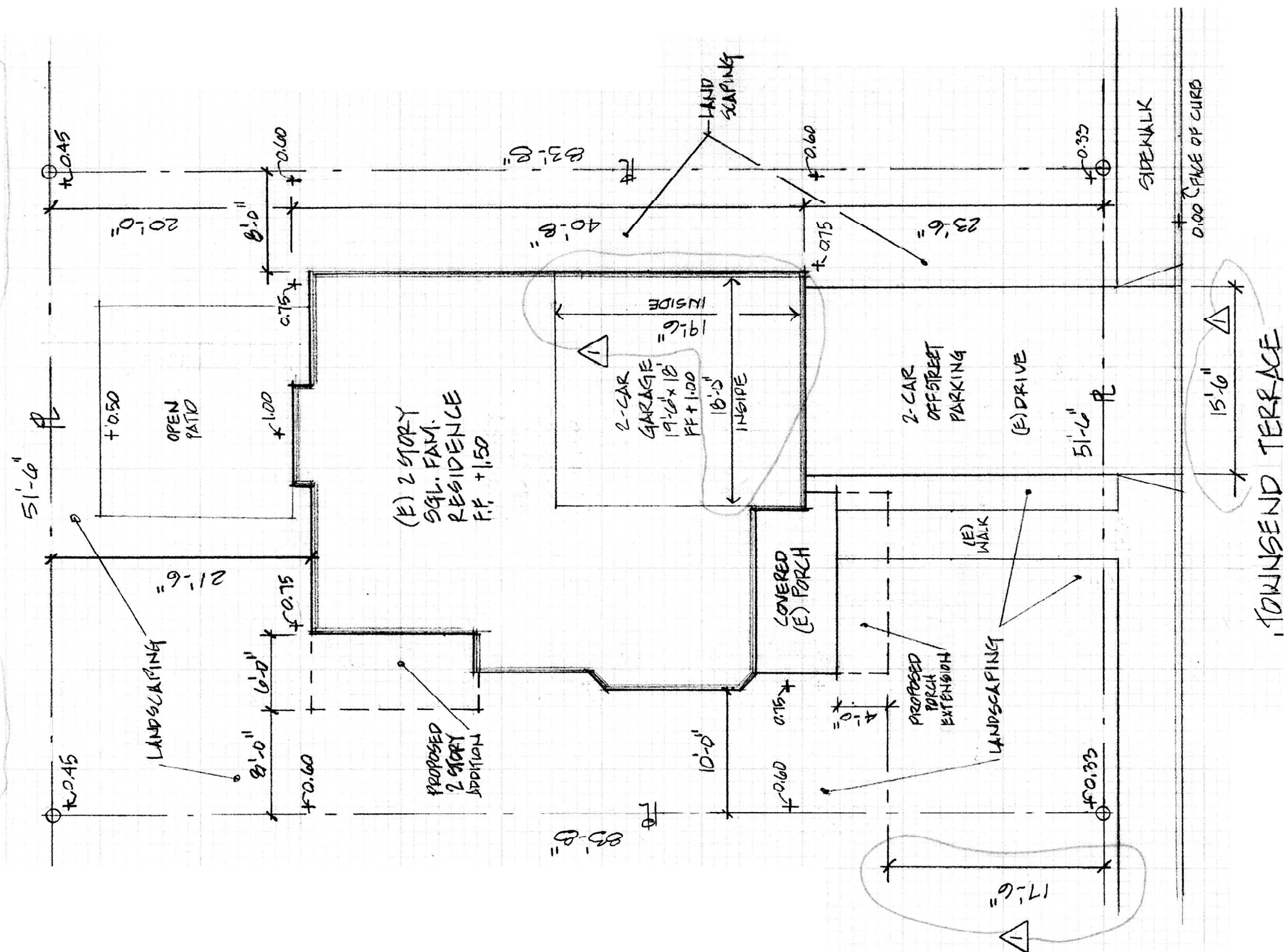
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3. 1-26-15  
4. 1-27-15  
5. 2-13-15

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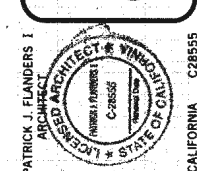
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SP1

[illegible]

---	Existing wall to remain
---	Wall to be removed
---	New wall
①	New Door
⬢	New Window
⊕	Center Line
⊕	Property Line
(E)	Existing
(N)	New
(L)	Landscaping
NTS	Not to scale
VIF	Verify in field
UNO	Unless noted otherwise
INT	Interior
EXT	Exterior
PT	Pressure Treated
CLG	Ceiling
TEMP	Tempered
DBL	Double
w/	With
SGD	Sliding Glass Door
OHD	Overhead Door
CLR	Clear
EQ	Equal
REFG	Refrigerator
CLOS	Closet
DW	Dishwasher
DISP	Disposer
SHVS	Shelves
CAB	Cabinet
MC	Medicine Cabinet
WH	Water Heater
FAU	Forced Air Unit
CONC	Concrete

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ARCHITECT  
10000  
STATE OF CALIFORNIA  
C28555

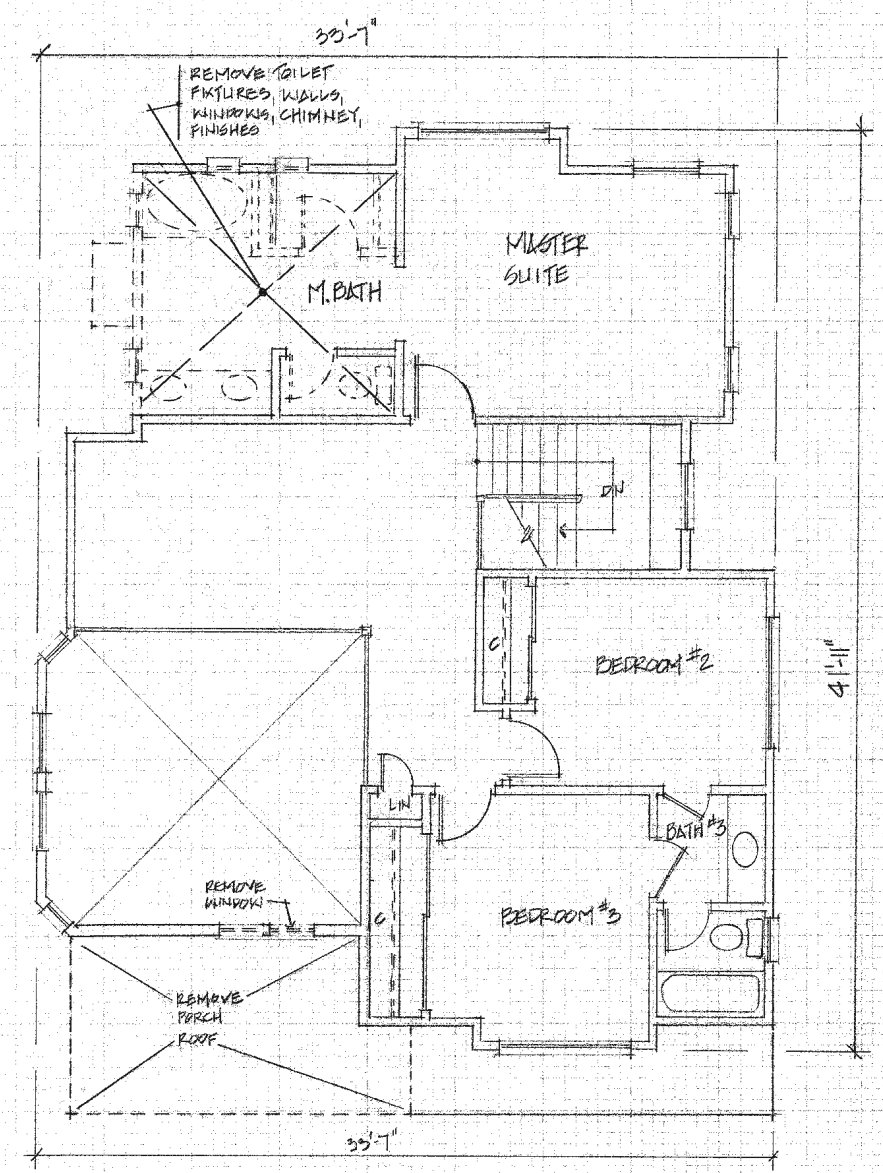
ADDITIONS TO & REMODEL OF  
**1268 TOWNSEND TERRACE**  
SUNNYVALE, CA 94087  
FOR THE FAMILY OF  
TYSON LEISTIKO & HEATHER COOKE

DATE:
1 11.11.14
2 1.12.15
3 1.26.15
4 1.27.15

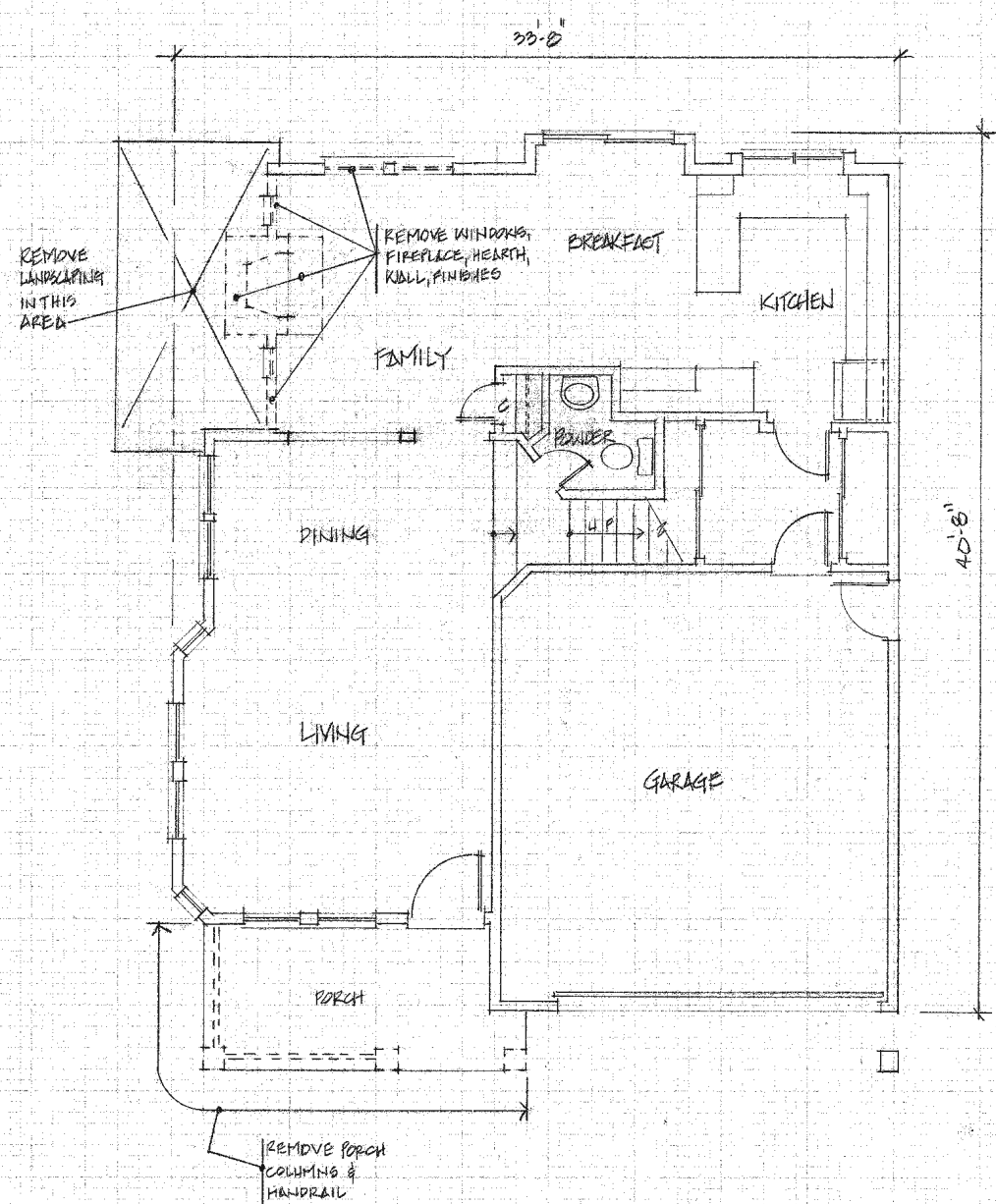
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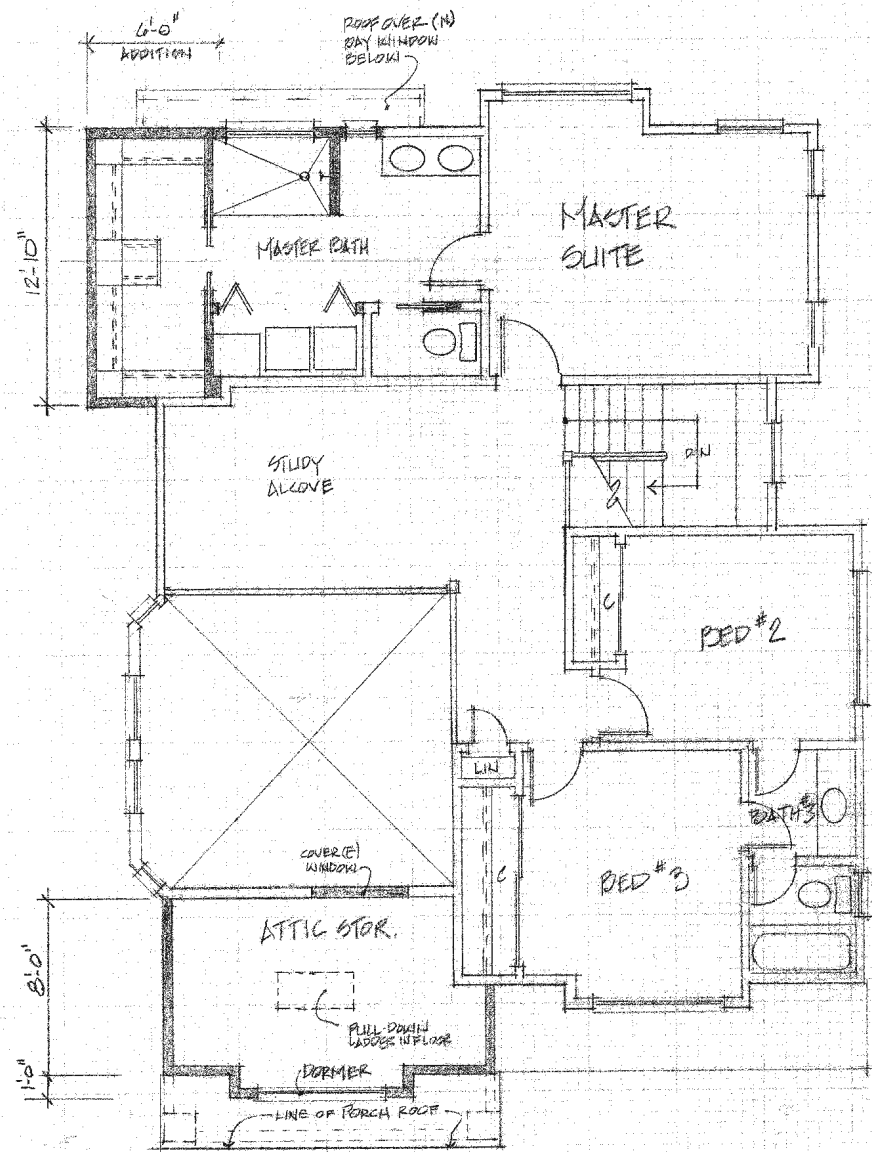


22 SECOND FLOOR PLAN-EXISTING  
1/4" = 1'-0" W/DEMOLITION

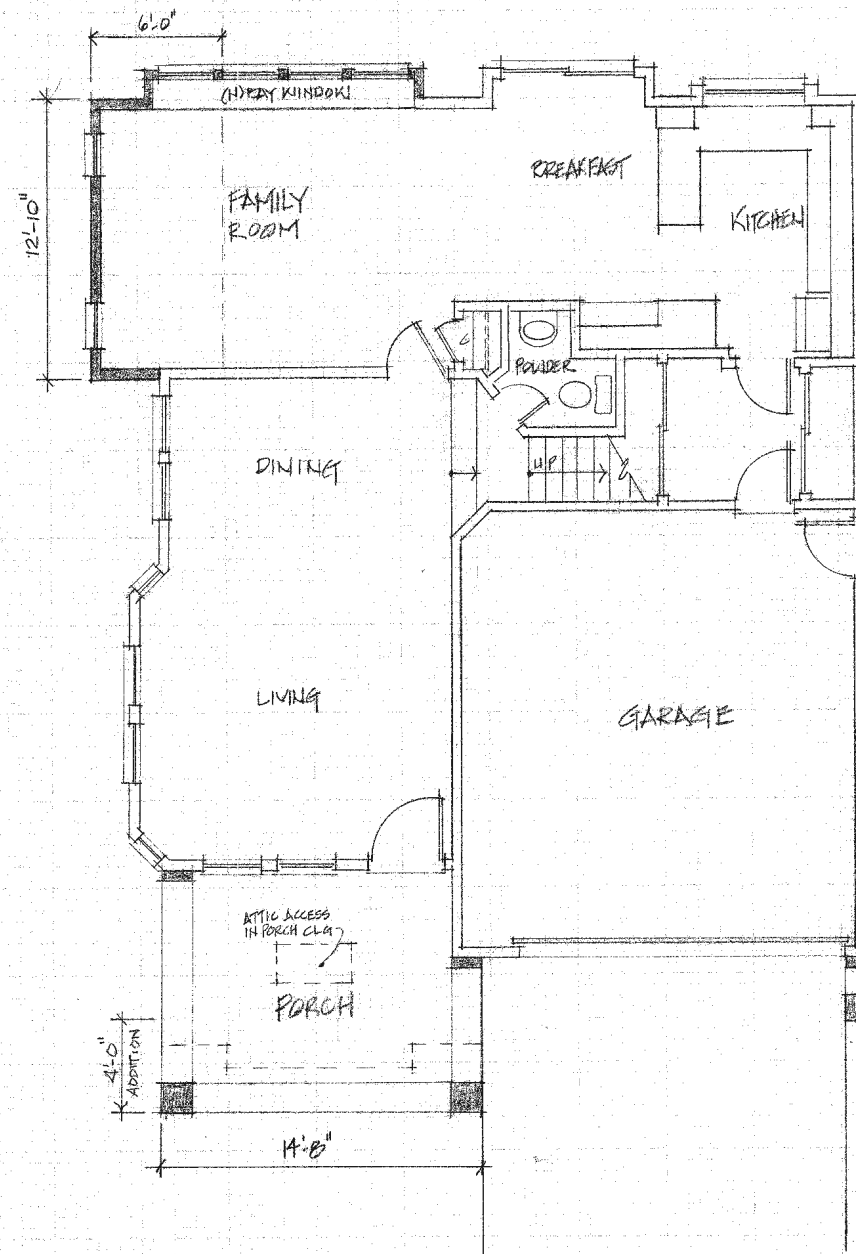


1 FIRST FLOOR PLAN-EXISTING  
1/4" = 1'-0" W/DEMOLITION





2 SECOND FLOOR - NEW  
1/4" = 1'-0"



1 FIRST FLOOR - NEW  
1/4" = 1'-0"

ADDITIONS TO & REMODEL OF  
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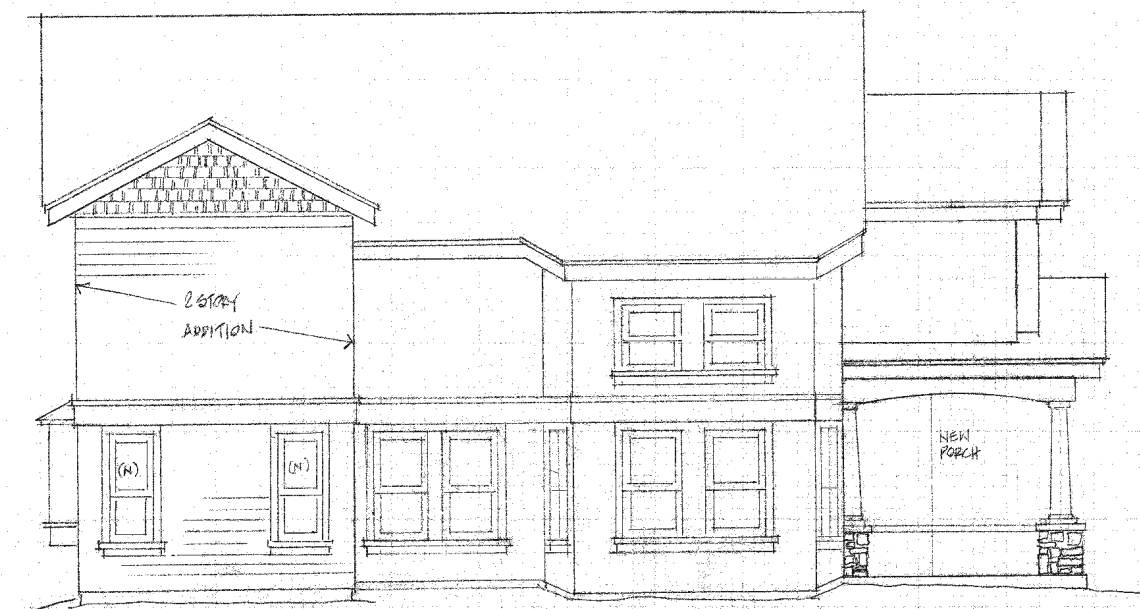
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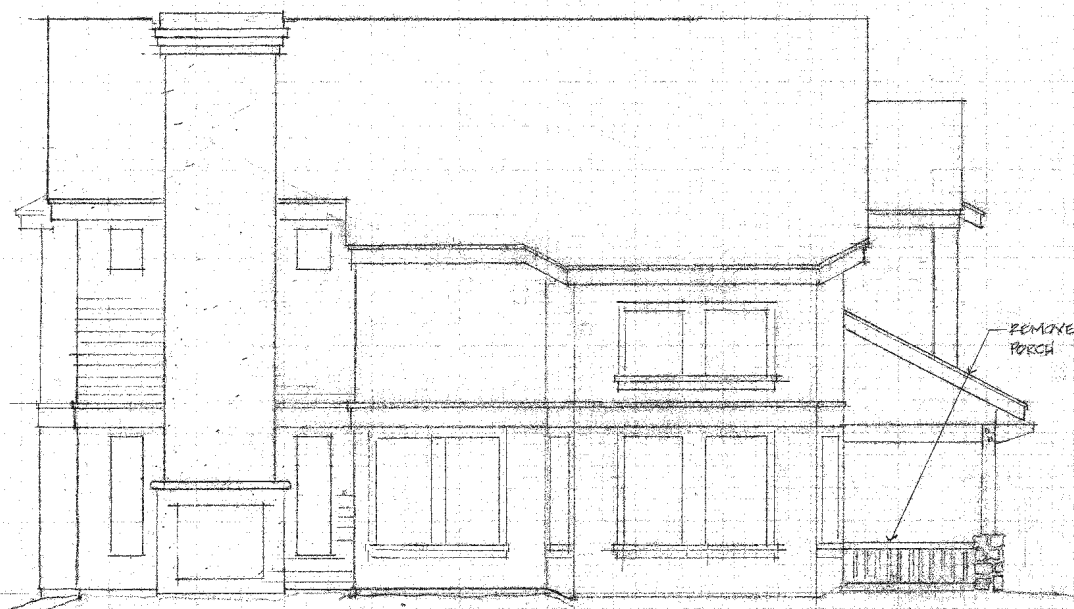
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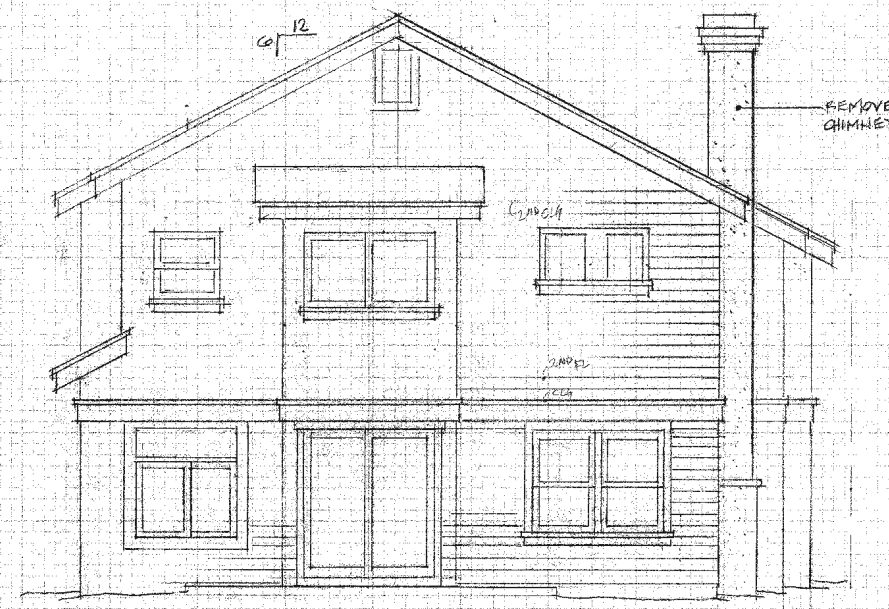
2 SOUTH ELEVATION - NEW  
1/4" = 1'-0"



3 WEST ELEVATION - NEW  
1/4" = 1'-0"



2 SOUTH ELEVATION - EXISTING  
1/4" = 1'-0"



1 WEST ELEVATION - EXISTING  
1/4" = 1'-0"

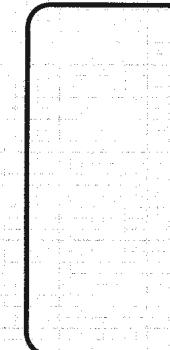
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LICENSED ARCHITECT \* VINCENT  
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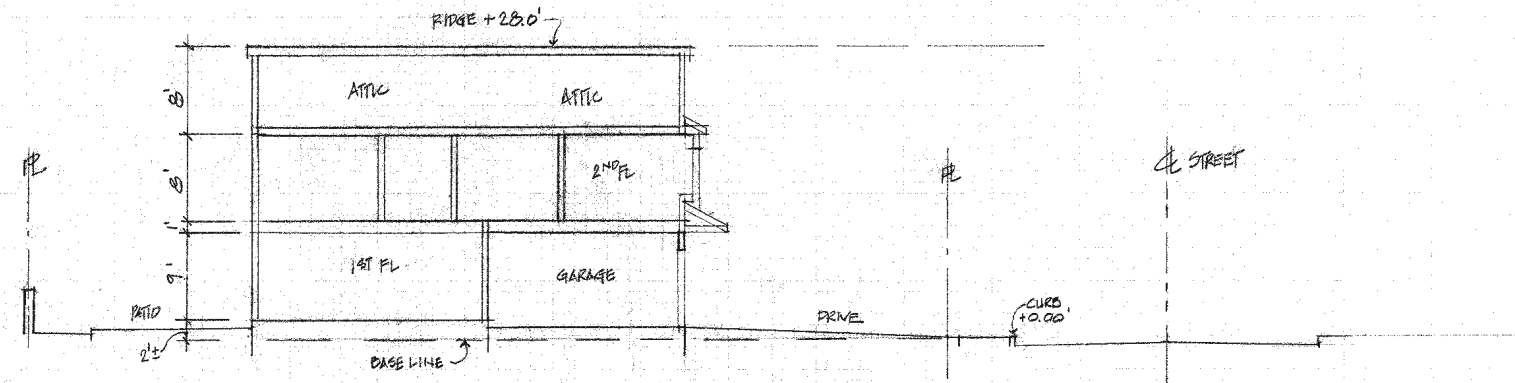
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2 11-14-14  
3 11-25-14  
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5 1-26-14  
6 1-27-14

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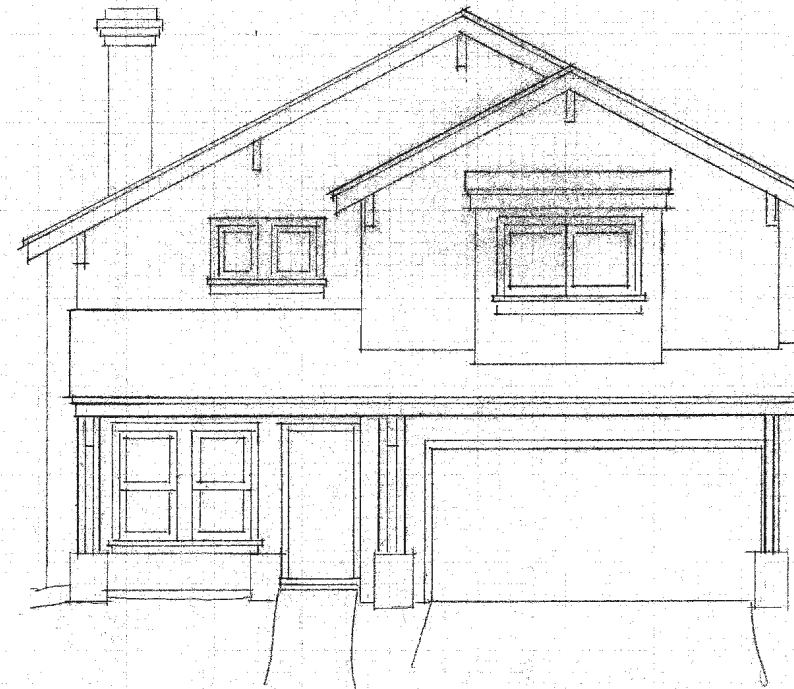
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A 3



33 PROPERTY SECTION  
1/8" = 1'-0"



22 EAST ELEVATION - NEW  
1/4" = 1'-0"



1 EAST (STREET) ELEVATION - EXIST.  
1/4" = 1'-0"

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ARCHITECT



C-28555  
CALIFORNIA

ADDITIONS TO & REMODEL OF  
**1268 TOWNSEND TERRACE**  
SUNNYVALE, CA 94087  
FOR THE FAMILY OF  
TYSON LEISTIKO & HEATHER COOKE

DATE:

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3 1.27.15

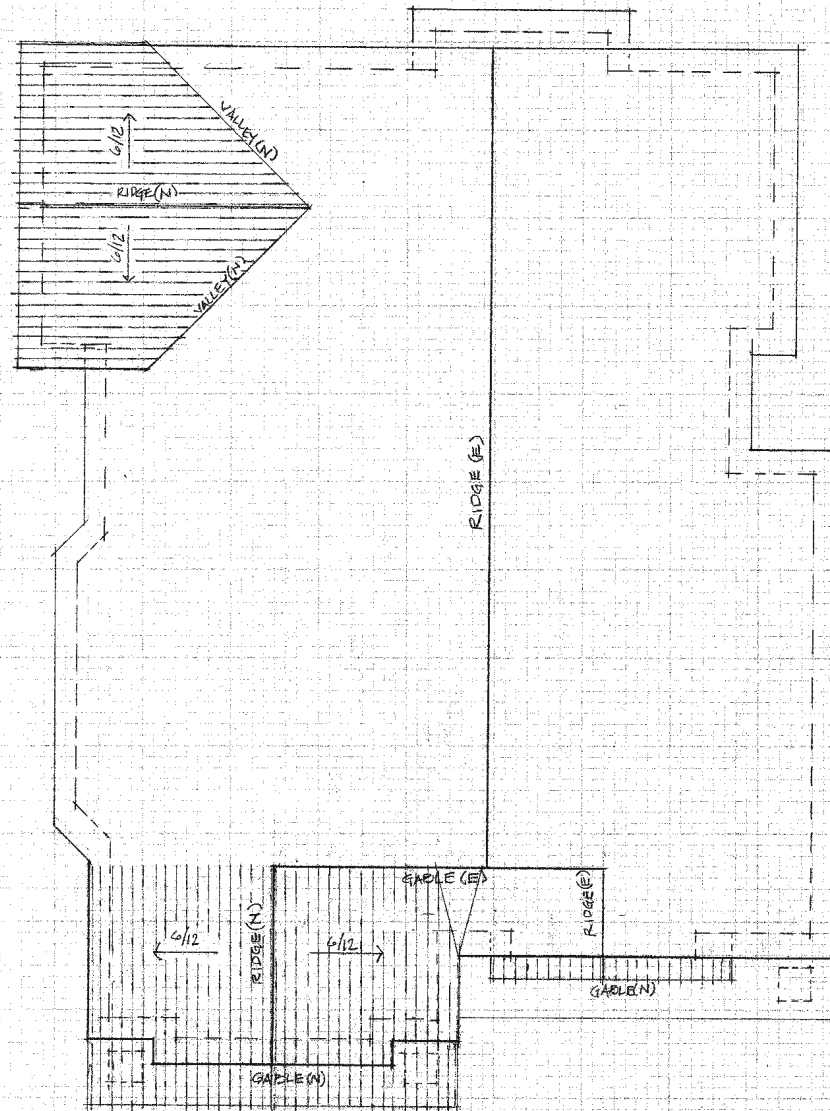
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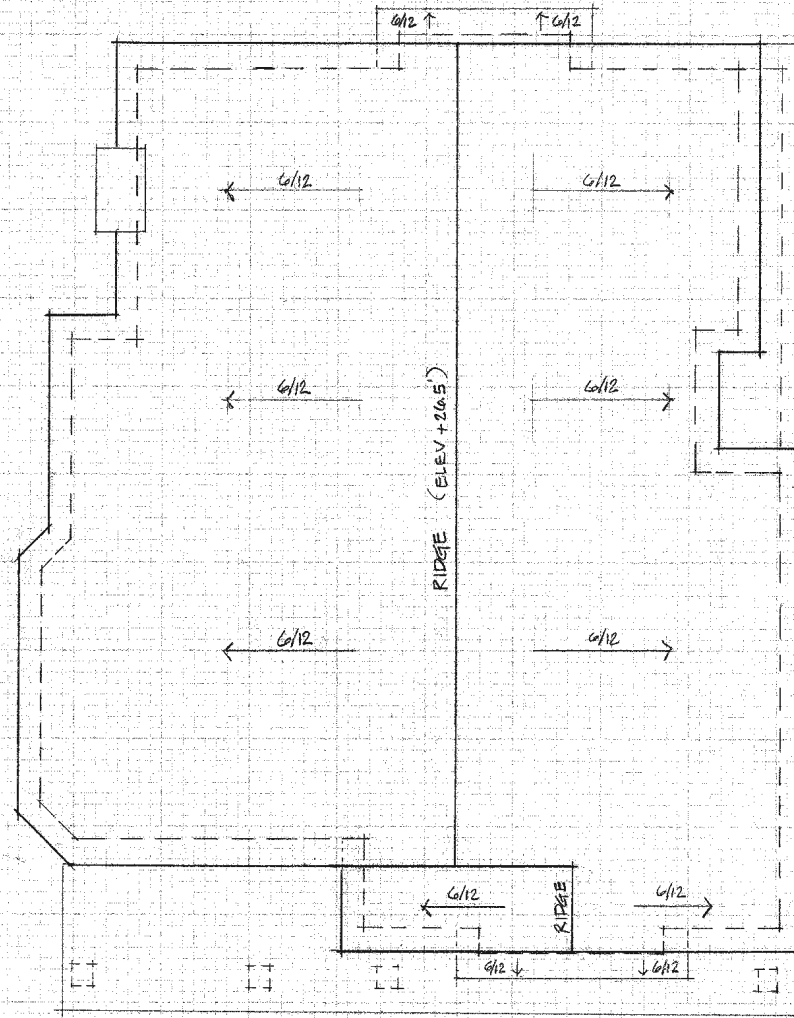
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22 ROOF PLAN - PROPOSED  
1/4" = 1'-0"



1 ROOF PLAN - EXIST.  
1/4" = 1'-0"



ADDITIONS TO & REMODEL OF  
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SUNNYVALE, CA 94087  
FOR THE FAMILY OF  
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DATE:  
1.26.15  
2 1.27.15

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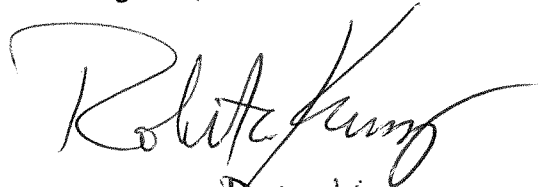


January 26, 2015

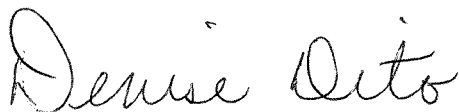
To Sunnyvale Planning Commission,

The Townsend Terrace Home Owner's Association of "Classics by the Creek" has reviewed the remodeling plans of Tyson Leistiko and Heather Cooke for 1268 Townsend Terrace. We find the remodeling plans are consistent with the community standards and fit well with the design of the existing homes in our development. We have approved the remodel and suggest its approval by the Sunnyvale Planning Commission.

With Regards,



Bob Kuntz — ~~Robert Kunz~~  
Secretary, Townsend Terrace Homeowners Association  
1223 Townsend Terrace  
Sunnyvale, CA 94087  
[robert.kunz@gmail.com](mailto:robert.kunz@gmail.com)



Denise Dito  
Treasurer, Townsend Terrace Homeowners Association  
1279 Townsend Terrace  
Sunnyvale, CA 94087  
[dhkirley@gmail.com](mailto:dhkirley@gmail.com)

SiteNumber	SiteStreet	SiteStreetType	APN	Zoning	CombiningDistrict	CountyLandSqFt	CountyBuildingSqFt	GarageSqFt	BLD	FAR	
1211	Townsend	Tr	20237005	R1.5	PD	4812	1770	433	2203	46%	
1215	Townsend	Tr	20237006	R1.5	PD	4303	1568	378	1946	45%	
1219	Townsend	Tr	20237007	R1.5	PD	4675	1568	378	1946	42%	
1223	Townsend	Tr	20237008	R1.5	PD	7655	1878	423	2301	30%	
1227	Townsend	Tr	20237009	R1.5	PD	6281	1568	378	1946	31%	
1235	Townsend	Tr	20237010	R1.5	PD	5152	1770	433	2203	43%	
1239	Townsend	Tr	20237011	R1.5	PD	4280	1770	433	2203	51%	
1243	Townsend	Tr	20237012	R1.5	PD	4519	1878	423	2301	51%	
1247	Townsend	Tr	20237013	R1.5	PD	4526	1878	423	2301	51%	
1251	Townsend	Tr	20237014	R1.5	PD	4235	1568	378	1946	46%	
1255	Townsend	Tr	20237015	R1.5	PD	5211	1878	423	2301	44%	
1259	Townsend	Tr	20237016	R1.5	PD	4897	1770	433	2203	45%	
1263	Townsend	Tr	20237017	R1.5	PD	4218	1568	378	1946	46%	
1267	Townsend	Tr	20237018	R1.5	PD	4762	1878	423	2301	48%	
1271	Townsend	Tr	20237019	R1.5	PD	7262	1878	423	2301	32%	
1275	Townsend	Tr	20237020	R1.5	PD	4795	1770	433	2203	46%	
1279	Townsend	Tr	20237021	R1.5	PD	4218	1568	378	1946	46%	
1283	Townsend	Tr	20237022	R1.5	PD	4813	1770	433	2203	46%	
1260	Townsend	Tr	20237023	R1.5	PD	4410	1685	378	2063	47%	
1264	Townsend	Tr	20237024	R1.5	PD	4211	2000	433	2433	58%	
1268	Townsend	Tr	20237025	R1.5	PD	4309	1837	369	2206	51.2% (54.9%)*	
1272	Townsend	Tr	20237026	R1.5	PD	4211	1885	433	2318	55%	
1276	Townsend	Tr	20237027	R1.5	PD	4205	1885	433	2318	55%	
1234	Townsend	Tr	20237028	R1.5	PD	6679	1878	423	2301	34%	
								<b>Average</b>	<b>2181</b>	<b>45%</b>	

\*The Floor Area Ratios represented in this table are calculated without including the ceiling height area exceeding 15 feet, except for 1268 Townsend Ter, shown in parenthesis.



# City of Sunnyvale

## Agenda Item

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15-0289

Agenda Date: 3/9/2015

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### REPORT TO PLANNING COMMISSION

#### SUBJECT

**File #:** 2014-7624

**Location:** 1026 Lois Avenue (APN: 198-34-011)

**Zoning:** R-0

#### **Proposed Project:**

**DESIGN REVIEW** to allow construction of a new two-story home with a total floor area of 2,993 square feet (2,566 square feet living area and a 427-square foot garage) resulting in 49.8% floor area ratio (FAR).

**Applicant / Owner:** BO Design (applicant) / Haiyan Gong (owner)

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

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

#### REPORT IN BRIEF

**General Plan:** Residential Low Density

**Existing Site Conditions:** Single-family residence

#### **Surrounding Land Uses**

**North:** Single-family residence

**South:** Single-family residence

**East:** Single-family residence

**West:** Single-family residence

**Issues:** Neighborhood compatibility, Floor Area Ratio

**Staff Recommendation:** Approve the Design Review subject to recommended Conditions of Approval.

#### BACKGROUND

A Design Review for a two-story home at 50% FAR at this site was considered and denied by the Planning Commission on October 13, 2014. The Commission noted that the proposed home with the high FAR had neighborhood compatibility issues and iterated that the code allows a two-story home in this zoning district. They recommended that the applicant redesign the proposal to address these issues (Meeting Minutes - Attachment 8).

The applicant has redesigned the proposal to address the Planning Commission and neighbors'

concerns. A discussion on the changes and the proposed home is included in the Site Plan and Architecture section of this report.

The City has not received a request for a one-story overlay for this neighborhood

### **Description of Proposed Project**

The applicant proposes to demolish the existing single-story home at the site and construct a new two-story home, resulting in a total of 2,993 square feet and approximately 50% Floor Area Ratio (FAR). A Design Review is required for construction of a new home to evaluate compliance with development standards and with the Single Family Home Design Techniques. The Planning Commission is required to review such applications exceeding 45% FAR or 3,600 square feet. See Attachment 1 for a map of the vicinity and mailing area for notices, Attachment 2 for the Data Table of the project, and Attachment 6 for the proposed plans.

### **Previous Actions on the Site**

The existing 1,182-square foot single-story home was constructed in 1953. The Planning Commission denied a Design Review for a two-story home with a 50% FAR project at this site in October 2014.

### **EXISTING POLICY**

**Single Family Home Design Techniques:** The City's Single Family Home Design Techniques (2003) provide guidelines for site planning, architecture, and other design elements related to neighborhood compatibility. These guidelines are referenced in the discussion and analysis below.

### **DISCUSSION**

**Development Standards:** The proposed project complies with all applicable development standards including setbacks and parking, as set forth in the Sunnyvale Municipal Code. The following items have been identified for clarification:

- Site Layout  
The proposed home would be located near the center of the property meeting all setback requirements. A two-car garage and a driveway provides access at the right side of the property's frontage.
- Parking/Circulation  
The project would provide a two-car garage meeting size and dimensional requirements as well as a two-car driveway in compliance with current parking standards.
- Landscaping and Tree Preservation  
The applicant proposes to retain the majority of the site's existing landscaping. One protected tree and three smaller sized trees are proposed to be removed in conjunction with this project. The protected tree in the front yard is proposed to be removed, as it is very close to the new structure and its health and structure will be compromised. A 36-inch box size replacement tree is recommended to be planted in the front yard (Condition of Approval PS-1).
- Solar Access

SMC 19.56.020 states that no permit may be issued for any construction which would interfere with



solar access by shading more than 10% of the roof of any structure on a nearby property. The project plans demonstrate that the shading would comply with this requirement.

**Site Plan and Architecture:** The existing home at the site can be categorized as a typical ranch-styled home with a recessed entryway, stucco façade, and hip roof design with composition shingle roofing. The majority of homes in the immediate neighborhood have a similar architectural style and use of materials. The proposed home is a contemporary style of the ranch architectural design with use of hip roof form, window trims and stucco finish (Attachment 6 - Site and Architectural Plans). The front elevation includes an entry feature and a stone base along the entire frontage. The height of the entry feature is about 4 inches higher than the adjacent roof eaves. Proposed plate height for the first floor is 10 feet throughout and 9 feet for the second story. Side elevations include clerestory windows and a stair well window at the second story level.

**Modifications from Previous Proposal:** The proposed plans have been modified from its previous design that was considered and denied by the Planning Commission. The modifications include:

- Removed double story ceiling height in the living area (to decrease volume and mass of structure);
- Removed balcony feature that impacted neighbor privacy;
- Relocated bedroom on second story to eliminate a bedroom window on the side (to address neighbor's privacy);
- Decreased height of entry element (10' feet as compared to 12'6");
- Increased second story side setback on the left side (19'9" from 10'8");
- Increased second story front setback (27'2"-31'3" as compared to 27'5");
- Smaller second story floor area (777 s.f. as compared to 854 s.f.);
- Larger first floor area (2,216 s.f. as compared to 2,142 s.f.);
- Reduced the second story to first story floor area ratio (35% as compared to 39.8%);
- Changed roofing material to flat grey colored concrete tile (for compatibility with ranch style) instead of terracotta barrel style tile (indicative of Spanish/Mission style architecture)
- As conditioned, a lower plate height for second story (8' instead of 9')

The redesigned home attempts to address issues noted at by the Planning Commission. The lowered height of the entry feature makes it more compatible with the recessed entryways typical of ranch styled homes and the use of concrete flat grey colored tiles improves its compatibility with shake/shingle roof material found in the neighborhood. The smaller second story floor area allows for increased front and side setbacks to address privacy and bulk issues. A low pitch hip roof design combined with flat roof tiles is being proposed, which is similar to roofs in the neighborhood. Staff has included a Condition of Approval requiring that the second story plate height be lowered to 8 feet from 9 feet to help reduce the visual appearance of the second story.

**Second Floor Area to First Floor Area Ratio:** The Single Family Design Techniques note that for the purposes of assessing neighborhood character and scale, the "neighborhood" is defined as both sides of the street within the same and immediately adjacent blocks. Section 3.4.A states: *"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 garage area)."* The neighborhood for this site is composed of predominantly single-story homes. The proposed two-story home complies with this guideline by

having a second floor area of 777 square feet, which is 35% of the first floor area (2,216 s.f.).

**Floor Area Ratio:** The proposed 2,993 square foot single family home at 49.8% FAR exceeds the 45% FAR threshold and requires Planning Commission approval. The 5% FAR translates to 293 square feet of floor area. The neighborhood is composed of mostly single-story homes with a few two-story homes with FARs ranging between 19% and 49% (Attachment 3 - Neighborhood Floor Area Ratio Table). The house at 1058 Lois Avenue (approximately 7 homes away) is about 48% FAR. There are few other two-story homes in this area; all of which have FARs less than 45%.

**Privacy Impact:** When not required for egress purposes, the proposed second story windows are reduced in size to be clerestory windows. Based on setbacks, location and size, the second story windows are not expected to have privacy impacts on adjacent neighbors. The proposed plans also do not include any balcony features that can impact neighborhood privacy.

**Neighborhood Compatibility:** The neighborhood is predominantly one-story homes with a few two-story homes sprinkled throughout. The proposed two-story home addresses neighbor privacy, solar access requirements, and architectural design compatibility. Staff finds that the redesigned two-story home adequately addresses privacy and bulk issues associated with higher FAR projects.

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

### **CONCLUSION**

Findings and General Plan Goals: Staff is recommending approval of the Design Review subject to recommended conditions of approval as noted in the Findings (Attachment 4).

### **FISCAL IMPACT**

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

### **PUBLIC CONTACT**

As of the date of staff report preparation, staff has received several comments from the neighbors noting concern and recommending denial for the proposed two-story home (Attachment 7).

### **Notice of Public Hearing, Staff Report and Agenda**

- Published in the *Sun* newspaper
- Posted on the site
- 99 notices mailed to property owners and residents within 300 feet of the project site
- Posted on the City of Sunnyvale's Web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library
- Posted on the City's official notice bulletin board
- Posted on the City of Sunnyvale's Web site

### **ALTERNATIVES**

1. Approve the Design Review subject to recommended Conditions of Approval.
2. Approve the Design Review with modified Conditions of Approval.
3. Deny the Design Review.

**RECOMMENDATION**

Recommend Alternative 1 to approve the Design Review.

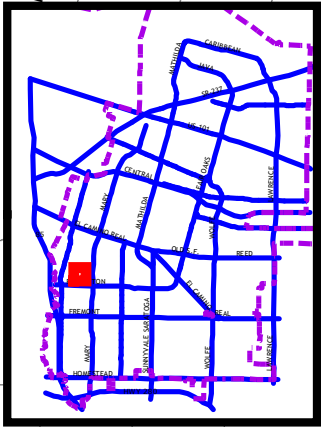
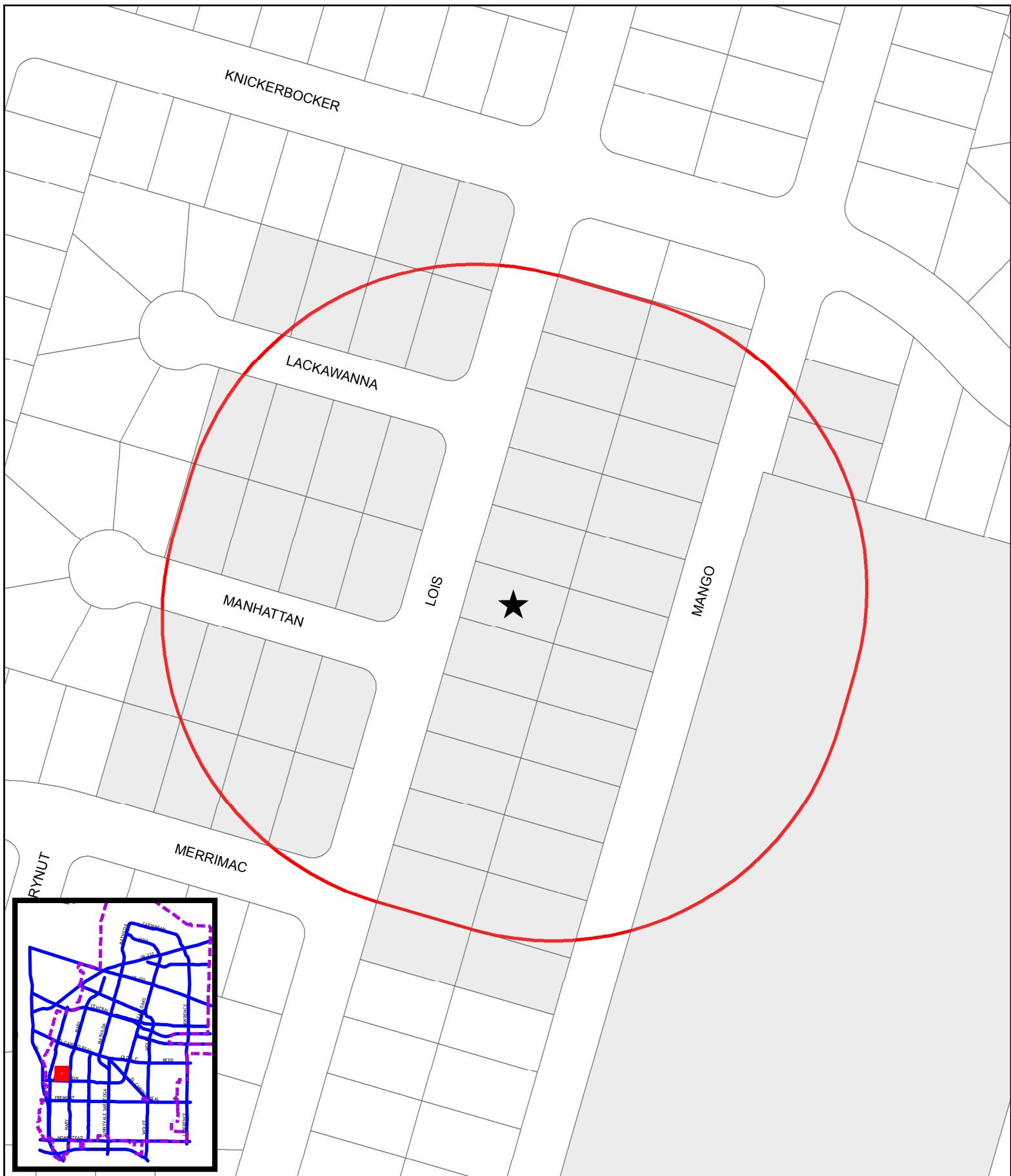
Prepared by: Shétal Divatia, Senior Planner

Reviewed by: Ryan Kuchenig, Senior Planner

Approved by: Trudi Ryan, Planning Officer

**Attachments:**

1. Vicinity Map
2. Project Data Table
3. Neighborhood Floor Area Ratio Table
4. Recommended Findings
5. Recommended Conditions of Approval
6. Site and Architectural Plans
7. Letters from Neighbors
8. Minutes of Planning Commission Public Hearing (10/13/2014)



2014-7624  
1026 Lois Ave. (APN: 198-34-011)  
DESIGN REVIEW  
300 - foot Notice Area

0 37.5 75 150 Feet



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-0	Same	R-0
Lot Size (s.f.)	6,000	Same	6,000 min.
Gross Floor Area (s.f.)	1,182	2,993	No max. (3,600 s.f. threshold for Planning Commission Review)
Lot Coverage (%)	19.7%	38.1%	40% max.
Floor Area Ratio (FAR)	19.7%	49.8%	No max. (45% threshold for Planning Commission Review)
Building Height (ft.)	15'-5"	24'4""	30' max.
No. of Stories	1	2	2 max.
Setbacks (First/Second Facing Property)			
Front:			
1 <sup>st</sup> Floor	25'	20'	20' min.
2 <sup>nd</sup> Floor	--	27'2 to 31'3"	25' min.
Left Side			
1 <sup>st</sup> Floor	6'	6' to 10'7"	4' min.
2 <sup>nd</sup> Floor	--	10'-7 to 19'9"	7' min.
Right Side			
1 <sup>st</sup> Floor	7'	6'	4' min.
2 <sup>nd</sup> Floor	--	13-11"	7' min.
Rear			
1 <sup>st</sup> Floor	40'-6""	26'-9"	20' min.
2 <sup>nd</sup> Floor	--	31'-1"	20' min.
Parking			
Total Spaces	2	4	4 min.
Covered Spaces	1	2	2 min.

Street Address			LandSqFt	Total Floor Area	FAR
1066	Lois	Av	6000	2425	40
1062	Lois	Av	6000	1774	30
1058	Lois	Av	6000	2930	49
1054	Lois	Av	6000	1991	33
1050	Lois	Av	6000	2411	40
1046	Lois	Av	6000	1201	20
1042	Lois	Av	6000	1699	28
1038	Lois	Av	6000	1356	23
1034	Lois	Av	6000	1486	25
1030	Lois	Av	6000	1706	28
1026	Lois	Av	6000	2983	50
1022	Lois	Av	6000	1192	20
1018	Lois	Av	6000	1691	28
1014	Lois	Av	6000	1700	28
1010	Lois	Av	6000	1654	28
1006	Lois	Av	6000	1564	26
1002	Lois	Av	6414	1356	21
1051	Merrimac	Dr	6261	1356	22
1055	Merrimac	Dr	6000	1666	28
1059	Merrimac	Dr	6000	1700	28
1063	Merrimac	Dr	6000	1698	28
1067	Merrimac	Dr	6130	1486	24
1071	Merrimac	Dr	6634	1356	20
1075	Merrimac	Dr	7050	2022	29
1074 W	Knickerbocker	Dr	6000	1486	25
1070 W	Knickerbocker	Dr	6000	2220	37
1066 W	Knickerbocker	Dr	6000	2319	39
1062 W	Knickerbocker	Dr	6000	1549	26
1058 W	Knickerbocker	Dr	6000	1501	25
1054 W	Knickerbocker	Dr	6000	1192	20
1050 W	Knickerbocker	Dr	6261	1474	24
1051	Lackawanna	Ct	6261	1356	22
1055	Lackawanna	Ct	6000	1201	20
1059	Lackawanna	Ct	6000	1799	30
1063	Lackawanna	Ct	6000	1660	28
1067	Lackawanna	Ct	5750	1516	26
1071	Lackawanna	Ct	9750	1795	18
1074	Lackawanna	Ct	7650	1486	19
1070	Lackawanna	Ct	9550	1569	16
1066	Lackawanna	Ct	6000	1720	29
1062	Lackawanna	Ct	6000	1356	23
1058	Lackawanna	Ct	6000	1486	25
1054	Lackawanna	Ct	6000	1845	31
1050	Lackawanna	Ct	6261	2130	34
1051	Manhattan	Ct	6261	2036	33
1055	Manhattan	Ct	6000	1489	25

Street Address			LandSqFt	Total Floor Area	FAR
1059	Manhattan	Ct	6000	1356	23
1063	Manhattan	Ct	6000	1747	29
1067	Manhattan	Ct	6037	1201	20
1071	Manhattan	Ct	9737	1577	16
1074	Manhattan	Ct	7838	1950	25
1070	Manhattan	Ct	9737	1804	19
1066	Manhattan	Ct	6037	1322	22
1062	Manhattan	Ct	6000	1356	23
1058	Manhattan	Ct	6000	1702	28
1054	Manhattan	Ct	6000	1533	26
1050	Manhattan	Ct	6261	1334	21
1067	Lois	Av	7931	1486	19
1068	Merrimac	Dr	6123	1798	29
1057	Hickorynut	Ct	7118	1486	21
1061	Hickorynut	Ct	7250	1356	19
1065	Hickorynut	Ct	11790	2309	20
1069	Hickorynut	Ct	11287	1501	13
1068	Hickorynut	Ct	8575	1907	22
1064	Hickorynut	Ct	8909	2497	28
1060	Hickorynut	Ct	7200	1486	21
1056	Hickorynut	Ct	6414	1356	21
1058	Merrimac	Dr	6000	1988	33
1054	Merrimac	Dr	6000	1129	19
1055	Lois	Av	6212	1972	32
1059	Lois	Av	9260	2255	24
1063	Lois	Av	10086	2188	22
1074	Lois	Av	6350	1356	21
1070	Lois	Av	6000	1726	29

## RECOMMENDED FINDINGS

### Design Review

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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 - *Finding made*

Staff is able to make this finding as indicated below:

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The proposed entry would face the street, similar to the pattern in the existing neighborhood. A more formal entry feature would be introduced rather than keeping the entry beneath first-floor eaves. However, the height and design of the formal entry feature is compliant with Design Technique 3.3.D.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The proposed home at 50% FAR is larger than homes in the surrounding single-story neighborhood. The second floor area of the home is proposed at 35% of the first floor area, which is in keeping with Design Technique 3.4.A for neighborhoods that are predominantly single story. The project is conditioned, to reduce the height of the second story to further minimize the second story element.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The proposed design respects the privacy of adjacent neighbors by including significant second floor setbacks and minimizing second floor windows. The proposal includes a second story in a predominantly second story neighborhood which is not precluded in this zoning district.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The proposal includes two covered and two uncovered parking spaces as required by code, thereby bringing the site in conformance with parking requirement and reducing the need for on-street parking.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The proposed project does not include any modifications to landscaping with the exception of a protected tree. Existing



	front yard landscaping is compatible with the neighborhood and would be retained.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed design includes stucco, stone cladding and concrete tile roofing. These materials are consistent with the Design Techniques and the surrounding neighborhood.
<i>2.2.7 Preserve mature landscaping</i>	One protected tree located in the front yard is proposed to be removed due to its close proximity to the new structure as the structure and health of the tree will be compromised during construction and the structure and a replacement tree shall be planted The proposal, as conditioned is not expected to significantly alter the existing landscaping, which is compatible with the neighborhood.

RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
MARCH 9, 2015

Planning Application 2014-7624  
1026 Lois Avenue

Design Review Permit for a new two-story home with a total floor area of 2,993 square feet (2,566 square feet living area and 427 square feet garage) resulting in 49.8% floor area ratio (FAR).

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 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. TITLE 25:**

Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

**PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.**

PS-1. Modify the site plan to include a 36 inch-box sized replacement tree to be planted at the site.

PS-2. Modify elevations to reduce the second story plate height to 8 feet (where 9 feet is proposed).

**BP: THE FOLLOWING CONDITIONS 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]

**BP-4. TREE PROTECTION PLAN:**

Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees', using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

**BP-5. BEST MANAGEMENT PRACTICES:**

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.

- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
  - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
  - ii) Dumpster drips from covered trash and food compactor enclosures.
  - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
  - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
  - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

DC-3. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:

Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.

- a) Construction equipment must be maintained per manufacturer's specifications.
- b) Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:

- i. Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
- ii. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- iii. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
- iv. Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes. [COA] [PLANNING]



1026 LOIS AVE.  
SUNNYVALE, CA

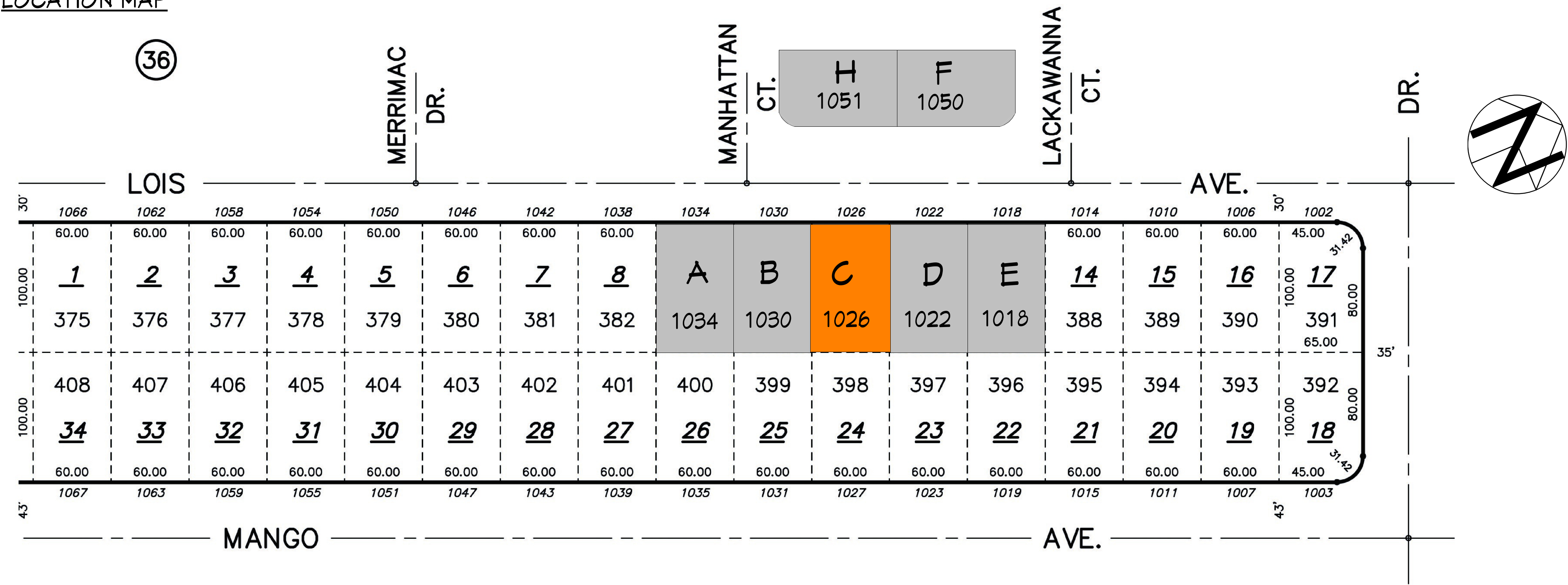


1051 MANHATTAN CT.  
H



1050 LACKAWANNA CT.  
F

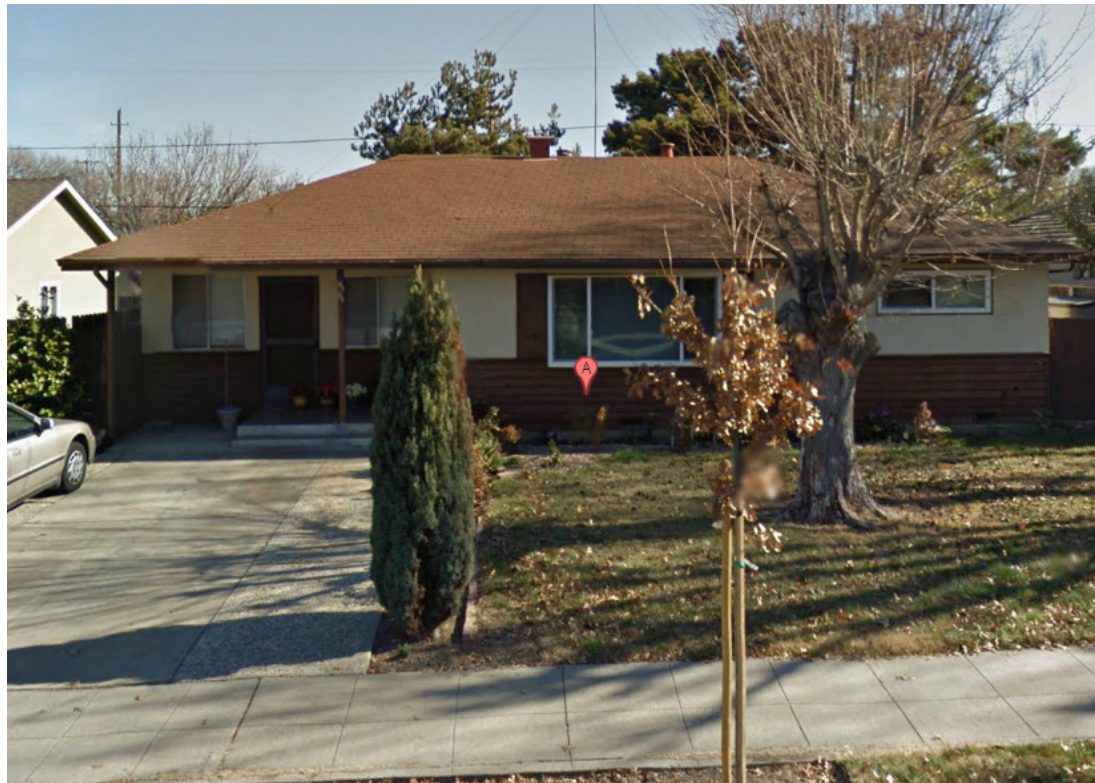
LOCATION MAP



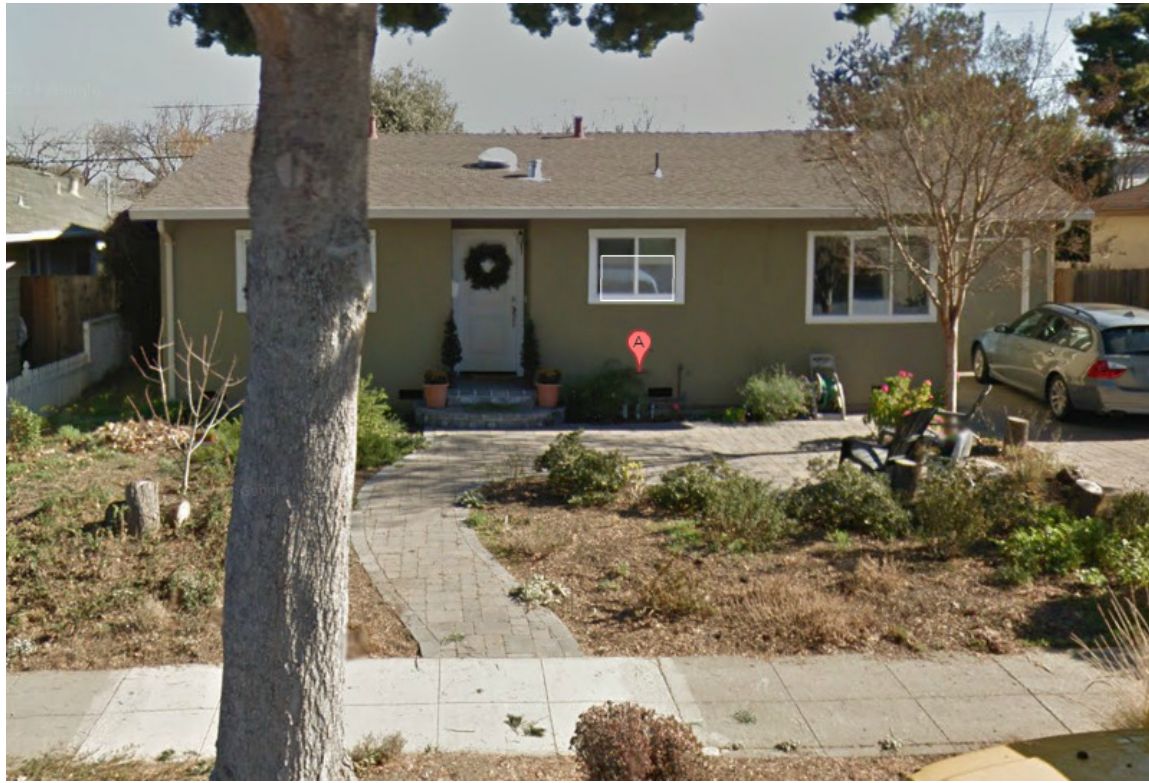
1034 LOIS AVE.  
A



1026 LOIS AVE.  
C



1022 LOIS AVE.  
D



1018 LOIS AVE.  
E

STREETSCAPE ELEVATION

REVISIONS BY

ATTACHMENT 6  
PAGE 1 OF 9

BODesign

21060 HOMESTEAD RD., SUITE 130  
CUPERTINO, CA 95014  
Tell: (408) 771-5935  
EMAIL: contact@bod-e.com

BUILDER:



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SHEET TITLE:

Streetscape  
Elevations

NEW CONSTRUCTION FOR:

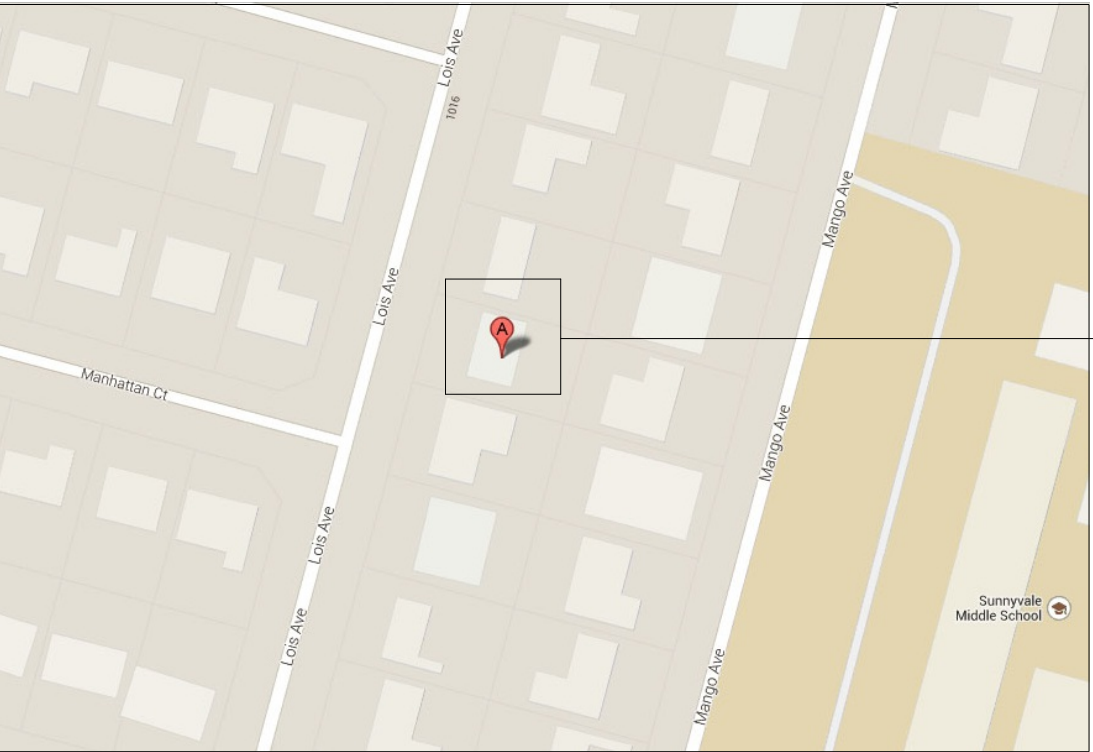
FRANK & HELEN

1026 LOIS AVE.,  
SUNNYVALE, CA

DATE : 1.23.2015  
SCALE : -- --  
DRAWN BY : BOD  
JOB NO : D-1405-02  
SHEET :



VICINITY MAP:



PROPERTY LOCATION / NTS

PROJECT DATA:

ASSESSOR'S PARCEL NUMBER: 198-34-011  
PROJECT TYPE: NEW COSTUME HOUSE  
PROJECT LOCATION: 1026 LOIS AVE., SUNNYVALE, CA 94087  
ZONING: R0  
OCCUPANCY GROUP: R - 3 / U  
CONSTRUCTION TYPE: V - B  
NUMBER OF FLOORS: TWO (2) STORY  
FIRE PROTECTION: SPRINKLERED

CODE EDITIONS:

A. CALIFORNIA RESIDENTIAL 2013 EDITION  
B. CALIFORNIA BUILDING 2013 EDITION  
C. CALIFORNIA MECHANICAL 2013 EDITION  
D. CALIFORNIA PLUMBING 2013 EDITION  
E. CALIFORNIA ELECTRICAL 2013 EDITION  
F. CALIFORNIA ENERGY: 2013 EDITION  
G. CALIFORNIA FIRE: 2013 EDITION  
H. ANY OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS.

AREA CALCULATION:

TOTAL "E" BLDG TO BE REMOVED: 1182 SQF  
"N" 1st FLOOR LIVING AREA: 1789 SQF  
"N" 2nd FLOOR LIVING AREA: 777 SQF  
"N" TOTAL LIVING: 2566 SQF  
"N" GARAGE: 427 SQF  
"N" TOTAL BUILDING: 2993 SQF  
LOT AREA: 6000 SQF

FLOOR AREA RATIO (FAR) = (2993/6000)X 100=49.88%  
2NDFLOOR TO 1ST FLOOR RATIO = (777/((1789+427))X 100=35.06%  
1ST FLOOR ROOF EAVE= 212 X 1.5 = 318

LOT COVERAGE: 1st FLOOR BLDG AREA (1789+427) SQF  
COVERED AREA 71 SQF  
TOTAL % 2287/6000 = 38.1 %

PROJECT CONTACT:

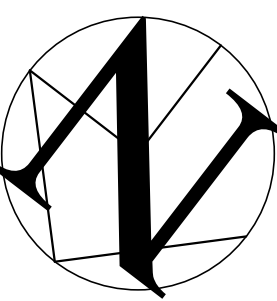
OWNER: ZHENG GAO & HAIYAN GONG  
(408)772-9721  
2630 HERITAGE PARK CIRCLE,SAN JOSE,CA 95132  
DESIGNER: BOD esign  
(408) 771-5935  
21060 HOMESTEAD RD., CUPERTINO, CA 95014  
SUITE 130  
CONTACT@BOD-E.COM

STRUCTURAL: ---  
---  
---  
MECHANICAL: ---  
---  
---  
T24 & ENERGY: ---  
---  
---  
SOIL ENGINEER: ---  
---  
---

SCOPE OF WORK:

NEW 2 STORY COSTUME HOME  
2993 SQ BUILDING AREA INCLUDING 5 BEDS, 4.5 BATHS, 1 LAUNDRY  
AND A 2 CAR GARAGE

LEGEND:



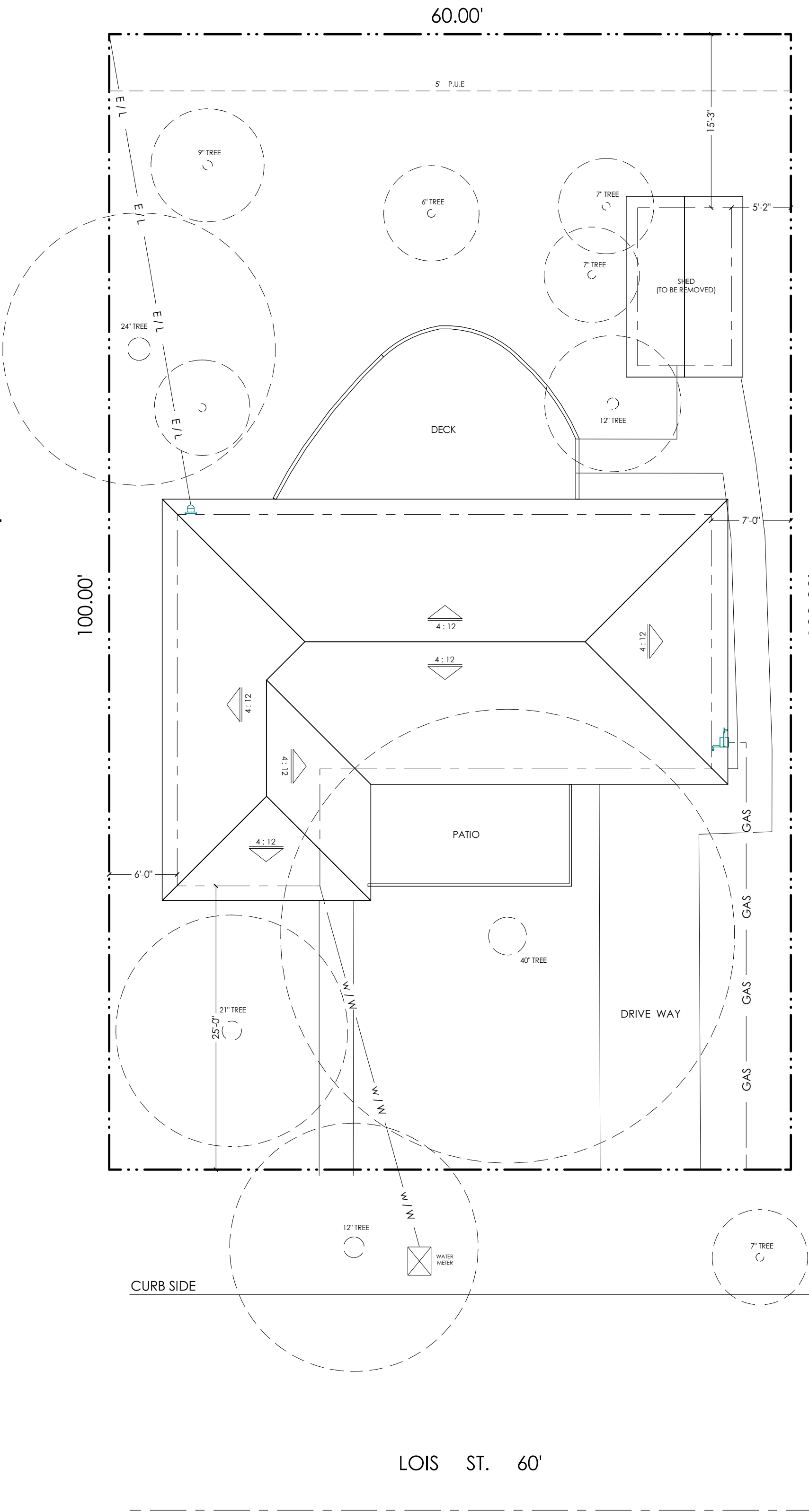
GRAPHIC SCALE : 1 INCH = 4 FEET  
0 1 2 3 4 5 10 15

2nd FLOOR  
PROPERTY LINE  
BLDG 1st FLOOR FOOTPRINT LINE  
BLDG 2nd FLOOR FOOTPRINT LINE

DRAWING INDEX:

A0: COVER SHEET & SITE PLAN  
T0: BOUNDARY AND TOPOGRAPHIC PLAN  
A1: EXISTING FLOOR PLAN AND ELEVATIONS  
A2: PROPOSED 1st FLOOR PLAN  
A2.1: PROPOSED 2nd FLOOR PLAN  
A3: PROPOSED ELEVATIONS  
A3.1: PROPOSED ELEVATIONS  
A4: PROPOSED SECTION & STREETSCAPE  
A5: SOLAR STUDY  
GB.1: GREEN BUILDING

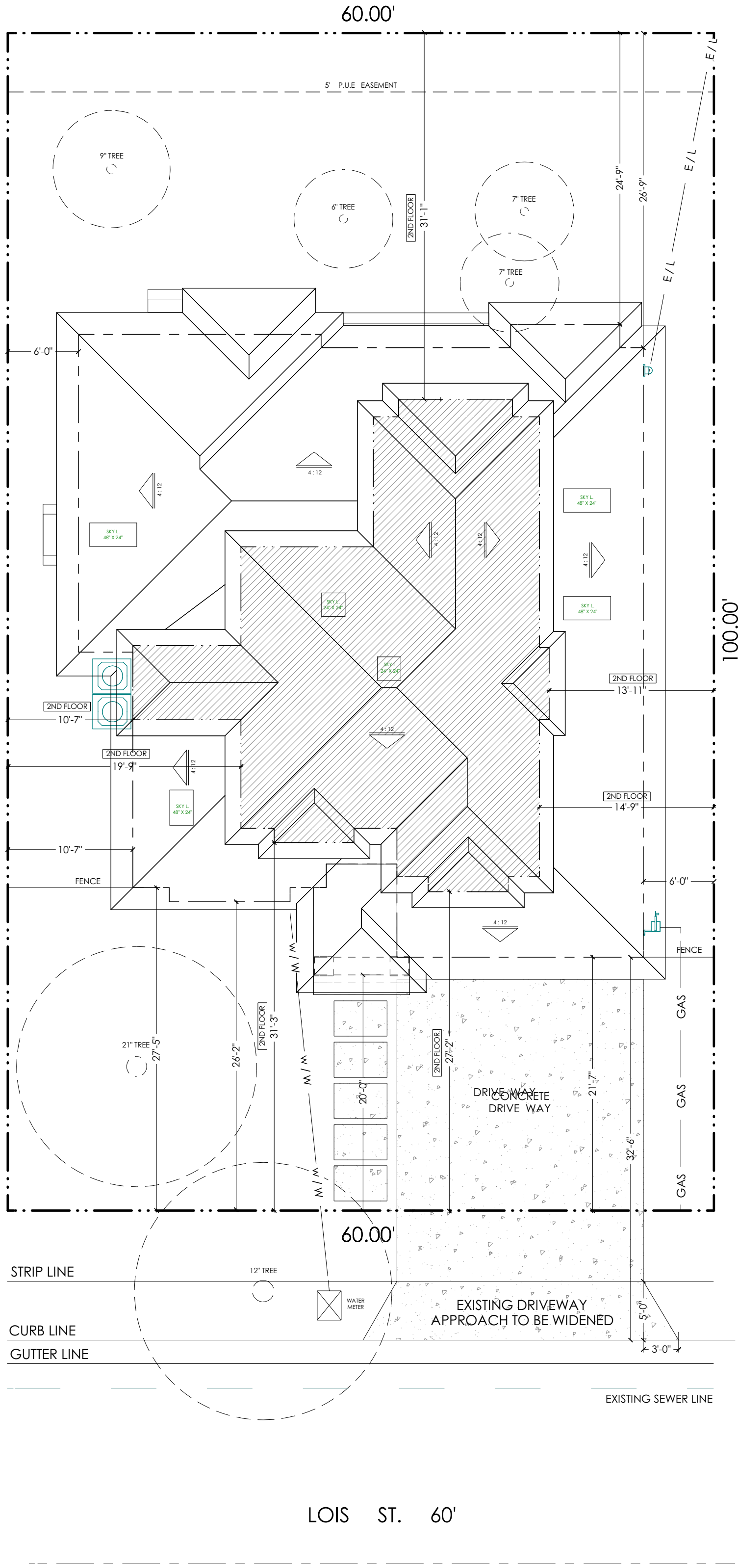
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EXISTING SITE PLAN

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

NOTE:  
1. THE EXISTING WATER METER SHALL BE UPGRADED TO NEW ONE-INCH MINIMUM RADIO-READ WATER METER PER SUNNYVALE CITY STANDARD DETAIL 4B, WITH ADEQUATE SIZE IN ACCORDING WITH CITY-APPROVED FIRE SPRINKLER DESIGN PLAN.  
2. WATER METER SHALL NOT BE LOCATED IN SIDEWALK OR DRIVEWAY APPROACH.  
3. NEW SANITARY SEWER CLEANOUT SHALL BE INSTALLED PER SUNNYVALE CITY STANDARD 15A.



PROPOSED SITE PLAN

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

REVISIONS BY

ATTACHMENT 6  
PAGE 2 OF 9

BOD esign

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SHEET TITLE:

COVER SHEET  
SITE / ROOF PLAN

NEW CONSTRUCTION FOR:

FRANK & HELEN

1026 LOIS AVE.,  
SUNNYVALE, CA

DATE : 1.23.2015

SCALE :

DRAWN BY : BOD

JOB NO : D-1405-02

SHEET :

A-0





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SHEET TITLE:

EXISTING FLOOR  
PLAN  
& ELEVATIONS

NEW CONSTRUCTION FOR:

FRANK & HELEN

1026 LOIS AVE.,  
SUNNYVALE, CA

DATE : 1.23.2015

SCALE :

DRAWN BY : BOD

JOB NO : D-1405-02

SHEET :

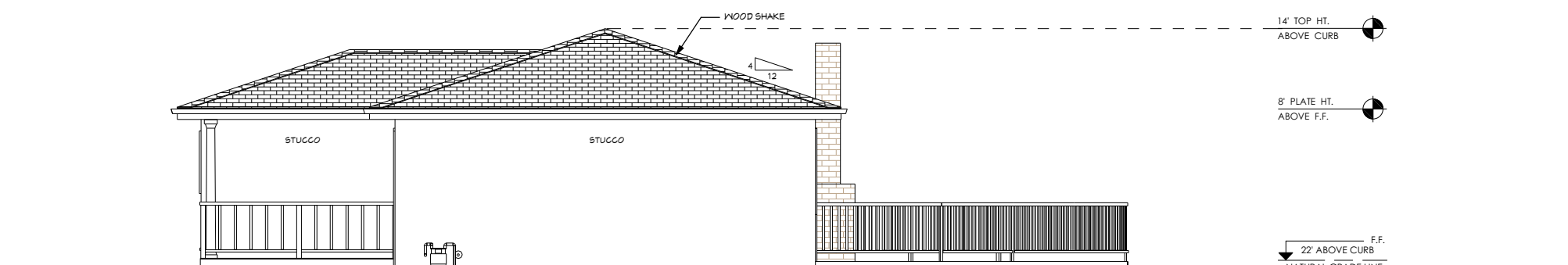
A-1



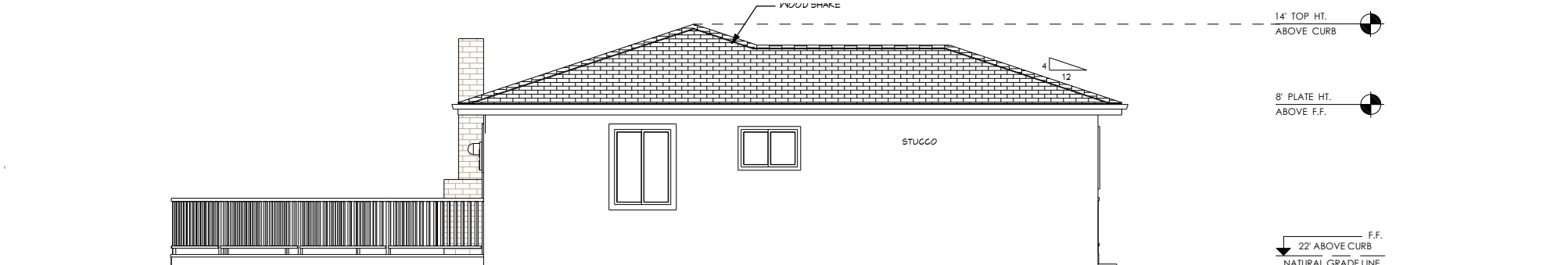
EXISTING FRONT ELEVATION  
S.C.: 1/8" = 1'-0"



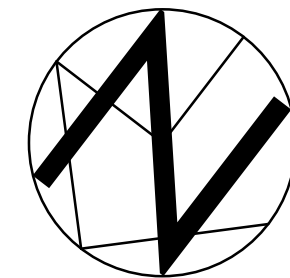
EXISTING REAR ELEVATION  
S.C.: 1/8" = 1'-0"



EXISTING RIGHT ELEVATION  
S.C.: 1/8" = 1'-0"



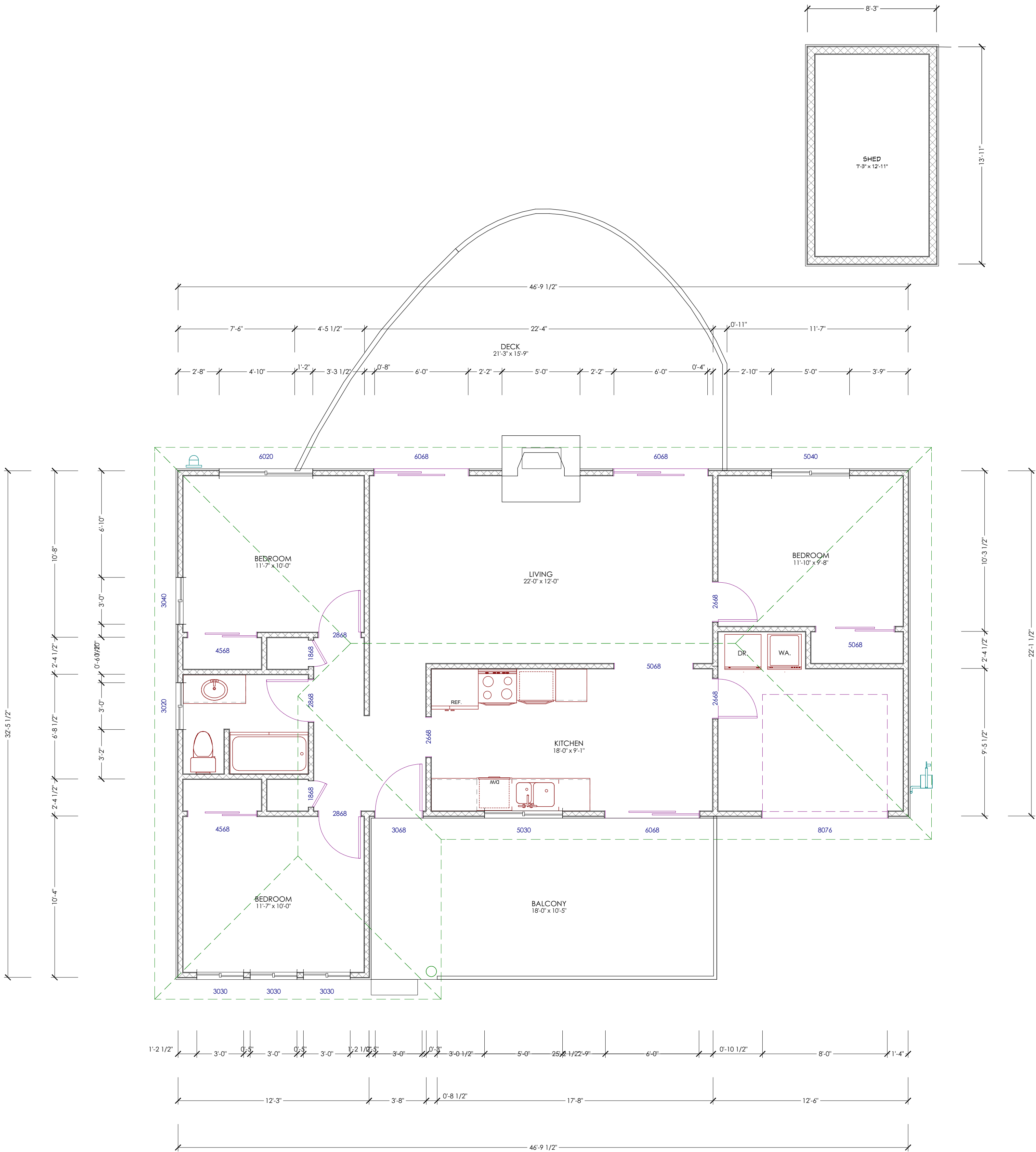
EXISTING LEFT ELEVATION  
S.C.: 1/8" = 1'-0"



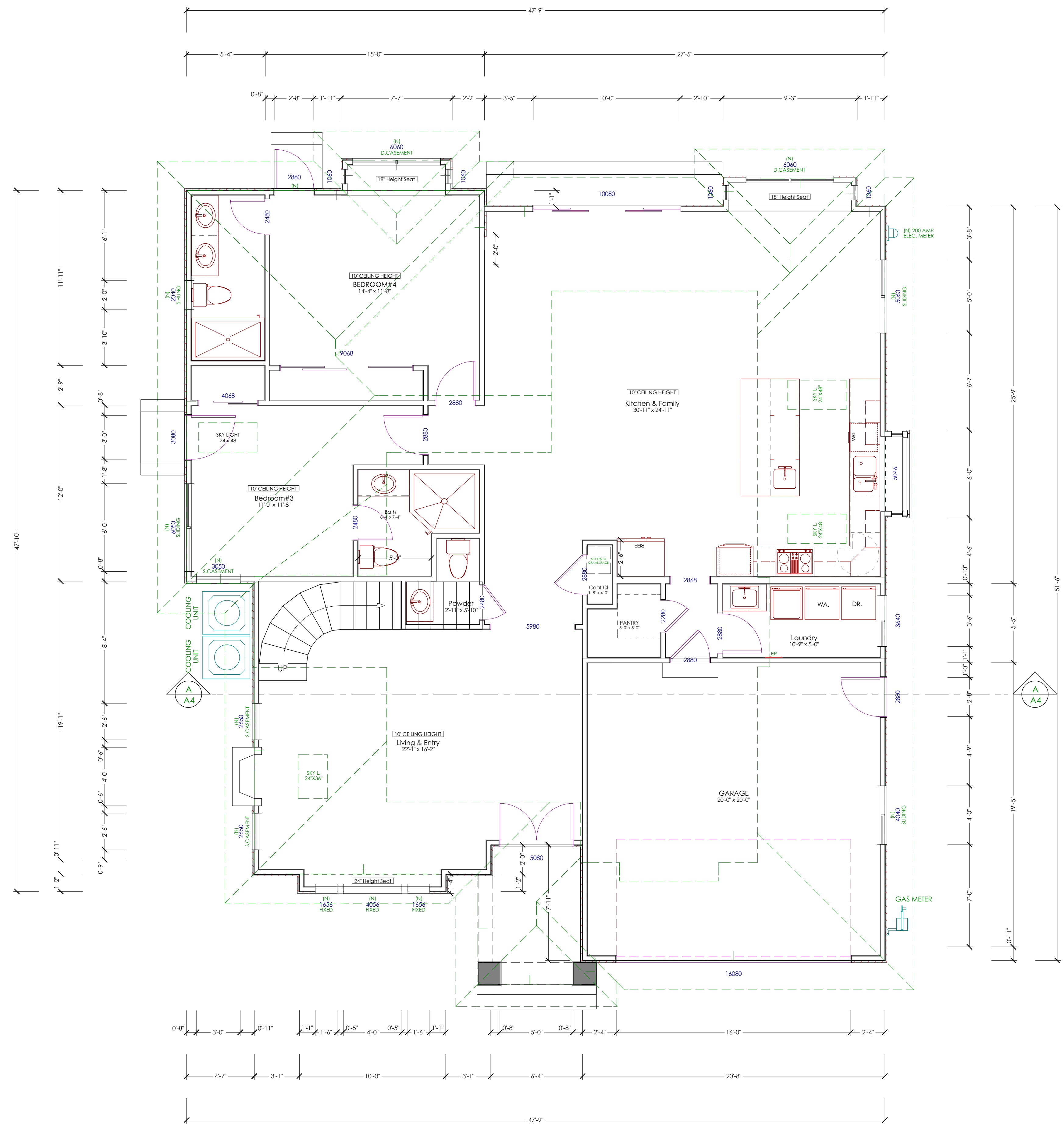
LEGEND:

- EXISTING WALL TO STAY
- EXISTING WALL TO BE REMOVED

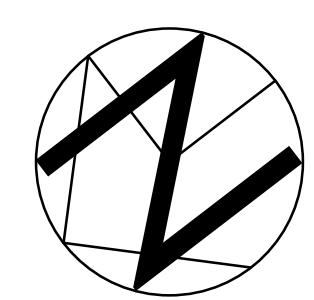
GRAPHIC SCALE : 1 INCH = 4 FEET



EXISTING FLOOR PLAN  
S.C.: 1/4" = 1'-0"



PROPOSED 1ST FLOOR PLAN  
SC : 1/4" = 1'-0"



**LEGEND:**

NEW CONSTRUCTION WALL

GRAPHIC SCALE : 1 INCH = 4 FEET

0 1 2 3 4 5 10 15

REVISIONS  
BY

ATTACHMENT 6  
PAGE 4 OF 9

BODesign

21060 HOMESTEAD RD., SUITE 130  
CUPERTINO, CA 95014  
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BUILDER:

PABConstruction Inc.

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SHEET TITLE:

PROPOSED 1ST FLOOR PLAN

NEW CONSTRUCTION FOR:

FRANK & HELEN

1026 LOIS AVE.,  
SUNNYVALE, CA

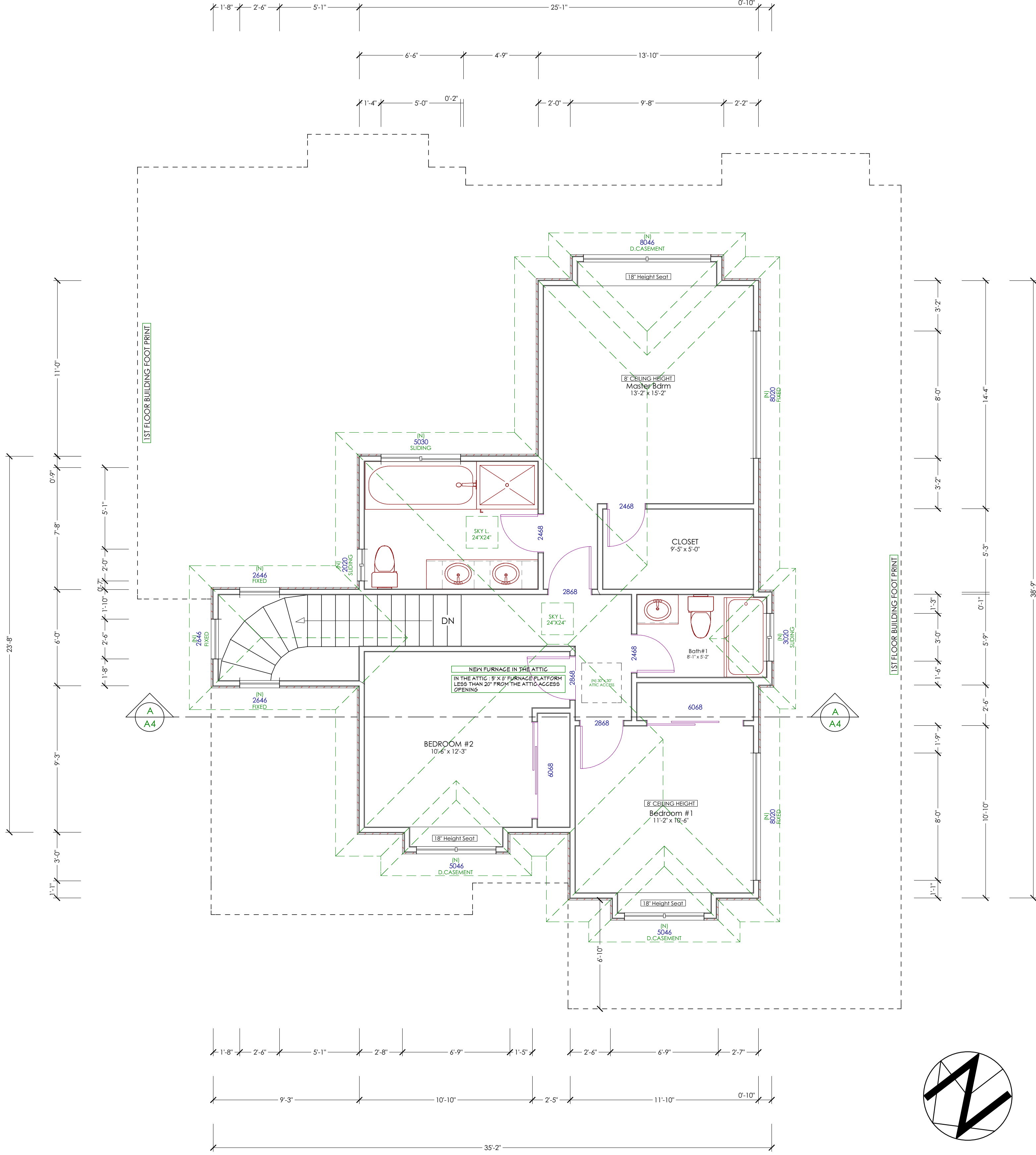
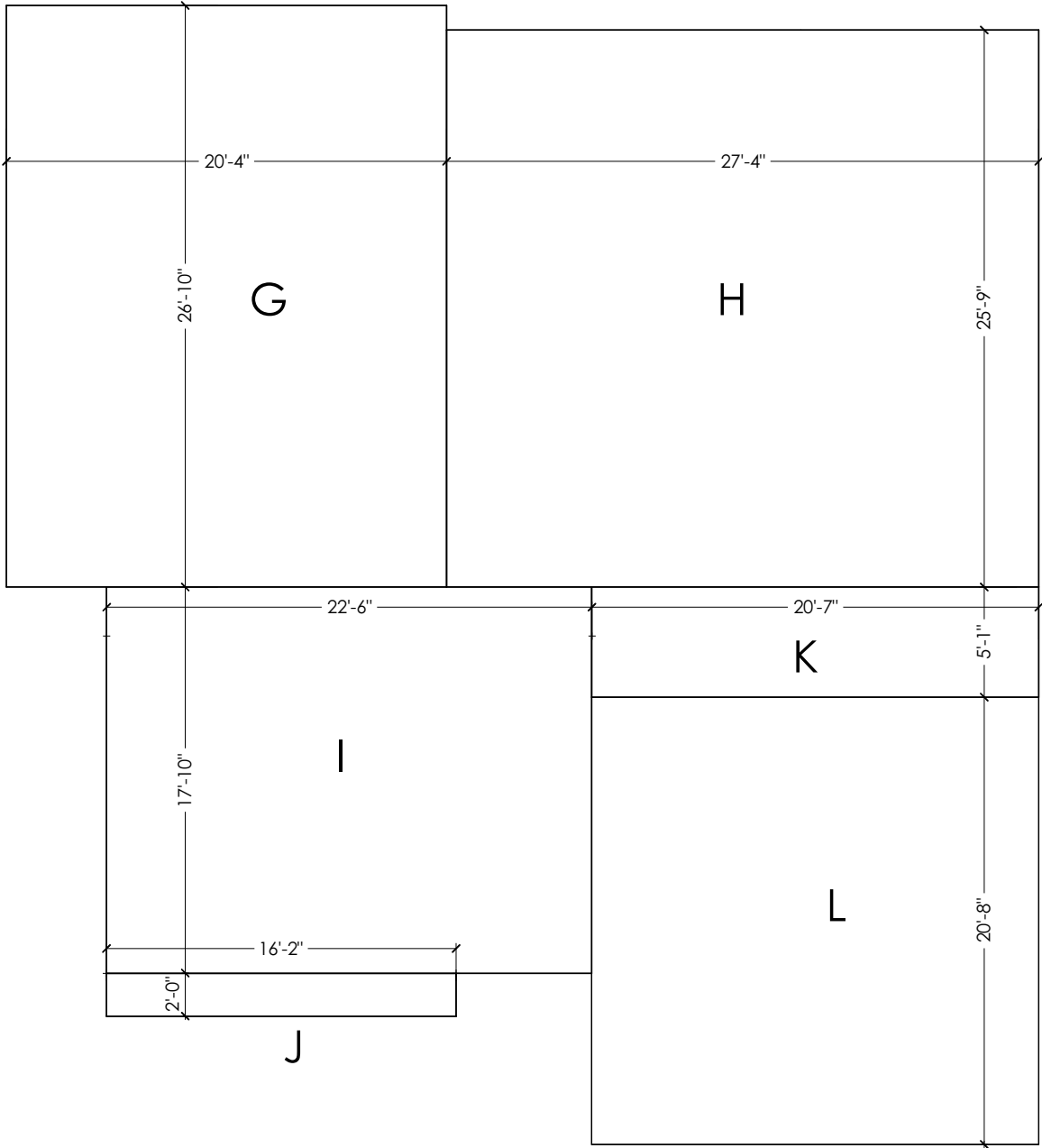
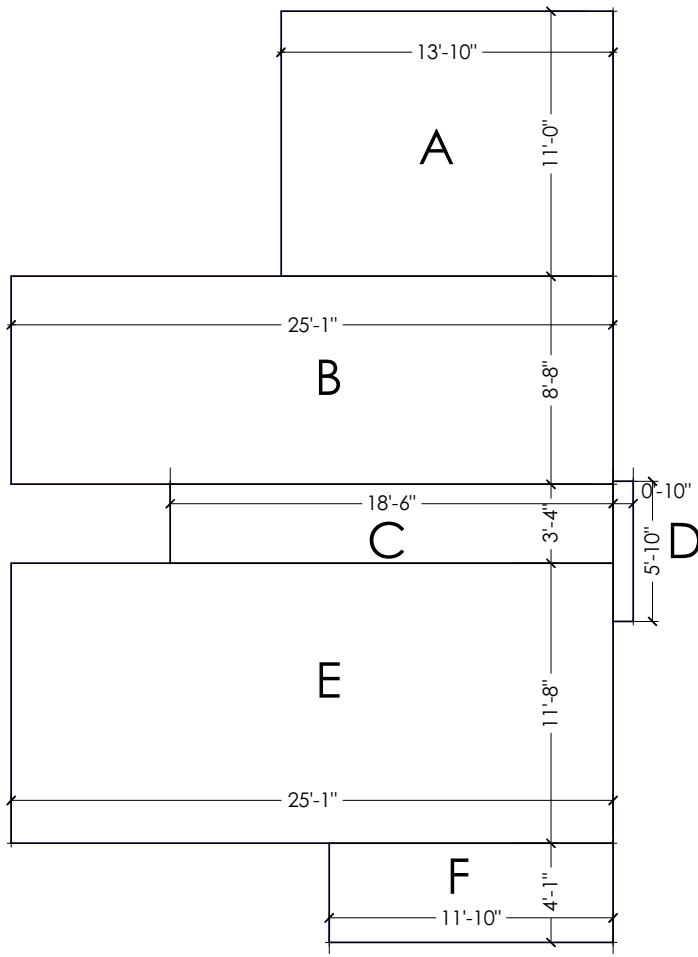
DATE : 1.23.2015  
SCALE : 1/4" = 1'  
DRAWN BY : BOD  
JOB NO : D-1405-02  
SHEET :

A-2

FLOOR AREA DIAGRAM(PROPOSED PLAN):

SCALE : 1/8" : 1'

FLOORS	SPACES	SIZE	AREAS (SQF)	TOTAL
2ND FLOOR	A	13'-10" X 11'-0"	153	777
	B	25'-1" X 8'-8"	217	
	C	18'-6" X 3'-4"	61	
	D	0'-10" X 5'-10"	5	
	E	25'-1" X 11'-8"	292	
	F	11'-10" X 4'-1"	49	
1ST FLOOR	G	20'-4" X 26'-10"	547	1789
	H	27'-4" X 25'-9"	705	
	I	22'-6" X 17'-10"	400	
	J	16'-2" X 2'-0"	32	
	K	20'-7" X 5'-1"	105	
	L	20'-7" X 20'-8"	427	
GARAGE	L	20'-7" X 20'-8"	427	427
	TOTAL BUILDING			2993



PROPOSED 2ND FLOOR PLAN

SC : 1/4" = 1'-0"

## LEGEND:

 NEW CONSTRUCTION WALL

GRAPHIC SCALE: 1 INCH = 4 FEET



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CUPERTINO, CA 95014  
Tel: (408) 771-5935  
EMAIL: [contact@bod-e.com](mailto:contact@bod-e.com)

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**SHEET TITLE:**

## PROPOSED 2ND FLOOR PLAN

NEW CONSTRUCTION FOR:

## FRANK & HELEN

1026 LOIS AVE..  
SUNNYVALE, CA

DATE : 1.23.2015

**SCALE:**  $1/4" = 1'$

DRAWN BY : BOD

JOB NO : D-1405-02

**SHEET :**

# A-2.1





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SHEET TITLE:

PROPOSED  
ELEVATIONS

NEW CONSTRUCTION FOR:

FRANK & HELEN

1026 LOIS AVE.,  
SUNNYVALE, CA

DATE :	1.23.2015
SCALE :	1/4" = 1'
DRAWN BY :	BOD
JOB NO :	D-1405-02
SHEET :	



PROPOSED FRONT ELEVATION  
SC : 1/4" = 1'-0"



PROPOSED REAR ELEVATION  
SC : 1/4" = 1'-0"



**PROPOSED RIGHT ELEVATION**  
SC : 1/4" = 1'-0"



**PROPOSED LEFT ELEVATION**  
SC : 1/4" = 1'-0"



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**SHEET TITLE:**

**PROPOSED ELEVATIONS**

**NEW CONSTRUCTION FOR:**

**FRANK & HELEN**

1026 LOIS AVE.,  
SUNNYVALE, CA

DATE :	1.23.2015
SCALE :	1/4" = 1'
DRAWN BY :	BOD
JOB NO :	D-1405-02
SHEET :	



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CUPERTINO, CA 95014  
Tell: (408) 771-5935  
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SHEET TITLE:

PROPOSED SECTION /  
STREETSCAPE  
ELEVATION

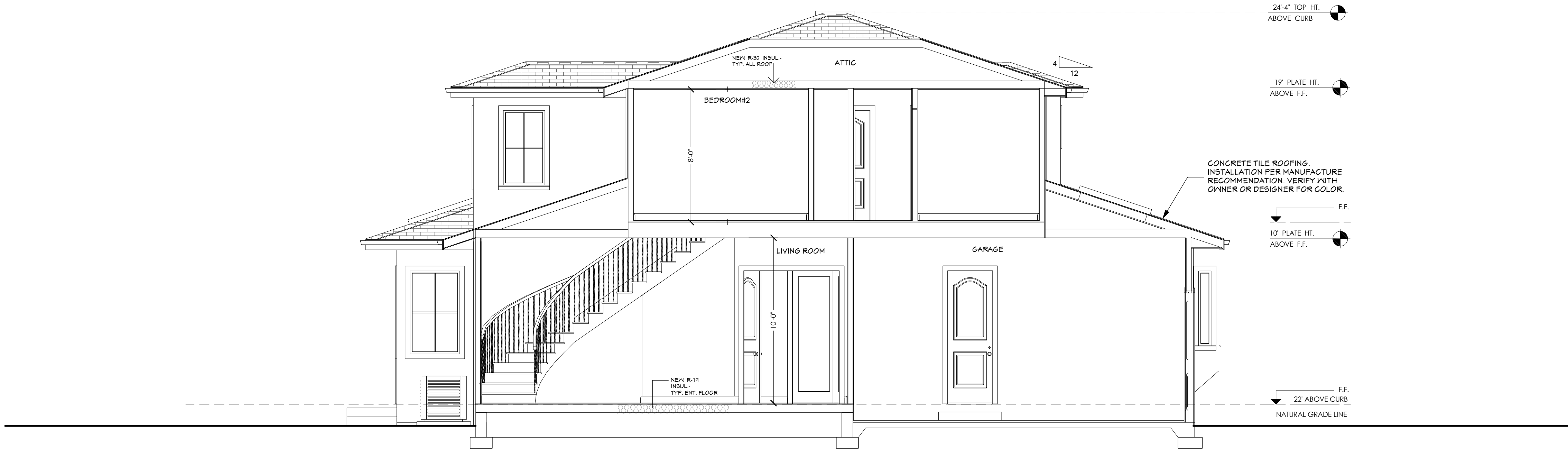
NEW CONSTRUCTION FOR:

FRANK & HELEN

1026 LOIS AVE.,  
SUNNYVALE, CA

DATE :	1.23.2015
SCALE :	AS NOTED
DRAWN BY :	BOD
JOB NO :	D-1405-02
SHEET :	

A-4



A - A CROSS SECTION  
SC : 1/4" = 1'-0"



STREETSCAPE ELEVATION  
SC : 1/8" = 1'-0"





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EMAIL: contact@bod-e.com

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SHEET TITLE:

SOLAR STUDY

NEW CONSTRUCTION FOR:

FRANK & HELEN

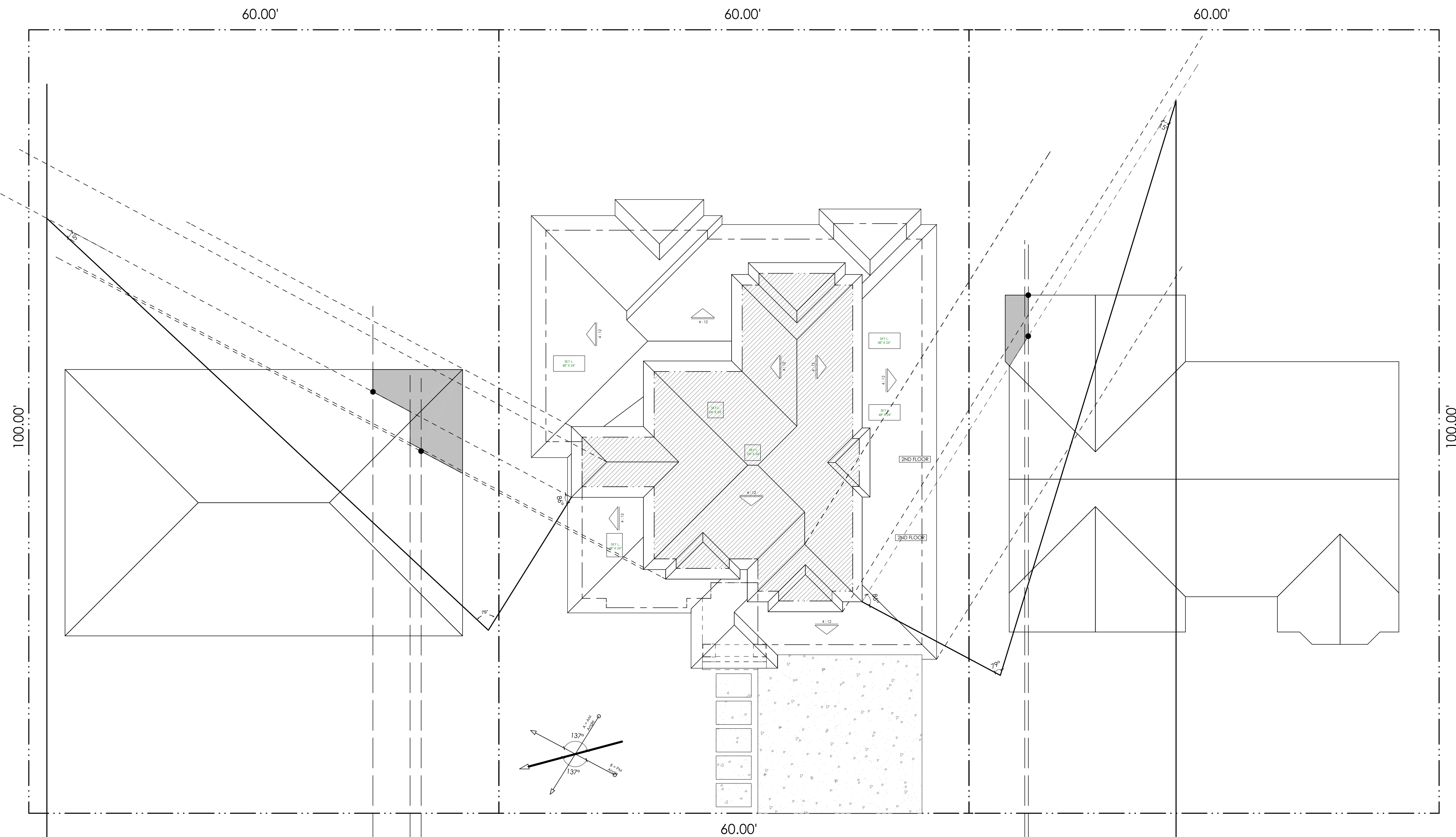
1026 LOIS AVE.,  
SUNNYVALE, CA

DATE : 1.23.2015  
SCALE : 1/8" = 1'  
DRAWN BY : BOD  
JOB NO : D-1405-02  
SHEET :

A-5

PM SOLAR ANALYSIS

AM SOLAR ANALYSIS



PM ANALYSIS: SHADED ARE (96 SQ. FT.) / ROOF AREA (1725 SQ. FT.) = 5.56%

AM ANALYSIS: SHADED ARE (22 SQ. FT.) / ROOF AREA (1872 SQ. FT.) = 1.18%

Dear Planning Committee:

I am writing to voice my concern and objections to the 1026 Lois Ave design plan. Specifically the plan has a floor area ratio of 250% (49.8%). I know this was an issue last time when the plan was submitted before planning commission hearing. The home owner said that there is another property (1058 Lois Ave) having similar FAR. ~~The~~ One planning commission member specifically said during the last hearing that property should not be used as a valid comparison.

I think it is important to adhere to the current city guideline regarding the maximum FAR. Cherry Chase area is a low-density residential area (R0). The city allowed max 43% FAR with a 2-story lot coverage of 40% is already very generous compared to other cities nearby. For example, Palo Alto allows a 2-story lot coverage of 35%



I do not see ~~any~~ any reason for this exception in this case. From their last hearing before planning commission, they explained that they plan to have ~~many~~ many kids. - while they are expecting their first child. I don't think this is a unique situation in the cherry chase neighborhood. ~~This is n~~

While I agree with the home owner to build a nice house, even for 2-stories, I don't see any special reason that the house needs to be larger than the city guideline allows.

I think the city needs to be careful not to send the message that if a property owner wants to build ~~as a~~ a nice house, they can do exceed city guideline for ordinary reasons.

Thank you for your consideration.  
Sincerely,

A neighbor to 1026 Lois Ave



Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

**1026 Lois Avenue**

1 message

**James Smith**

Wed, Mar 4, 2015 at 4:51 PM

Reply-To: James Smith

To: "sdivatia@sunnyvale.ca.gov" &lt;sdivatia@sunnyvale.ca.gov&gt;, "council@sunnyvale.ca.gov"

&lt;council@sunnyvale.ca.gov&gt;, "planningcommission@sunnyvale.ca.gov" &lt;planningcommission@sunnyvale.ca.gov&gt;

Good Day,

I am writing to once again express my opposition to the proposed oversized 2-story residential plan at 1026 Lois Avenue.

We seem to have an influx of new buyers who want to challenge the design and principles which have already been established by our City and compromise the privacy of their neighbors. We cannot permit over-scale homes to be built on lots that simply do not support them. This will only create a hodgepodge appearance, creating a patio home type stacked side by side environment. If someone desires a massive dream home, they should purchase in an area where the lot size and neighborhood structure and design fit that profile.

The City already has in place guidelines for remodels and rebuilds. Why is it that a home of this magnitude - WELL exceeding the approved FAR - even considered? Why is a home that exceeds the allowable FAR by such a drastic percentage not rejected without the necessity of the residents having to fight what is already protected by the City codes? If I understand the owners' plans correctly, they have reduced their original plan by .2% - why is this even being considered?

What do we as long time residents of the City need to do to stop this from continuing to happen over and over - to protect what the City already has the power to protect by rejecting a proposal that is OVER the allowable code?

I urge the planning commission to consider this case and future similar cases carefully and exercise their authority to uphold the Codes and values already in place. Should a change be warranted, it should be done in SMALL increments, and by the vote of the residents, not by owners who decide to build massive homes in a neighborhood that neither supports such a home, nor desires the invasion of privacy it will create.

Thank you for your consideration.

Respectfully,  
Sheila Smith  
834 Lois Avenue  
Sunnyvale, CA



Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

---

**1026 Lois Ave**

1 message

**Preeti Naik**

Thu, Mar 5, 2015 at 10:38 AM

To: sdivatia@sunnyvale.ca.gov

Hello Shetal,

I am against the proposed project on 1026 Lois Ave.

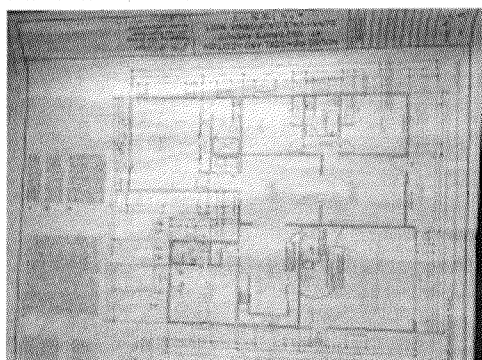
We have a charming neighborhood where the mostly single story houses on the mostly small lots are consistent across most of the neighborhood. Putting in two story huge homes changes this for the worse.

Two story houses in our neighborhood put the two story house right over the next door neighbors' houses because of the small lots (less than 6000sq feet). California has great weather and is a great place to be outside. Having a two story neighbor looking over your backyard takes away your view of the sky and sun as well as your privacy. At 1026 Lois Ave, the owners are trying to put a two story house right over two small-lots and single-story-houses next door neighbors. I am not a next door neighbor in this case but would I would not want someone building a two story home right over my house.

Exceeding the 45% floor area ratio in the case of 1026 Lois makes it even worse.

If they want a big house, they have a option to follow the plan as attached of another house in the neighborhood - 1062 Grape avenue - its a beautiful ~ 2000sq feet 4b3b single story house!

Thank you,  
Preeti Naik



**ML81316622\_23\_3.jpg**  
110K



Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

---

**Re: Against Proposed Project on 1026 Lois Ave**

1 message

**Momoko Ishijima** <mishijima@sunnyvale.ca.gov>

Wed, Mar 4, 2015 at 8:37 AM

To: Iztok Marjanović &lt;iztok.marjanovic@sunnyvale.ca.gov&gt;

Cc: Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

Hello Iztok,

The project planner for the proposed home at 1026 Lois Ave is Shetal Divatia. I have cc'd her on this message.

Please send future correspondence to Shetal.

Thank you.

*MOMOKO ISHIJIMA*

Associate Planner

City of Sunnyvale | Planning Division

mishijima@sunnyvale.ca.gov

tel: (408)730-7532

On Wed, Mar 4, 2015 at 4:46 AM, Iztok Marjanović <iztok.marjanovic@sunnyvale.ca.gov>

wrote:

Hello Momoko,

I am still against the proposed project on 1026 Lois Ave.

Two story houses on our neighborhood put the two story house right over the next door neighbors' houses because of the small lots. California has great weather and is a great place to be outside. Having a two story neighbor looking over your backyard takes away your view of the sky and sun as well as your privacy. The small lots in the neighborhood put a two story house right over a next door neighbor. I am not a next door neighbor in this case but would I would not want someone building a two story home right over my house.

We have a charming neighborhood where the mostly single story houses don't feel "crowded" on the mostly small lots and are consistent across most of the neighborhood. Putting in two story homes changes this for the worse.

Exceeding the 45% floor area ratio in the case of 1026 Lois makes it even worse.

Thank you,  
Iztok Marjanovic



Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

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**1026 Lois Avenue**

1 message

**Annie Shiau**

Wed, Mar 4, 2015 at 10:59 AM

To: Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

Cc: PlanningCommission@sunnyvale.ca.gov, council@sunnyvale.ca.gov

Good morning,

I am writing to express my opposition regarding the proposed 2 story project at 1026 Lois Avenue.

The small lots in our neighborhood place homes right next to its neighbors as it is, adding a second story makes it worse.

This project goes against several points of the Design Principles set by the city:

**“Respect the Scale, Bulk and Character of the Homes in the Neighborhood”** – This structure is proposing to exceed the R-0 lot coverage allowance of 40% for a 2 story home by nearly 10%. In an area where the average FAR is 27.5% (data spreadsheet attached), this proposed 49.8% FAR at 1026 Lois is disrespecting the scale and bulk of the homes in our neighborhood. This proposed 2 story structure will negatively impact the character of our predominately ranch style home neighborhood.

**“Design Homes to Respect Their Immediate Neighbors”** – Proposing a structure that is designed to exceed the FAR by nearly 10% is displaying some level of disregard to its immediate neighbors. With the second story, the privacy and views of the immediate neighbors of this proposed structure will be compromised.

**“Preserve Mature Landscaping”** – In the first public hearing for this project, File #: 2014-7624 (APN: 198-34-011, October 13, 2014). The applicants proposed to take down the tree in the backyard near the side fence on the left (fence separating 1026 and 1022 Lois). If this item is still in the proposal, it violates this Design Principal.

I urge the planning commission to consider this case carefully and not approve this deviation from the current city code.

Gratefully,

Annie

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**2 attachments**



**Neighborhood Floor Area Ratio Table.pdf**

217K



**Single Family Zoning Requirements- FINAL.PDF**

305K



Shetal Divatia &lt;sdivatia@sunnyvale.ca.gov&gt;

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**1026 Lois Ave APN 198-34\*011****Travis Larry**

To: sdivatia@sunnyvale.ca.gov

Sat, Feb 28, 2015 at 9:36 AM

Dear Ms. Divatia,

I am writing to you in regard to the proposed plan to build a 2993 square foot 2 story home at 1026 Lois Avenue. My family and I live off of Lois Avenue. We have lived in this neighborhood since 1989. We would like to voice our concern over this proposal as we do not agree that 2 story homes belong in the Cherry Chase neighborhood.

If the owner of this property wanted to have a large 2 story home, he could have purchased property in a different part of Sunnyvale (Las Palmas Park area) or a different city. There are many 2 story communities nearby. The Cherry Chase neighborhood is not one of them.

Allowing this proposed home to be built and surrounded by 1 story homes will detract from the look of the rest of the neighborhood. Homes are being constantly remodeled in this neighborhood and owners are keeping them to 1 story. Why can't this owner do the same?

If the city allows this owner to build a 2 story home it will set precedence for other neighbors to do the same. My husband and I do not want to live next to a 2 story home. We realize that there are a few other homes nearby that are 2 stories tall and they clearly do not fit in with the rest of the neighborhood.

We implore you to seriously consider this proposal. A building of this size is not right for our neighborhood. Now is the time for the city of Sunnyvale to take a stand on 2 story home construction in the Cherry Chase neighborhood and not allow it to happen now or in the future.

Sincerely,

Susan L.

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**Shetal Divatia** <sdivatia@sunnyvale.ca.gov>

To: Travis Larry &lt;travcrx@aol.com&gt;

Mon, Mar 2, 2015 at 12:18 PM

Hello Travis Larry,

## EXCERPT

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2      [14-0959](#)      **File #:** 2014-7624  
**Location:** 1026 Lois Avenue (APN: 198-34-011)  
**Zoning:** R-0  
**Proposed Project:** A new two-story home with a total floor area of 2,996 square feet (2,569 square feet living area and 427 square feet garage) resulting in 50% floor area ratio.  
**Applicant / Owner:** BO Design (applicant) / Haiyan Gong (owner)  
**Environmental Review:** A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.  
**Project Planner:** Elise Lieberman, (408) 730-7443, [elieberman@sunnyvale.ca.gov](mailto:elieberman@sunnyvale.ca.gov)

Gerri Caruso, Principal Planner, presented the staff report.

Comm. Harrison confirmed with Ms. Caruso that staff recommends reducing the entry and living room plate heights to 10 feet.

Comm. Klein confirmed with Ms. Caruso that the changes in sill height adequately address the neighbors' privacy concerns, and that there were no questions from neighbors or issues with the balcony.

Comm. Rheaume asked if the long windows on the left elevation are part of the stairway, and verified with Ms. Caruso that half-round windows are in the living room, and discussed the proposed removal of a tree in the rear of the home.

Comm. Durham confirmed with Ms. Caruso that the balcony on the second floor would not be counted in the Floor Area Ratio (FAR) if it is covered. Comm. Durham stated that removing the tree would reduce privacy, and commented on reducing the size of the home.

In response to Comm. Rheaume's earlier question, Trudi Ryan, Planning Officer, explained that the long window on left elevation is part of the stairway.

Chair Melton confirmed with Ms. Caruso that the applicant is aware that staff is recommending denial of the design review and that an appeal of a decision would go to City Council unless the project is redesigned.

Chair Melton opened the public hearing.

Frank Gong, the property owner, gave a presentation on the proposed project.

Chair Melton discussed with Mr. Gong reducing the size of the home and lowering



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the roofline.

David Mokhber, a nearby Sunnyvale resident, discussed his concern about the mass of the proposed building and potential privacy issues. Comm. Durham and Mr. Mokhber discussed using frosted windows to add privacy.

Jeanne Waldman, a nearby Sunnyvale resident, discussed her opposition to the proposed project and said the general feel of the neighborhood is to keep it single-story. Comm. Simons and Ms. Waldman discussed the option for a single-story overlay district.

Ganesan Venkataraman, a nearby Sunnyvale resident, commented on his preference to maintain a single-story neighborhood and discussed his privacy concern.

Judy Barnes, a nearby Sunnyvale resident, discussed her concern with privacy and a decrease in surrounding property value.

Brian Burnhardt, a nearby Sunnyvale resident, discussed his concern with the size of the proposed home and the potential for it to decrease the property value of nearby houses.

Mr. Gong addressed the neighbors' concerns and encouraged his neighbors to work with him. He said he is amenable to changing the windows and to further compromise.

Chair Melton closed the public hearing.

Comm. Durham confirmed with Ms. Caruso that the second floor would have to be reduced 70 square feet to meet 35% FAR, and that the maximum size of the first floor would allow an additional 180 square feet.

Comm. Harrison and Ms. Ryan discussed the number of design reviews in predominately single-story neighborhoods, and those with proposals with greater than 35% second-to-first floor ratio that have been approved by the Planning Commission.

Comm. Rheume confirmed with Ms. Caruso that the design meets all code requirements and that the first to second story ratio is in the Sunnyvale Single-Family Homes Design Techniques. Ms. Ryan added that reducing the second story by 70 square feet would only reduce the entire FAR to 49%.

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Comm. Harrison confirmed with Ms. Ryan that if the first floor is increased, the ratio of the first to second floor would change, and Ms. Ryan added that the concern is with the apparent bulk of the high ceiling living room.

Comm. Simons moved Alternative 1 to deny the design review.

Comm. Klein seconded.

Comm. Simons said this is legally a two-story neighborhood in which residents can build anything up to the design requirements and not have a public hearing, except that this application has come above those recommendations, triggering a public hearing. He said we try to balance existing neighborhood character with changing character, and one thing that is changing is that people tend to avoid buying 800 or 1200 square foot homes ripe for being expanded. He added that those who bought houses in the 80s or at other times made slight modifications rather than giant changes with increases in square feet and that is changing. He said this neighborhood is like an Eichler neighborhood rather than a regular ranch neighborhood that has larger lots and a few two-story homes. He noted that people tend to think two-story homes will not encumber their privacy much. Giving direction to the applicant, he explained he does not like designing from the dais, he likes to see what something looks like and review that rather than give out arbitrary numbers to meet the neighborhood. He mentioned a previous non-controversial application where a bunch of the development was a basement, which was not visible to neighbors. He said that this neighborhood should be sensitive to that fact that anyone can build a two-story house if they meet certain criteria, and he recommends that if the neighborhood wants to remain single-story that residents look into working with staff on the single-story overlay district.

Comm. Klein said he lives relatively close and within a historic district so he knows the community fairly well and understands that there are quite a few single-story homes. He suggested that if the neighbors want to maintain the character of their neighborhood to work with staff to get a majority of homeowners to go through the process for the single-story overlay, which will take time and will involve cost, but that if enough people request it, it is feasible and has been done in other neighborhoods. He said to the applicant that he too does not want to give full direction but that there are obvious changes that need to be done on the home, such as meeting the second story requirements in terms of ratio and ensuring that it fits in with the surrounding homes, which is one of the reasons the guidelines are in place. He said the applicant does have the right to build a second story but that it should stay within the hard rules and general guidelines of the City, and that the

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applicant is encouraged to work with staff to come up with the best design. He said he applauds the applicant for working with the neighbors on the privacy issue, and during the next step of the process, which he assumes is a redesign of the project, he suggests reaching out to neighbors to get their feedback, and he hopes that the process will help build a final project in compliance with the rest of the neighborhood. He added that this neighborhood is in transition as much of Sunnyvale is and that two-story homes are coming to many one-story neighborhoods, and that he appreciates the neighbors coming out.

Comm. Durham thanked the applicant and residents for coming out to speak, which takes a lot of time and effort. He said to the applicant that it is hard to be an icebreaker, and that there are two-story houses in the neighborhood already, two of which are within the same block as the applicant's house which seem to have been added soon after being built. He added that the size, scale and style of this project bothers him more than the second story, and he would like to see it brought in nearer to the look of the neighborhood, so he will be supporting the motion.

Comm. Harrison said she appreciates everyone coming out and demonstrating their care for Sunnyvale and its quality, and said to the applicant the rules are there to balance the rights of the individual home owner to improve their property as they see fit and the rights of the neighborhood with regard to respecting the scale, bulk and character of the homes in the neighborhood. She said that she cannot make the finding, and that there may be areas in Sunnyvale where the first-to-second floor ratio does exceed the 35% but that they are not approved frequently in single-story neighborhoods, so she will be supporting the motion.

Comm. Rheume said he will be supporting the motion, and loves everyone's passion for preserving their neighborhood. He said the property owner has the right to build a second story, but he does not think asking the applicant to chop 70 square feet from the house is the right way to do this either. He said he could not make the findings for all of the windows and the balcony on the second story, and that the applicant is plowing the road and with a few tweaks can have that dream home. He said it is about the quality of the design and that you can have a one-story home of higher quality than a two-story home.

Chair Melton said he will be supporting the motion, and thanked the applicant and members of the public for speaking. He said to the applicant this will come as a disappointment and that he has mentioned numerous times the concept of his dream home and he understands that. He said he hopes the applicant continues to work on the design that achieves a greater fit in the neighborhood, and that he is hoping that the next time the applicant returns, the letters from the neighbors

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expressing opposition to the project will turn around and express their love of the project. He said there are neighborhoods in Sunnyvale where your dream home would be a perfect fit, but that in this neighborhood and at this time it is not one of those places. He stated that he cannot make the finding of neighborhood compatibility, and suggested that if you are the first on your block to add a second story, to take seriously the guidelines about meeting the 35% second to first floor ratio. He added that there is one house five houses to the south that is a two-story and that he would not view that as a maximum potential number because he is not sure that house fits into the neighborhood.

MOTION: Comm. Simons moved Alternative 1 to deny the design review.

Comm. Klein seconded. The motion carried by the following vote:

**Yes:** 6 - Chair Melton  
Commissioner Durham  
Commissioner Harrison  
Commissioner Klein  
Commissioner Rheaume  
Commissioner Simons

**No:** 0

**Absent:** 1 - Vice Chair Olevson