



City of Sunnyvale

Notice and Agenda - Final Planning Commission

Monday, June 12, 2017

7:00 PM

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

Special Meeting - Study Session - 6:00 PM | Special Meeting - Public Hearing 7 PM

6 P.M. STUDY SESSION

Call to Order in the West Conference Room

Roll Call

Study Session

A. [17-0538](#)

File #: 2016-8065

Location: 1139 Karlstad Drive (APN: 110-14-197)

Zoning: R-4/PD

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: To demolish an existing 100,517 sq. ft. one-story industrial building and construct a four-story, 250-unit residential apartment building above a podium parking structure. The project proposes a State affordable housing and green building density bonus and includes 20 very low-income units.

Applicant / Owner: The Sobrato Organization (applicant/owner)

Environmental Review: Mitigated/Negative Declaration

Project Planner: George Schroeder, (408) 730-7443,
gschroeder@sunnyvale.ca.gov

B. [17-0616](#)

File #: 2017-7157

Location: 840 and 850 E. El Camino Real (APNs:211-25-030 and 031)

Zoning: Highway Business (C2) - El Camino Real Precise Plan
Combining District (ECR)

Proposed Project: Related applications on a 1.05-acre site:

SPECIAL DEVELOPMENT PERMIT: To demolish three commercial buildings and allow construction of a new 10,350-square foot single-story multi-tenant commercial building and associated site improvements.

TENTATIVE MAP: To merge two lots into one parcel.

Applicant / Owner: Steven Jenks (applicant) / PVGP Second El Camino, LP (owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Cindy Hom, (408) 730-7411,
chom@sunnyvale.ca.gov

Public Comment on Study Session Agenda Items

Adjourn Study Session

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

ORAL COMMUNICATIONS

CONSENT CALENDAR

1. A [17-0607](#) Approve Planning Commission Meeting Minutes of May 22, 2017

Recommendation: Approve Planning Commission Meeting Minutes of May 22, 2017 as submitted.

1. B [17-0583](#) **File #:** 2016-7293
Location: 1008 E. El Camino Real (APN 313-03-011) and 1314-1320 Poplar Ave. (APN 313-03-013)

Proposed Project:

REZONE: Introduction of an Ordinance to rezone the property at 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR (Low Density Residential/Precise Plan for El Camino Real) to C-2/ECR (Highway Business Commercial/Precise Plan for El Camino Real); and

SPECIAL DEVELOPMENT PERMIT: Construct 108 residential units (rental apartment complex) on a 2.05-acre site, where 20% of units will be affordable to very low income households. The complex will consist of one five-story building facing El Camino Real (four stories above ground floor amenities and parking plus one underground level of parking) and one three-story building facing Poplar Ave. The project includes deviation requests from the required minimum distance between buildings on the same lot, maximum building height,

minimum parking spaces and maximum lot coverage. The project site comprises a closed mobile home park (Conversion Impact Report certified and closure approved in January 2016) and a duplex property.

VESTING TENTATIVE PARCEL MAP: Combine two lots into one lot.

Applicant / Owner: St. Anton Communities / Sunnyvale Park LLC; Alhambra Apartments LP

Environmental Review: Mitigated Negative Declaration

Project Planner: Rosemarie Zulueta, (408) 730-7437, rzulueta@sunnyvale.ca.gov

Applicant requests continuance to June 26, 2017.

Recommendation: Staff recommends continuance to the June 26, 2017 Planning Commission hearing.

PUBLIC HEARINGS/GENERAL BUSINESS

2. [17-0506](#)

File #: 2016-7734

Location: 801-825 Ticonderoga Drive (Assessor's Parcel Number 202-18-003 through 202-18-006 and 202-18-046), 849-891 Ticonderoga Drive (202-21-018 through 202-21-025), 850-886 Somerset Drive (202-21-007 through 202-21-013), 1150 Revere Drive (202-20-004), 1150-1166 Shenandoah Drive (202-20-033 through 202-20-036), 1151-1157 Shenandoah Drive (202-20-031 and 202-20-032), 861-879 Somerset Drive (202-20-001 through 202-20-003), 1130-1194 Pimento Avenue (202-18-007 through 202-18-018), 1149-1167 Pimento Avenue (202-20-045 through 202-20-048), 1181-1199 Pimento Avenue (202-21-014 through 202-21-017), 1149-1161 Plum Avenue (202-18-023 through 202-18-025).

Zoning: R-1

Proposed Project: Introduction of Ordinance to **REZONE** 49 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Applicant / Owner: Molly Kauffman (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Project Planner: Gerri Caruso (408) 730-7591, gcaruso@sunnyvale.ca.gov

Recommendation: Recommend to City Council: Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061(b)(3); and, 2) Introduce an Ordinance to Rezone 49 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT



City of Sunnyvale

Agenda Item A

17-0538

Agenda Date: 6/12/2017

SUBJECT

File #: 2016-8065

Location: 1139 Karlstad Drive (APN: 110-14-197)

Zoning: R-4/PD

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: To demolish an existing 100,517 sq. ft. one-story industrial building and construct a four-story, 250-unit residential apartment building above a podium parking structure. The project proposes a State affordable housing and green building density bonus and includes 20 very low-income units.

Applicant / Owner: The Sobrato Organization (applicant/owner)

Environmental Review: Mitigated/Negative Declaration

Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov



City of Sunnyvale

Agenda Item B

17-0616

Agenda Date: 6/12/2017

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2017-7157

Location: 840 and 850 E. El Camino Real (APNs:211-25-030 and 031)

Zoning: Highway Business (C2) - El Camino Real Precise Plan Combining District (ECR)

Proposed Project: Related applications on a 1.05-acre site:

SPECIAL DEVELOPMENT PERMIT: To demolish three commercial buildings and allow construction of a new 10,350-square foot single-story multi-tenant commercial building and associated site improvements.

TENTATIVE MAP: To merge two lots into one parcel.

Applicant / Owner: Steven Jenks (applicant) / PVGP Second El Camino, LP (owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov



City of Sunnyvale

Agenda Item 1.A

17-0607

Agenda Date: 6/12/2017

SUBJECT

Approve Planning Commission Meeting Minutes of May 22, 2017

RECOMMENDATION

Approve Planning Commission Meeting Minutes of May 22, 2017 as submitted.



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, May 22, 2017

7:00 PM

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

Study Session Cancelled | Special Meeting - Public Hearing 7 PM

6 P.M. STUDY SESSION CANCELLED

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Harrison called the meeting to order at 7:00 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Harrison led the salute to the flag.

ROLL CALL

Present: 7 - Chair Sue Harrison
Vice Chair Ken Rheume
Commissioner Daniel Howard
Commissioner John Howe
Commissioner Ken Olevson
Commissioner David Simons
Commissioner Carol Weiss

ORAL COMMUNICATIONS

CONSENT CALENDAR

Commissioner Howe moved and Commissioner Simons seconded the motion to approve the Consent Calendar. The motion carried by the following vote:

Yes: 6 - Chair Harrison
Vice Chair Rheume
Commissioner Howard
Commissioner Howe
Commissioner Simons
Commissioner Weiss

No: 0

Abstained: 1 - Commissioner Olevson

1. A [17-0566](#) Approve Planning Commission Meeting Minutes of May 8, 2017

PUBLIC HEARINGS/GENERAL BUSINESS

2. [17-0431](#) **File #:** 2017-7095
Location: 1103-1129 Royal Ann Court (APNs:202-10-022 through 202-10-035), 1104-1125 North Sage Court (APNs:202-10-011 through 202-10-021), 1104-1136 Hollenbeck avenue (APNs:202-10-038 through 202-10-044), 602-696 West Remington Drive (APNs:202-10-045 through 202-10-063), 611-699 Sheraton Drive (APNs:202-10-002 through 202-10-005, 202-10-036 and 202-10-037), 1115-1123 Smyrna Court (APNs:202-10-006 through 202-10-010) and 1103 Spinosa Drive (APN: 202-10-001).
Zoning: R-1
Proposed Project: Introduce an Ordinance to **REZONE** 63 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
Applicant / Owner: Howard Mueller (plus multiple owners)
Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).
Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Assistant Planner Aastha Vashist presented the staff report.

Commissioner Weiss confirmed with Assistant Planner Vashist that staff did not have additional information about the two residents in opposition to the proposed application.

Commissioner Weiss noted that 48 of 63 homeowners signed in support of the application and asked staff to explain the 82.5% calculation. Assistant Planner Vashist advised that 52 of 63 homeowners signed the original application and confirmed that staff received 51 surveys.

Commissioner Howard commented on the rezoning impact section of the staff report and asked staff if the general impact on the City, such as housing, was analyzed. Planning Officer Andrew Miner stated that there wouldn't be a direct

impact on housing units and noted that the building heights would be limited.

Chair Harrison commented on the background of the single-story overlay as it relates to the public interest. Planning Officer Miner stated that the City Council decided that single story combining districts (SSCD's) are in the public interest when the ordinance was adopted to allow SSCD's. Planning Officer Miner noted that there is no separate SSCD policy and that the Planning Commission reviews each specific application to determine if it meets the public interest finding.

Commissioner Howard confirmed with Planning Officer Miner that Accessory Dwelling Units (ADU's) count towards regional housing quotas. Planning Officer Miner stated that SSCD's do not affect ADU's because ADU's are based on a minimum lot size. Commissioner Howard asked if the height restriction would make it more difficult to incorporate an ADU and Planning Officer Miner advised that there are multiple ways to create an ADU.

Commissioner Howard asked Planning Officer Miner if carports can be converted to living space using the Eichler Design Guidelines provided there are two covered parking spaces which are required. Planning Officer explained that changes to an Eichler home subject to the Eichler Design Guidelines must be consistent with those policies. Commissioner Howard asked about typical expansions for homes within a SSCD and Planning Officer Miner advised that homes usually expand into the backyard.

Chair Harrison presented information about the purpose of the residential SSCD and the public interest as found by the City Council.

Commissioner Simons commented on the smallest lot in the application and confirmed with staff that any home under 45% Floor to Area Ratio (FAR) wouldn't necessarily come before the Planning Commission. Commissioner Simons confirmed with staff that the Planning Commission would review a proposed project that exceeds 3,600 square feet floor area and that a basement counts towards a floor area limit only if less than half of the basement is above ground.

Chair Harrison opened the Public Hearing.

Howard Mueller presented images and information about the proposed project.

Chair Harrison asked Mr. Mueller for additional information about the two residents who opposed the application. Mr. Mueller advised that one resident was generally against all zoning restrictions.

Baerbel Schuhmacher, Sunnyvale resident, spoke in support of the proposed project.

Commissioner Howe clarified with Ms. Schuhmacher that she was part of the SSCD which was the second district in the Fairbrae neighborhood.

Stephen Meier, Sunnyvale resident, spoke in support of the proposed project, noting that the SSCD would preserve the neighborhood character.

Darienne Stewart, Sunnyvale resident, spoke in support of the proposed project, noting that the character of the Eichler neighborhood should be preserved.

Nick Steinmeier, Sunnyvale resident, spoke in support of the proposed project.

Howard Mueller presented additional information about the proposed project.

Commissioner Howard asked Mr. Mueller if the residents would consider pursuing a more formal heritage preservation designation in the future. Mr. Mueller advised that the Eichler Design Guidelines and SSCD requirements together shape the continuity of the City's communities and that the requirements for heritage designations can be onerous. Mr. Steinmeier advised that their organizing committee focused on only discussing the SSCD designation with residents.

Commissioner Howard asked Mr. Mueller if he had concerns regarding the City's code as it relates to privacy and second story developments. Mr. Mueller stated an opinion that SSCD's remove privacy concerns and noted he wasn't aware of any privacy concerns once an SSCD is implemented.

Commissioner Howard asked Mr. Mueller for his comments if a homeowner in a SSCD needed extra space and only had the option to build up. Mr. Mueller commented that a homeowner could build out to the 45% FAR and that with an appropriate lot size an ADU can be created.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Olevson seconded the motion to recommend Alternatives 1 and 2 to the City Council –

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Sections 15305 and 15061 (b)(3)

2. Introduce an Ordinance (Attachment 6) to Rezone 63 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Commissioner Howe stated that this proposed SSCD will complete the SSCD designations in the area and that it's homogenous to the neighborhood.

Commissioner Howe commented that these are all single-family homes, that there is overwhelming community support, and that the City Council has stated that SSCD's are in the public interest.

Commissioner Olevson stated that he will be supporting the motion and commented that the Planning Commission doesn't receive many applications that don't request any variations. Commissioner Olevson stated that the City Council has set a policy and that this application meets all the requirements.

Vice Chair Rheume stated that he respectfully will not be supporting the motion. Vice Chair Rheume thanked staff for their presentation and the applicant for their thorough review and submission. Vice Chair Rheume noted that he cannot make the findings that this application is in the best interest of the public.

Commissioner Simons stated an opinion that single story overlays are very beneficial for neighborhoods to continue the look and character long term. Commissioner Simons noted that privacy concerns are also pertinent to non-Eichler neighborhoods. Commissioner Simons commented on his concern for stable, protected neighborhoods and stated that he will be supporting the motion.

Commissioner Howard stated an opinion that this is the best SSCD application he has seen and commented on the policy set forth by the City Council. Commissioner Howard stated his inclination to support the motion and complete the SSCD Fairbrae area but noted that the City is amidst a worsening housing crisis. Commissioner Howard commented on the jobs to housing ratio of the Land Use and Transportation Element (LUTE) and that commercial growth is outpacing housing growth. Commissioner Howard stated that ADU's have been implemented in part to help the housing shortage. Commissioner Howard provided job and housing growth statistics for Santa Clara and San Mateo Counties. Commissioner Howard stated that theoretically the restrictions of an SSCD should not reduce housing opportunities but that he must give priority to the housing crisis.

Commissioner Weiss stated an opinion that the values expressed tonight are not unique to Eichler homeowners and that all homeowners in the City have the same desires for a stable neighborhood and privacy. Commissioner Weiss stated that the

Design Guidelines mitigate many resident concerns. Commissioner Weiss commented that this is the 12th SSCD application before the Planning Commission and that continuing this pattern will not encourage a diverse, welcoming and open City. Commissioner Weiss noted that she will be supporting the motion with great reluctance, as the applicant met the requirements and followed procedure.

Chair Harrison stated that she will be supporting the motion and that this application on a microlevel has the least deviations of all the SSCD applications. Chair Harrison stated that it is homogenous and that there is only a small amount of dissent. Chair Harrison noted her support of Commissioner Howard's discussion about the need for housing and a lack of flexibility for providing housing while creating SSCD's. Chair Harrison noted a shared concern with Commissioner Weiss's statement about the overall impact on the City but stated that SSCD's have been designated in the public interest by the City Council.

The motion carried by the following vote:

- Yes: 5 -** Chair Harrison
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Commissioner Weiss
- No: 2 -** Vice Chair Rheaume
Commissioner Howard

Planning Officer Miner advised that this item goes to the City Council on June 20.

3. [17-0349](#) **File #:** 2014-7659
Location: 590 W. El Camino Real (APNs: 201-22-006)
Zoning: C-2 (Highway Business Commercial/Precise Plan for El Camino Real)
Proposed Project: Related applications on a 0.55-acre site:
 SPECIAL DEVELOPMENT PERMIT: to redevelop a vacated site with an existing 2,675-square foot commercial building to a five-story hotel with 85 guest rooms with underground parking.
Applicant / Owner: Degan Development
Environmental Review: Mitigated Negative Declaration
Project Planner: Margaret Netto, (408) 730-1221, mnetto@sunnyvale.ca.gov

Project Planner Margaret Netto presented the staff report.

Commissioner Simons commented on the 15-foot setback zoning requirement and

asked for staff comments. Project Planner Netto and Planning Officer Andrew Miner provided details about the proposed project's setback and clarified that the 19-foot 7-inch setback starts from the property line. Commissioner Simons noted his concern about a lack of space to implement appropriate landscaping and commented on the City's use of the lot line for setback calculations.

Commissioner Weiss commented that the staff report outlines 85 guest rooms but that the developer references 84 guest rooms. Project Planner Netto advised that staff counted the maid's room as a guest room since it could be converted.

Commissioner Weiss asked staff if the Planning Division will have oversight of the sign's illumination, specifically noting her concern regarding the level of brightness. Planning Officer Miner advised that the sign code will apply, which delineates the sign size and illumination, and that staff approval of a sign permit will be required.

Commissioner Weiss commented that there were no details provided about public art. Project Planner Netto advised that public art is not required based on the proposed project's lot size. Commissioner Weiss asked staff if public art could be included in the lobby to enhance the pedestrian experience.

Vice Chair Rheume asked for details on the setbacks for the adjacent Marriott Hotel and Chick-fil-A restaurant. Project Planner Netto advised that the Chick-fil-A restaurant has a 15-foot setback and the Marriott has a 12-foot setback.

Vice Chair Rheume asked staff why the proposed project doesn't have a front park strip. Planning Officer Miner stated that the plans don't show the park strip but that it could be added by the Planning Commission. Vice Chair Rheume confirmed with Planning Officer Miner that the proposed project's sidewalk width is greater than the sidewalk widths of the adjacent properties.

Vice Chair Rheume commented on aesthetic impact of the lack of front landscaping and the visibility of utilities. Planning Officer Miner advised that visible backflow preventers are required by fire code to be placed in the front. Vice Chair Rheume suggested that landscaping be added to provide a visual shield.

Commissioner Howard confirmed easement information with Project Planner Netto. Planning Officer Miner clarified that the easement for public access is being given to the City.

Commissioner Howard discussed the status of bike lanes in this area with Planning Officer Miner. Planning Officer Miner commented that an update is underway for

the El Camino Precise Plan which addresses circulation and access.

Commissioner Howard asked about the timing of sidewalk widening and Planning Officer Miner stated that this will occur as properties develop. Planning Officer Miner clarified that the street line will remain the same but with a wider landscaped sidewalk, to make the area more pedestrian friendly.

Commissioner Howard asked staff if the proposed project is required to have two driveways and if there was any discussion of utilizing the side street. Planning Officer Miner stated that the applicant was unable to get an easement from the adjacent property owners but did obtain emergency access and a solid waste easement. Principal Transportation Engineer/Planner Carol Shariat stated that the proposed driveway was moved back as far as possible from the El Camino Real and Mathilda Avenue intersection and that one driveway is sufficient for the use.

Chair Harrison opened the Public Hearing.

Kamil Navai, representing Degan Development Inc., presented images and information about the proposed project.

Commissioner Weiss asked Mr. Navai about the location and hours of operation for the shuttle service. Mr. Navai advised that the shuttle will most likely go to the airports and that it would be an on-demand service. Commissioner Weiss asked the applicant how they will guarantee this service once the property is sold and Mr. Navai stated it would be a condition of operation during the sale.

Commissioner Weiss confirmed with Mr. Navai that guests will check in via access through the garage entrance.

Commissioner Weiss commented on the use of Tristania Conferta and asked the applicant if these are deciduous trees. Project Planner Netto advised that these are evergreen trees.

Vice Chair Rheume asked Mr. Navai if they would be amenable to the use of native evergreen Incense Cedar trees and to adding a park strip between the street and sidewalk. Mr. Navai agreed to both conditions.

Commissioner Simons asked Mr. Navai if they would be amenable to including four trees in the front planting strip and Mr. Navai had no issue if it was architecturally feasible. Commissioner Simons stated that it may need special engineering fill and commented that it would compensate for the moderate sized City trees.

Commissioner Simons asked about the housing of electrical and other utilities. Ryan Hansen, representing Carlson, Barbee and Gibson, Inc., provided information on the location of the various utilities, confirming that only the backflow preventers and fire hydrants would be aboveground.

Commissioner Simons asked staff if there was discussion about a second study session since this project has not come before the Planning Commissioners in two years. Planning Officer Miner commented that the applicant incorporated all the feedback from the Planning Commissioners and staff didn't feel it was necessary.

Commissioner Howard confirmed with Mr. Navai that based on the room design it would be feasible in the future to convert the hotel rooms into efficiency apartments.

Commissioner Howard confirmed with Mr. Navai that they did not have any plans to convert parking in the future in regards to the potential for autonomous cars.

Commissioner Weiss asked Mr. Navai if they would be amenable to provide public art within the hotel that is visible to the public and Mr. Navai was open to the suggestion. Senior Assistant City Attorney Rebecca Moon advised that the ordinance has specific parameters requiring public art and that the proposed project did not meet those thresholds. Commissioner Weiss referenced 19.52.020 of the zoning code, noting that public art can be deemed in the public interest.

Commissioner Howard discussed with Mr. Navai the potential for filling in the driveway in the future and repurposing that space for commercial use.

Planning Officer Miner returned to the public art discussion and stated that the rest of the ordinance would take effect, such as approval by the Arts Commission. Senior Assistant City Attorney Moon advised that using the ordinance based on the public interest hasn't been done before and it may take staff time to make valuation determinations.

Chair Harrison confirmed with Planning Officer Miner that the species of City trees is already determined.

Todd Kalbfeld, Landscape Architect, commented on the potential of adding four trees in the front of the patio, stating that there is underground parking near the sidewalk and that trees may not grow as high as expected. Commissioner Simons clarified with Mr. Kalbfeld about the location of the parking and commented that the trees would be planted between the sidewalk and the front.

Chair Harrison closed the Public Hearing.

Commissioner Howard asked staff to summarize the discussion about use of the side driveway for the proposed project. Planning Officer Miner stated that the applicant would have discussed this access with the adjoining property owner and that there are various reasons to deny an easement. Senior Assistant City Attorney Moon clarified that imminent domain must be used for public use, not private use.

MOTION: Vice Chair Rheume moved and Commissioner Simons seconded the motion for Alternative 2 – Make the required Findings to adopt the Mitigated/Negative Declaration and approve the Special Development Permit subject to modified conditions of approval –

1. Modify the landscaping plan to include a park strip that faces El Camino Real
2. Replace the applicant's tree selection with Incense Cedar trees on the south side of the property, between the proposed project and the townhouses

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to require that the applicant install public art onsite instead of paying an in-lieu fee.

Senior Assistant City Attorney Moon clarified that the ordinance related to public art specifies that the developer can choose to contribute to the public arts fund in-lieu of installing art. Commissioner Simons recommended that the public art should be integrated with the building as an enhancement. Senior Assistant City Attorney Moon advised that if there is a requirement for public art then the Arts Commission would be the deciding body and all the ordinance provisions would apply.

Vice Chair Rheume declined the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that four native genetic estate sized trees be planted in front of the proposed project and noted that these trees may require special planting.

Planning Officer Miner asked for clarification on the four genetic estate sized trees in front of the project. Commissioner Simons stated that the wells could be added at the very front to accommodate these trees. Planning Officer Miner advised the potential difficulty of adding these trees. Vice Chair Rheume asked if staff can work with the applicant to determine the possibility of adding four trees. Planning Officer Miner stated that staff can try to maximize the number of trees and will work with the applicant to determine the best location.

FRIENDLY AMENDMENT: Commissioner Simons modified his second friendly amendment to state that staff will work with the applicant to maximize the number of trees planted in the proposed project's frontage and determine the best placement for these trees, including up to four trees as practicable.

Vice Chair Rheaume accepted the friendly amendment.

Chair Harrison clarified with Vice Chair Rheaume that the Incense Cedar trees would replace the applicant's tree selection.

Vice Chair Rheaume thanked the applicant for making modifications to their application as originally suggested by the Planning Commission. Vice Chair Rheaume noted his appreciation of the increased setback for the proposed project and design and stated that he can make the findings.

Commissioner Simons stated an opinion that a second study session would have been beneficial and that it is inappropriate to use the adjacent properties for baseline measurements. Commissioner Simons commented that the landscape can differentiate the architecture and improve the look and pedestrian experience. Commissioner Simons commented that the City street trees are moderate sized for the space and that the estate sized trees will greatly improve the landscaping.

Commissioner Howard stated that he will be supporting the project and noted his appreciation of Commissioner Simons' dedication to trees. Commissioner Howard noted that it would be beneficial to have an interactive experience in the location of the private driveway. Commissioner Howard thanked staff and the applicant.

Chair Harrison stated that she will be supporting the motion. Chair Harrison noted her appreciation of the changes to accommodate homeowner preferences and create an improved pedestrian experience.

The motion carried by the following vote:

Yes: 7 - Chair Harrison
Vice Chair Rheaume
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Commissioner Weiss

No: 0

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

4. [17-0552](#) **Review Planning Program Budget and Fees for FY 2017-18**

Planning Officer Andrew Miner presented the staff report.

Commissioner Simons discussed the budget for sending commissioners to the Planning Academy and why it is limited to sending 3-4 commissioners versus all commissioners. Planning Officer Miner advised that the budget is based on the best estimate for cost, previous attendance, and conference location. Commissioner Simons suggested attendance at this type of training is required as part of the City's charter. Senior Assistant City Attorney Rebecca Moon advised that the charter does not mention the requirement, but stated there is City Council policy that Commissioners may attend educational training if funds are budgeted for the purpose. Planning Officer Miner noted that the Planning Commission can provide comments or make a recommendation to the City Council to increase funding for training so all members may attend.

Commissioner Olevson noted cost increases of 6% versus a 3% inflation rate, and asked why the costs have risen so much. Planning Officer Miner stated the increase is due to several factors, including salary increases, additional positions, and adding additional limited-term full time positions. Planning Officer Miner described that some of the additional budget is General Fund increases, but the majority are from Development Enterprise budget, which is funded by applicants.

MOTION: Commissioner Olevson moved and Commissioner Howe seconded the motion to recommend approval to the City Council of the proposed Planning Program budget for Fiscal Year 2017-2018, with a comment that additional consideration should be given to increase the budget for Planning Commissioner training at the League of California Cities Planning Commissioners Academy.

The motion carried by the following vote:

Yes: 7 - Chair Harrison
Vice Chair Rheaume
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Commissioner Weiss

No: 0

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Commissioner Simons stated that at a public meeting with the City's Department of Public Safety El Camino Real was the only area identified as associated with fatalities. Commissioner Simons asked if staff would coordinate with the presenters to see if they could give a design oriented presentation to the Planning Commission to identify any potential design aspects that are contributing to these fatalities. Planning Officer Miner confirmed that staff will follow up on this request.

-Staff Comments

Planning Officer Miner commented that the St. Anton project on El Camino Real and Poplar Avenue will be continued as staff works with the applicant to improve the design. Planning Officer Miner stated that the proposed project will be heard by the Planning Commission on June 26th and by the City Council on July 25th.

ADJOURNMENT

Chair Harrison adjourned the meeting at 9:37 PM.



City of Sunnyvale

Agenda Item 1.B

17-0583

Agenda Date: 6/12/2017

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2016-7293

Location: 1008 E. El Camino Real (APN 313-03-011) and 1314-1320 Poplar Ave. (APN 313-03-013)

Proposed Project:

REZONE: Introduction of an Ordinance to rezone the property at 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR (Low Density Residential/Precise Plan for El Camino Real) to C-2/ECR (Highway Business Commercial/Precise Plan for El Camino Real); and

SPECIAL DEVELOPMENT PERMIT: Construct 108 residential units (rental apartment complex) on a 2.05-acre site, where 20% of units will be affordable to very low income households. The complex will consist of one five-story building facing El Camino Real (four stories above ground floor amenities and parking plus one underground level of parking) and one three-story building facing Poplar Ave. The project includes deviation requests from the required minimum distance between buildings on the same lot, maximum building height, minimum parking spaces and maximum lot coverage. The project site comprises a closed mobile home park (Conversion Impact Report certified and closure approved in January 2016) and a duplex property.

VESTING TENTATIVE PARCEL MAP: Combine two lots into one lot.

Applicant / Owner: St. Anton Communities / Sunnyvale Park LLC; Alhambra Apartments LP

Environmental Review: Mitigated Negative Declaration

Project Planner: Rosemarie Zulueta, (408) 730-7437, rzulueta@sunnyvale.ca.gov

Applicant requests continuance to June 26, 2017.

The Applicant requests to continue the Planning Commission hearing to June 26, 2017. This item was previously continued to the June 12, 2017 hearing at the April 24, 2017 hearing.

The City Council is scheduled to consider this item on July 25, 2017.

PUBLIC CONTACT

Public contact was made through posting of the Planning Commission agenda on the City's official-notice bulletin board, on the City's website, and the availability of the agenda and report in the Office of the City Clerk.

Continuance to a date certain serves as legal notification of the revised hearing date; however, courtesy notices were mailed to property owners and tenants of properties within 2,000 feet of the project site.

RECOMMENDATION

Staff recommends continuance to the June 26, 2017 Planning Commission hearing.

Prepared by: Rosemarie Zulueta, Senior Planner

Approved by: Andrew Miner, Planning Officer



City of Sunnyvale

Agenda Item 2

17-0506

Agenda Date: 6/12/2017

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2016-7734

Location: 801-825 Ticonderoga Drive (Assessor's Parcel Number 202-18-003 through 202-18-006 and 202-18-046), 849-891 Ticonderoga Drive (202-21-018 through 202-21-025), 850-886 Somerset Drive (202-21-007 through 202-21-013), 1150 Revere Drive (202-20-004), 1150-1166 Shenandoah Drive (202-20-033 through 202-20-036), 1151-1157 Shenandoah Drive (202-20-031 and 202-20-032), 861-879 Somerset Drive (202-20-001 through 202-20-003), 1130-1194 Pimento Avenue (202-18-007 through 202-18-018), 1149-1167 Pimento Avenue (202-20-045 through 202-20-048), 1181-1199 Pimento Avenue (202-21-014 through 202-21-017), 1149-1161 Plum Avenue (202-18-023 through 202-18-025).

Zoning: R-1

Proposed Project: Introduction of Ordinance to **REZONE** 49 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Applicant / Owner: Molly Kauffman (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Project Planner: Gerri Caruso (408) 730-7591, gcaruso@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Residential Low Density

Existing Site Conditions: A cohesive residential neighborhood block consisting of 49 single story homes.

Surrounding Land Uses

North: Single family

South: Single family homes (R-1 / Single-Story) across Ticonderoga

East: Single family homes across Mary Avenue

West: Single family homes across Pome Avenue

Issues: Preservation of a single-family neighborhood of predominantly single-story Eichler homes.

Staff Recommendation: Planning Commission recommend to City Council: find the project exempt from CEQA; and introduce an ordinance to rezone 49 contiguous single family home lots.

BACKGROUND

The application was signed by 38 property owners (77 percent) in the 49-lot project area. As indicated on the vicinity and noticing map (Attachment 2), the project area generally consists of

properties on the north side of Ticonderoga Drive between Pome Avenue and Mary Avenue, both sides of Somerset Drive between Pimento Avenue and Revere Avenue, and includes adjacent portions of Pimento Avenue, Shenandoah Drive and Revere Drive. There is also a map of nearby single-story combining districts in Attachment 2. A list of all the properties included in the rezoning is in Attachment 3. A project description letter from the applicant is in Attachment 4.

The request is to modify the current R-1 zoning designation (Low Density Residential) by combining it with an “S” single-story zoning designation for R-1/S. This zoning change would limit the existing single family homes in the project area to one story and 45 percent Floor Area Ratio (FAR). Other City site development standards and density would remain the same.

This application represents the thirteenth single-story combining district application to be considered by the City since the enabling zoning code changes became effective January 1, 2001 since the enabling zoning code changes became effective January 1, 2001. Attachment 5 is a list of approved and proposed single-story districts in the City.

The City Council is scheduled to consider this item on July 11, 2017.

EXISTING POLICY

Sunnyvale Municipal Code Section 19.26.200

The intent of the Council’s action creating the single-story combining district was to “modify the site development regulations of the R-0, R-1, and R-2 residential zoning districts to preserve and maintain single-family neighborhoods of predominantly single-story character.” Sunnyvale Municipal Code Section 19.26.200(b) states that the single-story combining district may be established at the discretion of the City Council to combine with the R-0, R-1 or R-2 zoning districts. Submittal of the minimum application requirements does not guarantee nor imply an automatic approval. The Planning Commission holds a hearing on each rezoning and makes a recommendation to the City Council. The City Council may approve a zoning amendment upon finding that the amendment, as proposed, changed or modified is deemed to be in the public interest.

Members of the public have questioned whether the current application process is sufficient to assure that residents understand the implications of single-story zoning. There was a suggestion that a more rigorous application process, such as an independent poll of property owners by staff, would better validate interest by property owners in the proposed zoning district. Based on the feedback, the administrative process was modified and staff sends out a separate request to all affected property owners to indicate their interest or opposition to the rezoning request. Staff mailed a letter to each property owner asking for confirmation of their perspective of the application; as of May 30, 2017, results of the polling are:

- 25 support the rezoning
- 3 oppose the rezoning
- 2 neutral on the rezoning
- 19 no reply

There have also been requests to analyze the effect of single-story rezoning on the citywide housing stock and property values. The single-story combining district was created in 2000 as part of a larger study to consider changes to single-family home design criteria and development standards. Staff

conducted a study session for the Planning Commission about the history and current project review process. Due to the number of single-story applications submitted in 2016 and after hearing comments made by the public at the study session, the Planning Commission ranked a study issue for consideration in 2017 to relook at the process and to determine what factors should be considered as part of determining “in the public interest.” City Council selected and ranked this study issue for 2017 (number 3 of 5 for CDD); however, it ranked below the line for 2017.

ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15305 as it is a minor alteration in land use in an area with an average slope of less than 20% and will not result in any changes in land use of density. In addition, the Ordinance is exempt under the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA. (Section 15061(b)(3)).

DISCUSSION

The action under consideration is a rezoning to add a single-story combining district to an existing R-1 single-family neighborhood. The following items must be met in order to consider an application for a Single-Story combining district:

1. The zoning for the underlying district must be R-0, R-1 or R-2. **Criteria met**
2. The application must be signed by at least 55 percent of the property owners in the proposed district. **Criteria met**
3. The proposed district must be clearly delineated in the application and must consist of at least 20 homes. **Criteria met**
4. At least 75 percent of the homes in the proposed district must be one-story. **Criteria met**
5. To the extent feasible, the proposed district shall follow a recognizable feature such as a street, stream, or tract boundary. **Criteria met**

If adopted, the single-story combining district will remain in effect unless district owners initiate a similar application process to request that it be removed.

The project meets all the code requirements for a single-story combining district. The proposed application area is in a predominantly single-story R-1 neighborhood and includes more than the minimum 20 properties. The applicant thought there was an existing two-story home in the neighborhood (861 Ticonderoga Drive); however, staff has determined that there is an addition with a taller roof, but no second story; therefore, there are no two-story homes in the proposed district. By using the City’s GIS system and County Assessor information, staff has confirmed that 38 (77 percent) of the property owners have joined this application. To the extent feasible the applicant has used the edges of an Eichler neighborhood to create the rezoning area and has included logical clusters and blocks of homes within the district boundaries. Although the proposed district would not encompass entire blocks, the applicant has instead identified borders mainly where the Eichler neighborhood ends and abuts ranch style homes. The applicant has attempted to make sure each home will back up to another home that will also be restricted to a single-story.

A letter was sent to the property owners in the proposed district providing them with a detailed outline of the new development limits for a single-story district (Attachment 7). The following development

regulations will apply:

Single Story Limit

- There will be a limit of one habitable floor (story). Habitable areas are interiors conditioned for human occupancy (e.g. meet standards for heat, insulation, light and minimum ceiling heights).
- Lofts, mezzanines and similar areas will be prohibited as well as attics that meet habitable standards.
- The one-story limit will apply to all proposed structures on the property, including detached structures such as garages, accessory living units, etc.

Building Height Limit

- The maximum building height will be 17 feet (currently 30 feet).

Maximum Gross Floor Area

- The maximum floor area ratio (FAR) of each home will be 45 percent, the same for any one-story home in the R-1 zoning district.
- No future home additions beyond 45 percent FAR will be permitted unless a Variance is granted.
- A basement is not considered a story unless it extends more than two feet above the ground; it would then be counted towards the floor area limit.

Legal Non-Conforming Homes

- Existing legally constructed homes that exceed 45 percent FAR or 17 feet in height will be considered legal and non-conforming if the properties are rezoned.
- Legal non-conforming homes can be maintained and repaired subject to City building permits provided the non-conformity is not increased.

Neighborhood Density

- The proposed single-story rezoning area is an R-1 single-family zone where only one dwelling units is allowed per lot. The new zoning designation will be R-1/S. The area will remain a single-family area with only one dwelling unit allowed on each lot. Accessory dwelling units are allowed on lots over 8,500 square feet, and must also meet the single-story limitation.

Eichler Design Guidelines

The area proposed for rezoning is an Eichler neighborhood and is therefore subject to the adopted Sunnyvale Eichler Design Guidelines. The area proposed for rezoning is subject to the Sunnyvale Eichler Design Guidelines adopted by the City Council in 2009. The Guidelines are used in support of the zoning code and provide guidance when absolute standards are inappropriate. The Guidelines focus on design issues, compatibility, and privacy concerns and still allow creativity and individuality in architectural expression. Residential design review decisions in Eichler neighborhoods must be compatible with the Guidelines.

Rezoning Impact

By rezoning the proposed district to R-1/S, no impacts are expected to immediate surrounding properties or those in the vicinity of the proposed district.

FISCAL IMPACT

There is no development related to this application. No fiscal impacts other than normal fees and taxes associated with owning a single-family home are expected.

PUBLIC CONTACT

Public contact was made through the following;

- A hearing notice was placed in the Sunnyvale SUN newspaper
- The Planning Commission agenda was posted on the City's official-notice bulletin board and the City's website
- The agenda and staff report were made available on the City's website and in the Office of the City Clerk.
- 190 notices were sent to the project area and surrounding property owners.
- The blocks within the proposed district were posted with hearing notices.

Two neighborhood meeting were held for this project. The first was held on February 23, 2017 at the Sunnyvale Community Center. At that time the application only included 29 properties. Nine people attended the meeting.

Staff recommended that the applicant reach out to more neighbors to expand the rezoning area and to improve the boundaries. The applicant added 20 more properties to the project and expanded the project from 29 properties to 49 properties. Staff felt that another information meeting would be helpful for new the applicants. That meeting was held on May 17, 2017. Nine people attended the second meeting.

An information letter outlining the restrictions of the single-story combining district was also sent to the property owners in the proposed district so that those who did not attend the information meetings would have complete information (Attachment 8).

ALTERNATIVES

Recommend to City Council:

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3).
2. Introduce an Ordinance (Attachment 6 of this report) to Rezone 49 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story).
3. Introduce an Ordinance with modified boundaries to rezone fewer properties.
4. Deny the rezone.

STAFF RECOMMENDATION

Recommend to City Council: Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061(b)(3); and, 2) Introduce an Ordinance to Rezone 49 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

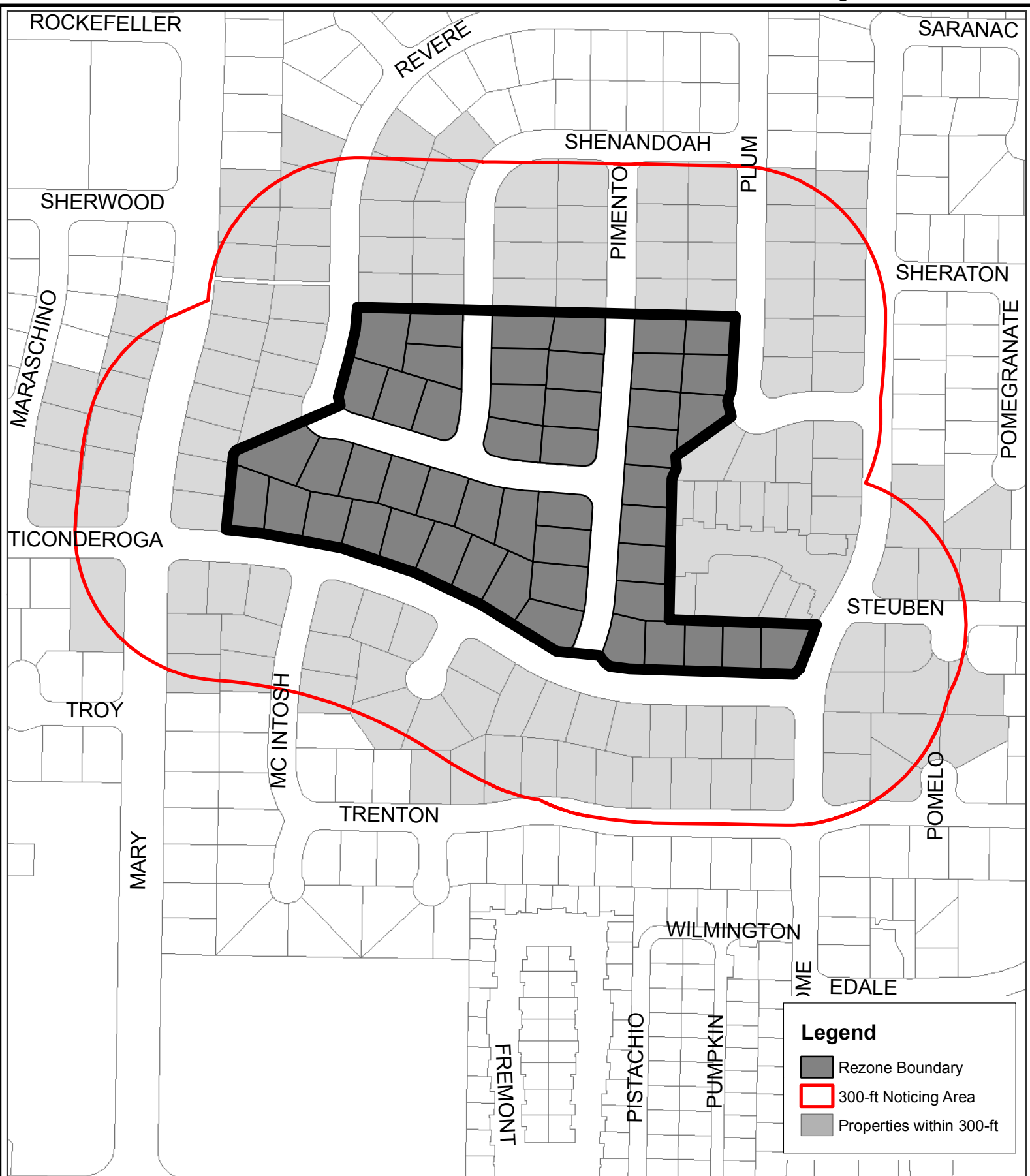
Prepared by: Gerri Caruso, Principal Planner
Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Director of Community Development
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. *Not Used*
2. Vicinity and Noticing Map
3. List of addresses and APNs within the proposed district
4. Applicant's letter
5. List of approved and pending SSCD applications
6. Draft Ordinance
7. Letter from City to property owners in proposed district

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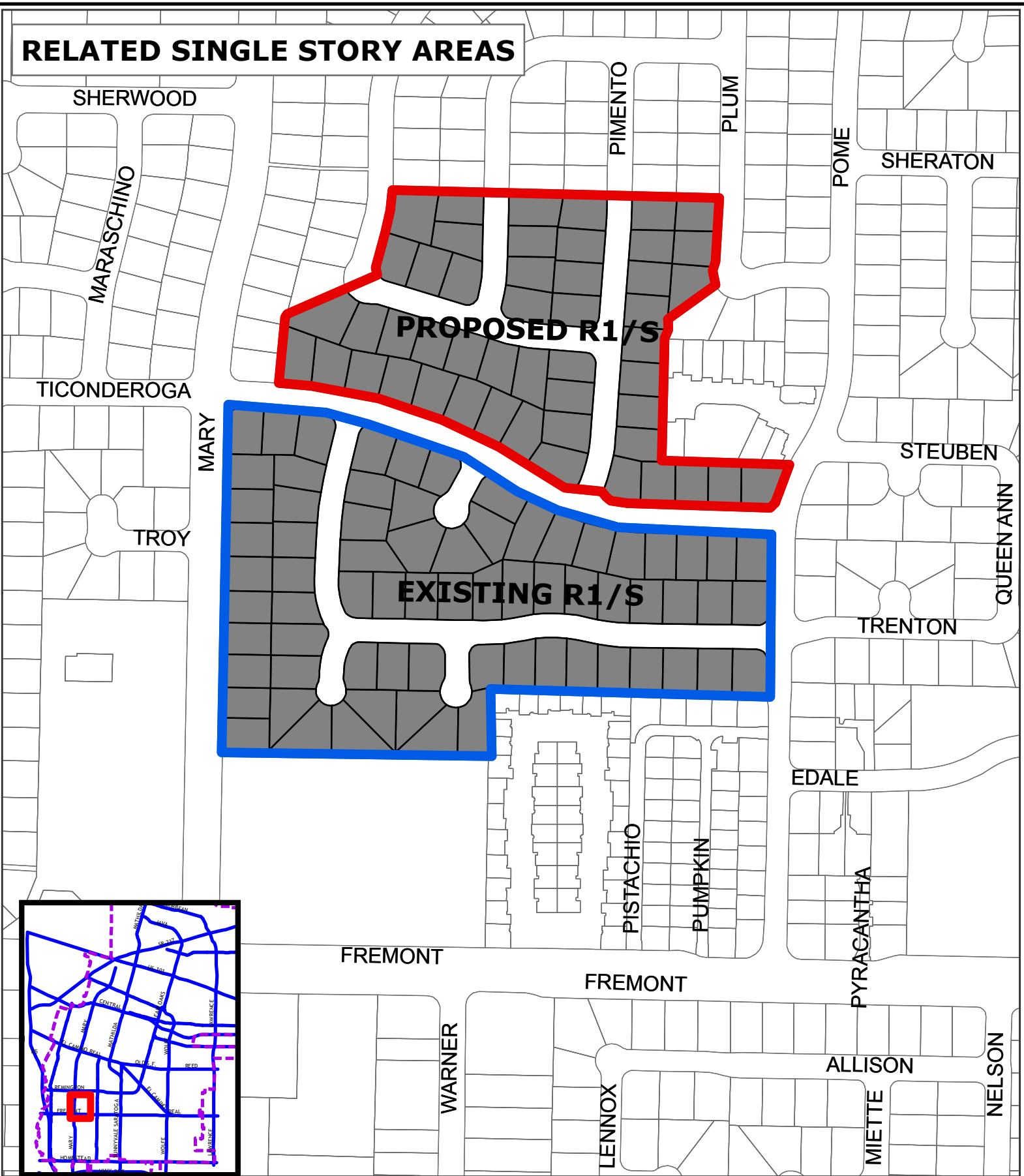


2016-7734
 Rezone 49 single-family homes from R-1 to R-1/S (Single Story)
 300-ft Notice Area

0 75 150 300 Feet



RELATED SINGLE STORY AREAS



RELATED SINGLE STORY AREAS

2016-7734

Rezone 49 single-family homes from R-1 to R-1/S (Single Story)

0 90 180 360 Feet



Address	APN	Lot Area	Living Area	Garage Area	Floor Area	Floor Area Ratio (FAR)	Eichler	Year Built	Stories
		(in square feet)				(in percent)			
807 Ticonderoga Dr	20218003	7,650	2,171	440	2,611	34%	Y	1961	1
813 Ticonderoga Dr	20218004	7,650	2,569	200	2,769	36%	Y	1961	1
819 Ticonderoga Dr	20218005	7,885	1,727	307	2,034	26%	Y	1960	1
825 Ticonderoga Dr	20218006	7,977	1,945	440	2,385	30%	Y	1961	1
1194 Pimento Av	20218007	8,135	1,727	307	2,034	25%	Y	1960	1
1186 Pimento Av	20218008	7,822	2,080	440	2,520	32%	Y	1961	1
1180 Pimento Av	20218009	7,688	1,945	440	2,385	31%	Y	1961	1
1174 Pimento Av	20218010	7,628	1,568	441	2,009	26%	Y	1961	1
1166 Pimento Av	20218011	7,600	1,727	307	2,034	27%	Y	1960	1
1160 Pimento Av	20218012	7,600	2,170	440	2,610	34%	Y	1961	1
1154 Pimento Av	20218013	7,515	1,727	307	2,034	27%	Y	1960	1
1148 Pimento Av	20218014	7,689	2,185	440	2,625	34%	Y	1961	1
1149 Plum Av	20218023	7,798	3,105	504	3,609	46%	Y	2006	1
1155 Plum Av	20218024	7,583	1,580	260	1,840	24%	Y	1960	1
1161 Plum Av	20218025	8,874	1,594	399	1,993	22%	Y	1960	1
801 Ticonderoga Dr	20218046	8,557	1,727	307	2,034	24%	Y	1960	1
861 Somerset Dr	20220001	8,963	1,727	307	2,034	23%	Y	1960	1
873 Somerset Dr	20220002	8,400	2,100	352	2,452	29%	Y	1961	1
879 Somerset Dr	20220003	8,056	1,727	307	2,034	25%	Y	1960	1
1150 Revere Dr	20220004	11,843	1,987	307	2,294	19%	Y	1960	1
1151 Shenandoah Dr	20220031	7,774	1,727	307	2,034	26%	Y	1960	1
1157 Shenandoah Dr	20220032	9,041	1,841	307	2,148	24%	Y	1960	1
1166 Shenandoah Dr	20220033	8,703	2,061	440	2,501	29%	Y	1961	1
1160 Shenandoah Dr	20220034	8,126	1,877	307	2,184	27%	Y	1960	1
1156 Shenandoah Dr	20220035	8,101	1,960	307	2,267	28%	Y	1960	1

Address	APN	Lot Area	Living Area	Garage Area	Floor Area	Floor Area Ratio (FAR)	Eichler	Year Built	Stories
		(in square feet)				(in percent)			
1150 Shenandoah Dr	20220036	8,653	1,945	440	2,385	28%	Y	1961	1
1149 Pimento Av	20220045	8,134	1,771	307	2,078	26%	Y	1961	1
1155 Pimento Av	20220046	8,360	2,002	472	2,474	30%	Y	1961	1
1161 Pimento Av	20220047	8,250	2,001	307	2,308	28%	Y	1960	1
1167 Pimento Av	20220048	8,009	1,945	440	2,385	30%	Y	1961	1
886 Somerset Dr	20221007	11,583	1,945	440	2,385	21%	Y	1961	1
880 Somerset Dr	20221008	8,740	1,727	307	2,034	23%	Y	1960	1
874 Somerset Dr	20221009	8,305	1,916	472	2,388	29%	Y	1961	1
868 Somerset Dr	20221010	8,000	1,945	440	2,385	30%	Y	1961	1
862 Somerset Dr	20221011	8,000	1,727	307	2,034	25%	Y	1960	1
856 Somerset Dr	20221012	8,507	2,573	440	3,013	35%	Y	1961	1
850 Somerset Dr	20221013	10,028	1,969	307	2,276	23%	Y	1960	1
1181 Pimento Av	20221014	7,944	1,945	440	2,385	30%	Y	1961	1
1187 Pimento Av	20221015	8,030	1,799	307	2,106	26%	Y	1960	1
1195 Pimento Av	20221016	8,474	1,727	307	2,034	24%	Y	1960	1
1199 Pimento Av	20221017	9,141	1,945	440	2,385	26%	Y	1961	1
849 Ticonderoga Dr	20221018	9,174	1,727	307	2,034	22%	Y	1960	1
855 Ticonderoga Dr	20221019	8,889	1,945	440	2,385	27%	Y	1961	1
861 Ticonderoga Dr	20221020	8,886	2,364	307	2,671	30%	Y	1960	1
867 Ticonderoga Dr	20221021	9,032	2,065	399	2,464	27%	Y	1961	1
873 Ticonderoga Dr	20221022	8,492	1,752	472	2,224	26%	Y	1961	1
879 Ticonderoga Dr	20221023	8,489	1,727	307	2,034	24%	Y	1960	1
885 Ticonderoga Dr	20221024	8,674	1,752	472	2,224	26%	Y	1961	1
891 Ticonderoga Dr	20221025	9,278	1,752	472	2,224	24%	Y	1961	1

Sunnyvale Planning Commission
Sunnyvale City Council
456 West Olive Avenue
Sunnyvale, CA 94086

Dear Commissioners and Council Members,

We respectfully submit our application for a Residential Single-Story Combined District (SSCD) for our Eichler neighborhood located in the Rancho Verde Tract. We want to expand the existing SSCD in the Ranch Verde Tract which was created ten years ago. It includes the Eichlers on the south side of Ticonderoga Dr and Trenton Dr.

There are 49 Eichler homes in our proposed area, bordered on the south by the north side of Ticonderoga between Mary and Pome, on the east by Pome and Plum, on the north by the change from Eichler to ranch style homes, and to the west by Somerset. We included one home on Revere Dr since it shares a fence line with four of the properties in the proposed SSCD, two on Somerset and two on Shenandoah. Eight of our 49 homes already back up to the two-story houses in the Springfield Terrace community and the Briggs Stelling Mansion. Please refer to the attached map.

When talking with neighbors about the rezoning, several reasons for wanting to preserve the single-story Eichler were repeated:

- Privacy
- Natural light
- Architectural significance
- Property Value
- Neighborhood Ambience

We made a concerted effort to provide information to every homeowner within the boundaries. We handed out the attached flyer to 46 of the homes and made arrangements to have the fliers sent to the owners of three rental properties.

We got 38 signatures out of the 49 giving the application 77.6% approval. Of the remaining 11 households three are rentals, three did not answer the door, one is planning to move, and four are against the SSCD.

We received the application fees from 31 of the 38 homeowners who signed the application. The contribution varied from \$75 to \$343. Among the reasons given for not paying the fee were:

- Insufficient funds/fixed income
- Their property already backs up to a two-story home
- The fees are too high

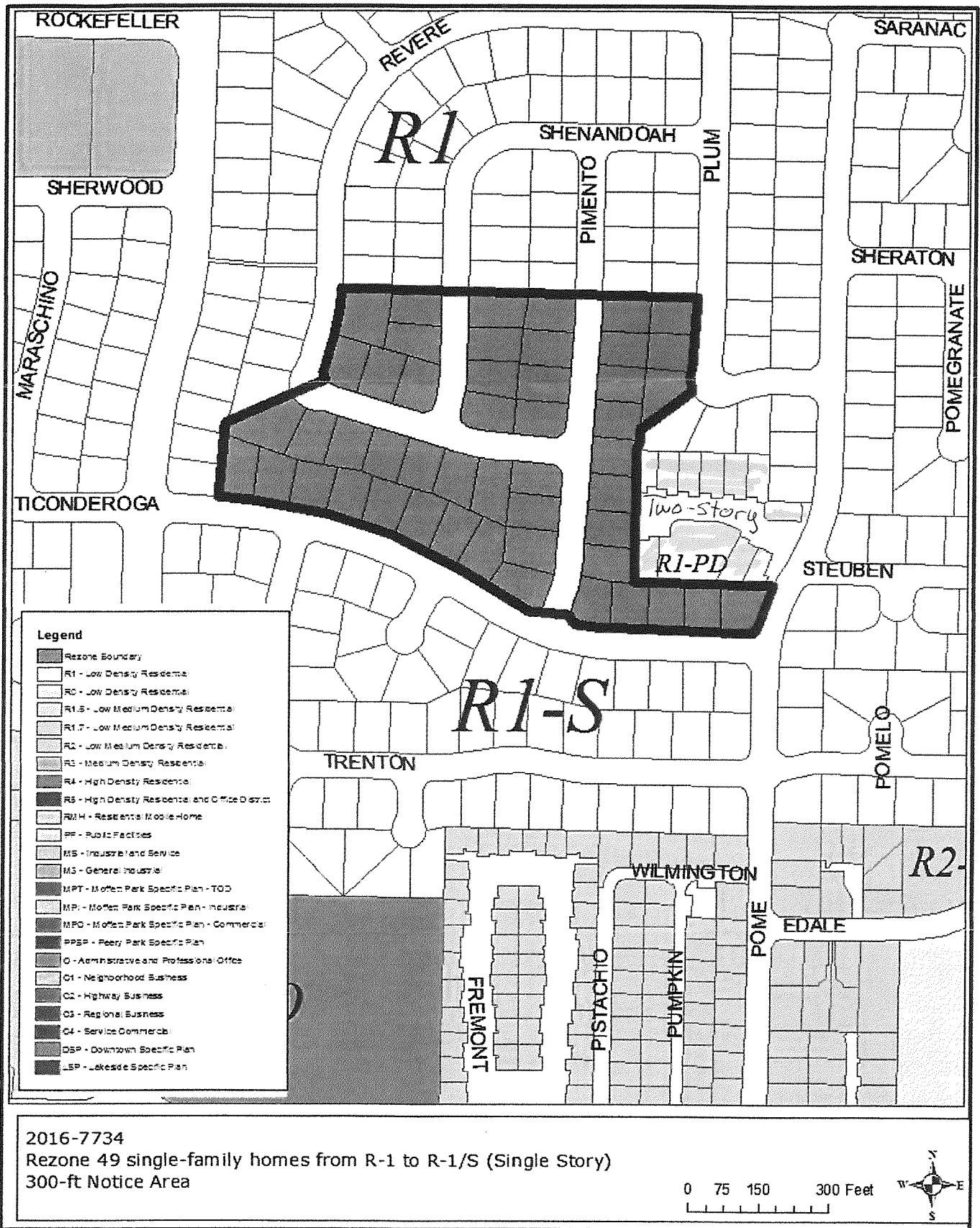
We appreciate your consideration of our proposal.

Molly Kauffman, 825 Ticonderoga Dr, Sunnyvale, CA 94087

A handwritten signature in cursive script, appearing to read "Molly Kauffman", with a long horizontal flourish extending to the right.

Christina Cary, 819 Ticonderoga Dr, Sunnyvale, CA 94087

A handwritten signature in cursive script, appearing to read "Christina Cary", with a long horizontal flourish extending to the right.



Expansion of Single Story Zoning for Rancho Verde Eichler Tract Ticonderoga/Pimento/Plum Somerset/Shenandoah/Revere

Synopsis

Our proposal is to apply for rezoning to a Single Story Combining District (SSCD) designation for the 49 Eichler homes located on north side of Ticonderoga Dr between Mary and Pome, Pimento Ave, three on Plum Ave that back up to Pimento, Somerset Dr, Shenandoah Dr, and one on Revere Dr. Current zoning allows two story structures/additions to be built next to and behind your property which may result in intrusion into your current backyard/side-yard privacy and change to the Eichler neighborhood's ambiance.

In addition, our homes are part of the Rancho Verde Eichler tract. We would be joining over 60 other homeowners who have already gone through the rezoning process.

Rationale

We are concerned that a 2nd story addition would be devastating for those close to such a modification. The impact could be multifold—intrusion on privacy, reduction in natural lighting, reduction in potential or actual solar power generation, and aesthetic degradation of our neighborhood.

There is a process that all building applications have to go through to be granted a permit. The injured parties would have their chance in a public hearing to object. This may or may not impact the outcome. It would require constant vigilance by many of us to be at such a hearing ready with the appropriate objections.

Adding a SSCD to our homes' zoning district (R0) precludes the need for such vigilance and reduces anxiety that such applications can cause; a SSCD will stop such applications from even being considered.

Process

Such an application requires a district of at least 20 homes, and agreement from majority (55%) of the owners. 75% of the homes in the district must be single story. The application fee is \$147/home. To read the small print of Sunnyvale's SSCD code Google "19.26.200 Sunnyvale".

An SSCD will not stop, nor should it, an owner from enlarging their property horizontally according to local codes—up to 45% of the plot size.

If over time the wave of change is such that the majority do want to build 2nd story homes, this combined district can be reversed, through the same process we are using now.

Support

Your support is needed to make the single story redistricting happen. We are happy to answer any questions. Please sign the application and write the \$147 check.

- Molly Kauffman mkauffman735@gmail.com 408.605.8684 825 Ticonderoga Dr
- Christina Cary dressmaker@whitebow.com 819 Ticonderoga Dr

**List of Approved and Proposed Single-Story Districts in Sunnyvale
Updated April 26, 2017**

Approved:

- 54 Eichler homes on Wright Avenue, Edmonton Avenue and La Salle Drive on July 31, 2001
- 25 homes on Bobolink Circle and Bobwhite Avenue on June 11, 2002
- 116 Eichler homes located between Fremont Avenue and Ticonderoga Drive and between Pome Avenue and Mary Avenue on May 15, 2007
- 36 Eichler homes on Dartshire Way and Devonshire Way on April 19, 2016 (adjacent to the subject site)
- 48 Eichler homes between Vanderbilt Drive and Torrington Drive on August 9, 2016
- 37 Eichler homes between West Remington Avenue, Templeton Drive, Spinosa Drive and Tangerine Way on October 4, 2016.
- 28 homes bounded by Vanderbilt Drive on the north side and non-Eichler homes, several public and quasi-public uses to the south and to the east (Fremont Union High School District administrative offices, CalWater storage yard and well site, two child care centers and a church), and Conway Road to the west on October 4, 2016.
- A 59 lot rezoning near Hollenbeck Avenue and Sheraton Drive on December 6, 2016.
- A 54 lot rezoning bounded by Carlisle Way on the north side, Mallard Way on the east side, Dartshire Way on the south side, Panama Park on the west side and includes Coventry Court and Cornwall Court on January 24, 2017.
- A 25 lot rezoning bounded by Torrington Drive on the north side, Sesame Drive on the west side and includes Snowberry Court on January 24, 2017.
- A 29 lot rezoning bounded by the Sunnyvale East Channel on the west side, Flamingo Way on the east side, Dunholme Way on the south side and includes Firebird Way on April 25, 2017.

Proposed:

- 63 single-family lots bounded by West Remington Drive on the north, Spinosa Drive on the east, Hollenbeck Avenue on the west and Sheraton Drive on south and includes Royal Ann Court, North Sage Court and Smyrna Court scheduled for Planning Commission hearing on May 22, 2017 and City Council hearing on June 20, 2017.

DRAFT 5/18/2017 

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE 49 CONTIGUOUS CERTAIN PROPERTIES LOCATED ON TICONDEROGA DRIVE, SOMERSET DRIVE, REVERE DRIVE, SHENANDOAH DRIVE, PIMENTO AVENUE, AND PLUM AVENUE FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-1/S (LOW DENSITY RESIDENTIAL/SINGLE-STORY)

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to rezone a certain properties located on 801-825 Ticonderoga Drive (APNs: 202-18-003 through 202-18-006 and 202-18-046), 849-891 Ticonderoga Drive (APNs: 202-21-018 through 202-21-025), 850-886 Somerset Drive (APNs:202-21-007 through 202-21-013), 1150 Revere Drive (APN: 202-20-004), 1150-1166 Shenandoah Drive (APNs: 202-20-033 through 202-20-036), 1151-1157 Shenandoah Drive (APNs: 202-20-031 and 202-20-032), 861-879 Somerset Drive (APNs: 202-20-001 through 202-20-003), 1130-1194 Pimento Avenue (APNs: 202-18-007 through 202-18-018), 1149-1167 Pimento Avenue (APNs: 202-20-045 through 202-20-048), 1181-1199 Pimento Avenue (APNs: 202-21-014 through 202-21-017), and 1149-1161 Plum Avenue (APNs: 202-18-023 through 202-18-025) from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story). The location of the property is set forth on the scale drawing attached as Exhibit A.

SECTION 2. FINDINGS. Pursuant to Section 19.92.080 of the Sunnyvale Municipal Code provides, the City Council may approve a general plan or zoning amendment upon finding that the amendment, as proposed, changed or modified is deemed to be in the public interest. Section 19.26.200 of the Sunnyvale Municipal Code provides that the purpose of a single-story combining district is to preserve and maintain single-family neighborhoods of predominantly single-story character. The City Council finds that the proposed rezoning of the above parcels from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story) is in the public interest because it would achieve the preservation of a predominantly R-0, single-story residential neighborhood where the majority of property owners in the proposed district desire to maintain the neighborhood's single-story character.

SECTION 3. CEQA - EXEMPTION. The City Council finds that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 of Title 14 of the California Code of Regulations (minor alterations in land use limitations that do not result in any changes in land use or density).

In addition, the ordinance is exempt under the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA. (Section 15061(b)(3)). The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____,
and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

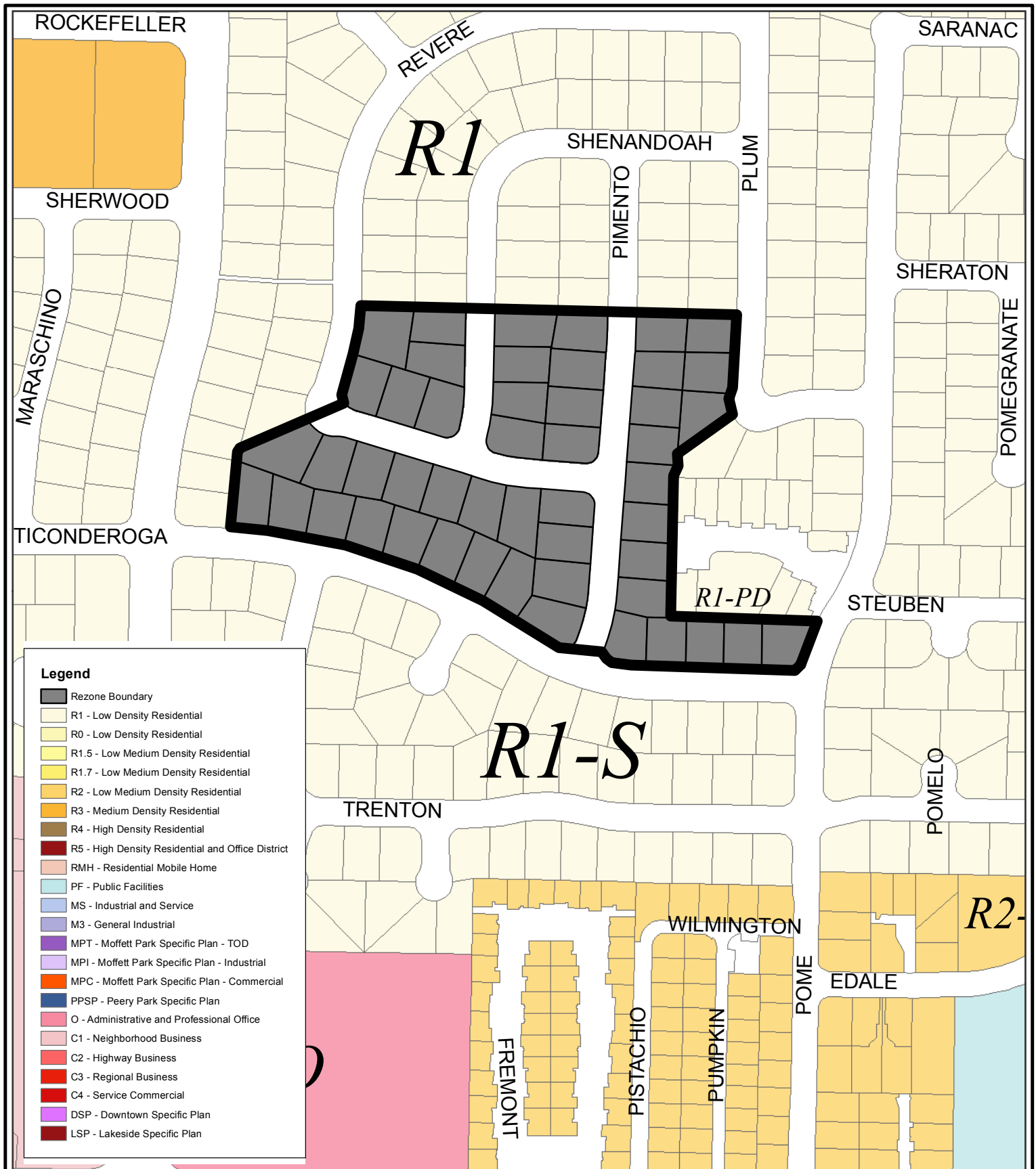
City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney



2016-7734
Rezone 49 single-family homes from R-1 to R-1/S (Single Story)
300-ft Notice Area

0 75 150 300 Feet





May 12, 2017

Re: City of Sunnyvale Rezoning Application 2016-7734 – Requesting a residential single-story zoning designation for 49 properties bound by Ticonderoga Drive on the south side, including Somerset Drive, and portions of Revere Drive, Shenandoah Drive and Pimento Avenue:

801-825 Ticonderoga Drive (Assessor's Parcel Number 202-18-003 through 202-18-006 and 202-18-046), 849-891 Ticonderoga Drive (202-21-018 through 202-21-025), 850-886 Somerset Drive (202-21-007 through 202-21-013), 1150 Revere Drive (202-20-004), 1150-1166 Shenandoah Drive (202-20-033 through 202-20-036), 1151-1157 Shenandoah Drive (202-20-031 and 202-20-032), 861-879 Somerset Drive (202-20-001 through 202-20-003), 1130-1194 Pimento Avenue (202-18-007 through 202-18-018), 1149-1167 Pimento Avenue (202-20-045 through 202-20-048), 1181-1199 Pimento Avenue (202-21-014 through 202-21-017), 1149-1161 Plum Avenue (202-18-023 through 202-18-025).

Dear Property Owner:

An application has been filed to change the zoning for your home to limit it to a single story. If approved, the zoning will be changed from R-1 (Low Density Residential) to R-1/S (Low Density Residential-Single Story).

This application was not initiated by the City. It has been initiated by 76% of property owners in the proposed single-story district. If adopted by the Sunnyvale City Council this revised zoning will apply to the entire area described above, including any existing and approved two-story homes, regardless if you were party to the application.

The proposed zoning change will not be in effect until it is considered and approved at public hearings by both the Sunnyvale Planning Commission on June 12, 2017 and the City Council on July 11, 2017. You will be mailed a separate notice of the hearing dates. If the rezoning is approved the following is an outline of the proposed changes and how it will affect the use of your property:

Neighborhood Density

- The proposed R-1/S area will remain a single-family zoning district. One dwelling unit is allowed per lot.

Single Story Limit

- There will be a limit of one habitable floor (story). Habitable areas are interiors conditioned for human occupancy (e.g. meet standards for heat, insulation, light and minimum ceiling heights).
- Lofts, mezzanines and similar areas will be prohibited as well as attics that meet habitable standards.

Building Height Limit

- The maximum building height will be 17 feet (currently 30 feet).
- Any proposed building height exceeding 17 feet will require approval of a Variance by the City. A Variance can only be granted due to specific hardships. Variances require a public hearing and can be denied. Notice of Variance hearings will be provided to surrounding property owners.

Maximum Gross Floor Area

- The maximum floor area ratio (FAR) of each home will be limited to 45%. FAR is the ratio of building square feet/lot area. Example - a 4,500 s.f. home on a 10,000 s.f. lot = 45% FAR.
- No future home additions or new homes beyond 45% FAR will be permitted unless a Variance is granted.
- Although a basement is not considered a story, a basement that extends more than two feet above the ground will be counted towards the maximum 45% FAR.

Legal Non-Conforming Homes

- Existing homes that are already two stories or existing homes that exceed 45% FAR or 17 feet in height will be considered legal and non-conforming if they were constructed with City permits.
- No changes are required to legal and non-conforming homes as a result of the single-story rezoning if they were legally constructed with City building permits.
- Legal non-conforming homes can be maintained and repaired subject to City building permit requirements.

Existing Two-Story Homes

- Existing two-story homes that were legally constructed with City building permits will be considered legal and non-conforming.
- Existing two-story homes do not need to be modified if the single-story zoning is approved.
- Existing second stories cannot be expanded or increased in height but can be maintained and repaired subject to City building permit requirements.
- Additions can be made to the first floor up to the maximum 45% FAR for the entire home.

Eichler Design Guidelines

- The area proposed for rezoning is an Eichler neighborhood. New additions, architectural changes and new homes are subject to the adopted Sunnyvale Eichler Design Guidelines.

If you have any questions about the proposed R-1/S zoning change and how it affects your property or how the public hearing process will occur, please contact me at (408) 730-7591 or gcaruso@sunnyvale.ca.gov. I will be happy to clarify this information and answer any questions.

Regards,

Gerri Caruso
Principal Planner