

RESPONSE TO COUNCIL QUESTIONS RE: 8/28/18 CITY COUNCIL AGENDA

Agenda Item #: 1.A**Title: Approve City Council Meeting Minutes of August 14, 2018**

Council Question: Typo in minutes for July 31, 2018, Item 6. 18-0415, advise you correct "Gerry Nabhan" to the correct name "Jerry Nabhan."

Staff Response: The approved minutes of the July 31, 2018 meeting will be corrected administratively to correct the spelling of a speaker's name. The corrected minutes will be emailed separately and will be provided on the dais Tuesday night, and will be provided as supplemental materials for the public.

Council Question: Typo in minutes for August 14, 2018, Item 3. 18-0631, advise you correct "Lynn Crist" to the correct name "Larry Crist."

Staff Response: Corrections have been made to the draft Council Meeting minutes of August 14, 2018 to correct an applicant's name, and will be submitted for approval as revised.

Agenda Item #: 1.B**Title: Approve the List(s) of Claims and Bills Approved for Payment by the City Manager**

Council Question: Please provide more information on the following payments:

- A. \$229,158.00 to COUNTY OF SANTA CLARA OFC OF THE SHERIFF for Contracts/Service Agreements

Staff Response: \$229,158 is for the City's annual share of the Cal-ID program which is an automated finger print identification system that provides local law enforcement with direct access to the state California Identification System. Sunnyvale's share of the total is based on the number of prints it sends for analysis.

- B. \$76,589.52 to FREMONT UNION HIGH SCHOOL DISTRICT for Real Property Rental/Lease

Staff Response: This payment is for the City's share of operating the Fremont Pool. Per the agreement with the Fremont Union High School District, the City pays 100% of the pool house operating costs, and 50% of the pool operating costs. This payment covers those costs from December 1, 2017 to May 31, 2018.

Agenda Item #: 1.C**Title: Approve Complete Streets Policy Amendment by Resolution to Comply with Santa Clara Valley Transportation Authority (VTA) Requirement for 2016 Measure B Funds**

Council Question: Can you please provide a link to the correct Complete Streets Document defining Section B4 and C1?

Staff Response: Attached is the Complete Streets Policy in its entirety, including Sections B4 and C1.

Agenda Item #: 1.D**Title: Authorize an Amendment to an Existing Purchase Order for Tank Coating Inspection (F19-010)**

Council Question: For item 18-0663, is council being asked to approved both change order 4 and 5. In change order 4, what factors precipitated the 44% increase in base rate since last year?

Staff Response: Change Order 4 was approved under the City Manager's authority and is only an extension of time, not of scope or contract amount. Change Order 5 is an increase in contract amount and requires Council approval. The increase in cost is due largely to two factors: First the hourly rates in the contract have not been increased since 2015; second, the hourly rates are subject to prevailing wage, which has also increased over that period. Prevailing wage is specific to the type of work being done, and in highly specialized work the combination of the market forces of demand and specialization can drive up labor rates significantly.

Agenda Item #: 1.E**Title: Approve a Third Amendment to a Contract with Kimley-Horn Associates, Inc. for Temporary Personnel Services (F19-015) and Authorize the City Manager to Renew the Contract for up to Two Additional One-Year Periods**

Council Question: staff is recommending the City Manager have authority to renew these contracts through 2021. Is there no cap included with this request as none is explicit in the recommendation? In terms of precedent, what for what other contracts has City Council approved such recommendations?

Staff Response: The renewal authority is subject to available budgeted funding. Currently, Council has approved funding these activities through two projects (identified in the fiscal impact section of the staff report). The available budget in these two projects totals approximately \$780,000. Future extensions are subject to available budgeted funding.

Where a contract spans multiple cost centers or is funded by demand related fee revenue or grant funds, staff does request authority up to budgeted amounts. One example is the City's office supply contract last awarded with RTC 15-1054, which is awarded to budgeted amounts.

Agenda Item #: 1.G**Title: Authorize an Amendment to an Existing Purchase Order for Fire Protection Clothing, Equipment and Fire Safety Supplies (F17-007)**

Council Question: staff is recommending the City Manager have authority to renew these contracts through 2021. Is there no cap included with this request as none is explicit in the recommendation? In terms of precedent, what for what other contracts has City Council approved such recommendations?

Staff Response: The renewal authority is subject to available budgeted funding. Currently, Council has approved funding these purchases through several funding sources including the Department of Public Safety operating budget, the special project budgets established for recruitment and training of new public safety officers, and the equipment replacement fund used by public safety for the replacement of common pieces of equipment.

Where a contract spans multiple cost centers or is funded by demand related fee revenue or grant funds, staff does request authority up to budgeted amounts. One example is the City's office supply contract last awarded with RTC 15-1054, which is awarded to budgeted amounts.

Agenda Item #: 1.1**Title: Designate a Voting Delegate and Alternate for the League of California Cities Annual Conference**

Council Question: the form in Attachment 1 doesn't match the staff report. Assuming the item is approved by consent, will staff work to submit an emended form rather than the one shown?

Staff Response: Staff has amended the form (see attached) to reflect the nominations as stated in the RTC. Corrected copies will be made available on the dais Tuesday evening, as well as copies for the public.

Agenda Item #2:**Title: Award a Contract to CherryRoad Technologies, Inc. for an Oracle Cloud Enterprise Resource Planning System and Implementation Services (F17-157)**

Council Question: Is a separate contract required for Plante Moran, for the Project/Change Manager and related staffing?

Staff Response: Yes. Council delegated authority to the City Manager to conduct a Request for Qualifications process for professional and technical services and award multi-year contracts over \$100,000 not to exceed budgeted amounts (RTC 16-1053). Implementation projects or initiatives supported by this process include: Enterprise Resource Planning (ERP), Permit Planning, Geographic Information Systems (GIS), Computer Aided Dispatch (CAD), Service Desk/IT Service Management System, Network/Security/Risk Assessment and IT Strategic Plan.

Under this authority, the City Manager has awarded a consultant services agreement in the amount of \$677,200 through January 30, 2020 to Plante Moran for ERP implementation, Project/Change Management, and other associated services as needed. Funding is available in the project budget for the ERP.

Council Question: What is the one other California public agency that will go live with Fusion Cloud later this year? Is it comparable in size/complexity to Sunnyvale?

Staff Response: The City of Roseville is implementing the same Oracle product. Staff has spoken with the staff at Roseville as part of the evaluation process and will continue the dialogue as they go live. Roseville has a population of approximately 135,000 and is a full-service city much like Sunnyvale.

Agenda Item #: 4**Title: Authorize the City Manager to Execute the Second Amendment to the Agreement Between the City of Sunnyvale and the VTA for the SR 237/US 101/Mathilda Avenue Interchange Improvement Project to Extend the Term Until December 31, 2020, Increasing the Not to Exceed Amount of the City's Financial Contribution From \$8,000,000 to \$25,000,000 and Other Minor Amendments and Approve Budget Modification No. 5**

Council Question: Please provide a diagram or schematic of the approved project for construction.

Staff Response: See attached schematic layout of the approved project.

Council Question: It seems to me that, if Measure B funds had not been tied up in litigation, the entirety of the \$34 million estimated construction cost would have come from Measure B funds. Is that correct? If that's the case, what will happen if there is a final non-appealable judgment that the Measure B tax is valid? The City

would receive \$17 million of Measure B funds, correct? In that case, to which project(s) would we allocate the \$17 million? What restrictions, if any, are in the Moffett Towers II Development Agreement between Developer and the City regarding the City's use of the \$11 million developer contribution? What restrictions, if any, are there on the \$6 million in TIF funds as to their use?

Staff Response: Measure B funds were expected to fully fund the Mathilda/237/101 project, which is currently estimated to be \$34 million. Since the project was successful in securing \$17 million in Local Partnership Program (SB-1) grant funds, there is less funding necessary from Measure B or other funding sources for the project. If the lawsuit against Measure B fails, then the City, per the Second Amendment before the Council, would be reimbursed the \$17 million proposed to match the SB-1 grant funding. The additional \$17 million that is covered by the grant would not be reimbursed to the City, it would stay with Measure B for use by other projects identified in Measure B (A list of the VTA approved Measure B projects can be made available upon request).

The funding recommended by staff for appropriation to the project is from two sources. \$11 million is from a developer contribution based on the Development Agreement with the Moffett Towers II developer. Under that agreement, the \$11 million is required to be spent on the interchange. In order to spend the \$11 million on something other than this project, additional improvements to the interchange would need to be identified or an amendment to the agreement would need to be negotiated with the developer and approved by Council. The second source of funding of \$6 million is from the Transportation Impact Fee (TIF) fund, which has less restrictions, but is required to be spent on transportation infrastructure projects identified in the City's TIF study."

Council Question: On Page 2 of the staff report, it says that we are trying to "request and obligate the \$17M grant at the next CTC meeting in August 2018." In looking at the California Transportation Commission (CTC) website, I don't see what meeting schedule we are trying to hit. Did we miss the timeline for the CTC Grant?

Staff Response: The CTC approved this allocation on August 16, 2018. See attached excerpt from CTC agenda of August 16, 2018, item #100 approval of the LPP allocation to the Mathilda/237/101 project.

Council Question: Can Staff provide additional information on the expectations of the Measure-B litigation? When is the decision made, and if appealed, what is the approximate appeal decision date?

Staff Response: The following response generally sets forth the process that the appeal could follow and demonstrates the difficulty in determining with any certainty when the litigation will be finished. It could be as early as 6 months or could take slightly over 2 years.

The oral argument at the California Court of Appeal, Sixth Appellate District is scheduled for September 25, 2018. The Appellate panel will generally issue a written opinion within 90 days after the date of the oral argument, though under certain circumstances this deadline can be extended. Once the Appellate Court issues its opinion, the losing party may either ask for a rehearing by the Appellate Court, which is very rare, or more likely will file a petition for review with the California Supreme Court. Assuming the latter occurs, a petition for review typically must be filed within 40 days after the Court of Appeal opinion is filed. The California Supreme Court denies reviews to approximately 95% of the petitions for review it receives. Once it receives a petition for review, the Supreme Court has at least 60 days in which to make its decision. Assuming that the California Supreme Court accepts the petition for review, then the scheduling of oral arguments typically occurs several months to a year after all briefs on the merits have been filed, which typically takes 60 days after the petition for review is granted. The Supreme Court will file its written opinion within 90 days of the date of the oral argument, which will become final 30 days after the filing of the opinion unless there is a petition for rehearing

or the Supreme Court decides on its own motion to grant a rehearing or modify its decision up to an additional 60 days.

Agenda Item #: 5

Title: Proposed Project: Introduce an Ordinance to Rezone two lots from R-1 (Low Density Residential) to R-0 (Low Density Residential).

File #: 2018-7309

Location: 932 Eleanor Way and 1358 Hampton Drive (APNs: 313-01-033, 313-01-034)

Council Question: Can the OCA provide more information on its opinion that the proposed rezoning would not constitute illegal spot zoning (e.g. a brief description of illegal spot zoning and why the application is not an example of it).

Staff Response: "Spot zoning" is a legal concept that comes from the law of constitutional takings. "The essence of spot zoning is irrational discrimination." (Avenida San Juan v. San Clemente (2011) 201 Cal.App.4th 1256.) The courts have explained spot zoning as follows:

"Spot zoning occurs where a small parcel is restricted and given lesser rights than the surrounding property, as where a lot in the center of a business or commercial district is limited to uses for residential purposes thereby creating an 'island' in the middle of a larger area devoted to other uses.... where the 'spot' is not an island but is connected on some sides to a like zone the allegation of spot zoning is more difficult to establish since lines must be drawn at some point.... Even where a small island is created in the midst of less restrictive zoning, the zoning may be upheld where rational reason in the public benefit exists for such a classification." (Id.)

The Avenida San Juan case is a good example of improper spot zoning, where the City down-zoned a 2.85 acre parcel of land from low density residential (4 dwellings per acre), to 1 dwelling per 20 acres, creating an isolated area of minimum-density zoning surrounded by a "residential ocean" of substantially less restrictive zoning (2 to 6 dwellings per acre). The court found that this decision was arbitrary and capricious, and irrationally discriminated against the parcel as a result of neighbors' opposition to development.

In this case, the 2 subject parcels are adjacent to both R-0 and R-1 zoning. Rezoning the parcels from R-1 (current) to R-0 would not create an island encircled by substantially different zoning. As the court stated in the above-cited case, "where the 'spot' is not an island but is connected on some sides to a like zone the allegation of spot zoning is more difficult to establish since lines must be drawn at some point". In this situation, where to draw the line is an appropriate legislative decision that does not irrationally discriminate against either the owner of the parcels or neighboring properties. Neither option constitutes illegal spot zoning.

Council Question: If the staff report and Council minutes from the 1996 Ranyor Park rezoning are readily available, please provide a copy.

Staff Response: Attached is Report to Council 95-485 for the public hearing (December 1995) where the ordinance was introduced, and excerpts from the minutes for that December Council meeting (Item #2) and the minutes of on January 9, 1996 (Item #4) when the ordinance was adopted.

Council Question: The staff report (Page 1) incorrectly states that Commissioner Howe was dissenting, it was Chair Howard.

Staff Response: The correct Planning Commission vote for this item is 6-1 (Chair Howard dissenting). Staff will note this correction during the staff comments at the public hearing and will follow up with revised minutes for Planning Commission action.

Council Question: Could Staff provide more information on the 1996 Council Decision to Rezone these tracks of land (some R0 and some R1)?

Staff Response: The properties in the Raynor area were developed in the unincorporated County (in the 1940s) and annexed to the City of Sunnyvale in 1979. In 1979 the entire area had been pre-zoned to R-0 and that zoning designation took effect upon annexation. In 1991 a large parcel (12,000 s.f.) was approved to be subdivided into two parcels and some of the neighborhood residents expressed concerns about possible increases in density. In December 1994, City Council initiated the study to consider rezoning all or part of the Raynor area from R-0 (6,000 s.f. minimum lot size) to R-1 (8,000 s.f. minimum lot size). The purpose of the study was to determine if rezoning could help preserve the character of the neighborhood. The City Council voted 4-1 to rezone the area (one Councilmember absent, one recused). Copies of staff's Report to Council 95-485 and meeting minutes from 1995 and 1996 are attached.

EXHIBIT A

COMPLETE STREETS POLICY OF THE CITY OF SUNNYVALE

A. Complete Street Principles

1. **Complete Streets Serving All Users.** The City of Sunnyvale (“City”) expresses its commitment to creating and maintaining Complete Streets that provide safe, sustainable, integrated, efficient and convenient transportation systems (including streets, roads, highways, bridges, and other portions of the transportation system) that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, and movers of commercial goods, users and operators of public transportation seniors, children, youth, and families.
2. **Context Sensitivity.** In planning and implementing street projects, departments and agencies of City shall maintain sensitivity to local conditions in both residential and business districts as well as urban, suburban, and rural areas, and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street lighting, street trees and landscaping, planting strips, ADA accessible curb ramps, crosswalks, refuge islands, ADA accessible pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, and other features assisting in the provision of safe travel for all users, in accordance with the latest standards or guidelines established by Caltrans.
3. **Complete Streets Routinely Addressed by All Departments.** All relevant departments and agencies of City shall work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. The following projects provide opportunities: pavement resurfacing, restriping, accessing above and underground utilities, signalization operations or modifications, and maintenance of landscaping/related features.
4. **All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit,

maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system).

B. Implementation

1. **Plan Consultation and Consistency.** Maintenance, planning, and design of projects affecting the transportation system shall be consistent with the general plan and the local bicycle, pedestrian, transit, multimodal, and other relevant plans, except that where such consistency cannot be achieved it shall be consistent with the general plan.
2. **Street Network/Connectivity.** As feasible, City shall incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of users, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for existing and anticipated future areas of travel origination or destination.
3. **Evaluation.** All relevant agencies or departments shall perform evaluations of how well the streets and transportation network of City are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis.
4. **Public Outreach.** To verify pedestrian and bicycling needs, the staff will seek input from the public and Bicycle and Pedestrian Advisory Committee (BPAC) during the project development phase.

C. Exceptions

1. **Exceptions.** Plans or projects that seek exemptions from Complete Streets design will provide written findings of exceptional circumstances of the elements of the complete streets that cannot be accommodated in the project. The memorandum seeking exceptions should be signed by the head of the relevant Division.

**CITY:** Sunnyvale**2018 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Friday, August 31, 2018. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATEName: Nancy SmithTitle: Councilmember**2. VOTING DELEGATE - ALTERNATE**Name: Kent SteffensTitle: City Manager**3. VOTING DELEGATE - ALTERNATE**

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: Glenn Hendricks E-mail: ghendricks@sunnyvale.ca.govMayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 31, 2018

League of California Cities
ATTN: **Kayla Curry**
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kcurry@cacities.org
(916) 658-8254



- LEGEND:
- BUILD ALTERNATIVE ROADWAY IMPROVEMENTS
 - ROADWAY IMPROVEMENTS BY OTHERS
 - CLASS 1 BIKE PATH
 - CLASS 2 BIKE LANE
 - PEDESTRIAN SIDEWALK/CROSSING
 - PAVEMENT REMOVAL
 - VTA LIGHT RAIL TRACKS
 - NEW TRAFFIC SIGNAL (UNLESS OTHERWISE STATED)
 - EXISTING/PROPOSED BUS STOP
 - EXISTING R/W
 - PARCEL LINE
 - BICYCLE/PEDESTRIAN BRIDGE

ESTIMATED TIMED AGENDA

CALIFORNIA TRANSPORTATION COMMISSION

<http://www.catc.ca.gov>

August 15-16, 2018

San Francisco, California

Wednesday, August 15, 2018

- 1:00 PM** **Commission Meeting**
Bay Area Metro Center
Boardroom
375 Beale Street
San Francisco, CA 94105
- 5:30 PM** **WTS San Francisco Reception**
Bay Area Metro Center
Multi-Purpose Room
375 Beale Street
San Francisco, CA 94105
- 7:00 PM** **Commission Dinner**
Park Tavern
1652 Stockton Street
San Francisco, CA 94133

Thursday, August 16, 2018

- 9:00 AM** **Commission Meeting**
Bay Area Metro Center
Boardroom
375 Beale Street
San Francisco, CA 94105

To view the live webcast of this meeting, please visit: <http://ctc.dot.ca.gov/webcast>

NOTICE: Times identified on the following agenda are estimates only. The Commission has the discretion to take up agenda items out of sequence and on either day of the two-day meeting, except for those agenda items bearing the notation "TIMED ITEM." TIMED ITEMS which may not be heard prior to the Time scheduled but may be heard at, or any time after the time scheduled. The Commission may adjourn earlier than estimated on either day.

Unless otherwise noticed in the specified book item, a copy of this meeting notice, agenda, and related book items will be posted 10 calendar days prior to the meeting on the California Transportation Commission (Commission) Website: www.catc.ca.gov. Questions or inquiries about this meeting may be directed to the Commission staff at (916) 654-4245, 1120 N Street (MS-52), Sacramento, CA 95814. If any special accommodations are needed for persons with disabilities, please contact Doug Remedios at (916) 654-4245. Requests for special accommodations or interpretation services should be made as soon as possible but no later than at least five working days prior to the scheduled meeting.

Persons attending the meeting who wish to address the Commission on a subject to be considered at this meeting are asked to complete a Speaker Request Card and provide it to the Commission Clerk prior to the discussion of the item. If you would like to present any written materials, including handouts, photos, and maps to the Commission at the meeting, please provide a minimum of 25 copies labeled with the agenda item number no later than 30 minutes prior to the start of the meeting. Video clips and other electronic media cannot be accommodated. Speakers cannot use their own computer or projection equipment for displaying presentation material.

Improper comments and disorderly conduct are not permitted. In the event that the meeting conducted by the Commission is willfully interrupted or disrupted by a person or by a group so as to render the orderly conduct of the meeting unfeasible, the Chair may order the removal of those individuals who are willfully disrupting the meeting.

* "A" denotes an "Action" item; "I" denotes an "Information" item; "C" denotes a "Commission" item; "D" denotes a "Department" item; "F" denotes a "U.S. Department of Transportation" item; "R" denotes a Regional or other Agency item; and "T" denotes a California State Transportation Agency (CalSTA) item.

NEXT REGULARLY SCHEDULED CTC MEETING (Subject to Change):

CTC Meeting – October 17-18, 2018 in Stockton, CA

Tab #	Item Description	Ref. #	Presenter	Status*	
	<u>Advance - STIP Allocations</u>				
97	Request of \$8,600,000 for the locally-administered STIP Silicon Valley Express Lanes Program – Phase 4 ETS project, on the State Highway System, in Santa Clara County, programmed FY 19-20. (PPNO 04-2015G) Resolution FP-18-06	2.5c.(4)	Teresa Favila Bruce De Terra	A	D
	<u>Transit & Intercity Rail Capital Program Project Allocations</u>				
98	Request of \$122,473,000 for 11 TIRCP projects. Resolution TIRCP-1819-01	2.6g.	Teresa Favila Dara Wheeler	A	D
	<u>Eureka Non-Freeway Alternative Program Projects</u>				
99	Request of \$2,337,000 for the Waterfront Drive Connection Phase II Eureka Non-Freeway Alternative Program project, in Humboldt County. (PPNO 01-0302D) Resolution FP-18-07	2.5c.(5)	Teresa Favila Rihui Zhang	A	D
	<u>Senate Bill 1 Programs Project Allocations</u>				
	<u>Local Partnership Program (LPP) Allocations</u>				
100	Request of \$17,000,000 for the locally-administered LPP (Competitive) Mathilda Avenue Improvements at SR 237 and US 101 project, on the State Highway System, in Santa Clara County. (PPNO 04-0462H) Resolution LPP-A-1819-01 <i>(Related Items under Ref 2.2c.(11) and 4.11b.)</i>	2.5s.(2)	Matthew Yosgott Bruce De Terra	A	D
101	Request of \$16,300,000 for three locally-administered LPP projects off the State Highway System. 2.5s.(3a) - \$7,300,000 for one LPP – Formulaic projects. 2.5s.(3b) - \$9,000,000 for two LPP – Competitive projects. Resolution LPP-A-1819-02	2.5s.(3)	Matthew Yosgott Rihui Zhang	A	D
	<u>LPP Transit Projects</u>				
102	Request of \$26,701,000 for two locally-administered LPP - Formulaic Transit projects. Resolution LPP-A-1819-03	2.6s.(1)	Matthew Yosgott Dara Wheeler	A	D
	<u>Trade Corridor Enhancement Program (TCEP) Allocations</u>				
103	Request of \$4,200,000 for the locally-administered TCEP US 101/SR 25 Interchange – Phase 1 project, on the State Highway System, in Santa Clara County. (PPNO 04-0462G) Resolution TCEP-A-1819-01 <i>Related Item under Ref 2.2c.(12) and 4.11a)</i>	2.5s.(4)	Matthew Yosgott Bruce De Terra	A	D
104	Request of \$11,710,000 for three State-Administered TCEP projects on the State Highway System. Resolution TCEP-A-1819-02 <i>(Related Item under Ref 4.11e)</i>	2.5s.(5)	Matthew Yosgott Bruce De Terra	A	D
	<u>TCEP Rail-Projects</u>				
105	Request of \$7,000,000 for the locally-administered TCEP Etiwanda Avenue Grade Separation Rail project, in San Bernardino County. (PPNO 75-T0011) Resolution TCEP-A-1819-03 <i>(Related Item under Ref. 4.11a.)</i>	2.6s.(2)	Matthew Yosgott Dara Wheeler	A	D
	<u>Multi-Funded LPP/STIP Project</u>				
106	Request of \$3,300,000 for the multi-funded locally-administered LPP/STIP Green Valley Road Widening project, off the State Highway System, in Sacramento County. (PPNO 03-1668) Resolution LPP-A-1819-04 Resolution FP-18-08	2.5s.(6)	Matthew Yosgott Rihui Zhang	A	D

Tab #	Item Description	Ref. #	Presenter	Status*
	<u>OTHER MATTERS / PUBLIC COMMENT</u>	6.		
	<u>ADJOURN</u>			

	<u>Highway Financial Matters</u> \$1,352,400,000 Total SHOPP Requested for Allocation \$ 58,174,000 Total STIP Requested for Allocation \$ 3,544,000 Total ATP Requested for Allocation \$ 49,210,000 Total SB1 Requested for Allocation \$ 1,000,000 Total Prop 192 Requested for Allocation \$ 350,471,000 Total Multi-funded Requested for Allocation \$ 19,174,000 Total Supplemental Funds Requested for Allocation \$1,833,973,000 Sub-Total Project Funds Requested for Allocation \$ 193,400,000 Delegated Allocations \$2,027,373,000 Total Value Total Jobs Created: 33,012 <i>(Includes Direct, Indirect, and Induced)</i>
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	<u>Mass Transportation Financial Matters</u> \$ 7,000,000 Total TCEP Requested for Allocation \$ 122,473,000 Total TIRCP Requested for Allocation \$ 26,701,000 Total SB1 LPP Requested for Allocation \$ 156,174,000 Total State Allocations Total Jobs Created: 2,811 <i>(Includes Direct, Indirect, and Induced)</i>
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REPORT TO MAYOR AND COUNCIL

NO. 95-485

TO THE HONORABLE MAYOR AND COUNCIL.

DATE: December 19, 1995

SUBJECT: 9418 - City of Sunnyvale (Raynor Park Rezone): Consideration to Rezone the Raynor Park Area from Low Density Residential (R-0 - 6,000 square foot minimum lot size) to Low Density Residential (R-1 - 8,000 square foot minimum lot size).

Report in Brief: The Raynor Park neighborhood is generally identified as the area bound by El Camino Real on the north, Wolfe Road on the west, Marion Drive on the south and Peterson Middle School on the east side (Exhibit A, Vicinity Map). The area is designated as an R-0 Zoning District which allows single family homes on a minimum lot size of 6,000 square feet; however, many lots in Raynor Park actually approach or exceed 9,000 square feet in area. After a lot split was approved for one large lot in Raynor Park in 1991, some members of the neighborhood expressed concern over the possibility of increased density and its effect on the character of Raynor Park.

In December, 1994, the City Council approved a study of the Raynor Park neighborhood to determine if it would be appropriate to rezone the area from the existing R-0 Zoning District which allows single family homes on a minimum lot size of 6,000 square feet to the R-1 Zoning District which allows single family homes on a minimum lot size of 8,000 square feet (Exhibit B, Legislative Issue Paper). The study was initiated by the Planning Commission on behalf of some residents of the Raynor Park neighborhood. The purpose of the study was to determine if preventing additional subdivisions was an appropriate tool to preserve the character of the Raynor Park neighborhood.

Staff conducted the study by determining the area for proposed rezoning, evaluating the character of the Raynor Park neighborhood, looking at existing built conditions, and trying to project the impact of additional subdivisions. The findings of the study can be summarized as follows:

- The character of Raynor Park is established by large lots, but also by architectural diversity, disparity between the value and condition of properties, a streetscape without standard improvements and by the great number of mature trees.
- Rezoning to R-1 Zoning District would prevent lot aggregation and subdivisions from occurring, in most cases, and would protect the large lot characteristic of Raynor Park for the long term.
- The large-lot character in Raynor Park is important to many residents there.

Issued by the City Manager

- Under the existing R-O Zoning designation some subdivision and redevelopment is likely to occur in Raynor Park
- Redevelopment will most likely occur in isolated pockets of land, and not on a wide scale, due to the cost of land in Raynor Park.
- Some owners have purchased properties in Raynor Park with the purpose of subdividing and redeveloping. Rezoning to R-1 would prevent them from realizing the full investment value of their properties.
- Maintaining the existing R-O Zoning is simpler from an administrative stand point because rezoning would create a large number of non-conforming structures which could make property redevelopment and enhancement more difficult and result in additional requests for variances.
- Existing tools such as the Citywide Design Guidelines and the public hearing processes are already in place to insure neighborhood compatibility when reviewing new projects if subdivision is allowed to occur.

There are pros and cons to both maintaining the R-O designation or rezoning to R-1. There are neighborhood owners and residents in support of both sides.

The Planning Commission considered this item at a public hearing on November 11, 1995. Minutes from that hearing are attached (Exhibit F). At that hearing staff presented the study and recommended that the zoning designation for Raynor Park remain R-O. Statements were made by the public. Nine members of the public spoke in favor of rezoning, and two members of the public spoke against the rezoning. A petition was submitted with signatures of Raynor Park residents in favor of rezoning to R-1 (Exhibit "F"). A letter from the Raynor Park neighborhood association was submitted (Exhibit "H"). On a 6-0 vote, the Planning Commission recommended approval of the rezoning from R-O to R-1 Zoning District.

Due to the number of non-conforming properties that would be created with rezoning which could result in numerous variance requests, the findings for which are difficult to meet, staff recommends retaining the existing R-O Zoning District as the preferred alternative.

Background: Many lots in the Raynor Park neighborhood exceed 6,000 square feet even though the zoning designation is R-O and requires only a 6,000 square foot minimum lot size. There are areas where 9,000 square feet is typical. There are a few lots exceeding 12,000 square feet - double the minimum lot size requirement.

In 1990, a tentative map was approved to subdivide a 12,000 square foot lot at 1411 Ramon Drive into two 6,000 square foot lots. The existing structure was in marginal

condition. The project created the potential for two brand new homes to be constructed on legal, but smaller than average lots in the Raynor Park neighborhood. Staff notes that this subdivision has never been recorded and consequently, new homes have not been built on this property.

The neighbors were concerned that the lot split approval would set a precedent and cause a chain reaction of lot aggregation, subdivision and development at a higher density than currently exists. As envisioned, a typical scenario would be for two adjacent 9,000 square foot lots to be subdivided into three 6,000 square foot lots, thereby increasing the density by 50% from two lots to three. The neighborhood has expressed interest in maintaining the large-lot character of the Raynor Park area.

In response to concern expressed by the Raynor Park neighborhood, the City Council initiated a study to look at the possibility of rezoning the neighborhood from R-0 Zoning District to R-1 Zoning District. The R-1 Zoning District requires a larger lot (8,000 square foot minimum). Rezoning to R-1 reduces the ability to aggregate enough properties for a subdivision.

The following table provides a comparison of the basic lot standards for both the R-0 and R-1 districts:

Zoning District	Minimum Lot Size	Required Lot Width (ft)	Front Setback (ft)	Side Yard Setbacks Min/Total		Rear Yard Setbacks (ft)	Maximum Lot Coverage
R-0	6,000 sf	57	20	4	12	20	40%
R-1	8,000 sf	73	20	6	15	20	40%

Both R-0 and R-1 Zoning Districts are single family detached home districts. The density for R-0 is approximately 7 dwelling units per acre. The density in an R-1 neighborhood is approximately 5 dwelling units per acre. Both districts allow accessory living units on lots of 9,000 square feet or greater.

Neither the R-0 or R-1 Zoning Districts allow attached multi-family development or small-lot single family development. So those types of developments are not a threat to this neighborhood. The General Plan would have to be amended and a higher density zoning designation would have to be adopted before these types of projects could be considered for Raynor Park.

In 1993, the City reviewed a similar rezoning study request made by the residents of Gavello Glen. Gavello Glen is another Sunnyvale large-lot neighborhood located north of El Camino Real and west of Wolfe Road. That neighborhood had begun to feel market pressure to both subdivide and to rebuild newer homes on the large lots. A significant

difference between the Gavello Glen neighborhood and Raynor Park is that Gavello Glen homes were constructed by one builder and were all of a distinct, award winning design, characteristic of the time in which they were developed. In that case the City approved a zoning change from R-O to R-1. The City determined that rezoning was the best tool to protect the character of that neighborhood.

Discussion: Staff conducted the study by determining the area for proposed rezoning, evaluating the character of the Raynor Park neighborhood, looking at existing built conditions, and trying to project the impact of additional subdivisions.

Boundaries of Study Area

The Raynor Park neighborhood consists of the residential blocks bounded by El Camino Real on the North side, Wolfe Road on the west side, Peterson Middle School on the east side and Marion Way to the south.

Not all properties in Raynor Park are large enough to meet the 8,000 square foot minimum lot size of the R-1 Zoning District. It was determined that only areas where lots meet the R-1 minimum would be considered for the rezoning so that non-conforming lots would not be created.

Assessors maps were used to determine the area to consider for rezoning. The area for potential rezoning includes properties with a minimum of 8,000 square feet which are generally aggregated along Ramon Drive, Navarro Drive, and Norman Drive. It also includes properties on Rosalia and Poplar Avenues and some properties on Elizabeth Way, Alice Way and Marion Way. There are approximately 180 single family residential lots in the proposed rezoning area (Exhibit C, Map of Rezoning Area).

Existing Lot Configurations

In order to join and subdivide two lots into three, lot width requirements would have to be met in addition to lot area requirements. The large lots in Raynor Park are typically 75-80 feet in width and over 100 feet in depth. The minimum lot width allowed in the existing R-O Zoning District is 57 feet.

To create three R-O lots would require a total combined frontage of 171 feet. Currently, most adjacent lots would create a combined frontage of 150 - 160 feet which would not be adequate to process a three-lot subdivision "by-right". An application for subdivision would have to be accompanied by a concurrent application for consideration of a Variance or a Planned Development Combining District.

Existing Architectural Character

The architectural character in the rezoning area is diverse. There are a few house designs repeated throughout the neighborhood. There are also a number of individually styled homes both old and newly remodeled. Two culturally significant homes have also been relocated from other sites in Sunnyvale to Raynor Park and have been renovated.

Accessory Living Units

The Sunnyvale Municipal Code allows accessory living units on lots of 9,000 square feet or greater in the R-O and R-1 Zoning Districts. Accessory living units are self-sufficient, one bedroom attached apartments or detached cottages. They are commonly referred to as "in-law" units or "granny" flats. They typically range in size from approximately 400 - 800 square feet in area.

In the Raynor Park neighborhood, most properties in the proposed rezoning area have adequate lot area for an accessory living unit. That is, regardless of maintaining the existing R-O Zoning District designation or rezoning to R-1, there will continue to be opportunities to essentially double the density on many lots.

Capital Improvement Project

A unique part of the character of Raynor Park is created by the lack of standard curb, gutter and sidewalk improvements. The lack of these urban features gives Raynor Park a more rural look which is very appealing to Raynor Park residents. The City has made a commitment to retain this look and has approved a capital improvement project for Raynor Park to provide new street paving, storm drainage and asphalt rolled curb in lieu of the standard improvements.

Field Survey of Existing Setbacks

Under the County's jurisdiction the zoning designation for Raynor Park was R-1 10. This designation typically required a 10,000 square foot minimum lot size and setbacks as follows: Front 25 ft, Rear 25 ft, Sides 10 ft. each.

Besides lot area, the primary difference between the existing R-O Zoning District in Raynor Park and the R-1 Zoning District under consideration are the required side yard setbacks. The R-1 Zoning District requires greater side yard setbacks. A study was conducted to measure existing side yard conditions to determine if non-conforming setbacks would be created as a result of the proposed rezoning. Since the Raynor Park neighborhood was developed under Santa Clara County jurisdiction prior to annexation to Sunnyvale in the 1979, Sunnyvale has no permit history for most of the original main structures. A review of existing setbacks was conducted by reviewing aerial photos and by field observation.

Most of the homes in the rezoning area meet the minimum 4 foot setback of the R-O Zoning District; however, there are a number of carport and similar additions that approach zero setback. An exact percentage of existing non-conforming lots is unknown. Staff is assuming that most main structures were built with permits from the county at the time of original construction. Staff also observed many accessory utility buildings and lean-to structures. Since many of these do not meet the required R-O setbacks or the County's R-1-10 setbacks, and appear to be of marginal construction, staff assumes that many of these structures are not legal.

It was determined that 58% of the properties in Raynor Park study area would become nonconforming if the zoning were changed to R-1. That is, the setbacks on most properties are already at or below those required for the existing R-O Zoning District and are too small for the proposed R-1 Zoning District.

Other existing non-conforming conditions, such as inadequate rear or front yard setbacks and excess lot coverage, would not increase in nonconformity as a result of a rezoning because these standards are the same in both the R-O and R-1 Zoning Districts.

Administrative Considerations

There are administrative considerations related to the creation of non-conforming lots. Rezoning may create an increased demand on City planning services. Leaving the existing R-O Zoning District Designation in place would allow most improvements to be reviewed at staff level without a public hearing.

Most structures in the study area are constructed at the minimum R-O setbacks or less. If the area is rezoned to R-1, a large number of existing lots in the rezoning study area will become non-conforming as a result of changed setback requirements. Creating non-conforming lots establishes an atmosphere which requires additional City review and possible increased processing of Variances and other permits when residents want to improve their properties.

Condition of Older Structures in Study Area

The quality and condition of homes are factors affecting real estate prices in the Raynor Park neighborhood. Real estate prices in turn determine the affordability of aggregating lots for subdivision.

There are a number of older homes in Raynor Park that appear to be in poor repair based on the condition of their exteriors; however, the condition of exterior siding, paint and landscaping are not complete indicators of the condition of a house. To determine if a house is beyond reasonable repair and is a candidate for demolition, an inspection would have to be made of both the interior and exterior of the home by a qualified building inspector. A study of this type could not be conducted in Raynor Park without

permission of each property owner. Such an inspection would require significant staff hours and funds to complete.

It was determined that it was not necessary to conduct detailed structural studies for Raynor Park. The Housing Division has facilitated a number of rehabilitation projects in Raynor Park, mostly on the prevalent small, flat-roof style home. This type of home visually seems to be the least maintained type of property in Raynor Park. The rehabilitation projects have shown that generally these structures are still basically sound although they have been in need of new roofs, windows, appliances etc.

Most other types of homes in Raynor Park appear to be reasonably maintained. There are also several examples of expensive remodel/rebuilding projects and two culturally significant homes that were moved to Raynor Park and have undergone significant rehabilitation. Based on this information, staff has made the assumption that there are few demolition-ready homes in Raynor Park.

Property Condition and Property Value

Although most structures in the Raynor Park study area are still in habitable condition, there is still recognizable disparity between the condition of properties. Reinvestment and redevelopment can increase interest in an area. New homes can replace older and unsound structures. New development can also increase property values in its immediate vicinity. As property values rise, there could be interest shown by existing residents to use increased equity for property improvements.

Rezoning to R-1 Zoning District could impede reinvestment in Raynor Park by reducing possibilities for new development.

Maintaining the existing R-0 Zoning District designation would allow some redevelopment to occur which could have an effect on property values and general interest in property conditions.

Capacity of Existing Utilities

Sewer capacity in the Raynor Park area is adequate to support higher density development. The 8" laterals in the neighborhood feed into a 21" main in El Camino Real. The Public Works Department has stated that this is the same size system used throughout the City even in areas of much higher density. Although the system is old it is still in adequate condition.

Water in Raynor Park is provided by California Water Service. Per discussions with the provider, the existing system is adequate to provide service for increased single family density. Water system modifications would be required if the City approved higher density multi-family development.

Appraised Value of Real Estate in Study Area

Based on recent recorded transactions and information on the multiple listing service, the average sales price of a home in Raynor Park on a lot of approximately 9,000 square feet is \$241,032 with smaller homes (+/- 1,000 sf) selling for as low as \$207,000 and slightly larger older homes (+/- 1,500 sf) selling for \$266,750. This price is not representative of the very large remodeled homes scattered throughout Raynor Park; however, those properties would not likely be involved in a redevelopment transaction because of their high price.

Opportunities For Subdivision**Lot Aggregation**

Under this scenario, staff assumes that a developer would be purchasing two large lots for subdivision at today's market value. Based on the average sales price, staff calculated that the likely cost of a two-lot purchase (total 18,000 sf) subdivided into three parcels (each 6,000 sf) would result in land costs of approximately \$160,000 per each new lot. The following table shows calculated prices for various sized homes on 6,000 square foot lots.

Estimated Sales Prices Of Newly Constructed Homes in Raynor Park	
Size (Square Feet)	Sales Price
2,600	\$507,000
2,000	\$465,000
1,800	\$421,000

The estimated sales prices take into consideration the design costs and all typical City fees except for the cost of undergrounding. Construction cost is assumed to be \$88 per square foot. A 25% profit was assumed for the developer.

There are several new Sunnyvale small-lot single family developments (Brittany, Classics on the Creek) which are commanding prices in the \$400,000 - \$500,000 range for homes from 1,800 - 2,500 square feet. Staff attributes these home prices to the desire to buy into an entirely new neighborhood of similar homes at similar values. The Raynor Park neighborhood will not likely command prices in the high \$400,000 - \$500,000 range for some time due to the disparity between the condition of properties there.

The price of "raw" land is also a factor in determining the feasibility of subdividing. The larger parcels of land acquired for new developments are essentially vacant. The cost of aggregating properties with existing livable structures could be more costly.

In the future the value of lots in Raynor Park could change. If the R-1 Zoning District designation is adopted, it would already be in place to protect the large lot character of the neighborhood.

Aggregation Potential

Based on the study information to date, staff concludes that there are probably only small pockets of demolition-ready homes in Raynor Park where redevelopment would likely occur. There is such disparity between the condition of properties in Raynor Park, that in many cases a run down, "aggregation lot" is located adjacent to or between well maintained or remodeled property, thereby reducing the feasibility of aggregating properties for subdivision.

The only area that visually appears to offer any significant possibility for redevelopment is the south end of the block between Ramon Drive and Navarro Drive where they intersect Marion Drive. Based on a drive-by survey, staff estimates that at least two of the small, flat-roof style homes exist in close proximity to each other and may be affordable enough to aggregate and redevelop because of marginal condition. These properties are also currently owned by one party.

A second possibility still exists on the previously approved 12,000 square foot lot at 1411 Ramon Drive. This lot can still be subdivided into two 6,000 square foot lots. As a result of a "blanket" subdivision map extension approved by the Governor of California in 1993, the tentative map for this property is valid until April 1996. Other double lots exist in Raynor Park, but the structures located on them are in better condition. Some are very well maintained, so the opportunity is probably not there for redevelopment.

In a few cases, property owners in Raynor park own two adjacent lots. This occurs in four locations - Rosalia Avenue, Eleanor Way, Norman Drive and Marion Way (mentioned previously). In one location, a single party owns three adjacent lots on Bryant Way at the corner of Norman Drive. This is a total of 11 lots (potentially 16 lots) out of a total of 290 in the Raynor Park neighborhood and 190 lots in the proposed rezoning area. After receiving notice of this study, these specific owners on Bryant Way and Marion Way contacted staff to discuss their intents to subdivide or redevelop their respective properties in the future.

Addressing Neighborhood Character Through Zoning Options

Zoning is the most basic tool used to control the density, setbacks, and open space characteristics of a neighborhood. The purpose of this study is to determine if rezoning a section of the Raynor Park neighborhood from the R-0 Zoning District to the R-1 Zoning District is an appropriate tool for maintaining the neighborhood character. Staff considered three additional alternatives.

Alternative One: Maintain the Existing R-O Zoning District

Staff recommends maintaining the existing R-O Zoning District designation. Administratively, this is the most simple option. Except for the few parties who already own adjacent lots, opportunities for subdivision seem small under current market conditions. Simple, "by-right" subdivisions could not happen as a result of existing lot dimensions. Appropriate processes are already in place to review proposed subdivisions for neighborhood consistency.

Staff does not believe that the pressure to subdivide will increase in the long-term. Although the trend for future single family development is to use smaller lots, under the existing R-O Zoning District designation, the smallest lot allowed to be created in Raynor Park is 8,000. Since, Sunnyvale already has large areas devoted to 8,000 square foot lots, the existing 8,000 square foot lots in Raynor Park could become quite desirable in the future marketplace.

Staff recommends retaining the R-O Zoning District designation because;

- There appears to be no significant threat of subdivision in the near term.
- Some neighborhood characteristics like the disparity between the condition of properties could improve as a result of increased interest in the area through reinvestment/redevelopment. Rezoning may prevent this.
- There are adequate regulations in place for reviewing projects for neighborhood compatibility.
- Rezoning to R-1 creates a substantial increase in non-conforming structures. This could result in numerous Variance requests for property improvements. Because the findings for a Variance are very difficult to meet, the result of rezoning could be diminished opportunities to improve existing homes in the area.

Alternative Two: Rezone The Large-Lot Area Of Raynor Park to R-1 Zoning District

The purpose of this study is to determine if rezoning the Raynor Park neighborhood to the R-1 Zoning District is an appropriate tool for maintaining neighborhood character. As stated in this report, lot size is not the only factor that makes up the character of Raynor Park, however, it is an important characteristic to some of the residents there. Rezoning to the R-1 Zoning District designation could preserve this large-lot quality for the long term.

Alternative Three: Consider a PD Combining District

The City could consider combining the suggested R-1 Zoning District designation with a PD overlay in an effort to create some flexibility with setbacks. The intent would be to attempt to reduce the possibility of subdivisions while minimizing the issue of non-conforming development by incorporating special setback criteria.

In staff's opinion, this is not a preferred option. A PD Combining District is typically used to gain greater control over site planning and design issues on new or redeveloped projects. The Raynor Park neighborhood is a large, established and diverse neighborhood. It would be cumbersome to add an additional layer of regulations. A PD Combining District could also create great demand for additional planning services because administrative permits and public hearings could be required prior to making any property improvements on individual lots.

Alternative Four: Consider Special Design Guidelines For Raynor Park

There have been several large-scale remodel/rebuild projects in Raynor Park in recent years. Staff believes this is the most likely type of redevelopment to expect in this area.

Staff considers one of the most damaging elements of neighborhood character to be inconsistent architectural design. To date, remodeling projects in Raynor Park are quite diverse with no design consistency. Although staff now applies the Citywide Design Guidelines when reviewing these types of projects, some were approved before adoption of the guidelines. A new set of design guidelines tailored specifically for Raynor Park may help create consistency and a more attractive neighborhood than is now occurring. Staff does not recommend alternative four. Developing new guidelines would require significant staff time to work with the neighborhood to develop consensus on design issues. Consensus may not be possible to achieve considering the diversity of the existing neighborhood. The existing guidelines already emphasize the need for compatibility of development in a neighborhood.

Environmental Determination

A Class 5 Categorical Exemption relieves this project from the requirements of the California Environmental Quality Act, as amended by Resolution #193-86.

Public Contact:

Staff attended a Raynor Park neighborhood association meeting in May 1995 to discuss the study.

Staff held a neighborhood meeting on October 5, 1995, to discuss study findings. All property owners in Raynor Park were sent a notice of the meeting. Eight people

December 19, 1995

Page 12 of 13

attended. Most people attending the meeting expressed a desire to rezone the neighborhood to R-1.

In addition to public meetings, staff has received written correspondence against the rezoning (Exhibit D). A letter from the Raynor Park neighborhood association was received stating support of the rezoning (Exhibit G).

Notice of all public hearings has been provided to property owners in the study area and those within 300 feet of the study area. The hearing dates were published in the Sun newspaper. The hearing dates have also been published in the Raynor Park newsletter.

Fiscal Impact: With the exception of staff time needed to implement the recommended action, there will be no fiscal impact to the City.

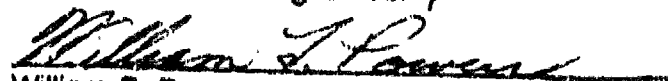
Alternatives:


1. Take no action and maintain the existing R-O Low Density Residential Zoning District designation for Raynor Park.
2. As recommended by the Planning Commission, approve the attached Ordinance rezoning the study area to R-1 Low Density Residential Zoning District.
3. Direct staff to prepare an ordinance rezoning the study area to R-1/PD with a Master Special Development Permit to cover issues of non-conforming lots. Prepare the Master Special Development Permit for neighborhood review and Council approval.
4. Direct staff to prepare specific design guidelines for Raynor Park for neighborhood review and Council approval.

Recommendation:

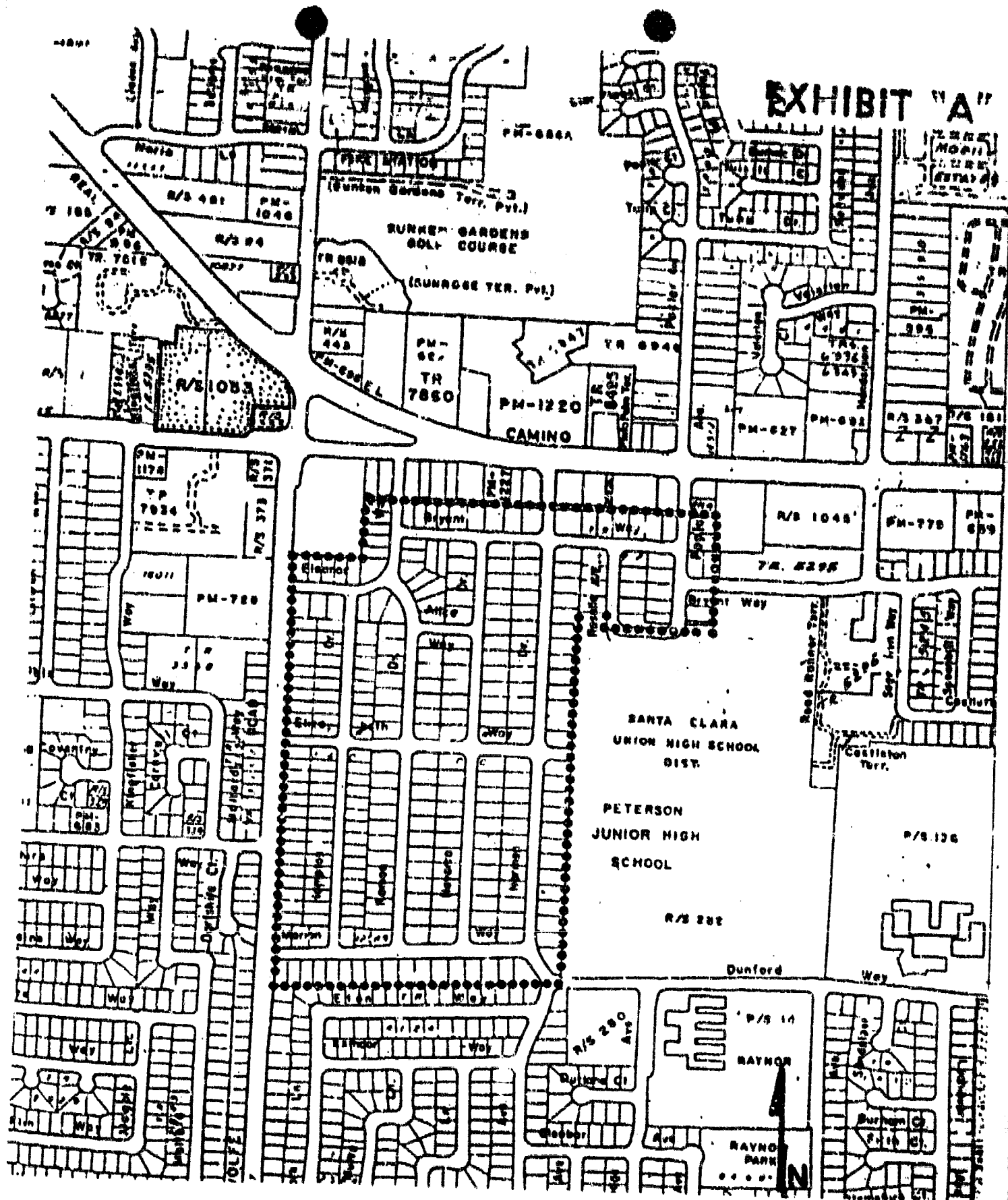
Staff recommends Alternative 1.


Trudi Ryan, Planning Officer


William F. Powers,
Director of Community Development


Thomas F. Lewcock, City Manager

Attachments:	Exhibit "A"	Vicinity Map
	Exhibit "B"	Legislative Issue Paper (2 pages)
	Exhibit "C"	Map of Considered Rezoning Area
	Exhibit "D"	Written Correspondence (6 pages)
	Exhibit "E"	Draft Ordinance
	Exhibit "F"	Minutes From Planning Commission
	Exhibit "G"	Letter from Raynor Park neighborhood association



RAYNOR PARK STUDY AREA

SCALE: 1"=600'

NOVEMBER 27, 1995

PROPOSED LEGISLATIVE ISSUE

No. _____
 Continuing _____
 Mandatory _____
 New X _____
 (check one)

Item: Rezoning of Raynor Park Area to R-1

General Plan Element or Sub-Element: Land Use Sub-element

Department Responsible: Community Development

1. What are the key elements of the issue?

The Raynor Park neighborhood presently is zoned R-0, allowing single family homes on 8,000 square foot lots. A large portion of this neighborhood contains lots much larger than 8,000 square feet. Some residents fear that several large lots could be accumulated and redeveloped into homes with 8,000 square foot lots, thus increasing the density and changing the character of the neighborhood. There has also been concern expressed that the current infrastructure will not adequately support higher density development.

2. Is study of the issue called for in the General Plan?

This project is supported by the Land Use Sub-element.

Goal 1.2.1A.2 Provide for a full range of residential densities which will offer opportunities for a mix of dwelling and tenure types.

3. Why would the issue be considered by Council? What precipitated it?

Some neighborhood residents have requested the study due to concern that their neighborhood may be in danger of increased density, due to current zoning. The subdivision of a particularly large corner lot into 2 parcels is the example of the increased density. In 1993, the Planning Commission stated that the circumstances in this neighborhood may be similar to Gavello Glen which was recently rezoned to R-1.

4. Origin of Issue: Council X (Councilmember _____) Staff: _____
 General Plan: _____ Board or Commission: X Outside Request: _____
 Arts _____ Bicycle Adv. _____ Bldg Code Appeals _____
 CCAB _____ Heritage Pres. _____ Library _____
 H&HS _____ Parks & Rec. _____ Personnel _____
 Planning X

Proposed Legislative Issue
Page 2 of 2

The Planning Commission ranked this item as #3 of 6 items for 1994. The City Council ranked this item #10 out of 13 items ranked for 1994, which fell below the line. The Planning Commission ranked this item #4 of 7 items ranked for 1995.

5. Multiple Year Project? Yes ___ No X Expected Completion Date: NA

6. **Estimated work hours and/or cost for consultant to prepare full report to Council:**

Work Hours

Cost

Less than 50

200-300

60-100

300-400

X 100-150

300-500

150-200

Over 500

\$

7. Due Date (for continuing and mandatory issues if known): N/A

8. **Estimated work hours from City Attorney's Office to prepare full Reports to Council:**

20 hours.

9. Preliminary Staff Recommendations: Recommended Priority For Study
 Recommended Against Study X No Recommendation At This Time

If recommendation is "priority" or "against", explain below:

City Manager

Date

100-443881



SCALE: 1"=300'

NOVEMBER 27, 1995

c1

Oct 30 '95

Post-it and fax to

EXHIBIT "D"

TO: GERRI LANGTRY	FROM: DEMETRIOS TRIANTAFYLLOU
CITY OF SUNNYVALE	SPACE SYSTEMS/LOGO
PHONE: (415) 852-7715	PHONE: (415) 852-4809

October 27, 1995

Geri Langtry, Assoc. Planner
City Of Sunnyvale
Dept. Of Community Development
Planning Division
456 W. Olive Ave
P.O. Box 3707
Sunnyvale, Ca 94088-3707

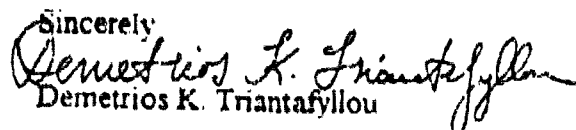
Dear Ms. Langtry

I would like to take this opportunity to thank you for being helpful in explaining the proposal rezoning : ay for my neighborhood a Reynor Park, Sunnyvale.

As I mentioned to you during our phone conversation October 10, 1995, we are opposed to the proposed change from R-O to R-1, because we think it is without merit. We think that putting restrictions on the property, such as requiring 9,000 S.F. lots instead of the present 6,000 S.F. requirement does nothing to enhance property values.

Reynor Park is a nice neighborhood where people take pride of their houses and value their neighborhood. I have seen a lot of home improvements in the last 3 years we have lived at our home on 1490 Navarro Drive. During this same period I have not witnessed any speculative construction projects nor have I seen any signs of congestion or increased traffic.

My family and I think that the proposed zoning change would be overkill and we are opposed to it.

Sincerely,

Demetrios K. Triantafyllou

BHV: Trudi Ryan



September 25, 1995

Dear Raynor Park Resident:

The Sunnyvale Planning Division will be holding a neighborhood meeting on Thursday October 5, 1995, to discuss the possible rezoning of Raynor Park (from R-0 (single family residential 8,000 square foot lot) to R-1 (single family residential 8,000 square foot lot). The meeting will be held at 7:00 p.m. in the West Conference Room, City Hall, 486 West Olive Avenue. Staff will discuss the results of the rezoning study and the schedule for remaining hearings on this issue.

Your questions and input are important to the City. We look forward to your attendance at the meeting. If you have any questions, please feel free to contact Gerri Langtry, Associate Planner, at (408) 730-7591.

Sincerely,

Trudi Ryan

9/0

Trudi Ryan
Planning Officer

10/3/95

I would like you to voice my opinion
to keep existing R-0 zone (6 p.u. ft)

Raynor Park Association should address their
attention to cleaning up (visual) instead of
worrying about larger lot min

owner: John Fagone
1335 Marano

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
For direct access, call TDD/TTY (408) 730-7501

730 7715

F1

Yitzchak and Myrna Ehrlich
992 Inverness Way
Sunnyvale, CA 94087

Home: (408)773-1366
Work: (408)732-7593

RECEIVED

OCT 24 1995

PLANNING DIVISION

Gerri Langtry
City of Sunnyvale
Department of Community Development/Planning Division
P.O.Box 3707
Sunnyvale, CA 94088-3707

October 21, 1995

RE: Rezoning study for Raynor Park

We are the owners of 3 properties in Raynor Park.

- | | | |
|-----------------------|------------|------------------------|
| 1. 1494 Ramon Drive | 313-14-001 | (Corner of Marion Way) |
| 2. 1491 Navarro Drive | 313-14-024 | (Corner of Marion Way) |
| 3. 1490 S Wolfe Rd | 313-13-048 | |

We oppose any zoning changes for the neighborhood.
If the proposed change would be accepted, we would like to exclude our properties from the zoning change. Our properties are on the boundary of the neighborhood and can easily be excluded.

Two of our properties (#1 and #2) are on the corner of Marion Way. Those 2 properties are back-to-back and their combined lot site is about 20,000SF.

The current zoning allows for the subdivision of these properties into 3 lots, which is in line with the immediate neighborhood.

We bought these properties planning to subdivide into 3 lots at a later time. Changing the zoning would cause us great financial loss.

Subdividing our lot should have a positive effect on the neighborhood. The current structures are old and the long fence along Marion Way doesn't fit the neighborhood. It would be much nicer to have new houses there. Please note that similar changes took place on Marion Way. (See APN 313-13-012, 313-13-013, 313-13-014, 313-13-045, 313-13-046, 313-13-047)

Sincerely


Yitzchak and Myrna Ehrlich

To: Gerri Langtry, Associate Planner
Planning Division
P.O. Box 3707 Sunnyvale 94088-3707
Subject: Raynor Park rezoning
From: Martin and Joanne Cantey
1354 Ramon Drive
Sunnyvale 94087

RECEIVED

OCT 26 1995

PLANNING DIVISION

Dear Ms. Langtry,

I have called your office and also left you voicemail with some of our concerns of rezoning. We are against rezoning the neighborhood to allow the larger lots to be subdivided (for example two lots becoming three). We feel this would change the atmosphere of the neighborhood. The neighborhood with it's larger lots and trees seems quant.

With a increased number of houses, it would increase the amount of traffic on the already narrow roads (we already have alot of people cutting thru the neighborhood that don't live there).

It would strain the sewer system.

There would be increased noise from increased population.

There would be more traffic on already overtraveled roads. All those apartment complexes nearby on El Camino, Wolfe and Fremont have already done this.

It would encourage bigger houses on smaller lots. It is bad enough we have these larger houses on the current sized lots. For example, the one on Hampton drive (being built) and the two on Ramon -that were moved there! This might also cause trees to be affected if they were cut down on these lots to make room for extra housing.

It would increase the already high number of cars at some homes (that have about six cars in front of them).

Thank you for your consideration,
Martin & Joanne Cantey

NOVEMBER 7, 1995

RECEIVED

NOV 7 1995
PLANNING DIVISION

GERRI LANGTRY
CITY OF SUNNYVALE
DEPT. OF COMM. DEV./PLANNING DIVISION
P.O. BOX 3707
SUNNYVALE, CALIF 94088-3707

I AM A PROPERTY OWNER AT RAYNOR PARK. I AM OPPOSED TO ANY CHANGES
AND I WOULD LIKE YOU TO LEAVE THE CURRENT R-O ZONING.

THANK-YOU

SINCERELY,
Ruth Bannister
RUTH BANNISTER
952 BRYANT WAY
SUNNYVALE, CALIF. 94087

Remberto and Patricia Sandoval
954 Bryant Way
Sunnyvale, CA 94087

(408)732-0903

Gerri Langtry
City of Sunnyvale
Department of Community Development/Planning Division
P.O.Box 3707
Sunnyvale, CA 94088-3707

November 11, 1995

RE: Rezoning study for Raynor Park

We own and live in our house in Raynor Park on 954 Bryant Way (APN313-12-053).
We think that the proposed change of zoning from R0 to R1 is bad for our
neighborhood.

We oppose any zoning changes for the neighborhood.

Sincerely,

Remberto Sandoval
Remberto and Patricia Sandoval

Patricia Sandoval

RECEIVED

DEC - 5 1995

PLANNING DIVISION

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO RESZONE A PORTION OF THE RAYMON PARK AREA LOCATED IN THE AREA BOUNDED ON THE NORTH BY RESIDENTIAL PROPERTIES ON THE NORTH SIDE OF BRYANT WAY AND ON THE EAST BY PETERSON MIDDLE SCHOOL AND ON THE WEST BY PROPERTIES ON THE WEST SIDE OF RAMON DRIVE AND ON THE SOUTH BY PROPERTIES ON THE SOUTH SIDE OF MARION WAY FROM LOW-DENSITY RESIDENTIAL (R-0) DISTRICT TO LOW-DENSITY RESIDENTIAL (R-1) DISTRICT

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 19.16.070 of the Sunnyvale Municipal Code) hereby is amended in order to include certain property within the R-1 (LOW-DENSITY RESIDENTIAL) DISTRICT, which property is presently zoned R-0 (LOW-DENSITY RESIDENT) DISTRICT. The location of the property is set forth on the scale drawing attached as Exhibit "A".

SECTION 2. CEQA. The Negative Declaration which has been prepared complies with the California Environmental Quality Act, as amended, and Resolution No. 193-86. The Director of Community Development shall file a Notice of Determination with the County Clerk pursuant to Title 14, California Code of Regulations, Section 15075.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause a copy of this ordinance to be published at least once within fifteen (15) days after its adoption in The Sun, the official newspaper of the City of Sunnyvale.

Introduced at a regular meeting of the City Council held on December 19, 1995, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 1995, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:
City Clerk

By _____
Deputy City Clerk
(SEAL)

Mayor

8418 - City of Sunnyvale (Raynor Park Rezone)

November 27, 1995

Page 1 of 3

MinutesPlanning Commission Action

Comm. O'Connor asked staff to respond to the letter which the Commissioners just received from Mr. Moore, specifically to the statement which addresses the Zone change during the annexation and the understanding that the properties were to remain as R-1. Ms. Langtry replied that based on written correspondence that the residents have from the City, it was indicated to them that the zoning would remain R-1 as it was in the County but there is nothing in the records to explain or document the change. Trudi Ryan, Planning Officer, added that before property is annexed into the City, the City will prezone the area giving it a zoning designation and it appears that all of the County pockets that were developed as single family property and annexed from the County were pre-zoned as R-0. She presented detailed explanation of the issue.

Comm. O'Connor stated that his concern is whether indeed there was a covenant or implied covenant to the residents that the area would remain R-1.

Chair Clikor re-opened the Public Hearing

Comm. O'Connor asked if it was the case that the area was to remain R-1, why the issue was not brought to the City's attention previously and only just at this time.

Nelson Moore, 1432 Navarro Drive, stated that he has been a resident since 1959. He explained that the information contained in the letter was obtained during the annexation period although he was not directly involved. Mr. Moore asked about the Gavello Glen zoning, which was clarified as being R-1 to maintain the large lot size, and commented Raynor Park is indeed a historic neighborhood as it was one of the first to be developed for war veterans. He expressed his views in detail, stating that he would like to see the R-1 Zone retained.

Comm. O'Connor asked why it has taken 14 years to come before the Planning Commission.

Chair Clikor closed the Public Hearing

Comm. Glaser stated that in the staff report it states that most lots could not be merged into a 2 for 3 subdivision and asked how many lots there were in the area which could be subdivided. Ms. Langtry replied that in most instances a simple subdivision could not be done, although there were situations where two lots could be combined for subdivision.

She added that she did not have the detailed information of how many instances there were of adjacent lots which would meet the frontage requirements.

Ms. Ryan added, through the Chair that it is important to understand that the issue of the Rezone was raised several years ago following the Gavello Glen rezone action and residents of Raynor Park asked if the rezone could also be done for their property. She added that the issue was raised perhaps 3-4 years ago for Raynor Park.

Comm. Walker made Motion to Approve the rezone to R-1 on Item #8418, Second by Comm. O'Connor.

Comm. Walker stated that she feels passionately about this explaining that the Petition received this evening by the Commission is good as the City needs to listen to the neighbors. She added that even though all of the persons who signed the Petition are not in attendance, but they are here by their signatures and congratulated the 18 year old for coming forward and urged her to continue to do this as the City needs people like her. Comm. Walker commented that she is very concerned as once the land is gone, it is gone and we need to retain and maintain the land as long as we can, rezone to protect the larger lots and look strongly at the future. She expressed her views extensively.

Comm. O'Connor concurred with Comm. Walker and stated that he feels this neighborhood is distinctly unique to the City of Sunnyvale and is a neighborhood that has retained its character. He added that increasing the density will increase the traffic and take away from the character of the neighborhood.

Comm. Glaser stated that he is also in concurrence as he went over the Petition role and addresses listed represent more than 60 percent of the neighborhood. He added that initially he would have voted against the Motion, as practically speaking, it is unlikely that the nature of the neighborhood would change but if the residents feel so strongly about wanting the R-1 Zone they should have it.

Chair Clikar commented that he will support the Motion although this could be a strong approach related to redevelopment, but these large lots are an important feature of this City and add to the diversity.

Chair Clikar called for the vote.

Motion carried 6-0 with Comm. Zamaroni absent.

Public Hearing

Gerri Langtry, Associate Planner, presented the staff report explaining that a study was conducted which looked at whether rezoning the area from R-0 to R-1 was the appropriate tool to preserve the character of the area. She explained the details of the study adding that it was initiated by the Planning Commission in response to concerns of Raynor Park residents over the potential subdivision of the larger lots in the area. Ms. Langtry stated that staff, in reviewing the study, looked at several issues which included the boundary of the rezoning area, and the development trends in the area as outlined in the report. Ms. Langtry explained the issues in detail and stated that staff is recommending the area remain an R-0 Zone and explained that if the area is rezoned to R-1, it would create a large number of non-conforming lots and in the future for those lots to make improvements or redevelop, property owners may be required to apply for Variances and explained in detail. She stated that it should be noted that if rezoned to R-1, it would definitely preserve the large lot character of the Raynor Park area and effectively prevent most future subdivisions in that area. She commented that this item is scheduled for the December 19th City Council Meeting.

Chair Cilker stated that the letter just received stated that the residents of the Raynor Park area were assured that the Zone would Remain as R-1 and it was changed to R-0 without the knowledge of the property owners and asked for clarification. Ms. Langtry replied that there is not sufficient information available on the history of the zoning when the property was annexed.

Chair Cilker stated that the staff report gives the percentage of lots which would be non-conforming if the area is rezoned to R-1, and asked what is the number of non-conforming lots under the current zoning. Ms. Langtry replied that she did not have an exact number and explained the setbacks which were required by the County versus those required by the City. Ms. Ryan added that to understand the issue, it should be noted that with the R-0 zoning, the side yard setback is a minimum of 4 ft. on one side with a total of 12 ft. and the R-1 Zone minimum is 6 ft. for a total of 15 ft. vs. the County's requirement for 10 ft. sideyards and explained how the numbers would make the property non-conforming. She added that staff is making the assumption that whatever is non-conforming out there now, would be illegal-non-conforming.

Comm. Walker asked what year Raynor Park was annexed. Ms. Langtry replied that she was not sure of the year, perhaps 1979.

Chair Calker stated that he did not understand the distinction between the Gavello Glen and Raynor Park situations. Ms. Langtry stated that both areas have the large lot sizes, but in Gavello Glen the architecture was built by one developer and the zone change was to protect those unique characteristics. She explained that in the Raynor Park area, there is more diversity in the architecture and the rezoning would primarily protect the large lots.

Chair Calker opened the Public Hearing.

Demetrius Triantafyllou, 1490 Navarro, stated that he was a resident of 14 years and opposes changing the zoning as placing restrictions on the property requiring an 8,000 sq. ft. minimum lot size does nothing to enhance property values. He stated that this is a nice community, he has seen a lot of improvements in the last three years and has not witnessed any increase traffic except for traffic crossing Marion Drive from other areas.

Chair Calker asked if there were any changes or improvements made to his property. Mr. Triantafyllou replied that he has not made any changes, but does not want unnecessary restrictions.

Bonnie Burke, 1343 Norman Drive, stated that there have been traffic problems on Norman and she has lived in the area 35 years. She asked why the City wants to retain the R-0 Zone adding that everyone she spoke with wants to retain the larger properties and expressed her views in detail. Ms. Burke stated that her understanding is that if the Zone is changed, it would allow 3 homes on 2 pieces of property, and the residents of the area do not want an area to go to 500, 600 or more homes but would like to retain the country atmosphere. She asked that the Planning Commission consider approval of the change to an R-1 Zone.

Chair Calker asked if Ms. Burke had any information on the original Zone change. Ms. Burke replied that another resident had that information.

Irene Conley, 1483 Ramon Drive, passed out copies of the petition from the residents to return Raynor Park to the R-1 Zone. She stated that related to the annexation, it was in 1980-1981 and as for the Zone change to R-0 this information is in the Site Specific Plan (dated January, 1979) which was sent to all of the homeowners prior to annexation. She explained her views related to the issue of non-conforming lots, the City's agreement to retain the larger lots, and the rezone to R-1. She supports rezoning to R-1.

CORRECTED PAGE

Jack Walker, 908 Elizabeth Way, stated that he was speaking as a private citizen and as a resident of Raynor Park. He thought the character of neighborhood was depicted correctly in the staff report (bottom of page 1). He added that it was important to remember that these are large lot properties and rezoning to R-1 would prevent a lot of subdivisions from occurring. Mr. Walker commented on the speculation of expansion of pockets in the area rather than development on a large scale due to the high cost of land in the Raynor Park area adding that this is not a Finding but more a prediction of what may happen and is not good planning. He expressed his views on the R-0 non-conforming lot issue in detail. Mr. Walker stated that existing tools such as the Design Guidelines are only policy, not Ordinance and he does not feel that they are sufficient to protect the large lots of the neighborhood as policy can be ignored. He commented that every one of these Raynor Park lots is 9,000 sq. ft. or larger and this was designed as an R-1 large lot neighborhood and the existing zoning is incompatible with the neighborhood design not the reverse. Mr. Walker stated that the Commission needs to determine if the large lot neighborhood is what they want to keep and if so then the R-1 Zone is what is needed. He expressed his views on the issues in detail.

Comm. Walker asked how the PD overlay would be accepted on the R-1 Zone. Mr. Walker replied that the PD would be acceptable on the R-1 Zone, but leaving it at R-0 opens it to higher density and smaller lot sizes.

Comm. Walker commented that those properties which do not meet the R-1 setbacks would probably not meet the R-0 setbacks either.

Sherri Tafel, 1358 Ramon, stated that she lives on one of the lots which would be considered non-conforming as it is just a shade under 8,000 sq. ft. She explained that her family is interested in preserving the character of the area and that when the City was interested in preserving one of the old Sunnyvale farmhouses, it was moved onto her property. Ms. Tafel stated that she would like to retain the old country atmosphere of the neighborhood, expressing her views in detail.

Itzhak Ehrlich, 992 Inverness Way, stated that he was the owner of 3 properties in Raynor Park and is opposing the change of the zoning to R-1 as he would like to subdivide 2 of his lots into 3 lots of approximately 7,000 each. He stated that he feels this subdivision makes sense and would be compatible with the neighborhood. Mr. Ehrlich stated that related to the petition, he did not see it, although he wrote letters and received many phone calls in opposition to the rezoning. Mr. Ehrlich discussed his views extensively related to the rezone and the practicality of subdividing certain properties as appropriate.

Brian Beardmore, 1565 Hampton, stated that they have only owned the property for about 8 months and would not be one of lots to be rezoned, adding that the Homeowners Association has contacted everyone related to this issue without any pressure. He commented that they spent a lot of time looking for a property like this as there is a lot of interest in property of this size and they are rare and he felt it would be a real shame if any of the tract was allowed to be subdivided.

Richard Baker, 1366 Ramon Drive, purchased his property 21 years ago because of its country atmosphere and stated that retaining the R-0 zoning may change the character of the neighborhood adding that he is in the majority of residents in favor of changing the zoning to R-1.

Jennifer Segalla, 1417 Navarro Drive, stated that she just turned 18 and this is the first time she gets to voice her opinion. She stated that she is in favor of changing the Zoning to R-1 as she likes the large lots since she grew up on one.

Marie Vasquez, 1433 Navarro Drive, explained that her family has lived in the neighborhood since 1952 and would like to keep the area the way it is, a country atmosphere. Ms. Vasquez stated that the original homes were flattops and most of the residents have improved their properties in some way. She commented that she would like them to stay the way they are.

Chair Clikar closed the Public Hearing.

REPORT
Sunnyvale Planning Commission

PUBLIC HEARING - REZONING

NOVEMBER 27, 1995

8418: City Of Sunnyvale (Raynor Park Area Rezone): Consideration to Rezone the Raynor Park Area from Low Density Residential (R-0 - 6,000 square foot minimum lot size) to Low Density Residential (R-1 - 8,000 square foot minimum lot size).

Report In Brief:

The Raynor Park neighborhood is generally identified as the area bound by El Camino Real on the north, Wolfe Road on the west, Marlon Drive on the south and Peterson Middle School on the east side (Exhibit A, Vicinity Map). The area is designated as an R-0 Zoning District which allows single family homes on a minimum lot size of 6,000 square feet; however, many lots in Raynor Park actually approach or exceed 9,000 square feet in area. After a lot split was approved for one large lot in Raynor Park in 1991, some members of the neighborhood expressed concern over the possibility of increased density and its effect on the character of Raynor Park.

In December, 1994, the City Council approved a study of the Raynor Park neighborhood to determine if it would be appropriate to rezone the area from the existing R-0 Zoning District which allows single family homes on a minimum lot size of 6,000 square feet to the R-1 Zoning District which allows single family homes on a minimum lot size of 8,000 square feet (Exhibit B, Legislative Issue Paper). The study was initiated by the Planning Commission on behalf of some residents of the Raynor Park neighborhood. The purpose of the study was to determine if preventing additional subdivisions was an appropriate tool to preserve the character of the Raynor Park neighborhood.

Staff conducted the study by determining the area for proposed rezoning, evaluating the character of the Raynor Park neighborhood looking at existing built conditions, and trying to project the impact of additional subdivisions. The findings of the study can be summarized as follows:

- The character of Raynor Park is established by large lots, but also by architectural diversity, disparity between the value and condition of properties, a streetscape without standard improvements and by the great number of mature trees.
- Rezoning to R-1 Zoning District would prevent lot aggregation and subdivisions from occurring, in most cases, and would protect the large lot characteristic of Raynor Park for the long term.
- The large-lot character in Raynor Park is important to many residents there.

- Under the existing R-0 Zoning designation, some subdivision and redevelopment is likely to occur in Raynor Park
- Redevelopment will most likely occur in isolated pockets of land, and not on a wide scale, due to the cost of land in Raynor Park.
- Some owners have purchased properties in Raynor Park with the purpose of subdividing and redeveloping. Rezoning to R-1 would prevent them from realizing the full investment value of their properties.
- Maintaining the existing R-0 Zoning is simpler from an administrative stand point because rezoning would create a large number of non-conforming structures which could make property redevelopment and enhancement more difficult and result in additional requests for variances.
- Existing tools such as the Citywide Design Guidelines and the public hearing processes are already in place to insure neighborhood compatibility when reviewing new projects if subdivision is allowed to occur.

There are pros and cons to both maintaining the R-0 designation or rezoning to R-1. There are neighborhood owners and residents in support of both sides.

Staff recommends maintaining the existing R-0 Zoning District as the preferred alternative.

Background

Many lots in the Raynor Park neighborhood exceed 6,000 square feet even though the zoning designation is R-0 and requires only a 6,000 square foot minimum lot size. There are areas where 9,000 square feet is typical. There are a few lots exceeding 12,000 square feet - double the minimum lot size requirement.

In 1990, a tentative map was approved to subdivide a 12,000 square foot lot at 1411 Ramon Drive into two 6,000 square foot lots. The existing structure was in marginal condition. The project created the potential for two brand new homes to be constructed on legal, but smaller than average lots in the Raynor Park neighborhood. Staff notes that this subdivision has never been recorded and consequently, new homes have not been built on this property.

The neighbors were concerned that the lot split approval would set a precedent and cause a chain reaction of lot aggregation, subdivision and development at a higher density than currently exists. As envisioned, a typical scenario would be for two adjacent 9,000 square foot lots to be subdivided into three 6,000 square foot lots, thereby increasing the density by 50% from two lots to three. The neighborhood has expressed interest in maintaining the large-lot character of the Raynor Park area.

In response to concern expressed by the Raynor Park neighborhood, the City Council initiated a study to look at the possibility of rezoning the neighborhood from R-0 Zoning District to R-1 Zoning District. The R-1 Zoning District requires a larger lot (8,000 square foot minimum). Rezoning to R-1 reduces the ability to aggregate enough properties for a subdivision.

The following table provides a comparison of the basic lot standards for both the R-0 and R-1 districts:

Zoning District	Minimum Lot Size	Required Lot Width (ft)	Front Setback (ft)	Side Yard Setbacks Min/Total		Rear Yard Setbacks (ft)	Maximum Lot Coverage
R-0	6,000 sf	57	20	4	12	20	40%
R-1	8,000 sf	76	20	6	15	20	40%

Both R-0 and R-1 Zoning Districts are single family detached home districts. The density for R-0 is approximately 7 dwelling units per acre. The density in an R-1 neighborhood is approximately 5 dwelling units per acre. Both districts allow accessory living units on lots of 9,000 square feet or greater.

Neither the R-0 or R-1 Zoning Districts allow attached multi-family development or small-lot single family development. So those types of developments are not a threat to this neighborhood. The General Plan would have to be amended and a higher density zoning designation would have to be adopted before these types of projects could be considered for Raynor Park.

In 1993, the City reviewed a similar rezoning study request made by the residents of Gavello Glen. Gavello Glen is another Sunnyvale large-lot neighborhood located north of El camino Real and west of Wolfe Road. That neighborhood had begun to feel market pressure to both subdivide and to rebuild newer homes on the large lots. A significant difference between the Gavello Glen neighborhood and Raynor Park is that Gavello Glen homes were constructed by one builder and were all of a distinct, award winning design, characteristic of the time in which they were developed. In that case the City approved a zoning change from R-0 to R-1. The City determined that rezoning was the best tool to protect the character of that neighborhood.

Discussion

Staff conducted the study by determining the area for proposed rezoning, evaluating the character of the Raynor Park neighborhood, looking at existing built conditions, and trying to project the impact of additional subdivisions.

Boundaries of Study Area

The Raynor Park neighborhood consists of the residential blocks bounded by El Camino Real on the North side, Wolfe Road on the west side, Peterson Middle School on the east side and Marion Way to the south.

Not all properties in Raynor Park are large enough to meet the 8,000 square foot minimum lot size of the R-1 Zoning District. It was determined that only areas where lots meet the R-1 minimum would be considered for the rezoning so that non-conforming lots would not be created.

Assessors maps were used to determine the area to consider for rezoning. The area for potential rezoning includes properties with a minimum of 8,000 square feet which are generally aggregated along Ramon Drive, Navarro Drive, and Norman Drive. It also includes properties on Rosalia and Poplar Avenues and some properties on Elizabeth Way, Alice Way and Marion Way. There area approximately 180 single family residential lots in the proposed rezoning area (Exhibit C, Map of Rezoning Area).

Existing Lot Configurations

In order to join and subdivide two lots into three, lot width requirements would have to be met in addition to lot area requirements. The large lots in Raynor Park are typically 75-80 feet in width and over 100 feet in depth. The minimum lot width allowed in the existing R-0 Zoning District is 57 feet.

To create three R-0 lots would require a total combined frontage of 171 feet. Currently, most adjacent lots would create a combined frontage of 150 - 160 feet which would not be adequate to process a three-lot subdivision "by-right". An application for subdivision would have to be accompanied by a concurrent application for consideration of a Variance or a Planned Development Combining District.

Existing Architectural Character

The architectural character in the rezoning area is diverse. There are a few house designs repeated throughout the neighborhood. There are also a number of individually styled homes both old and newly remodeled. Two culturally significant homes have also been relocated from other sites in Sunnyvale to Raynor Park and have been renovated.

Accessory Living Units

The Sunnyvale Municipal Code allows accessory living units on lots of 9,000 square feet or greater in the R-0 and R-1 Zoning Districts. Accessory living units are self-sufficient, one bedroom attached apartments or detached cottages. They are commonly referred

to as "in-law" units or "granny" flats. They typically range in size from approximately 400 - 800 square feet in area.

In the Raynor Park neighborhood, most properties in the proposed rezoning area have adequate lot area for an accessory living unit. That is, regardless of maintaining the existing R-0 Zoning District designation or rezoning to R-1, there will continue to be opportunities to essentially double the density on many lots.

Capital Improvement Project

A unique part of the character of Raynor Park is created by the lack of standard curb, gutter and sidewalk improvements. The lack of these urban features gives Raynor Park a more rural look which is very appealing to Raynor Park residents. The City has made a commitment to retain this look and has approved a capital improvement project for Raynor Park to provide new street paving, storm drainage and asphalt rolled curb in lieu of the standard improvements.

Field Survey of Existing Setbacks

Under the County's jurisdiction the zoning designation for Raynor Park was R-1 10. This designation typically required a 10,000 square foot minimum lot size and setbacks as follows: Front 25 ft, Rear 25 ft, Sides 10 ft. each.

Besides lot area, the primary difference between the existing R-0 Zoning District in Raynor Park and the R-1 Zoning District under consideration are the required side yard setbacks. The R-1 Zoning District requires greater side yard setbacks. A study was conducted to measure existing side yard conditions to determine if non-conforming setbacks would be created as a result of the proposed rezoning. Since the Raynor Park neighborhood was developed under Santa Clara County jurisdiction prior to annexation to Sunnyvale in the 1979, Sunnyvale has no permit history for most of the original main structures. A review of existing setbacks was conducted by reviewing aerial photos and by field observation.

Most of the homes in the rezoning area meet the minimum 4 foot setback of the R-0 Zoning District; however, there are a number of carport and similar additions that approach zero setback. An exact percentage of existing non-conforming lots is unknown. Staff is assuming that most main structures were built with permits from the county at the time of original construction. Staff also observed many accessory utility buildings and lean-to structures. Since many of these do not meet the required R-0 setbacks or the County's R-1-10 setbacks, and appear to be of marginal construction, staff assumes that many of these structures are not legal.

It was determined that 58% of the properties in Raynor Park study area would become nonconforming if the zoning were changed to R-1. That is, the setbacks on most

properties are already at or below those required for the existing R-0 Zoning District and are too small for the proposed R-1 Zoning District.

Other existing non-conforming conditions, such as inadequate rear or front yard setbacks and excess lot coverage, would not increase in nonconformity as a result of a rezoning because these standards are the same in both the R-0 and R-1 Zoning Districts.

Administrative Considerations

There are administrative considerations related to the creation of non-conforming lots. Rezoning may create an increased demand on City planning services. Leaving the existing R-0 Zoning District designation in place would allow most improvements to be reviewed at staff level without a public hearing.

Most structures in the study area are constructed at the minimum R-0 setbacks or less. If the area is rezoned to R-1, 58% of existing lots in the rezoning study area to become non-conforming as a result of changed setbacks requirements. Creating non-conforming lots establishes an atmosphere which requires additional City review and possible increased processing of Variances and other permits when residents want to improve their properties.

Condition of Older Structures in Study Area

The quality and condition of homes are factors affecting real estate prices in the Raynor Park neighborhood. Real estate prices in turn determine the affordability of aggregating lots for subdivision.

There are a number of older homes in Raynor Park that appear to be in poor repair based on the condition of their exteriors; however, the condition of exterior siding, paint and landscaping are not complete indicators of the condition of a house. To determine if a house is beyond reasonable repair and is a candidate for demolition, an inspection would have to be made of both the interior and exterior of the home by a qualified building inspector. A study of this type could not be conducted in Raynor Park without permission of each property owner. Such an inspection would require significant staff hours and funds to complete.

It was determined that it was not necessary to conduct detailed structural studies for Raynor Park. The Housing Division has facilitated a number of rehabilitation projects in Raynor Park, mostly on the prevalent small, flat-roof style home. This type of home visually seems to be the least maintained type of property in Raynor Park. The rehabilitation projects have shown that generally these structures are still basically sound although they have been in need of new roofs, windows, appliances etc.

Most other types of homes in Raynor Park appear to be reasonably maintained. There are also several examples of expensive remodel/rebuilding projects and two culturally significant homes that were moved to Raynor Park and have undergone significant rehabilitation. Based on this information, staff has made the assumption that there are few demolition-ready homes in Raynor Park.

Property Condition and Property Value

Although most structures in the Raynor Park study area are still in habitable condition, there is still recognizable disparity between the condition of properties. Reinvestment and redevelopment can increase interest in an area. New homes can replace older and unsound structures. New development can also increase property values in its immediate vicinity. As property values rise, there could be interest shown by existing residents to use increased equity for property improvements.

Rezoning to R-1 Zoning District could impede reinvestment in Raynor Park by reducing possibilities for new development.

Maintaining the existing R-0 Zoning District designation would allow some redevelopment to occur which could have an effect on property values and general interest in property conditions.

Capacity of Existing Utilities

Sewer capacity in the Raynor Park area is adequate to support higher density development. The 8" laterals in the neighborhood feed into a 21" main in El Camino Real. The Public Works Department has stated that this is the same size system used through out the City even in areas of much higher density. Although the system is old it is still in adequate condition.

Water in Raynor Park is provided by California Water Service. Per discussions with the provider, the existing system is adequate to provide service for increased single family density. Water system modifications would be required if the City approved higher density multi-family development.

Appraised Value of Real Estate in Study Area

Based on recent recorded transactions and information on the multiple listing service, the average sales price of a home in Raynor Park on a lot of approximately 9,000 square feet is \$241,032 with smaller homes (+/- 1,000 sf) selling for as low as \$207,000 and slightly larger older homes (+/- 1,500 sf) selling for \$268,750. This price is not representative of the very large remodeled homes scattered throughout Raynor Park; however, those properties would not likely be involved in a redevelopment transaction because of their high price.

Opportunities For Subdivision

Lot Aggregation

Under this scenario, staff assumes that a developer would be purchasing two large lots for subdivision at today's market value. Based on the average sales price, staff calculated that the likely cost of a two-lot purchase (total 18,000 sf) subdivided into three parcels (each 6,000 sf) would result in land costs of approximately \$160,000 per each new lot. The following table shows calculated prices for various sized homes on 6,000 square foot lots.

Estimated Sales Prices Of Newly Constructed Homes In Raynor Park	
Size (Square Feet)	Sales Price
2,600	\$507,000
2,000	\$465,000
1,800	\$421,000

The estimated sales prices take into consideration the design costs and all typical City fees except for the cost of undergrounding. Construction cost is assumed to be \$88 per square foot. A 25% profit was assumed for the developer.

There are several new Sunnyvale small-lot single family developments (Brittany, Classics on the Creek) which are commanding prices in the \$400,000 - \$500,000 range for homes from 1,800 - 2,500 square feet. Staff attributes these home prices to the desire to buy into an entirely new neighborhood of similar homes at similar values. The Raynor Park neighborhood will not likely command prices in the high \$400,000 - \$500,000 range for some time due to the disparity between the condition of properties there.

The price of "raw" land is also a factor in determining the feasibility of subdividing. The larger parcels of land acquired for new developments are essentially vacant. The cost of aggregating properties with existing livable structures could be more costly.

In the future the value of lots in Raynor Park could change. If the R-1 Zoning District designation is adopted, it would already be in place to protect the large lot character of the neighborhood.

Aggregation Potential

Based on the study information to date, staff concludes that there are probably only small pockets of demolition-ready homes in Raynor Park where redevelopment would likely

occur. There is such disparity between the condition of properties in Raynor Park, that in many cases a run down "aggregation lot" is located adjacent to or between well maintained or remodeled property, thereby reducing the feasibility of aggregating properties for subdivision.

The only area that visually appears to offer any significant possibility for redevelopment is the south end of the block between Ramon Drive and Navarro Drive where they intersect Marion Drive. Based on a drive-by survey, staff estimates that at least two of the small, flat-roof style homes exist in close proximity to each other and may be affordable enough to aggregate and redevelop because of marginal condition. These properties are also currently owned by one party.

A second possibility still exists on the previously approved 12,000 square foot lot at 1411 Ramon Drive. This lot can still be subdivided into two 6,000 square foot lots. As a result of a "blanket" subdivision map extension approved by the Governor of California in 1993, the tentative map for this property is valid until April 1996. Other double lots exist in Raynor Park, but the structures located on them are in better condition. Some are very well maintained, so the opportunity is probably not there for redevelopment.

In a few cases, property owners in Raynor park own two adjacent lots. This occurs in four locations - Rosalia Avenue, Eleanor Way, Norman Drive and Marion Way (mentioned previously). In one location, a single party owns three adjacent lots on Bryant Way at the corner of Norman Drive. This is a total of 11 lots (potentially 16 lots) out of a total of 290 in the Raynor Park neighborhood and 190 lots in the proposed rezoning area. After receiving notice of this study, these specific owners on Bryant Way and Marion Way contacted staff to discuss their intents to subdivide or redevelop their respective properties in the future.

Addressing Neighborhood Character Through Zoning Options

Zoning is the most basic tool used to control the density, setbacks, and open space characteristics of a neighborhood. The purpose of this study is to determine if rezoning a section of the Raynor Park neighborhood from the R-0 Zoning District to the R-1 Zoning District is the appropriate tool for maintaining the neighborhood character. Staff considered three additional alternatives.

Alternative One: Maintain the Existing R-0 Zoning District

Staff recommends maintaining the existing R-0 Zoning District designation. Administratively, this is the most simple option. Except for the few parties who already own adjacent lots, opportunities for subdivision seem small under current market conditions. Simple, "by-right" subdivisions could not happen as a result of existing lot dimensions. Appropriate processes are already in place to review proposed subdivisions for neighborhood consistency.

Staff does not believe that the pressure to subdivide will increase in the long-term. Although the trend for future single family development is to use smaller lots, under the existing R-0 Zoning District designation, the smallest lot allowed to be created in Raynor Park is 6,000. Since, Sunnyvale already has large areas devoted to 6,000 square foot lots, the existing 9,000 square foot lots in Raynor Park could become quite desirable in the future marketplace.

Staff recommends retaining the R-0 Zoning District designation because;

- There appears to be no significant threat of subdivision in the near term.
- Some neighborhood characteristics like the disparity between the condition of properties could improve as a result of increased interest in the area through reinvestment/redevelopment. Rezoning may prevent this.
- There are adequate regulations in place for reviewing projects for neighborhood compatibility.
- Rezoning to R-1 creates a substantial increase in non-conforming structures. This could result in numerous Variance requests for property improvements. Because the findings for a Variance are very difficult to meet, the result of rezoning could be diminished opportunities to improve existing homes in the area.

Alternative Two: Rezone The Large-Lot Area Of Raynor Park to R-1 Zoning District

The purpose of this study is to determine if rezoning the Raynor Park neighborhood to the R-1 Zoning District is an appropriate tool for maintaining neighborhood character. As stated in this report, lot size is not the only factor that makes up the character of Raynor Park, however, it is an important characteristic to some of the residents there. Rezoning to the R-1 Zoning District designation could preserve this large-lot quality for the long term.

Alternative Three: Consider a PD Combining District

The City could consider combining the suggested R-1 Zoning District designation with a PD overlay in an effort to create some flexibility with setbacks. The intent would be to attempt to reduce the possibility of subdivisions while minimizing the issue of non-conforming development by incorporating special setback criteria.

In staff's opinion, this is not a preferred option. A PD Combining District is typically used to gain greater control over site planning and design issues on new or redeveloped projects. The Raynor Park neighborhood is a large, established and diverse neighborhood. It would be cumbersome to add an additional layer of regulations. A PD

Combining District could also create great demand for additional planning services because administrative permits and public hearings could be required prior to making any property improvements on individual lots.

Alternative Four: Consider Special Design Guidelines For Raynor Park

There have been several large-scale remodel/rebuild projects in Raynor Park in recent years. Staff believes this is the most likely type of redevelopment to expect in this area.

Staff considers one of the most damaging elements of neighborhood character to be inconsistent architectural design. To date, remodeling projects in Raynor Park are quite diverse with no design consistency. Although staff now applies the Citywide Design Guidelines when reviewing these types of projects, some were approved before adoption of the guidelines. A new set of design guidelines tailored specifically for Raynor Park may help create consistency and a more attractive neighborhood than is now occurring.

Staff does not recommend alternative four. Developing new guidelines would require significant staff time to work with the neighborhood to develop consensus on design issues. Consensus may not be possible to achieve considering the diversity of the existing neighborhood. The existing guidelines already emphasize the need for compatibility of development in a neighborhood.

Environmental Determination

A Class 5 Categorical Exemption relieves this project from the requirements of the California Environmental Quality Act, as amended by Resolution #193-86.

Public Contact:

Staff attended a Raynor Park neighborhood association meeting in May 1995 to discuss the study.

Staff held a neighborhood meeting on October 5, 1995, to discuss study findings. All property owners in Raynor Park were sent a notice of the meeting. Eight people attended. Most people attending the meeting expressed a desire to rezone the neighborhood to R-1.

In addition to public meetings, staff has received written correspondence against the rezoning (Exhibit D). Three letters are attached.

Notice of all public hearings has been provided to property owners in the study area and those within 300 feet of the study area. Notice of the public hearings for this hearing and City Council hearing on December 19, 1995 has also been published in the Sun newspaper. The hearing dates have also been published in the Raynor Park newsletter.

Fiscal Impact:

With the exception of staff time needed to implement the recommended action, there will be no fiscal impact to the City.

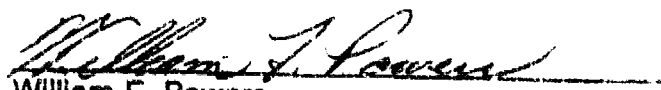
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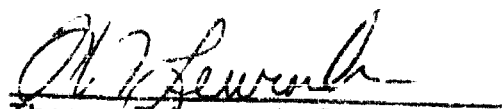
1. Take no action and maintain the existing R-0 Low Density Residential Zoning District designation for Raynor Park.
2. Approve the attached Ordinance rezoning the study area to R-1 Low Density Residential Zoning District.
3. Direct staff to prepare an ordinance rezoning the study area to R-1/PD with a Master Special Development Permit to cover issues of non-conforming lots. Prepare the Master Special Development Permit for neighborhood review and Council approval.
4. Direct staff to prepare specific design guidelines for Raynor Park for neighborhood review and Council approval.

Recommendation:

Staff recommends Alternative 1.


Trudi Ryan, Planning Officer


William F. Powers,
Director of Community Development


Thomas F. Lewcock, City Manager

Attachments:

1.	Exhibit "A"	Vicinity Map
2.	Exhibit "B"	Legislative Issue Paper (2 pages)
3.	Exhibit "C"	Map of Considered Rezoning Area
4.	Exhibit "D"	Written Correspondence (3 pages)
5.	Exhibit "E"	Draft Ordinance (to be prepared for City Council consideration on December 19, 1995)

Ray-Nor Park Neighborhood Association

RECEIVED

NOV 27 1995

November 19, 1995

PLANNING DIVISION


Gerri Langtry
City of Sunnyvale
Planning Division
Box 3707
Sunnyvale, CA 94088

Subject: Ray-Nor Park Zoning

Prior to annexation by the City of Sunnyvale, the Ray-Nor Park neighborhood was zoned R-1. At the time of annexation by the City of Sunnyvale, the homeowners of Ray-Nor Park were promised that the zoning of our neighborhood would not be changed--that it would remain R-1 as described in the City's "Site Specific Plan"; thus retaining the esthetics of our rural atmosphere.

At some point during annexation, the zoning was changed to R-0. This zoning change occurred without the knowledge or the vote of the property owners of Ray-Nor Park.

The Ray-Nor Park Neighborhood Association conducted a vote of the members at the November 15, 1995, General Meeting regarding this issue. The Association voted unanimously that our zoning be corrected to R-1. The Association also voted that the City of Sunnyvale make the necessary changes to reflect this correction.


Nelson Moore, Secretary
Ray-Nor Park Neighborhood Association

cc: Sunnyvale City Council

PUBLIC HEARINGS/GENERAL BUSINESS

7. AWARD OF CONTRACT FOR THREE (3) COMPUTER FILE SERVER SYSTEMS.

REPORT NO. 95-480

Mayor Parker, in accordance with Government Code Section 87100, did not participate in the discussion or vote on Item No. 7.

Councilmember Kawczynski presided over Item No. 7.

Thomas F. Lewcock, City Manager, requested that this item be continued to January 9, 1996.

WALKER moved **continuance to January 9, 1996**, seconded by VALERIO and **carried** with PARKER abstaining and NOLL absent.

2. REZONE OF RAYNOR PARK AREA FROM LOW-DENSITY RESIDENTIAL (R-0/6,000 SQ. FT MINIMUM LOT SIZE) TO LOW-DENSITY RESIDENTIAL (R-1/8,000 SQ. FT. MINIMUM LOT SIZE).

Councilmember Walker, in accordance with Government Code Section 87100, did not participate in the discussion or vote on Item No. 2.

REPORT NO. 95-485

STAFF RECOMMENDATION

That Council take no action and maintain the existing R-0 Low Density Residential Zoning District designation for Raynor Park.

Trudi Ryan, the Planning Officer, presented the staff report.

The public hearing was declared opened at **8:30 p.m.**

Appearances:

The following speakers requested Council support retaining the existing zone designation of R-0 for the Raynor Park area:

Itzak Ehrlich	992 Inverness
Robert Fan	962 Marion
Demetrius Triantafyllou	1419 Norman Drive
Myrna Ehrlich	992 Inverness
Ramona Campbell	1417 Ramon
Marie Vasquez	1433 Navarro Drive

The following speakers requested Council support rezoning the zone designation to R-1 for the Raynor Park area:

Irene Conley	1483 Ramon
Bonnie Burke	1343 Norman Drive
Bruce Frumvieller	1416 Navarro Drive
Jack Walker	908 Elizabeth Way (Speaking as a private citizen)
Martin Cantey	1354 Ramon Drive
Bill Lewis	1441 Navarro Drive
Joanne Cantey	1354 Ramon Drive

It was noted for the record that a letter had been received from Mark Hynes, Attorney representing Mr. and Mrs. Itzak Ehrlich, in support of the R-0 zoning.

The public hearing was declared closed at **9:33 p.m.**

Title of Ordinance No. 2528-95:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE A PORTION OF THE RAYNOR PARK AREA LOCATED IN THE AREA BOUNDED ON THE NORTH BY RESIDENTIAL PROPERTIES ON THE NORTH SIDE OF BRYANT WAY AND ON THE EAST BY PETERSON MIDDLE SCHOOL AND ON THE WEST BY PROPERTIES ON THE WEST SIDE OF RAMON DRIVE AND ON THE SOUTH BY PROPERTIES ON THE SOUTH SIDE OF MARION WAY FROM LOW-DENSITY RESIDENTIAL (R-0) DISTRICT TO LOW-DENSITY RESIDENTIAL (R-1) DISTRICT.

AYES: VALERIO, ROBERTS, KAWCZYNSKI, PARKER, NOLL,
VORREITER, WALKER
NOES: NONE
ABSENT: NONE

Title of Ordinance No. 2530-96:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTY LOCATED AT 740-784 DANFORTH TERRACE AND 702-737 RUSSETT TERRACE FROM MEDIUM-DENSITY RESIDENTIAL/PLANNED DEVELOPMENT (C-2/PD) DISTRICT TO LOW-MEDIUM DENSITY RESIDENTIAL/PLANNED DEVELOPMENT (R-2/PD) DISTRICT.

KAWCZYNSKI moved **Introduction of Ordinance No. 2530-96**, seconded by ROBERTS and **carried** with the following roll call vote:

AYES: VALERIO, ROBERTS, KAWCZYNSKI, PARKER, NOLL,
VORREITER, WALKER
NOES: NONE
ABSENT: NONE

4.

ADOPTION OF ORDINANCE NO. 2528-95: REZONE OF RAYNOR PARK AREA FROM LOW-DENSITY RESIDENTIAL (R-0/6,000 SQ FT. MINIMUM LOT SIZE) TO LOW-DENSITY RESIDENTIAL (R-1/8,000 SQ. FT. MINIMUM LOT SIZE) (PUBLIC HEARING CLOSED DECEMBER 19, 1995).

Councilmember Walker did not participate in the discussion or vote on Item No. 4 in accordance with Government Code Section 87100.

STAFF RECOMMENDATION

That Council adopt the Ordinance.

The public hearing was declared opened at **8:14 p.m.**

Title of Ordinance No. 2528-95:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE A PORTION OF THE RAYNOR PARK AREA LOCATED IN THE AREA BOUNDED ON THE NORTH BY RESIDENTIAL PROPERTIES ON THE NORTH SIDE OF BRYANT WAY AND ON THE EAST BY PETERSON MIDDLE SCHOOL AND ON THE WEST BY PROPERTIES ON THE WEST SIDE OF RAMON DRIVE AND ON THE SOUTH BY PROPERTIES ON THE SOUTH SIDE OF MARION WAY FROM LOW-DENSITY RESIDENTIAL (R-0) DISTRICT TO LOW-DENSITY RESIDENTIAL (R-1) DISTRICT.

NOLL moved adoption of Ordinance No. 2528-95, seconded by KAWCZYNSKI and carried with the following roll call vote:

AYES: VALERIO, ROBERTS, KAWCZYNSKI, PARKER,
VORREITER
NOES: NONE
ABSENT: NOLL
ABSTAIN: WALKER

5. **AWARD OF CONTRACT: COMPUTER FILE SERVER SYSTEMS.
(CONTINUED FROM DECEMBER 19, 1995).**

Mayor Parker and Vice Mayor Noll not participate in the discussion or vote on Item No. 5 in accordance with Government Code Section 87100.

Councilmember Kawczynski presided over Item No. 5.

REPORT NO. 96-008

STAFF RECOMMENDATION

That Council reject all bids received in response to Invitation for Bids #F9511-41; award a contract in the amount of \$54,124 to Hewlett Packard of Mountain View to furnish and install three computer file server systems in accordance with Invitation for Bids #F9512-50; and authorize the Purchasing Office to issue a purchase order to that effect.

Shawn Hernandez, the Director of Information Technology, presented the staff report.

The public hearing was declared opened and closed at 8:16 p.m.