



Aastha Vashist <avashist@sunnyvale.ca.gov>

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## Re: SSCD in the area of Templeton Dr.

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Eran Dor [REDACTED]

Thu, Jul 14, 2016 at 1:10 PM

To: Aastha Vashist <avashist@sunnyvale.ca.gov>, Andrew Miner <aminers@sunnyvale.ca.gov>, Gerri Caruso <gcaruso@sunnyvale.ca.gov>

Hi Aastha,  
Thanks for taking the time to meet with me this morning.  
To re-iterate the points that i want to convey:

1. Looking at a similar case of SSCD in Palo Alto (Royal Manor) the smaller lots with mid sized houses (like most of the houses in the case of our neighborhood) suffered a value loss of \$200K-\$300K only because of the loss of potential. The City of Palo Alto decided against the SSCD, and the houses gained most of their value back but never fully recovered. The larger lots kept their values and even increased their values since they still kept a good potential of enlarging the houses sideways while still keeping a nice sized backyard. This kind of scenario would be very problematic in our neighborhood. Merely as an anecdote to consider - In the planning commission meeting this last Monday Mr. Buck from the adjacent neighborhood said in his closing arguments that in Ribier Ct. a few very nice remodels have been done without adding a 2nd floor. Which is 100% true, the only item omitted was that most of the lots on Ribier Ct. are very large so that they had all the possibilities in the world to grow their living space sideways. I am asking the planning staff of the city of Sunnyvale to consider lot sizes and potential living space expansion while keeping a decent sized backyard as one of the criterias.
2. From talking with the neighbors i am not sure that all of them understand the ripple effect that an SSCD might have
3. There are solutions to the privacy issues that are being raised - the house behind my house is a 2 story house and we mitigate the privacy issue by vegetation.
4. The petition was filed right at the beginning of the school vacation and it seems that the schedule to settle the SSCD is also during the summer months. The direct consequence of this is that the owners that have young families and that are most affected by this decision are practically bypassed.
5. My Questions/ requests:
  1. What is the procedure to revoke a signature?
  2. What is the process that i need to go through to file an appeal?
  3. Please move any further activity and meetings with regards to SSCD until after kids go back to school.

Thanks  
Eran  
[Quoted text hidden]



Aastha Vashist <avashist@sunnyvale.ca.gov>

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## Re: SSCD in the area of Templeton Dr.

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Eran Do [REDACTED]  
To: Aastha Vashist <avashist@sunnyvale.ca.gov>

Thu, Jul 21, 2016 at 9:41 PM

Hi Aastha,

Thanks for working and including my input, i appreciate this very much.

I have attached a flier of a short case study that i have performed that explains the financial risk of approving an SSCD on smaller lots.

Further i have attached a summary of a Mountain View city council meeting that approved a single story overlay in 2001 - it can clearly be seen that the city planners have given a significant amount of attention to:

1. The lot sizes
2. Liveable space
3. Options to expand the homes

I will provide more input over the weekend.

Thanks

Eran

[Quoted text hidden]

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### 2 attachments



**Case Study.docx**  
52K



**Item 5.1 - Rezoning of Lincoln Drive to Single-Story Overlay Zone.pdf**  
1127K

# Single Story Overlay (SSO) Case Study – Palo Alto

**Mid 2015 – Greer Park Neighborhood files for SSO and a few activists in the Royal Manor Neighborhood start lobbying for SSO as well.**

**Greer Park lots are large, Royal Manor lots are smaller.**

**End 2015 – Greer Park gets the SSO approved and Royal Manor real estate values drop.**

**Lots of 8000sqft or lower with houses of ~1700sqft get hit hardest - \$200K-\$300K.**

**Larger lots keep and add value**

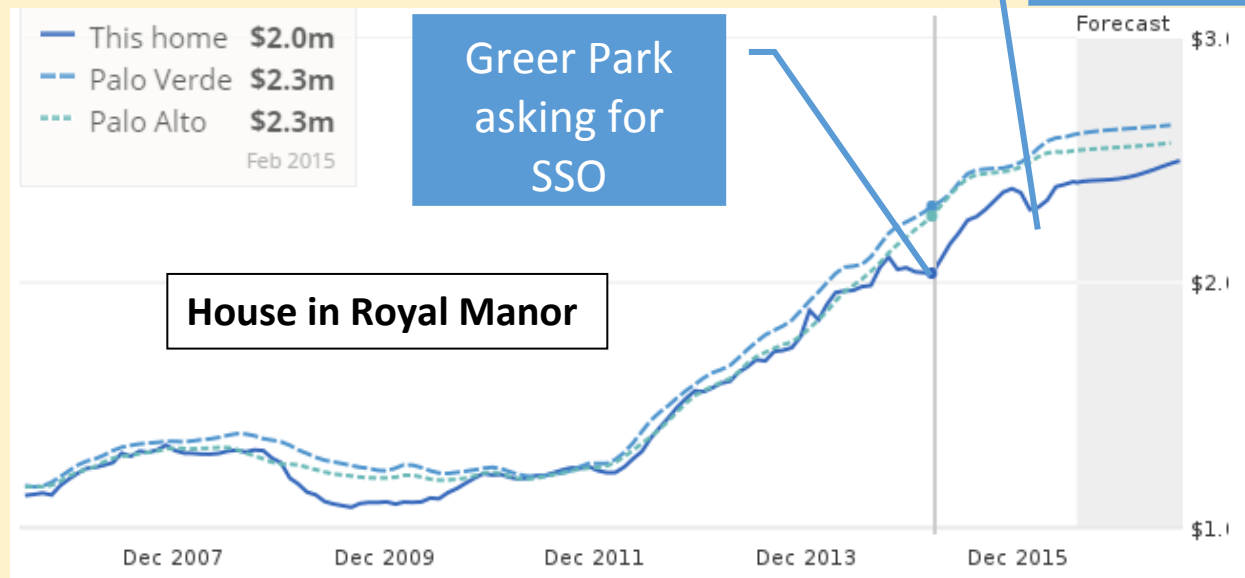
**April 2016 – the city council decides against SSO in Royal Manor – Real estate Values are recovering – until now no full recovery**

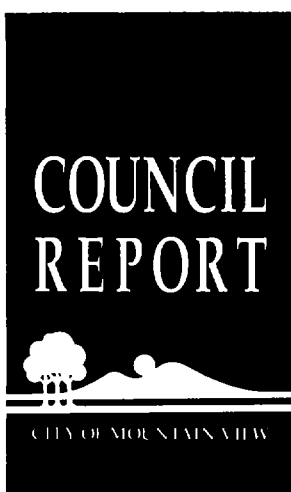
**In our proposed SSO:**

**27 lots of 8000sqft or smaller (73%)**

**10 lots 8000sqft and larger (27%)**

Royal Manor  
in debate at  
City Council





AGENDA: June 27, 2001

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: Rezoning of Lincoln Drive to Single-Story Overlay Zone

### **RECOMMENDATION**

Introduce AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MOUNTAIN VIEW TO REZONE 23 PARCELS ON LINCOLN DRIVE FROM THE R1-8L DISTRICT TO THE R1-8L-H1S DISTRICT, to be read in title only, further reading waived and set a second reading for July 10, 2001.

**FISCAL IMPACT**—None.

### **BACKGROUND AND ANALYSIS**

This is an application to rezone a single-family neighborhood to the Single-Story Overlay Zone. Second stories would not be allowed, but all other R1 zoning regulations would remain in effect. Lincoln Drive is a phase of the Gest Ranch subdivision, which recently received approval of a single-story overlay.

The proposed Overlay Zone encompasses 23 single-family homes on Lincoln Drive. All of the homes are single-story. Most of homes range in size from approximately 2,100 square feet to 2,900 square feet.

To qualify for single-story overlay zoning, an area must meet certain criteria and follow a specific process. The criteria and process, and how the area complies with them, are summarized below:

1. The area must be a reasonable geographic unit. The homes under consideration face opposite one another along the street. This meets the Zoning Ordinance requirement of definable geographic area.
2. An application for rezoning must be filed by at least 50 percent of the parcels that would be subject to the Overlay Zone. The rezoning petition was signed by the owners of 15 of the 23 parcels on Lincoln Drive (65 percent).
3. At least 51 percent of the parcels must currently comply with the proposed height limit. All of the 23 homes on Lincoln Drive are single-story.

APPROVED BY THE MOUNTAIN VIEW  
CITY COUNCIL ON 6/27/01

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## **Description of Neighborhood**

The proposed overlay zone encompasses 23 single-family homes on Lincoln Dr. All of the homes are single-story. Most of the lots are 8,000 square feet. A few are slightly larger. According to the County Assessor records, all but two of the homes range in size from approximately 2,100 square to 2,900 square feet. The two larger homes are approximately 3,000 square feet and 3,500 square feet respectively.

Lincoln Dr. is located adjacent to the Guest Ranch subdivision which recently received approval of a single-story overlay. The two areas share a consistent ranch style architectural design. The attached location map depicts the relationship between Lincoln Dr. and the Guest Ranch neighborhood.

## **ANALYSIS**

The application complies with the Height (H) zone requirements and the rezoning process described above. The area must be definable as a geographic unit including, but not limited to, one or more entire City blocks or one or more entire subdivision tracts or streets faces opposite one another. The 23 homes on Lincoln Dr. meet this requirement. Lincoln Dr. is a City block and the homes involved face opposite one another.

The application for rezoning to add the H zone was filed by owners of at least 50 percent of the parcels that would be subject to the overlay zone. After reviewing the petition and checking it against other records, staff has determined that the owners of 15 parcels (65 percent) favor the rezoning. Eight property owners have submitted a letter in opposition to the rezoning (this includes three property owners who originally signed the petition in favor of the rezoning later changed their mind and filed a letter in opposition).

More than 51 percent of houses must be one-story to comply with the rezoning process. All the homes on Lincoln Dr. are one-story. If the area is rezoned as proposed, the height will be limited to one-story.

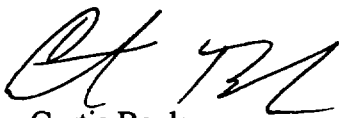
The single story limitation would not prevent property owners on Lincoln Dr. from constructing additions to their homes. As stated above, most of the homes on Lincoln Dr. are on 8,000 square foot lots and range in size from approximately 2,100 square feet to 2,900 square feet (with two homes being 3000 square and 3,500 square feet respectively). The average home size on Lincoln Dr. is 2,600 square feet and could add approximately 800 square feet under the base FAR of .42 and an additional 336 square feet with a FAR exception (a FAR exception allows a 10% increase in allowable floor area for unusual circumstances). Only one home on Lincoln Dr. exceeds the allowable base FAR. Even that home could add some floor area with a FAR exception. Also, the owner of that home has signed the petition supporting the rezoning.

The next step in the process, following the Commission's recommendation, is to mail a ballot to the 23 property owners on Lincoln Dr. Before Council action, 67 percent of the property owners, who respond to the ballot, must indicate support for the zone change. However, the City Council reserves the right to approve the rezoning with or without the 67 percent support.

## CONCLUSION

The Height overlay zone was adopted as a tool for neighborhoods that want to prevent second story additions. This neighborhood complies with the requirements of the Height zone, at least 50 percent of the homes are one-story and it is a logical geographic area as defined by the zoning ordinance. Further there is adequate support neighborhood support. Therefore, it is recommended that this area be rezoned from R1-8L to R1-8L-H1S (single-story overlay) subject to confirmation of neighborhood support prior to the City Council hearing.

Prepared by:



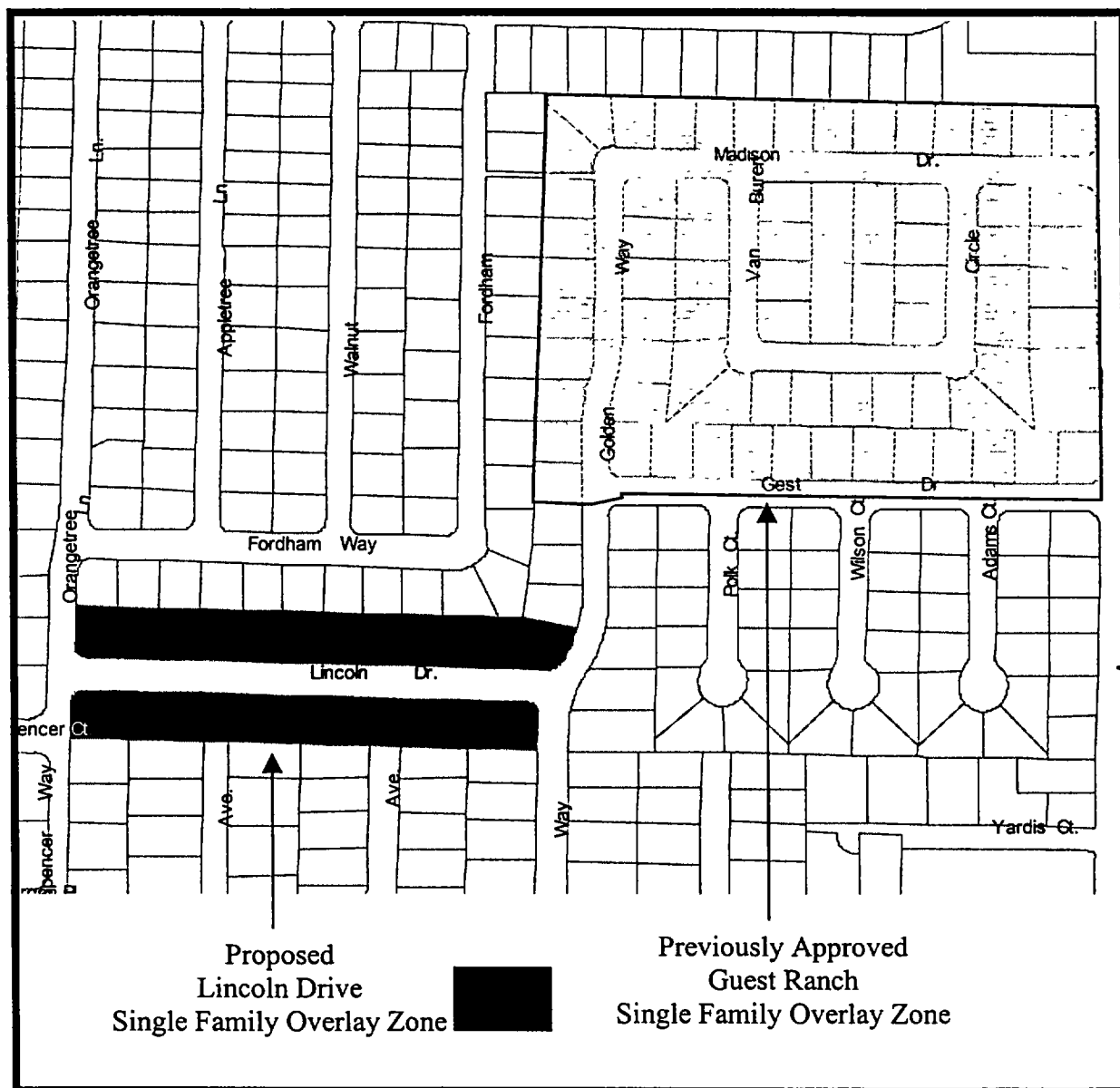
Curtis Banks  
Senior Planner

### Attachments:

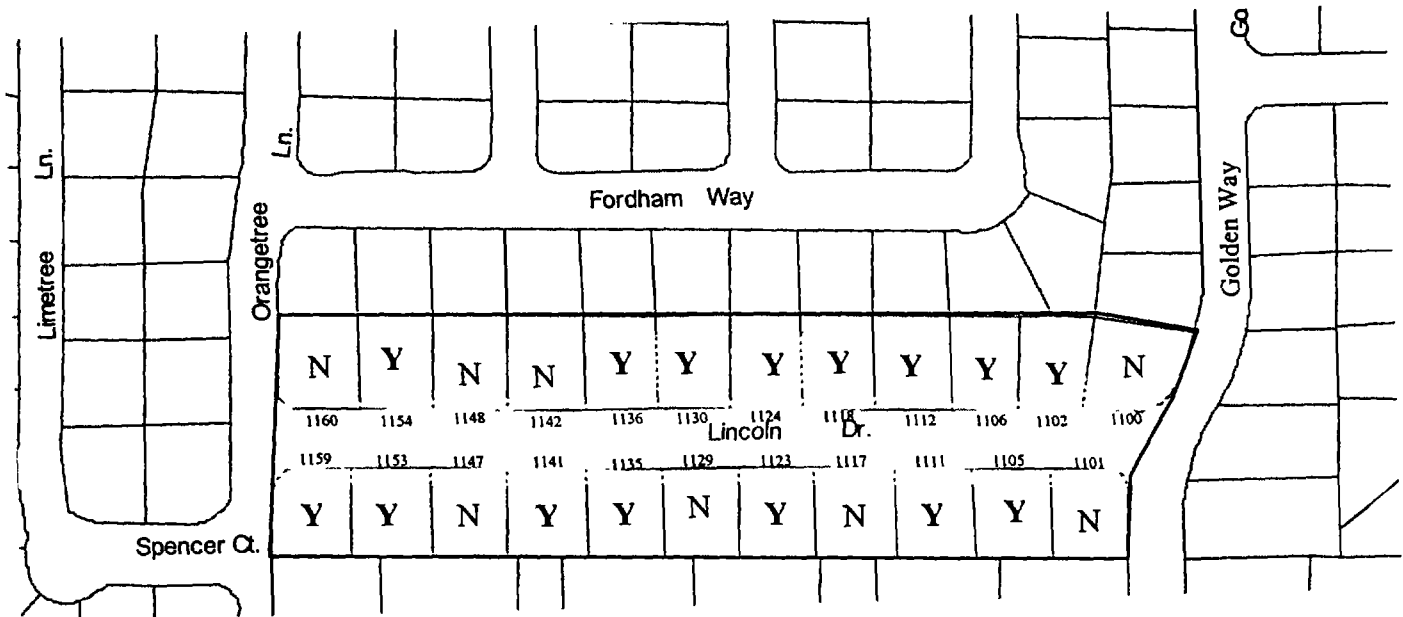
1. Location Map
2. Petition to Rezone Lincoln Dr.
3. Letters in Opposition to the Rezone
4. Map with Petition Results

## LOCATION MAP

### LINCOLN DR. SINGLE STORY OVERLAY ZONE



# Proposed Lincoln Dr. Single Story Overlay Zone Petition Results





Item No. 5.1  
Date: 6/27/01

**(Petition)**

**Attachments are located with the  
original Council Report**

## Attachment 4

### 5. PUBLIC HEARINGS

#### 5.1 Consideration of Neighborhood Application for Single-Story Overlay Rezoning for Lincoln Drive (Gest Ranch Neighborhood)

Mr. Banks presented the staff report, noting that this application was submitted by property owners in an R1-8L District consisting of 23 houses fronting on Lincoln Drive. If the rezoning is approved, a second story would not be allowed.

Mr. Banks described the criteria and process for a neighborhood-initiated rezoning and described how this application related to those criteria. The first criterion is that the application must represent one or more blocks of properties and must form a reasonable geographic unit. This application is from 23 properties on Lincoln Drive which face one another across the street along the block. The second criterion requires that at least 50 percent of the total must be in support to gain Planning Commission approval, with two-thirds in support before the item goes to the City Council. Fifteen (15) of the 23 properties signed the petition requesting the rezoning, representing 65 percent of the total. The third requirement is that 51 percent of the existing houses must comply with the proposed height limit restriction: 100 percent of the houses in this neighborhood are one story.

Mr. Banks continued that the next step after the Planning Commission's recommendation would be to mail a ballot to the 23 property owners. A response from 67 percent must be in support for the EPC recommendation to go forward to the City Council. Mr. Banks explained the overlay rezoning would not prevent adding floor area to the existing houses. He pointed out that most of the lots are about 8,000 square foot in size and houses may have a maximum FAR of 0.42. The existing homes average about 2,600 square feet in size, which would allow about a 800 square foot addition on most houses. In addition, the R1 zoning allows a possible 10 percent floor area bonus if architectural review indicates quality design merits the bonus. This would allow an approximate bonus of 330 square feet so that the maximum floor area would approach 3,700 square feet. Additions would be required to meet all other zoning regulations of the R1-8L District. Mr. Banks said staff recommends that the Commission recommend that the area be rezoned since the application meets all of the criteria specified in the Zoning Ordinance.

Commissioner WEAVER noted the ordinance requires two-thirds of the ballots that are returned to be in favor for the zoning to go forward. To date, we have 65 percent. Does this make the Commission's action moot? Mr. Banks affirmed that the Zoning Ordinance does set the two-thirds standard, which is based on the ballots returned after the Commission has made their recommendation, not on the survey that initiated the rezoning. He also noted that the City Council could rezone the property even if the full 67 percent ballot vote is not achieved.

Commissioner LESTI understood that the 10 percent bonus floor area is not automatic. An application must be reviewed by the Zoning Administrator to assure it meets design criteria. Mr. Banks confirmed that the bonuses are reviewed on a case-by-case basis.

Chairman FRANKUM opened the public input portion of the hearing.

Herb Fielden, 1111 Lincoln Drive, said he has been a homeowner since 1974. He clarified that Lincoln Drive area is part of the Gest Ranch subdivision, which was built in several phases. He stated that the neighborhood wishes to gain the same benefits as the 75 houses located in the first second-story overlay zone, referred to as Gest Ranch 1. He clarified that 18 of the 23 property owners had signed the petition, but today 3 have withdrawn their support and 15 wished to be included.

Bernt Jonzzon, 1129 Lincoln Drive, stated his lot is 7,900 square feet, and his house has 1,690 square feet of floor area. He stated he could not readily expand his house because of setback and other zoning requirements. His Lincoln Drive property backs up to a house in Los Altos, which is on a much larger lot. He noted the zoning in Los Altos still allows two-story houses. If a neighbor adds a second story, he would get a lower property value. Who would be responsible for the loss of up to \$500,000? He felt that with the advent of home offices and other needs of modern living, it is necessary to maximize the size of the house. In his case, he felt the cost of adding floor area would be too high unless they could add a second story.

Commissioner GREENE asked about the zoning regulations in Los Altos, and several members of the audience replied that the area behind Lincoln Drive is zoned R1 with lots at least 10,000 square feet in size. Two-story houses are currently allowed, but neighbors in Los Altos in this area are circulating a petition in their area to adopt a similar one-story height limit.

Commissioner GALIOTTO spoke of the need to preserve the nature and character of the neighborhood while respecting neighbors' rights. He wondered what if the majority changed their minds and asked when individual property rights end. He asked what the process was for rescinding the neighborhood height limit. Staff responded that a group rezoning would have to go back through the same neighborhood rezoning process to remove the height limit. Commissioner WEAVER asked if the second rezoning would have to come back with exactly the same geographic area to reverse the zone change. Staff replied that generally it would need to be the same area. However, the core principle is that neighborhood-initiated rezonings must meet the criteria of having a logical geographic area. Generally, this would mean the same logical geographical area that created the overlay zone, but there may be circumstances where a different set of boundaries would still meet this criterion. Staff noted that if the full original area was not

taken out of the overlay zone, both the area being removed and the area still retaining the overlay would both need to meet the logical area criteria.

Gordon Hamachi, 1117 Lincoln Drive, said their street is like a community, and there is privacy. He, too, claimed that second-story additions would reduce property value of neighbors' property. However, he was not convinced that an absolute one-story height limit was the right answer. He agreed there is need for a community meeting to review the pros and cons. A majority is not always correct. We should explore other options and possible solutions. Commissioner GREENE asked him if his wife had signed the original petition. Mr. Hamachi acknowledged this but said they had discussed it and decided to withdraw from the petition.

Scott Stauter, 1154 Lincoln Drive, said they bought in 1970 because they liked the look and style of the houses. His backyard also adjoins Los Altos, but it was important to retain the character of their neighborhood.

Esther Pham, 1101 Lincoln Drive, suggested a time limit on the overlay zone with a review every five years. She stated that she was also concerned about placing a height limit on her neighborhood when the adjacent properties in Los Altos did not have a height limit.

Mr. Jonzzon spoke again to add that he thought that neighbors would support the rezoning if there was a review after a 10-year period.

Bill Stetler, 1124 Lincoln Drive, told the Commission he was very concerned about privacy. It is a classic California ranch-style neighborhood. Even with the recently amended guidelines for second-story additions, he felt that two-story homes would not fit their neighborhood.

There being no one else wishing to speak, Chairman FRANKUM closed the public input portion of the hearing.

Commissioner LESTI asked about Mr. Jonzzon's comments about compensation. Is there any way this overlay rezoning would be considered a taking? Has staff considered the affect on property values? Mr. Percy replied that zoning is an exercise of police power. A taking only occurs if the property is acquired for a public purpose like a park or a street, which clearly does not apply to this neighborhood rezoning. No information was collected regarding possible loss of property value, although Mr. Percy noted that during the Gest Ranch 1 rezoning, people made comments that retaining the homogeneity of the neighborhood was believed to enhance property values.

Chairman FRANKUM asked about a sunset provision of 5 or 10 years. Mr. Banks replied that staff would suggest that, if the Commission wanted to consider

alternatives to how a neighborhood rezoning could be reversed, it be done on a more comprehensive basis rather than being specific to this application. Staff has some general concerns about sunset clauses from the standpoint of administrative equity and fairness across all similar rezonings in the City. If the Commission wants to consider ways of limiting or reversing neighborhood overlay rezonings, staff would suggest tabling this application and coming back with alternatives, emphasizing a uniform process.

Commissioner WEAVER thanked the people representing the neighborhood. He said he attended a Los Altos hearing one year ago, when they considered a single-story overlay. About one-half of the 400 people present favored the restriction. He felt the idea of a sunset clause is an interesting idea that should be explored further. As we have only had one neighborhood rezoning so far, a review how such zonings can be reversed would be timely before more groups petition. He noted that the petition for this rezoning did not have a two-thirds favorable vote and asked what happens after the Commission's vote. Mr. Percy replied that the neighborhood rezoning goes through a two-step process to allow further discussion and review by the neighborhood. The first step for consideration is that there must be majority support to get the application before the Planning Commission. The second step is for 67 percent support to go before the Council, with time for the neighborhood to gather more support or opposition now that the application is "more real" with the Commission's recommendation. He noted that the second step vote is based on a ballot sent out by the City and the votes are counted based on the ballots returned.

Commissioner GREENE noted the neighborhood is intermixed with yes and no. He supports the concept of an overlay zone as a powerful tool for a neighborhood to control its own destiny, but it is important that this tool be supported by a super-majority of the neighborhood so this tool is used to build neighborhood consensus, not serve as a point of division. He wondered if it would be better to continue this item so this neighborhood could build a better consensus.

Commissioner LESTI noted the owners are concerned about the value of their home. He felt the overlay could limit how much floor area could be added if the yard is to be preserved. He suggested that the rules for a floor area bonus be revised to allow them more easily in areas with a height limit overlay zone.

Commissioner WEAVER agreed that there perhaps should be some tradeoff in setbacks or FAR to offset the limits of a height restriction. Mr. Percy replied that, regarding a floor area bonus, the height limitation zone did not restrict one's ability to apply for a floor area bonus. The additional 10 percent floor area review is based on criteria set forth in the Zoning Ordinance related to design compatibility with the neighborhood, superior design of the house with the addition and need for the added floor area. The bonus is not tied one way or the other to the

number of stories. He felt that the bonus should continue to go through a special review, noting the extensive community study that established the current zoning limits on house size and setbacks. Mr. Banks read the specific language of the Zoning Ordinance related to the added floor area. Ms. Emerson commented that the Commission should be cautious about changing setbacks and floor area, noting that the review that established the current regulations involved a lot of public input which emphasized the impacts of buildings on adjacent properties. Ms. Emerson added that side yard setback regulations preserve character and privacy by assuring light and air. After further discussion, including review of the existing ordinance language, the Commission concluded that the existing language was appropriate and did allow suitable flexibility on floor area.

Motion:

M/S GALIOTTO/WEAVER  
Carried 5-0; MOHOLT,  
SHOWALTER absent

Recommend approval of the rezoning application as recommended by staff.

Commissioner GALIOTTO commented it was more likely that this rezoning would make the second step if the neighborhood could get a stronger majority.

Chairman FRANKUM advised the audience to go back and talk with their neighbors. Mr. Percy suggested a response within a 90-day period since the Commission's recommendation must be forwarded to the City Council within this time frame.

6. NEW BUSINESS—None.

7. COMMISSION/STAFF ANNOUNCEMENTS, QUESTIONS AND COMMITTEE REPORTS

7.1 Possible Upcoming Agenda Items

Mr. Percy announced that the April 4 Planning Commission meeting would consider two Housing Element topics:

1. A Housing Needs background report which will discuss specific State requirements and the groups who need to be served with special housing programs; and
2. Key Issues of the Housing Element, the definitive subjects that must be addressed. These issues include State law requirements, issues from the existing Housing Element and issues raised during the Housing Element kickoff meeting on January 31, 2001. Ultimately, the issues list from Planning Commission will be forwarded to the City Council for their approval to

**AGENDA:** June 27, 2001

**PAGE:** 2

4. The Environmental Planning Commission must hold a public hearing and make a recommendation to the City Council (standard for all rezonings). The Commission held a public hearing on March 28 and recommended approval by a 5-0 vote (with two Commissioners absent).
5. Before City Council action, 67 percent of the property owners in the area subject to the rezoning who respond to a mailed ballot must indicate support for a zone change. A postcard ballot and background material were sent to all property owners. Twenty-two (22) responses were received, with the result that 15 voted yes (68 percent) and 7 voted no (32 percent).

In summary, this neighborhood has met (and exceeded) the City criteria for rezoning to a Single-Story Overlay Zone, qualifying this proposal for Council consideration. If the area is rezoned, most homeowners can still make fairly large additions to their houses. The average home on Lincoln Drive is 2,600 square feet and could add approximately 800 square feet under the base FAR of .42.

During the EPC discussion of the request, some Lincoln Drive residents who did not support the rezoning suggested they would be supportive with the inclusion of a sunset provision. Staff noted that regardless of any sunset clause, if the overlay zone is approved and if a majority of the neighborhood changes their mind, they could go through the same rezoning neighborhood process to rescind the height limit. The EPC did not recommend inclusion of a sunset clause.

Although the EPC did not include a sunset clause in their recommendation, at the request of the neighborhood, the ballot sent to property owners included questions about support of the rezoning with a sunset clause. Three property owners that voted no would support the rezoning with a sunset clause. Two property owners who support the rezoning do not support a sunset clause.

Should the Council wish to consider alternatives to how a neighborhood rezoning could be reversed, it is suggested that it be done on a more comprehensive basis rather than being specific to this application. There are general concerns about sunset clauses from an administrative standpoint and also issues with equity and fairness across all similar rezonings in the City. If the Council wants to consider ways of limiting or reversing neighborhood overlay rezonings, it is suggested that the item be tabled and staff directed to prepare alternatives emphasizing a uniform process.

### **ALTERNATIVES**

1. Retain the R1-8L zoning and not approve the Single-Story Overlay Zone.

**SAN JOSE POST-RECORD**

~ SINCE 1910 ~

90 N. First Street, Suite 100, San Jose, California 95113-1225  
Telephone (408) 287-4866 / Fax (408) 287-2544

PATTY JUANES  
MOUNTAIN VIEW, CITY OF  
P.O. BOX 7540  
MOUNTAIN VIEW, CA 94039--754

**PROOF OF PUBLICATION**

(2015.5 C.C.P.)

State of California )  
County of Santa Clara ) ss

Notice Type: GMV MOUNTAIN VIEW

Ad Description: TO CONSIDER REZONING 23 PARCELS ON LINCOLN  
DRIVE

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/15/01

Executed on: 06/15/01  
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

  
Signature

This space for filing stamp only

SJ#: 261899

**CITY OF MOUNTAIN VIEW  
NOTICE OF PUBLIC HEARING  
CITY COUNCIL**

NOTICE IS HEREBY GIVEN that Wednesday, the 27th day of June, 2001, at the hour of 7:30 p.m. or as soon thereafter as the matter can be heard in the Council Chambers at City Hall, 500 Castro Street, Mountain View, has been set as the time and place for public hearing on the following items:

1. To consider rezoning 23 parcels on Lincoln Drive to the single-story overlay zone. The application complies with the Height (H) Zone requirements and the rezoning process to establish the single-story overlay zone. All the houses proposed for rezoning are single-story.

2. To consider amending the floor area limit for Area 1 to 0.35 FAR for office uses to the North Shoreline Precise Plan. Interested parties may appear and be heard. Written statements may be submitted to the City Clerk, P.O. Box 7540, Mountain View, California, 94039. Legal challenges may be limited to those issues or objections raised at the public hearing orally or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. Dated this 15th day of June, 2001.  
Angelita M. Salvador  
City Clerk  
06/15/01

SJ- 261899#



**CITY OF MOUNTAIN VIEW  
NOTICE OF PUBLIC HEARING  
CITY COUNCIL**

**Rezoning Lincoln Drive to Single-Story Overlay Zone**

The Mountain View City Council will hold a public hearing to consider rezoning 23 parcels on Lincoln Drive to the single-story overlay zone. The application complies with the Height (H) Zone requirements and the rezoning process to establish the single-story overlay zone. All the houses proposed for rezoning are single-story.

**APPLICANT:** City of Mountain View  
**DATE & TIME:** June 27, 2001 at 7:30 p.m.  
**PLACE:** Council Chambers at City Hall, 500 Castro Street

Interested parties may appear and be heard. Written statements may be submitted to the City Clerk, P.O. Box 7540, Mountain View, California, 94039. More information and plans on this item may be reviewed at the Community Development Department, 500 Castro Street, or call (650) 903-6306. Legal challenges may be limited to those issues or objections raised at the public hearing orally or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: June 15, 2001

I, Angellita M. Salvador, do hereby certify  
that I caused this Notice to be mailed on  
6/15/01 to the property owners within 300 ft  
feet of the area involved, as shown on  
"Exhibit B" attached.

DATED: 6/26/01 [Signature]  
City Clerk

189-21-012  
 RONALD M & MARY A MENDE  
 1887 APPLETREE LN  
 MOUNTAIN VIEW CA 94040-4007

189-21-023  
 RANDY & LYNDA GOODMAN  
 1882 WALNUT DR  
 MOUNTAIN VIEW CA 94040-4004

189-21-024  
 GEORGE F & FRANCES L HEATH  
 1881 WALNUT DR  
 MOUNTAIN VIEW CA 94040-4003

189-21-034  
 VICTOR & NELLIE C CALVO  
 1880 FORDHAM WAY  
 MOUNTAIN VIEW CA 94040-4002

189-21-048  
 THOMAS J & PAMELA J FLETCHER  
 1885 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4018

189-21-059  
 DAVID T & MIYOKON TAKEGAMI  
 1888 ORANGETREE LN  
 MOUNTAIN VIEW CA 94040-4036

189-21-071  
 TOM M & IRIS K MORAN  
 1912 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4021

189-21-072  
 RICHARD G SANDERS  
 1920 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4021

189-21-073  
 DEAN L & ELAINE E HANSON  
 1928 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4021

189-21-074  
 LUCINDA I & LATHAN W REA  
 1934 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4021

189-21-075  
 KENNETH W & PHYLLIS A BILLMAN  
 1942 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4021

189-21-076  
 ROSEMARY L HAUSLER  
 1170 SPENCER CT  
 MOUNTAIN VIEW CA 94040-4051

189-21-077  
 JAMES A & SAHAKIAN-APFFEL JU  
 APFFEL JR  
 1925 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4020

189-21-078  
 MILLARD J & FRANCES M  
 CHERRSTROM  
 1917 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4020

189-21-079  
 NIR & LINDA MERRY  
 1909 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4020

189-21-080  
 RENS B & KAREN D BOORSMA  
 1901 LIMETREE LN  
 MOUNTAIN VIEW CA 94040-4020

189-21-081  
 KENNETH E & JESSIE D SMITH  
 1900 ORANGETREE LN  
 MOUNTAIN VIEW CA 94040-4038

189-21-082  
 EDUARDO H & PAULA K CUE  
 1908 ORANGETREE LN  
 MOUNTAIN VIEW CA 94040-4038

189-21-083  
 ANDREW S & LIANA D CAUZ  
 1916 ORANGETREE LN  
 MOUNTAIN VIEW CA 94040-4038

189-21-084  
 LUIS C ANCAJAS  
 1924 ORANGETREE LN  
 MOUNTAIN VIEW CA 94040-4038

189-21-085  
 1166 SPENCER CT  
 MOUNTAIN VIEW CA 94040-4051

189-21-086  
 ANNE ALMEIDA  
 372 N MOUNTAIN VIEW RD  
 BISHOP CA 93514-2119

189-21-087  
 ROBERT E RINGER  
 4931 WOODHAVEN DR  
 SALT LAKE CITY UT 84123-4317

189-21-088  
 STEPHEN J & JUDITH P SPELMAN  
 1147 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-089  
 ALEX & DOROTHY T DZIGURSKI  
 TTEE THE  
 1141 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-090  
 M H JR TR REEVES  
 1135 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-091  
 BERNT M & KATHRYN M JONZZON  
 1129 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-092  
 FRANK & YOSHIKO C HOSHIDA  
 1123 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-093  
 GORDON T & AMY N HAMACHI  
 1117 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-094  
 HERBERT R FIELDEN  
 1111 LINCOLN DR  
 MOUNTAIN VIEW CA 94040-4022

189-21-095  
JAMES L & DOROTHY J WEAVER  
1105 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4022

189-21-096  
DONALD T & CATHERINE M PEGLOW  
1102 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-097  
FRANCES NARDONE  
1106 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-098  
PHYLLIS L & WILLIAM H REED  
1112 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-099  
BERNICE M TRICOLI  
1118 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-100  
WILLIAM M & PEGGY J STETLER  
1124 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-101  
MARK A & SUSAN J KRUEGER  
1130 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-102  
RAYMOND L & LYNN D TOLLNER  
1136 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-103  
R A & P G TRU PERKINS

189-21-104  
LAWRENCE BYRD  
1148 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-105  
SCOTT L & JUNE STAUTER  
1154 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-106  
JOAQUIN J & SOOSAN PINTO  
1160 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-21-107  
PETER & JANE E VERZIC  
1961 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-109  
ROBERT A & ARLINE GOLDSTEIN  
1905 ORANGETREE LN  
MOUNTAIN VIEW CA 94040-4037

189-21-111  
TADASHI T & GRACE S KAGAWA  
1883 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4001

189-21-112  
FRANK J & NANCY A HORA  
1887 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4001

189-21-113  
PATRICIA H DUNAH  
1901 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-114  
STEVE T & ALISON K REMPEL  
1903 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-115  
VERNON & LILY WONG  
1905 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-116  
JAMES O & DEBRA L STOUT JR  
1909 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-117  
JACK W & DEBORAH KOHN  
1913 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-118  
EMMETT CASEY JR  
1917 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-119  
CLAIRE TR DONOHOE  
1921 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-120  
WILLIAM C BARNHOLT  
1925 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-121  
LELAND & KAY F GREENWALD  
1929 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-122  
DENIS CHOW  
1933 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4009

189-21-123  
PATRICIA J DOWDLE  
1886 APPLETREE LN  
MOUNTAIN VIEW CA 94040-4008

189-21-124  
MARIE K MAGINA  
1893 APPLETREE LN  
MOUNTAIN VIEW CA 94040-4007

189-21-125  
MICHAEL A & MARY A LUCIANO JR  
1886 WALNUT DR  
MOUNTAIN VIEW CA 94040-4004

189-21-126  
JON S & JOAN H KLINE  
1887 WALNUT DR  
MOUNTAIN VIEW CA 94040-4003

189-21-127  
SIMONS MARY L TRUST  
1886 FORDHAM WAY  
MOUNTAIN VIEW CA 94040-4002

189-55-015  
FLORENCE L KOUBA  
1902 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4017

189-55-018  
ROBERT A & EILEEN L FEICHTMEIR  
1100 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4023

189-55-021  
JOHN C & CATHERINE E DEMARTINI  
1951 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4016

189-55-024  
RANDY J & DEBRAA ARRILLAGA  
1915 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4016

189-55-027  
DAVID C LEE  
1910 POLK CT  
MOUNTAIN VIEW CA 94040-4039

189-55-030  
ERIC J & LUANNE COHEN  
1940 POLK CT  
MOUNTAIN VIEW CA 94040-4039

189-21-136  
RICHARD W & JILL D BRIDGES  
1889 ORANGETREE LN  
MOUNTAIN VIEW CA 94040-4035

189-55-016  
BERNARD & KAREY GUTIERREZ  
1914 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4017

189-55-019  
THANG T & ESTHER T PHAM  
1101 LINCOLN DR  
MOUNTAIN VIEW CA 94040-4022

189-55-022  
WILLIAM M & LOUISE I LOWNEY  
1945 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4016

189-55-025  
TED E & ESTHER M DAVIS  
1901 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4016

189-55-028  
R M & LYNN A MOMBOISSE  
1920 POLK CT  
MOUNTAIN VIEW CA 94040-4039

189-55-031  
JAMES A & NORMA L MARSHALL  
1950 POLK CT  
MOUNTAIN VIEW CA 94040-4039

Date: Fri  
09 Mar 2001 22:52:18 GMT  
Rezoning Lincoln Dr to Single-Story  
Overlay  
300' Radius

189-55-014  
HELEN V TISH  
15 FARM RD  
LOS ALTOS HILLS CA 94024-7059

189-55-017  
JOHN C & PATRICIA J O KEEFE  
1932 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4017

189-55-020  
CHARLES & DOROTHEA M GORDON  
1963 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4016

189-55-023  
MAUD M SHERIDAN  
1933 GOLDEN WAY  
MOUNTAIN VIEW CA 94040-4016

189-55-026  
LUIS M & MARIA A HUIX  
1900 POLK CT  
MOUNTAIN VIEW CA 94040-4039

189-55-029  
RAYMOND L & MARY J HUDSON  
1930 POLK CT  
MOUNTAIN VIEW CA 94040-4039

**AGENDA:** June 27, 2001

**PAGE:** 3

2. Table the item and direct staff to prepare alternatives to how a neighborhood rezoning could be reversed.
3. Approve the rezoning with a sunset clause.

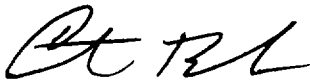
### **CONCLUSION**

The criteria for rezoning were established by the City Council to ensure that there was strong neighborhood support for the additional restriction imposed by the Single-Story Overlay Zone and that support was sustained throughout the process. The postcard ballot demonstrates there is strong support (70 percent) and for the rezoning. However, as with any rezoning application, the final decision to rezone is the prerogative of the City Council.

### **PUBLIC NOTICING**

Public hearing notices were mailed to all property owners on Lincoln Drive and within 300' of the area. The notice was also provided through the standard agenda posting.

Prepared by:



Curtis Banks  
Senior Planner

Approved by:



Michael J. Percy  
Principal Planner



Elaine Costello  
Community Development Director



Kevin C. Duggan  
City Manager

CB/9/CAM  
876-06-27-01M-E^

- Attachments:
1. Map Showing Ballot Results
  2. Ordinance
  3. Staff Report from March 28, 2001 EPC Meeting
  4. Minutes from March 28, 2001 EPC Meeting

## Attachment 1

### Proposed Lincoln Dr. Single Story Overlay Zone Ballot Results

Address	Ballot Result
1160	N
1154	Y
1148	N
1142	Y
1136	Y
1130	*
1124	Y
1118	Y
1112	Y
1106	Y
1102	Y
1100	N
1159	Y
1153	Y
1147	N
1141	Y
1135	Y
1129	N
1123	Y
1117	N
1111	Y
1105	Y
1101	N

\* Ballot not returned

## Attachment 2

### ORDINANCE NO.

#### AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MOUNTAIN VIEW TO REZONE 23 PARCELS ON LINCOLN DRIVE FROM THE R1-8L DISTRICT TO R1-8L-H1S DISTRICT

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY  
ORDAIN:

Section 1. Zoning Change. The Zoning Map of the City of Mountain View is hereby amended to indicate as follows:

That 23 parcels of land on Lincoln Drive with Assessor's Parcel Numbers and Addresses as more specifically shown on Exhibit "A," the parcel list, attached hereto and incorporated by reference herein, are hereby rezoned from the Single-Family Residential, 8,000 Square Foot Minimum Lot Area (R1-8L) District to the R1-8L—Height One-Story (R1-8L-H1S) District, all as is more specifically shown on Exhibit "B," the map, attached hereto and incorporated by reference herein.

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one section or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction and a list of the places where copies of the proposed ordinance are posted.

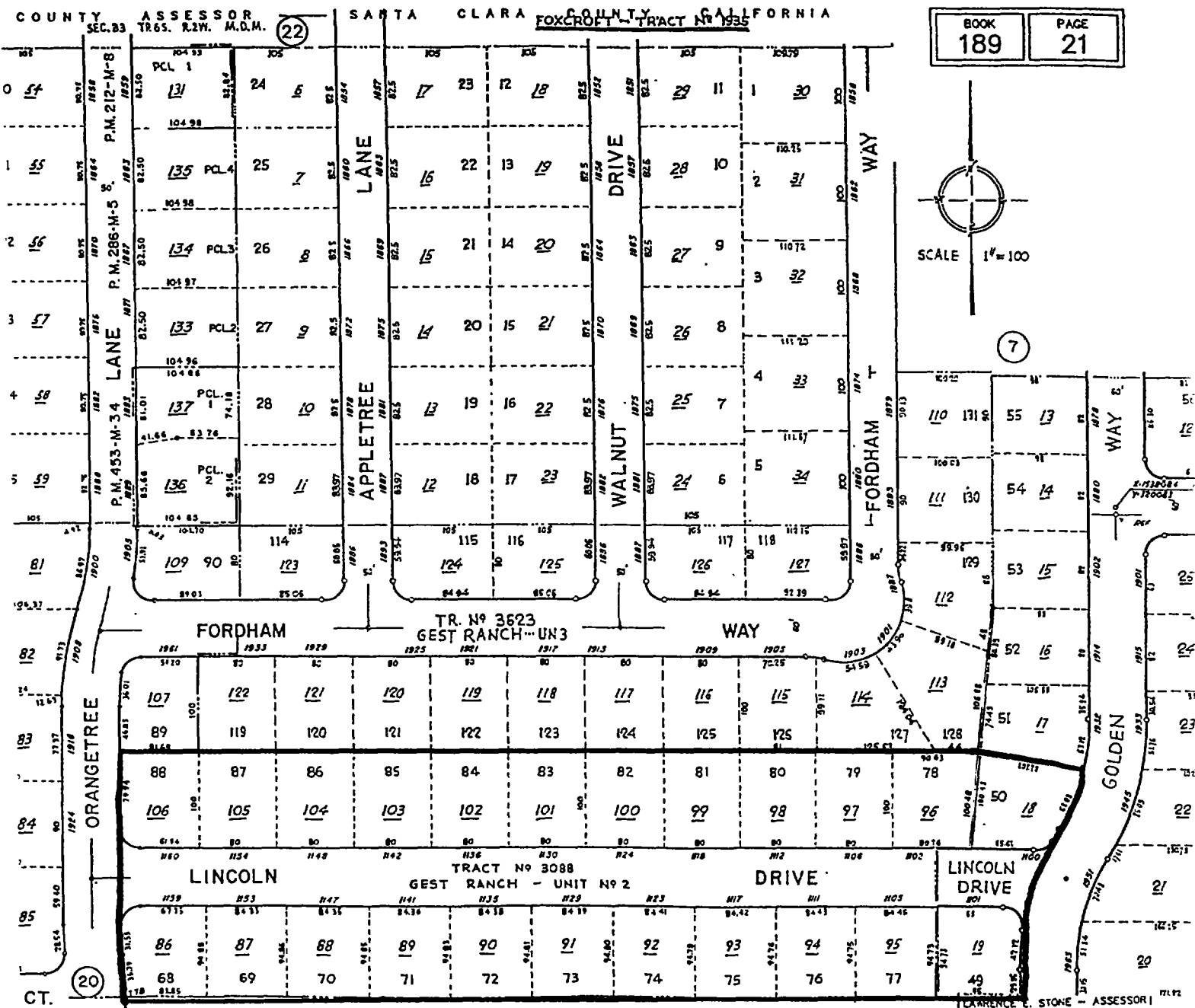
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**PARCELS TO BE REZONED TO R1-8L-HIS**

<b>Address</b>	<b>Assessor's Parcel Number</b>
1100 Lincoln Drive	189-55-018
1101 Lincoln Drive	189-55-019
1102 Lincoln Drive	189-21-096
1105 Lincoln Drive	189-21-095
1106 Lincoln Drive	189-21-097
1111 Lincoln Drive	189-21-094
1112 Lincoln Drive	189-21-098
1117 Lincoln Drive	189-21-093
1118 Lincoln Drive	189-21-099
1123 Lincoln Drive	189-21-092
1124 Lincoln Drive	189-21-100
1129 Lincoln Drive	189-21-091
1130 Lincoln Drive	189-21-101
1135 Lincoln Drive	189-21-090
1136 Lincoln Drive	189-21-102
1141 Lincoln Drive	189-21-089
1142 Lincoln Drive	189-21-103
1147 Lincoln Drive	189-21-088
1148 Lincoln Drive	189-21-104
1153 Lincoln Drive	189-21-087
1154 Lincoln Drive	189-21-105
1159 Lincoln Drive	189-21-086
1160 Lincoln Drive	189-21-106



# EXHIBIT "B"



### **Attachment 3**

**CITY OF MOUNTAIN VIEW**  
**ENVIRONMENTAL PLANNING COMMISSION**  
**STAFF REPORT**  
**March 28, 2001**

#### **5. PUBLIC HEARINGS**

- 5.1 Consideration of application for rezoning 23 parcels on Lincoln Dr. to Single-Story Overlay Zone.

#### **RECOMMENDATION**

That the Environmental Planning Commission recommend that the zoning of 23 parcels on Lincoln Dr. be changed from R1-8L to R1-8L-H1S (single story overlay).

#### **PUBLIC NOTIFICATION**

Public hearing notices were mailed to all property owners in the area considered for the rezoning as well as property owners within 300 feet of the 23 parcels. The public notice was also placed in a newspaper and the agenda is on the City's Internet Homepage and advertised on Cable TV Channel 26.

#### **ENVIRONMENTAL STATUS**

This rezoning is exempt from the California Environmental Quality Act as a Class 5 project (minor alterations in land use limitations which do not result in any changes in land use or intensity).

#### **SUGGESTED MEETING PROCEDURE**

1. Report from staff
2. Questions and clarifications from Commissioners about the staff report
3. Public comment
4. Commission discussion of proposed rezoning
5. Motion to approve to disapprove the application

#### **OTHER PROJECTS IN THE AREA**

There are no development projects in the area.

## **BACKGROUND**

The City has received a petition from the owners of a majority of the 23 parcels on Lincoln Dr. (see map) requesting that the area be rezoned to the single-story overlay zone. All the housing proposed for rezoning are all single story.

This is the second application for a single-story overlay since the Residential Densities Study was completed in June 2000. Controlling second-story additions was a major issue in that study. During the Commission's public hearings, some residents expressed a desire to prevent second-story additions in primarily single-story neighborhoods. The Height overlay zone had been in the City's zoning ordinance for some time, but had not been used to control the height of single-family homes. Also, the application process was not clear. As part of the Residential Densities Study, the Height limitation (H) overlay zone was updated and the process for rezoning to the H zone was amended.

### **Height Zone Regulations**

The purpose of the H zone is to "establish height limits for structures that are different from those normally applied..., where determined to be desirable because of specific neighborhood characteristics." The area must be definable as a geographic unit including, but not limited to, one or more entire City blocks or one or more entire subdivision tracts or streets faces opposite one another.

A single-story restriction is indicated on the zoning map by the notation – H1S (Height, one story). The underlying zoning on this street would remain R1-8L (8 refers to the requirement for an 8,000 square-foot minimum lot size) and, except for the limit on the number of stories, the standard R1 regulations would remain in effect.

### **Rezoning Process**

Applications to apply the single-story overlay zone are subject to the following requirements:

- An application for rezoning to add the H zone may be filed by the owners of at least 50 percent of the parcels that would be subject to the overlay zone.
- At least 51 percent of the parcels must comply with the proposed height limit.
- Prior to City Council action on the rezoning, 67 percent of the property owners in the area subject to the overlay zone, who respond to a mailed ballot, must indicate support for the zone change. However, the City Council reserves the right to approve the rezoning with or without the 67 percent support.