

September 19, 2018

To: Honorable City Council,
Subject: Response to Neighbor Appeal to our project at 669 Old San Francisco Road.

From:
George Nejat – Property owner and project applicant

We respectfully request that the appeal to our project be considered by the full quorum. Our project, that includes construction of (6) Townhomes in a R-3/PD zoning district, redevelops the site which is currently developed with two single family homes.

Some of the Council members will be familiar with our project that was appealed, considered and denied by the Council in 2017. We heard the Council's concerns and have modified the project for increased neighborhood compatibility and improved building architecture. This improved project was approved by the Planning Commission by a 7-0 vote in August 2018.

Modifications to our project include:

1. Moved the buildings further back to meet front yard setback requirement;
2. Increased third story setbacks by reducing floor area;
3. Modified front entry areas to units facing Old San Francisco Road; for a more street level appearances.
4. Increased window sill heights to (60 inches) at 2nd and 3rd story level that face neighboring property on the north;
5. Increased width and area of landscaping for improved landscaping plantings and increased neighbor privacy.

The appellant has commented on several aspects of our project that begs a response from us:

a. FAR Data

Response: As per Sunnyvale's development standard, there is no FAR (Floor to area ratio) standard for the R-3 Zoning district; but to the Appellant's comment regarding FAR, when using the correct square footage of the buildings, the project is now at 81% FAR

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(12,190 s.f./ 14,977 s.f.) and it is lower than our previous project's FAR of 91%. The appellant has incorrectly calculated our previous FAR at 75%.

b. Massing

Response: Massing reduction of our current, approved project is 10.5% from the original design which is greater than the 8% reduction noted by the Appellant.

- The massing reduction for 3rd (top) Floor is 26.5%,
- Massing reduction for total area excluding Garages is 16%
- Massing reduction for total area including Garages is 10.5%

c. Inconsistencies

The appellant notes that our project plans were altered as they appeared blurred and unreadable.

Response: The project plans were perfectly legible and no part of it was blurred or unreadable and nothing was altered. Our plans were acceptable by Planning Division staff and deemed fit for public hearing with the Planning Commission. The Planning Commission was able to review our project and associated plans and approved our project. We are happy to share our plans in electronic format or the full-sized plans with the appellant and/or with the City Council.

There have not been any inconsistencies in our project plan;

- The average front setbacks exceed (20 ft.); it is shown on setback Table on sheet A0
- For Building 1, the average front setback is (20.7 ft.) or (20' 8")
- For Building 2, the average front setback is (23.5 ft.) or (23' 6")

The plans for August 13, 2018 Plan Commission Public hearing were electronically sent to the project planner at the City on August 3, 2018
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by Sheila Quinta of Innovative Concepts. The appellant is more than welcome to view our email dated 8/3/18 or the full size drawings by contacting the project planner at City Hall.

d. Lack of Solar Study

Response: As required by Sunnyvale Code requirement, we have submitted Solar Plans to the Planning Division. The plans (Sheet A8) shows that the proposal would shade 7.3% of the neighboring roof where a maximum shading of 10% is allowed. The previous design denied by the City Council on April 2017 had a 10% shading.

e. Maximizing Unit size and amenities

Response: Our project includes six units that range from 1,449 s.f. to 1,570 s.f. We believe we have drastically reduced 1,350 square feet (1,350/5,098) or 26.48% from 3rd Floor (Upper story – top). Our project provides modest house size and we are not maximizing unit size and amenities.

In conclusion, we have:

- Proposed a design that has no deviations from the Sunnyvale Municipal code.
- All setbacks have been met or exceeded.
- This project meets all (R-3) Zoning development standards (setbacks, parking, building height, lot coverage, usable open space, etc.)
- Substantially reduced the massing and improved the quality of architecture and materials; even the appellant in her appeal letter commented the quality of the architecture and materials were

greatly improved.

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- Applied all of City Council and Plan Commission's recommendations and comments;
- The project provides housing for (6) families with a net increase of (4) units.
- The Planning Commission approved this project unanimously (7-0) on August 13, 2018 public hearing based on merit of this Project.

We realize that the project changes existing conditions and understand that sometimes change is not easy especially when it occurs close to your house and so we have gone above and beyond to address all the valid concerns from the neighbors that were feasible, including reducing building size and square footage. We have done everything that is feasible to make our project acceptable to the neighbors; but we cannot afford to keep the property as is.

The changes that we made based on City Council direction has resulted in a project that is improved in all areas especially neighborhood compatibility. We hope the City Council finds that the project meets City standards, is compatible with the neighborhood and approves the project that meets Sunnyvale standards and expectations.

Thanks for your consideration.
Truly yours,

George Nejat