



# City of Sunnyvale

## Meeting Minutes

### Zoning Administrator Hearing

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Wednesday, September 30, 2015

3:00 PM

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

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#### **CALL TO ORDER**

Andrew Miner, Principal Planner, called the meeting to order at 3:00 p.m.

#### **PUBLIC HEARINGS**

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**File #:** 2015-7108

**Location:** 1130 Prunelle Ct. (APN: 202-12-029)

**Zoning:** R-1 (Low Density Residential) Zoning District

**Proposed Project:**

**DESIGN REVIEW** for demolition of one existing single family home and construction of four two-story single-family homes on four separate lots;

**VARIANCE** from Sunnyvale Municipal Code Section 19.30.020 for individual lot width of each lot

**PARCEL MAP** to subdivide one lot into four lots.

**Applicant / Owners:** California Communities, LLC / Elva V. Marital Trust

**Environmental Review:** Categorically Exempt, Class 3

**Project Planner:** Ryan Kuchenig, (408) 730-7431,  
rkuchenig@sunnyvale.ca.gov

Mr. Ryan Kuchenig, Senior Planner, presented the staff report. Mr. Kuchenig brought special attention to conditions of approval BP-7F and BP-9 regarding tree replacement and fence agreements. Mr. Kuchenig stated several letters had been received after the staff report was completed and were presented to the hearing officer for consideration.

Mr. Miner confirmed with Mr. Kuchenig that the lots and setbacks met minimum zoning standards. Mr. Miner confirmed with Mr. Kuchenig that the site was not in an Eichler district, but adjacent to one. Mr. Miner confirmed with Mr. Kuchenig that there were homes in the area that were already two-stories. Mr. Miner discussed with Mr. Kuchenig if single story homes had been considered for the project and what had been done to minimize single story neighbor impact of the proposed two story homes. Mr. Miner confirmed with Mr. Kuchenig that a solar access study had been done and no shading would occur. Mr. Miner confirmed with Mr. Kuchenig that an effort was made to have minimal tree removal at the site. Mr. Miner

discussed with Mr. Kuchenig the history of the lot and confirmed the variance request was only regarding lot width.

Mr. Miner opened the public hearing.

Mr. Forrest Mozart, applicant, and Mr. Tony Sarboraria, project architect, stated they had read the staff report and conditions of approval. Mr. Mozart and Mr. Sarboraria discussed their efforts to meet with concerns of the neighbors and blend the designs in with the existing neighborhood.

Mr. Miner discussed the Eichler guidelines with Mr. Mozart and Mr. Sarboraria and if they had considered other options of a Ranch style or single story home with a basement for lot 2. Mr. Mozart stated they had attempted to minimize the impact to the existing landscape, but would be open to revisiting other options again. Mr. Miner confirmed the roof pitch with Mr. Sarboraria and Mr. Kuchenig and that it would blend with the surrounding non-Eichler neighborhood. Mr. Miner discussed the positions of the second story windows with Mr. Sarboraria and if they were required by code. Mr. Sarboraria stated the egress windows might be moved and other windows be obscure glass for light purposes only.

Ms. Hemal Mehta, neighbor, stated her concerns about privacy and safety. She asked that other options be considered. Mr. Miner discussed the fence height with Ms. Mehta and asked if raising it to eight feet would help. Ms. Mehta stated she would prefer the existing conditions and a single story with a basement across the fence.

Mr. Edison Fong, neighbor, stated concerns regarding two story homes, six foot fences and planting trees not solving the situation long term. He stated that a single story home with a basement was a better compromise.

Ms. Linor Eylon, neighbor, stated she lived near the Trinity development and was very satisfied with the solution of placing one-story homes adjacent to an existing Eichler neighborhood. She suggested it be considered for this project as well.

Ms. Carole Pappas, neighbor, stated her concerns about the use of trees and the longterm problems they may cause.

Ms. Alice Barraclough, neighbor, discussed her concerns about the most efficient use of the space in the lot design layout. She stated that future owners may find certain property boundary choices made now, restricting and invasive. She stated this could lead to a lower property value.

Mr. Carlos Salinas, neighbor, suggested the site requirements could be relaxed to allow the applicant to build larger homes that would not need a second story.

Ms. Tracy Lin, neighbor, discussed her concerns about privacy. She stated that trees would not be a solution due to height and neighbors would be able to see through her house to the street. She stated a real estate property assessment had been done, finding the two story homes would cause a decreased resale value to her home and others along the back property line.

Ms. Barraclough clarified with Mr. Miner if future owners of the two story homes could change the second floor windows at will. Mr. Miner stated the same considerations and restrictions would still remain.

Mr. Fan Zhang, neighbor, reiterated the concern about the privacy issues. He stated he had discussed with Mr. Mozart and Mr. Sarboraria an impact study they had done and how it related to Ranch style homes and not Eichler. Mr. Zhang presented a petition to Mr. Kuchenig signed by neighbors opposed to the two story homes. He restated the opinion that single story homes with basements was a possible solution.

Ms. Vesna De Groot, neighbor, stated her concern about preserving the integrity of the Eichler communities.

Mr. Miner and Mr. Fong discussed the building history of the cul de sac lots.

Ms. Beverly Grindstaff, neighbor, stated her concerns about growth for growth sake home developments without consideration of exisiting established communities.

Mr. Miner and Mr. Kuchenig discussed the minimum zoning requirements for the variance to the cul de sac lots.

Mr. Mozart stated his appreciation of all the concerns raised by the neighbors. He discussed the reasons for the design choices that were made. He stated that more consideration needs to be taken and options for redesign needs to be considered.

Mr. Miner closed the public hearing.

Mr. Miner and Mr. Kuchenig clarified that a previous community meeting had been held. Mr. Miner clarified with Mr. Mozart that he would be willing to hold another public meeting after the redesign had taken place. Mr. Miner stated he would

continue the item to an unspecified date to give the applicant a chance to reconsider the project design and to hold a new community meeting. Mr. Miner clarified with Mr. Kuchenig and Mr. Mozart that an arborist study had been done. Mr. Miner stated the lot sizes meet the code and flag lots have worked for the City before. He suggested some possible solutions to neighbor concerns. Mr. Miner and Mr. Kuchenig discussed setting up another public noticing and hearing when the redesign was complete.

Action: This item continued to a Zoning Administrator hearing of uncertain date to allow the applicant and staff to work on project design and meet with the nearby community.

**2**

**File #:** 2015-7705

**Location:** 1175 Elko Drive (APN: 104-32-048)

**Applicant / Owner:** Energy Stars Constructions (applicant) / IDEC Corp. (owner)

**Proposed Project:**

**VARIANCE** to allow six wind turbines located between the face of building and street.

**Reason for Permit:** A Variance is required to allow wind energy systems located between the face of building and street (SMC 19.56.080 (g))

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

**Issues:** View from the street

**Recommendation:** Approve with Conditions

Mr. Miner confirmed with Shetal Divatia, Senior Planner, that the applicant was not present. Mr. Miner confirmed with Ms. Divatia the applicant's wish for expediencey. Mr. Miner stated he had questions regarding the project and would continue it until the applicant could be present.

Action: This item continued to the Zoning Administrator hearing of October 14, 2015.

## **ADJOURNMENT**

Mr. Miner adjourned the meeting at 4:15 p.m.