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File #: 22-0924, Version: 1

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### REPORT TO THE ZONING ADMINISTRATOR

#### SUBJECT

##### **Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT:** Convert an existing interior space - tall ceiling above dining room - to a 136-square foot second floor bedroom, resulting in a 1,771-square foot single-family home (1,350-square foot house and 421-square foot garage) and 56% floor area ratio (FAR).

**Location:** 370 Pismo Terrace (APN: 165-46-079)

**File #:** 2022-7337

**Zoning:** R-1.7/PD (Low Medium Density Residential/Planned Development)

**Applicant / Owner:** Ardekon Design and Construction (applicant) / Yilin Wang and Yi Qin (owner)

**Environmental Review:** Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

**Project Planner:** Robby Miller, 408-730-7429, [rmiller@sunnyvale.ca.gov](mailto:rmiller@sunnyvale.ca.gov)

#### BACKGROUND

The existing two-story, single-family residence was constructed in 1994 as part of the former Benner School Site development by SummerHill Homes. The existing residence is approximately 1,771 square feet with a Floor Area Ratio (FAR) of 56%.

The Benner School Site development is zoned R-1.7/PD. The R-1.7/PD zoning district was developed to provide smaller homes (40% lot coverage and 50% FAR) on smaller lots (2,600 to 4,000 square feet) to create more affordable single-family detached home options. The Planned Development (PD) combining district is always included with the R-1.7 zoning district to allow site design flexibility.

This Special Development Permit application requires Zoning Administrator review due to a proposed FAR exceeding 50% allowed in the R-1.7/PD zoning district. The Zoning Administrator may consider the proposed architecture, existing neighborhood, and adopted Single Family Home Design Techniques as part of the consideration for the request. The PD combining district allows approval of specified deviations to the zoning code including FAR. See Attachment 2 for the Data Table of the project.

Similar projects have been approved in the development: 365 Pescadero Terrace (1999-0735), 381 Pescadero (1999-0998), 386 Pescadero Terrace (2009-0164), 378 Pismo Terrace (1998-1128), 382 Redondo Terrace (1998-0572), 866 Markham Terrace (2014-8042), 865 Markham Terrace (2015-7801), 882 McKinley Avenue (2015-7960), and 373 Pescadero Terrace (2017-7300).

#### Description of Proposed Project

The project proposes to convert an existing interior space - tall ceiling above the dining room - to a 136-square foot second floor bedroom, resulting in a 1,771-square foot single-family home (1,350-

square foot house and 421-square foot garage) and 56% floor area ratio (FAR). No modifications are proposed to the exterior except to replace a fixed window with a sliding window for egress requirements needed for the new bedroom.

The subject property is located mid-block on the east side of Pismo Terrace. There are similar single-family homes surrounding the project site. See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project.

### **Previous Actions on the Site**

There are no previous planning applications related to the subject site.

### **ENVIRONMENTAL REVIEW**

The Class 1 Categorical Exemption (CEQA Guidelines, Section 15301, Existing Facilities) relieves this project from the California Environmental Quality Act (CEQA) provisions.

### **DISCUSSION**

**Architecture:** The existing building is a two-story house with stucco exterior, wood trim, two-car attached garage, and composition shingle roofing material. The existing architecture of the home is similar to the other homes in the development. As proposed, there are no exterior modifications except to replace a fixed window with a sliding window for accessibility requirements for the new bedroom. The proposed window would match the existing materials and architectural character.

An existing pergola in the rear yard will be removed due to the original Special Development Permit limiting accessory structures to one shed, no permit record was found, and it is built within five feet of the main structure which is prohibited by SMC 19.48.040.

**Applicable Design Guidelines and Policy Documents:** The proposed project is consistent with the adopted Single Family Home Design Techniques as it maintains the existing shape and form of homes in the neighborhood and fits into the established streetscape. Additionally, the privacy impacts are minimal as no additional windows are being proposed on the second floor. Recommended Findings related to the Single Family Home Design Techniques are located in Attachment 3.

### **Development Standards**

The proposed project complies with all applicable development standards including setbacks and parking (except FAR as discussed below), as set forth in the Sunnyvale Municipal Code.

**Floor Area Ratio:** Since the Benner School Site was developed in 1994, several homes have increased the FAR beyond the 50% limitation by creating a bedroom within the vaulted ceiling area over the living room (>15-foot ceiling height). In those cases, there were minimal visible changes to the exterior of the house and no increase in the foot print. In other cases, additions to the ground floor have resulted in FAR increases beyond 60%.

It should be noted that when this neighborhood was originally developed, the City did not count vaulted ceiling areas above 15 feet in height as gross floor area or include it in the FAR calculation. In 2009, the Zoning Code definition of "Gross Floor Area" for single-family homes was amended to include areas within a 15-foot ceiling height or greater to be counted twice. The current zoning code

requires that those open ceiling areas above 15 feet now be calculated as if they were floor area. With this change in the definition, all of the homes in the development with a vaulted ceiling area in the living room greater than 15 feet would now be calculated with an increased FAR over 50%.

### **NEIGHBORHOOD IMPACTS/COMPATIBILITY:**

The addition is internal, so the proposed structure will not change noticeably from the outside. However, there will be a small impact on the privacy of the northerly home. The window in the new bedroom will have a view of the neighboring house. There are two small, square windows in that adjacent house, so the interior privacy of the neighboring house will not be affected in a significant way. This privacy impact can be reduced by conditioning the new window to be the minimum size that egress allows. Staff will be recommended that as a condition of approval. With or without the condition, staff finds that the window will have limited impact on privacy and is therefore compatible with the surrounding neighborhood.

### **PUBLIC CONTACT**

As of the date of staff report preparation, staff has received no comments from the neighbors.

### **Notice of Public Hearing, Staff Report and Agenda:**

- Published in the *Sun* newspaper
- Posted on the site
- 96 notices mailed to property owners and residents within 300 feet of the project site
- Posted on the City of Sunnyvale's website

### **ALTERNATIVES**

1. Approve the Special Development Permit with the conditions in Attachment 4.
2. Approve the Special Development Permit with modified conditions.
3. Deny the Special Development Permit.

### **RECOMMENDATION**

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment 4.

Prepared by: Robby Miller, Associate Planner  
Approved by: Momo Ishijima, Senior Planner

### **ATTACHMENTS**

1. Vicinity and Noticing Maps
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Special Development Permit Justification form
6. Letter from Somerset of Sunnyvale Maintenance Association
7. Site and Architectural Plans