



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0557, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7361

Location: 354 Amaryllis Terrace (APN: 209-42-009)

Applicant / Owner: CCI Evelyn Park, L.P.

Proposed Project:

USE PERMIT to allow the addition of a two-foot wooden lattice to an existing perimeter wall (varying 10-11 feet in height) of the Classics Evelyn Project. The lattice addition was requested by the single-family residence property owners adjacent to the development.

Reason for Permit: A Use Permit is required for fences in the rear yard exceeding eight feet in height (SMC 19.48.025)

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Issues: Height, privacy, and neighborhood compatibility

Recommendation: Approve with conditions

NOTE: *This item was continued from the Zoning Administrator Meeting of 6/10/2015.*

PROJECT DESCRIPTION

The applicant proposes the addition of a two-foot wooden lattice to an existing perimeter wall (varying in height 10 to 11 feet) of the Classics Evelyn development in the MS-ITR/R-3/PD zoning district. A townhouse development is currently under construction on the site and the lattice addition was requested by the six single-family residence property owners adjacent to the development to address privacy issues.

Zoning District	MS-ITR/R3/PD	Existing Wall Height	10~11'
Setback	0'	Proposed Wall Height	12~13'

Previous Planning Projects related to Subject Application: A 31 unit townhouse project was approved for this site in 2014.	2013-7468 (SDP, VTM)
Neighborhood Preservation Complaint	None
Deviations from Standard Zoning Requirements	None

Background

On August 26, 2013, the Planning Commission approved a Special Development Permit and Vesting Tentative Map to demolish two industrial structures and construct 31 three-story townhouse units. The approved project included the following actions responding to and addressing neighborhood privacy concerns:

- Eliminating one unit from the middle of the building facing the single family homes
- Modifying the third floor south-facing windows for Units 18 through 22
- Adding privacy screens to the south-facing balconies
- Increasing the rear yard setback for Unit 31 from 15 feet to 20 feet
- Modifying the south-facing third floor bedroom window for Unit 31 (similar to Units 18 through 22)
- Enhancing the privacy landscaping along the southern property line including planting 35-gallon Brisbane Box trees

Design

The existing masonry wall on the 334-foot southern property line varies in height between 10 and 11 feet and is adjacent to six single family residences to the south. The masonry wall is white with a capped post with 12 feet between posts. The cap on the posts would be removed and a two-foot wooden lattice would be added to the masonry wall. The lattice would have a natural stain and would have a vertical board between the diagonal lattices to provide more screening. A condition of approval has been added to include the maintenance of the lattice and perimeter wall in the CC&R's of the Homeowner's Association document.

Neighborhood Impacts / Privacy / Compatibility

The homeowners of the adjacent single family residences to the south have been in communication with the developer, Classics Communities, throughout the project entitlement and the construction process. The applicant has incorporated changes to the project, as listed above in the "Background" section, in response to the privacy concerns of the neighbors.

Half of the six adjacent homes to the south are two stories and the rest are one story homes. The project will consist of three story homes measuring 33.3 feet in height. The existing grade of the adjacent single family residences is approximately two feet higher than the finished grade on the Classics development side. The existing masonry wall was constructed to be eight feet as measured from the adjacent residence side. The adjacent neighbors have requested the applicant install a two-foot lattice addition to the masonry wall to further address privacy issues (Letters from neighbors - Attachment 5).

The adjacent property to the west is the 188-unit Bristol Commons apartment complex. There is a similar existing perimeter wall to the rear (south) of the Bristol Commons property that is eight-foot in height with a four-foot wooden lattice. (Site Photographs - Attachment 4). That eight-foot masonry wall was approved as part of the Special Development Permit for the apartment complex development in 1987, and the building permit was issued for the four-foot lattice extension in 2000. The proposed project would be approximately equivalent to the height of the wall with the lattice at the adjacent property.

Public Contact: 469 notices were mailed to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. No additional letters or calls were received from the public by staff at the time of writing this report.

Environmental Determination: A Categorical Exemption Class 1 (minor alterations to existing structure) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

The following policies in the Land Use and Transportation Element relate to the proposed project:

- N1.1 Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

The following policies in the City-Wide Design Guidelines relate to the proposed project:

- 5.C5 Privacy fences over 6 ft. high in residential areas should consist of lattice work for that portion of fence being over 6 ft. high.
- 5.C7 Screening devices should always be made of opaque materials such as wood or masonry blocks.

The height of the wall with the lattice at 12 to 13 feet is taller than typical perimeter wall installations separating single-family residences from multi-family developments. However, the single-family residences are located on grade approximately two feet higher and have requested the additional screening from the three-story development. The apartment complex adjacent to the west has a similar wall and lattice installation, presumably also to protect the integrity and provide screening for the single family residences to the south of the apartment complex. The wall is masonry and the lattice is of wood material. The proposed modifications would be in conformance with the General Plan and the Citywide Design Guidelines.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

The proposed addition to the perimeter wall is located along the rear property line of the project site and adjacent to the single-family residences. Small sections of the wall are visible from East Evelyn Avenue and South Wolfe Road. The lattice addition was requested by the owners of the single-family residences to further provide screening from the three-story multi-family development, thereby reducing the visual impact of the new development. The installation of the 36" box trees as required by the conditions of approval for the development should provide screening and break up the massing of the wall. Ongoing maintenance of the wall and lattice would be required of the new townhouse HOA. Staff was able to make the finding for the project with the attached conditions.

ALTERNATIVES

1. Approve the Use Permit with recommended Conditions in Attachment 2.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment 2.

Prepared by: Momoko Ishijima, Associate Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Recommended Conditions of Approval
3. Site and Architectural Plans
4. Site Photographs
5. Letters from Neighbors