



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 15-0829, Version: 1

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### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

**File #:** 2015-7358

**Location:** 1549 Norland Drive (APN: 323-28-068)

**Zoning:** R2

**Proposed Project:** Related applications on a 0.25 acre lot:

**TENTATIVE PARCEL MAP:** To allow the subdivision of an existing lot into two lots.

**USE PERMIT:** To allow two new single-family homes (one on each proposed lot) where the proposed lot areas and widths are less than the minimum required in the R2 zoning district.

**DESIGN REVIEW:** For two new, two-story single-family homes with gross floor areas of 2,722 sq. ft. and 50% FAR (Lot 1); and 2,699 sq. ft. and 49% FAR (Lot 2).

**Applicant / Owner:** SC Design Group/Mark Caragio

**Environmental Review:** Categorical Exemption, Class 15

**Project Planner:** George Schroeder, (408) 730-7443, [gschroeder@sunnyvale.ca.gov](mailto:gschroeder@sunnyvale.ca.gov)

#### **REPORT IN BRIEF**

**General Plan:** Residential Low-Medium Density

**Existing Site Conditions:** Single-family residence with detached accessory living unit

##### **Surrounding Land Uses**

**North:** Single-family residence

**South:** Multi-family residences (across Alberta Ave.)

**East:** Single-family residence (across Norland Dr.)

**West:** Single-family residence

**Issues:** Floor Area Ratio, Neighborhood Compatibility

**Staff Recommendation:** Approval with conditions

#### **BACKGROUND**

##### **Description of Proposed Project**

The project site consists of a single lot, totaling 10,900 square feet. The property is currently developed with a single-family home and a detached accessory living unit, which would both be completely demolished with the project. The existing driveway provides access from Norland Drive.

The proposed project involves the subdivision of one lot into two for separate ownership and the construction of two new two-story, single-family homes, with each home to be located on an individual lot. The project includes the following applications:

- **Use Permit**

A Use Permit is required per Table 19.30.020, Note 7 of the Sunnyvale Municipal Code (SMC) for lot area and lot width less than the minimum required, provided that the overall density of the project is consistent with the zoning district. In the R-2 Zoning District, the minimum lot size is 8,000 square feet, with at least 3,600 square feet of lot per unit. In this case, the existing 10,900 square foot lot meets the minimum lot size requirement, but the new lots do not, however there is at least 3,600 square feet per unit. A maximum density of three units is allowed onsite. General Plan Policy HE-4.3 requires new developments to build to at least 75% of the maximum density, or two units minimum for the site. Therefore, the project meets the policy on minimum number of units.

- **Tentative Parcel Map**

The Tentative Parcel Map is required prior to a Final Parcel Map for the subdivision of the existing lot into two lots. The Tentative Parcel Map shows the location of the proposed lot lines and other improvements (see Attachment 5). No common lots or areas are proposed as part of the project. The Final Parcel Map is approved by the Director of Public Works and must be in substantial conformance with the Tentative Parcel Map.

- **Design Review**

A Design Review permit is required for the construction of new residences to evaluate compliance with development standards and the Single Family Home Design Techniques. Planning Commission review is required for homes that exceed 45% FAR. The two homes proposed both exceed 45% FAR. If the proposed FARs were 45% or less, the Use Permit and Tentative Parcel Map would only require review at a Zoning Administrator hearing.

See Attachment 1 for the vicinity and noticing radius map and Attachment 2 for the project data table. Findings to approve the Use Permit, Tentative Parcel Map, and Design Review are included in Attachment 3.

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

The following table summarizes previous planning applications related to the subject site:

<b>File #</b>	<b>Description</b>	<b>Hearing/Decision</b>	<b>Date</b>
2006-1095	Design Review to add 387 sq. ft. addition to the front of the existing main residence	Staff/Approved, but never built	2/16/2007
2003-0228	Variance to allow a single-story addition to encroach into the required corner vision triangle	Zoning Administrator/Denied	4/30/2003
1992-0117	Use Permit to allow construction of a detached accessory living unit	Zoning Administrator/Approved	4/17/1992

### **ENVIRONMENTAL REVIEW**

A Class 15 Categorical Exemption relieves this project from the California Environmental Quality Act provisions. Class 15 Categorical Exemptions include minor land divisions in urbanized area of four or fewer parcels when the division is in conformance with the General Plan and Zoning Ordinance.

## **DISCUSSION**

### **Small Lot Single-Family Residential Policy**

Staff has utilized City Council Policy 1.1.12 (Maximum Standards for Small Lot Single Family Residential Developments) in reviewing the proposed project. City Council Policy 1.1.12 provides a set of guidelines for development on small lots. Suggested minimum development standards for small lot residential developments are:

1. Projects with lots of 4,200 square feet or smaller should maintain an overall project (including interior private drives and streets) floor area ratio (FAR) of 50% or less.
2. Usable open space should total 500 square feet or greater, with dimensions of 15 feet or greater in every direction.
3. The exterior boundaries of a proposed project adjacent to existing residential development should maintain a maximum required second story side yard setback along the side adjacent to the existing home

The project is consistent with all of the above standards, but the lot sizes are larger than 4,200 square feet. Staff still considers the size of the proposed lots (5,401 and 5,499 square feet) to fit the definition of small lots, since the sizes are significantly smaller than the minimum lot size in the zoning district.

### **Site Layout/Neighborhood Compatibility**

The project site is located on the northwest corner of Norland Drive and Alberta Avenue, and is located in a transition zone from medium-density residential to low-density residential, with a variety of different housing types nearby. The project site adjoins two-story, single-family homes, and the site would continue to consist of single-family homes, except that the new homes would be in a different configuration and would be two separate main residences, rather than the existing main residence and accessory living unit.

The project site is approximately 100 feet wide (facing Norland) by 110 feet deep (facing Alberta). As proposed, the existing lot would be subdivided into two individual lots, with Lot 1 being located at the intersection and Lot 2 being located between Lot 1 and 1548 Hollenbeck Ave (see Attachment 5 for project plans). The front entry of the proposed home at Lot 1 would face Norland and the home at Lot 2 would face Alberta. With subdivision of the property, the two lots would function independently of one another. However, surrounding residents and passersby will likely regard the new homes as a single development project.

Once subdivided, the yards for both lots are defined differently than when considering the lot as a whole, and there are still adequate setbacks that comply with the SMC standards. The street frontage on Alberta Avenue would serve as the front yard of Lot 1, and the street frontage along Norland Drive would function as the reducible front yard. The street frontage along Alberta Avenue would also function as the front yard for Lot 2. The proposed building orientation would reinforce the prevailing neighborhood pattern by orienting front yard setbacks along Alberta Avenue. The building massing is concentrated away from adjoining residences to the north and west in order to maintain existing buffering. Moreover, the proposed second stories are located near the shared side property line between the new homes, at the center of the existing lot.

## **Architecture**

The existing neighborhood is comprised of one- and two-story, single-family, duplex, and multi-family residences, which vary in style from Ranch, Postwar Tudor Revival, Spanish, and Mediterranean. The proposed designs are Mediterranean in nature that include strong entry features, stucco walls or fiber cement horizontal siding, composite shingle roofs with moderate pitches, aligned windows, and hip and gable roof forms. Decorative elements, such as stone veneers and shutters are also evident in the design. The two homes have similar Mediterranean architectural styles, but look different from one another. Staff finds that the proposed architectural design is in keeping with the character of the existing eclectic neighborhood and would contribute positively to the streetscape and vicinity.

The 1,733 square-foot first floor of Lot 1 consists of a two-car garage, two bedrooms, one-and-a-half bathrooms, a kitchen, a laundry room, and family and living rooms. The 989 square-foot second floor of Lot 1 consists of three bedrooms and two bathrooms.

The 1,716 square-foot first floor of Lot 2 consists of a two-car garage, two bedrooms, a bathroom, a kitchen, a laundry room, and family, dining, and living rooms. The 983 square-foot second floor of Lot 2 consists of three bedrooms and two bathrooms.

## **Floor Area Ratio**

An FAR greater than 45% requires review by the Planning Commission. The surrounding neighborhood on Norland Drive and Alberta Avenue is composed of one- and two-story homes with FARs ranging between 20% and 57%, with an average of 34% (Attachment 7). Although not included in the comparison, there are also several larger two-story multi-family residential buildings on Alberta Avenue. The applicant's request for 49% and 50% FARs are the same or less than six other existing single-family/duplex homes in the neighborhood and is consistent with the City's small-lot policy that recommends an overall project FAR of 50% or less.

The bulk and mass of the houses are reduced through increased and varied setbacks, second floor wall offsets, lower second floor plate heights, cantilevered features, and sufficient roof area to cover exposed blank walls.

The neighborhood is not predominantly one-story, so the 35% second to first floor ratio recommended by the Single-Family Home Design Techniques does not apply.

## **Landscaping, Open Space, and Tree Protection**

A conceptual landscaping plan has been submitted by the applicant, which proposes placement of additional vegetation on the project site. The final landscaping plan is subject to water-efficient landscaping standards (SMC 19.37) and will be reviewed by the City's Arborist to determine the appropriate tree species and ensure that all vision triangles are maintained (Attachment 5).

The project exceeds the minimum landscaped area requirement by providing a total of 2,806 square feet of total landscaping on Lot 1 and 2,484 square feet of total landscaping on Lot 2, where a minimum of 805 square feet per unit is required. Additionally, the project meets the usable open space requirement with 1,509 square feet of useable open space on Lot 1 and 1,787 square feet on Lot 2 where a minimum of 500 square feet per unit is required. Useable open space consists of large rear yard areas for both lots.

An arborist report was provided, which evaluated the health and disposition of 33 trees that exist onsite. Three of these 33 trees are considered “protected” under SMC Chapter 19.94, and include Camphor, London Plane, and Holly Oak species. A protected tree is defined as having a trunk size of at least 38 inches in circumference, as measured 4.5 feet from the ground. All three protected trees will be retained in the project design, and staff will work with the applicant at the building permit stage for appropriate tree replacements to offset the loss of any unprotected trees. The City Arborist also recommends planting two street trees, one on each frontage, which has been incorporated into the conditions of approval (Condition BP-1).

### **Privacy**

Second-story windows and balconies may present potential privacy impacts to adjacent properties not included in the project. On Lot 1, four windows are proposed on the rear elevation (master bedroom and stairs) as well as a balcony with views to the rear (facing an existing single-family residence at 1543 Norland). Two of the four windows (stairs) have window sill heights at five feet above the finished floor to mitigate privacy impacts. The other two master bedroom windows have lower sill heights, but are setback 10 feet more than the required distance from the side property line at 1543 Norland (30 feet total). The balcony is also setback a substantial distance, at 37 feet from the 1543 Norland property line.

On Lot 2, six windows are proposed on the left side elevation (stairs and master bedroom), and all have window sill heights at five feet above the finished floor. A balcony is also proposed on the rear elevation with views to the side and rear (facing 1548 Hollenbeck and 1543 Norland, respectively). The door to the balcony serves as the required egress since the other windows in the master bedroom are too small for egress. The proposed setbacks of the balcony to both neighboring properties are 24 feet. The balcony includes a 3.5 foot solid wall around it, which helps to offset privacy impacts.

There is a row of existing Podocarpus trees along the north and west sides of Lot 2, which will continue to provide privacy screening, although some of these may be removed to accommodate the project. The applicant is currently not proposing to plant any additional privacy trees or shrubs at this time. Staff finds that the privacy impacts to the adjacent neighbors are minimized with adequate setbacks and design considerations.

### **Solar Access**

SMC 19.56.020 states that no permit may be issued for any construction which would interfere with solar access by shading more than 10% of the roof of any structure on a nearby property. Shadowing impacts are expected to be minimal due to the massing of the second floor area toward the shared side yard property line between the new homes, and away from neighboring residences. The project plans demonstrate shading is below the maximum level permitted, thereby complying with solar access standards.

### **Parking/Circulation**

The proposed project meets the minimum parking requirement for single-family homes. Each lot provides two covered garage spaces and two uncovered driveway spaces. The existing driveway on Norland Drive would be closed, with a new driveway located 12 feet to the south of the existing driveway for Lot 1. A new driveway from Alberta Avenue is proposed for Lot 2.

In order to reduce runoff from new impervious surfaces, staff recommends a condition (Condition PS-

1a in Attachment 4) that the proposed driveways and pedestrian pathways within the front yard be composed of pervious pavers or concrete. Design and materials of such elements would be subject to review and approval by City staff.

### **Compliance with Development Standards/Guidelines**

The project complies with the applicable development standards in the SMC for the R-2 Zoning District as allowed through the Use Permit. The Project Data Table in Attachment 2 summarizes the project's compliance with applicable development standards. The project also would satisfy the design provisions of the City's Single-Family Home Design Techniques.

### **FISCAL IMPACT**

No fiscal impacts other than normal fees and taxes are expected. A transportation impact fee, estimated at \$821, is assessed for the conversion of an existing accessory living unit to a main single-family residential unit, which is assessed at the time of payment. Park dedication in-lieu fees are also required for the conversion to a main single-family residential unit, resulting in an approximate fee of \$52,272. Park dedication fees must be paid prior to approval of the parcel map.

### **PUBLIC CONTACT**

#### **Notice of Public Hearing**

- Published in the *Sun* newspaper
- Posted on the site
- 155 notices mailed to property owners and residents within 300 feet of the project site

#### **Staff Report**

- Posted on the City's website
- Provided at the Reference Section of the City's Public Library

#### **Agenda**

- Posted on the City's official notice bulletin board
- Posted on the City's website

#### **Public Contact**

Staff was contacted by three residents that live nearby the project site. One was in support of the project, and the other two noted concerns with the proposed subdivision, increase in building area, and potential parking and traffic impacts resulting from the new homes. See Attachment 6 for the neighbors' correspondence.

#### **Outreach Meeting**

The applicant mailed letters regarding the proposed project to residential properties within 300 feet of the project site and held an outreach meeting on August 19, 2015. At least five parties attended the outreach meeting in order to gather information and/or provide feedback related to the project. Comments included concerns with exacerbation of existing limited on-street parking, additional traffic, and neighborhood compatibility.

### **CONCLUSION**

Staff was able to make the required Findings for approval of the Use Permit, Tentative Parcel Map,

and Design Review. Findings and General Plan Goals are located in Attachment 3.

Staff believes that the project would be compatible with the character of the existing neighborhood and contribute positively to the surrounding streetscape. Staff finds that the applicant has attempted to reduce visual and privacy impacts to neighboring properties to the extent possible in overall site design and in proposed building elevations. The applicant has met the requirements of the City's design guidelines and policies.

### **ALTERNATIVES**

1. Approve the Tentative Parcel Map, Use Permit, and Design Review with the Conditions of Approval in Attachment 4.
2. Approve the Tentative Parcel Map, Use Permit, and Design Review with modified conditions.
3. Approve the Tentative Parcel Map and Use Permit with conditions and deny the Design Review.
4. Deny the Tentative Parcel Map, Use Permit, and Design Review and provide direction to staff and the applicant where changes should be made.

### **RECOMMENDATION**

Recommend Alternative 1 to approve the Tentative Parcel Map, Use Permit, and Design Review applications based on the Findings in Attachment 3 and with the recommended Conditions of Approval in Attachment 4.

Prepared by: George Schroeder, Associate Planner

Reviewed by: Gerri Caruso, Principal Planner

Approved by: Trudi Ryan, Planning Officer

### **ATTACHMENTS**

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. Correspondence from Neighbors
7. Floor Area Ratio Comparison