



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0940, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2015-7411

Location: 1464 Ramon Drive (APN: 313-14-005)

Zoning: R-1

Proposed Project:

Appeal of a staff-level decision to deny an application for a Design Review to allow for modifications to a single-family home, including construction of tandem parking, a 963 square-foot addition (including 815 square-foot garage), and a 400 square-foot detached accessory structure.

Applicant / Owner: Tamir Reshef (applicant/owner)

Environmental Review: A Class 1 Categorical Exemption (modification to existing structures) relieves this project from California Environmental Quality Act provisions and City Guidelines.

Project Planner: Gerri Caruso, (408) 730-7591, gcaruso@sunnyvale.ca.gov

Note: *This item was continued from the September 14, 2015 Planning Commission meeting.*

REPORT IN BRIEF

General Plan: Residential Low-Density

Existing Site Conditions: Single-family home

Surrounding Land Uses

North: Single-family home

South: Single-family home

East: Single-family home

West: Single-family home

Issues: Compliance with Municipal Code

Staff Recommendation: Approve the appeal based on new information received after the September 14, 2015 hearing.

BACKGROUND

A Design Review application was filed, requesting modifications to an existing home comprised of an addition of 963 square feet, including an 815 square-foot tandem garage; two bathrooms of 60 square feet and 88 additional square feet, respectively; and a detached habitable space of 400 square feet.

Staff denied the application for Design Review on grounds that the request for inclusion of a tandem

garage failed to satisfy the criteria specified by the City of Sunnyvale Municipal Code. The applicant appealed staff's decision to deny the project.

The Planning Commission considered the appeal on September 14, 2015. There were four commissioners at the hearing and there was a 2-2 split on whether to deny or grant the appeal. The ultimate action of the Planning Commission was to continue the item to October 12, 2015 with direction to explore other site arrangements for parking and provide more information. Planning staff has also met with the Building staff to better understand the scope of modifications that would be required.

This staff report addresses the issues raised at the prior Planning Commission hearing and subsequent information provided by the applicant. The background of the project and design are located in the original staff report (Attachment 9).

Description of Proposed Project

Refer the attached Planning Commission staff report from September 14, 2015 for detailed background information and project discussion.

Appeal

Staff originally denied the applicant's tandem parking plan and on July 14, 2015, the applicant filed an appeal to the Planning Commission. To support the appeal, the applicant provided documentation describing motivation for modification to the layout of the existing home. The applicant's letter discusses accommodation of a growing family and the need to offset excessive expense involved with construction of a side-by-side garage configuration (Attachment 8). The applicant has also expressed concerns about the hardships involved with conformance to current code requirements, given the home's angled placement relative to surrounding property lines.

Upon conclusion of the appeal hearing the Commission continued the item and directed the applicant to explore other site arrangements for parking and provide more information.

Per the Commissions suggestion the applicant looked at building two separate single car garages instead of one tandem garage. Although a single car garage could be built on the north side (left) side of the property, the applicant has submitted two sample site plans demonstrating the difficulty of constructing a single car garage on the south (right) side of the property outside of the front yard setback. In one case he shows a 6 foot side yard setback which would require a Variance. In the second plan the 9 foot required setback is shown. In both cases a significant portion of the front master bedroom would need reconfiguration. The applicant's goal to gain a second/master bathroom may also be defeated.

In addition to internal cosmetic issues such as the need to replace significant flooring inside the house, the applicant also provided information about significant building modifications needed to build a side-by-side, two-car garage:

- Encroachment of the side-by-side garage creates an unusual/odd internal floor plan;
- Encroachment of the new garage requires removing and digging a new foundation in the area of the existing dining, family and living rooms;

- The foundation modification would also require relocation of the kitchen sewer line which has an unusual location due to a former septic tank;
- 20% of the existing house is affected by the side-by-side configuration including redirecting the heating and AC system across the roof of the shallow roof;
- The roof in the area of the new garage would require reframing.
- The scope of the building modifications to construct the side-by-side, two-car garage is costly and inconvenient.
- Planning staff has conferred with the City's Building Division staff to better understand the scope of modifications that would be required. Building has confirmed that reframing the roof to accommodate the two-car garage is a structural issue requiring redesign of the roof joists which provide support for the roof and distribute its weight. (Attachment 12 Applicant's original two-car garage floor plan)

The applicant has indicated that he had no understanding of the construction complications when he made an application for a side-by-side garage. After learning more, the applicant decided to pursue the tandem garage plan.

Previous Actions on the Site

The applicant applied for and obtained approval of a staff-level Design Review (File 2014-8076) which involved modification to the home with a side-by-side garage (Attachment 6).

Prior to the two Design Review applications discussed in this report, the applicant had applied for a Variance (File 2014-7982) from covered parking requirements. With the requested Variance, the applicant proposed to add living space and retain a one-car garage; the applicant later withdrew the application because staff informed him that changes to the parking code were being considered to allow tandem parking.

ANALYSIS

Tandem Parking Consideration

Recently adopted, SMC 19.46.050 amended the City of Sunnyvale parking standards and allows staff to consider a two-car tandem parking design in-lieu of two side-by-side covered parking spaces for a single-family home. The code requires compliance with at least one of two criteria to consider tandem parking:

Without a variance, an approving authority, as part of any discretionary permit or, if no discretionary permit would be otherwise required, a miscellaneous plan permit, may allow a tandem parking garage or carport to satisfy the two covered space requirement ... if the approving authority makes one or more of the following findings:

(A) The width of the subject lot is less than fifty-seven feet; or

(B) Significant structural modifications are required to expand the existing covered parking area into the living area to meet the minimum size and dimensions for two covered spaces.

Criteria A

The subject property is a 9,300 square-foot lot located in Raynor Park (a large-lot R-1 neighborhood). The site exceeds the minimum 8,000 square-foot minimum lot size required of properties located in the R-1 zoning district. The lot is 75 feet in width. Although a 76 foot lot width is required in the R-1 zoning district the lot is significantly wider than 57 feet so Criterion A does not apply to this project.

Criteria B

Detailed discussion of the applicant's side-by-side garage application is found in the attached staff report from September 14, 2015.

Staff has also conferred with the City's Building Division and has determined that structural changes required to accommodate a side-by-side garage do constitute significant structural changes.

Design Review (See staff report from September 14, 2015)

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings regarding general architectural style proposed (analysis in staff report of September 14, 2015).

Staff was also able to make the required Findings for conformance with SMC 19.46.050, allowing for consideration of tandem parking. Staff recommends that the appeal be approved. In reevaluating the proposal for tandem parking, the applicant has provided site plans demonstrating separated garages are also difficult to accomplish. Staff was able to justify Criteria B based on the feedback from the City's Building Division that creating a side-by side two car garage would require significant structural modification to the existing home.

Recommended Findings and General Plan Goals are located in Attachment 3.

Conditions of Approval: Recommended Conditions of Approval are located in Attachment 4.

FISCAL IMPACT

No fiscal impacts other than normal fees and taxes are expected.

PUBLIC CONTACT

As of the time of preparation of this staff report, staff has received no correspondence related to the proposed project.

Notice of Public Hearing:

- Posted on the site
- 134 notices mailed to property owners and residents within 300 feet of the project site
- Posted on the City's official notice bulletin board

Staff Report/Agenda:

- Posted on the City of Sunnyvale's Web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library

Because the Planning Commission continued this item to a date certain at the last hearing, no additional noticing was required.

ALTERNATIVES

1. Grant the appeal and staff's revised recommendation to approve the Design Review that includes tandem parking subject to the Conditions of Approval in Attachment 4.
2. Deny the appeal and require the applicant to redesign the project with a two-car, side-by-side garage.
3. Grant the appeal and approve the project with tandem parking and with modified Conditions of Approval.

RECOMMENDATION

Alternative 1: Grant the appeal and approve the project with tandem parking, subject to recommended conditions in Attachment 4.

Staff has explored the options more fully with the applicant and conferred with the Building Division and finds that if this information had been available at the time of the original request the tandem configuration would have been approved at staff level.

Prepared 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 (Denied, Subject of Appeal)
6. Site and Architectural Plans (Approved Design Review)
7. Denial Letter
8. Appeal Letter
9. Planning Commission Report of 9/14/15 (no attachments)
10. Planning Commission Minutes of 9/14/15
11. Applicant's Site Plan Options
12. Applicant's Original Two-Car Garage Floor Plan