



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 16-0565, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2016-7174

Location: 1453 Yukon Drive (APN: 323-30-063)

Zoning: R-2/PD

Proposed Project: Related applications on a 3,861 square foot site:

SPECIAL DEVELOPMENT PERMIT: to allow a 198 square foot second floor addition to an existing two story single-family residence resulting in the total floor area of 2,549 square feet with 66 percent Floor Area Ratio.

VARIANCE: to reduce solar access to adjacent structure.

Applicant / Owner: Cornelia Haber (applicant) / Andrei and Pnina Simel (owner)

Environmental Review: Class 1 Categorical Exemption

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Residential Low Medium Density

Existing Site Conditions: Single Family Residence

Surrounding Land Uses

North: Single Family Residence

South: Single Family Residence

East: Single Family Residence

West: Single Family Residence

Issues: Solar access, Floor Area Ratio, Side Setback

Staff Recommendation: Approve Special Development Permit and Variance with the Recommended Conditions of Approval in Attachment 4.

BACKGROUND

Description of Proposed Project

The project includes a 198 square foot addition on the second floor of an existing 2,357 square foot, two-story single family residence, resulting in a total of 2,549 square feet (2,149 square feet living area and 400 square feet garage). The lot size is 3,861 square feet, and the existing home is already over 45 percent FAR. Planning Commission review is required for homes exceeding 45 percent FAR or 3,600 square feet. The existing home is a Bahl Patio home with zero side yard setback on one side and is located within the Patio Home subdivision referred as Yukon Village, which incorporates the properties from 1445 to 1469 Yukon Drive. The project includes the following applications:

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project. Findings to approve the SDP and Variance are included in Attachment 3. The applicant's findings are in Attachment 5.

Special Development Permit

The master Special Development Permit (SDP) for the homes within Yukon Village did not limit the Floor Area Ratio (FAR) for the properties. However, an SDP is required for additions within a Planned Development (PD) zoning district.

Variance

A Variance is required for exceptions to zoning code provisions when there are difficulties or unique situations (and that cannot be considered through an SDP). The applicant is requesting a Variance from SMC Section 19.56.020(a), which specifies that no new construction is to interfere with solar access to more than 10 percent of the rooftop of any structure on a nearby property during the hours of 9 AM to 3 PM during the Winter Solstice, or the shortest day of the year (December 21st).

The applicant requests a Variance to allow the project to impair solar access on 15.5 percent of first-floor roof area of the adjacent two-story single family residence to the right side (1451 Yukon Drive) on the afternoon of the Winter Solstice. The existing structure without the addition currently shades 10.5 percent of first-floor roof area of the same property on the afternoon of the Winter Solstice. A detailed discussion of the proposed solar access impairment is found in subsequent sections of this report and findings required to approve a Variance are discussed in Attachment 3. Sheet A3-2 in Attachment 6 demonstrates that shading would not exceed the maximum level permitted on the morning of the Winter Solstice.

Previous Actions on the Site

A Special Development Permit (Project number 2003-0018) was approved on February 12, 2003, for the property to allow 146 square feet first-floor addition to the existing two-story single family residence, resulting in a total floor area of 2,357 square foot with 61 percent FAR. Other additions to Bahl patio homes have been allowed through the SDP process.

ENVIRONMENTAL REVIEW

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act. Class 1 Categorical Exemptions include minor additions to existing structure (CEQA Section 15301).

DISCUSSION

Present Site Conditions

The existing 2,357 square foot two-story residence is part of the Yukon Village subdivision of Bahl Patio Homes. The 3,861 square foot project site is located mid-block on the west side of Yukon Drive between Cheyenne Drive and Cottage Grove Terrace. The surrounding uses are single-family residences. Properties along Yukon Drive are similarly zoned low-medium density residential (R-2) with the Planned Development (PD) combining district. The zoning for the adjacent residences towards the west is low-density residential (R-1).

Site Design and Architecture

The proposed project involves addition of a walk-in closet adjacent to the existing second-floor master bedroom. No modification is being proposed to the existing first-floor. The home was built as part of an 8-unit development of patio homes in 1978, and is characterized by a zero-lot-line development on the right side and front yard enclosed by a solid six-foot high fencing. The immediate neighborhood is comprised of two-story Bahl Patio homes.

The proposed second- floor addition will maintain the existing zero right-side setback. It is setback 24'-9" from the left side and extends forward 12 feet from the existing front façade of the existing second floor, leaving a 34-foot front yard setback. The location of the second-floor addition at 14-foot setback from the first-floor walls reduces the second floor bulk near the street front. (Project Data Table, Attachment 2).

The proposed addition has a gable roof oriented towards the street and vertical trim bands to match the existing home. The proposed home is consistent with the adopted Single-Family Design Techniques for the proposed design maintains the existing form and materials of the house. Similar to houses in the immediate neighborhood, the second-floor addition will be located partially over the garage that projects out of the reminder house. Staff finds that the proposed addition is in a reasonable location that does not require any significant modifications to the existing floor plan as the project does not propose to add to the first-floor footprint or modify the existing first-floor plan.

Expected Impacts on the Surroundings

No significant impacts on the surrounding properties are expected. The second floor bulk near the front of the house is avoided by setting the proposed second floor addition 14 feet back from the first floor façade of the house, resulting in a total second-floor front yard setback of 34 feet that exceeds the minimum required setback of 25 feet. The staff does not find any privacy impacts with the new opening being substantially of the same dimensions as existing and located facing the adjoining neighbor's (1455 Yukon Drive) property that has no outdoor areas or windows that may be affected by the proposed addition.

Development Standards

The project complies with most of the applicable development standards in the Sunnyvale Municipal Code, such as lot coverage, parking, and height. The project data table in Attachment 2 summarizes the project's compliance. The proposed addition maintains the existing zero setback on the right side. The applicant is requesting a Variance to allow the project to impair solar access of the single-family property to the north on the afternoon of the Winter Solstice.

Floor Area Ratio

The proposed Floor Area Ratio (FAR) is 66 percent. While there is no maximum FAR in the R-2 zoning district or in the master Special Development Permit, an FAR greater than 45 percent requires

review by the Planning Commission. The homes within the Yukon Village subdivision is composed of two-story homes with FAR ranging between 55 % and 67 %, with an average of 59 percent (FAR Table, Attachment 7). The existing home is at 60.8 percent FAR. With the exception of the neighboring residence at 1451 Yukon drive (67 percent FAR), the proposed FAR of 66 percent is greater than the majority of existing homes in the neighborhood, however, the proposed design uses increased setbacks to help reduce the bulk and mass of the home. The staff finds the architecture is keeping with the Bahl Patio home style of the existing residence and the neighborhood and also meets the Single-Family Home Design Techniques for the exterior design and neighborhood compatibility (Attachment 3).

It should also be noted that the subject lot is 3,861 square feet in area, which is substandard compared to the minimum lot standards in the R-2 zoning district but is typical and consistent with homes in Yukon Village and other Bahl patio homes approved through PD zoning. The project site is less than two-third the size of the minimum required lot size in the R-2 zoning district and less than half the size of the residential lots on the east side of the property with R-1 zoning district.

Setback

The project complies with minimum R-2 Zoning district setback requirements along the front and rear perimeter of the project site. The minimum side yard setback requirement measured from the proposed second-floor addition on one side is 24 feet 9 inches. The other side maintains the existing legal non-conforming zero setback from the property line on the right side where the code would typically require 7 feet if the site were not a Bahl Patio home.

Solar Access

The applicant is requesting a Variance from SMC Section 19.56.020(a), which specifies that no new construction is to interfere with solar access to more than 10 percent of the rooftop of any structure on a nearby property during the hours of 9 AM to 3 PM during the solar cycle. The shortest day of the solar cycle is the Winter Solstice (December 21st), which represents a worst-case shading scenario. The variance requested is to allow the project to impair solar access during the afternoon of the Winter Solstice on 15.5 percent of the first-floor roof area on the adjacent apartment property to the north (1451 Yukon Drive).

The intent of the solar access requirement is to preserve the ability of residents/property owners to add functional solar panels to their roof. The existing structure at the subject property already creates a shadow of more than 10 percent (10.5 percent) on the adjacent property's first-floor roof. In addition, the neighbor's second-floor roof self-shades 7.8 percent (119 square feet) of the first floor roof. No solar panels currently exist on the neighbor property's first floor roofs. The remaining 1,173 square feet of unshaded second-floor roof area is available to provide [aprovide a](#) solar panel array. The first floor roof area that will be shaded by the proposed addition on the Winter Solstice afternoon represents a small portion (5 percent) of the overall property's roof area. There are alternative locations that could accommodate solar panels that would not be shaded by buildings.

Staff supports the Variance request since there are alternative locations for the potential installation of solar panels on the roofs of the neighbor's property that would not be shaded by the proposed

addition and by granting this Variance, the purpose of the ordinance would still be served and no special privileges would be granted to the applicant.

Sheet A3-2 in Attachment 6 demonstrates that shading would not exceed the maximum level permitted on the morning of the Winter Solstice. Findings to approve the SDP and Variance are included in Attachment 3. The applicant's findings are in Attachment 5.

The applicant has not provided any comments from the adjacent neighbor regarding the solar impact from the project.

Applicable Design Guidelines and Policy Documents

The proposed home is consistent with the adopted Single-Family Design Techniques for the proposed design maintains the existing form and materials of the house. The staff has included findings for the Single-Family Design Techniques in Attachment 3.

Conclusion

The staff was able to make the required Findings for the Design Review and Variance with the Recommended Conditions of Approval (Attachment 4).

FISCAL IMPACT

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

PUBLIC CONTACT

Notice of Public Hearing

- Published in the *Sun* newspaper
- Posted on the site
- 353 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: As of the date of staff report preparation, staff has received no comments from the neighbors.

ALTERNATIVES

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

RECOMMENDATION

Alternative 1 to approve the Special Development Permit and Variance based on the Findings in Attachment 3 and with the recommended Conditions in Attachment 4.

Prepared by: Aastha Vashist, Assistant Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Radius Map
2. Project Data Table
3. Findings for Approval
4. Recommended Conditions of Approval
5. Applicant's Variance Justifications
6. Project Plans
7. Existing Floor Area Ratio (FAR) Table