



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 17-0338, Version: 1

REPORT TO CITY COUNCIL

SUBJECT

Proposed Project: Introduce an Ordinance to **REZONE** 29 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story)

Location: 1457-1493 Firebird Way (APNs: 309-14-035 through 309-14-044 and 309-27-050 through 309-27-055), 1459-1495 Flamingo Way (309-14-045 through 309-14-047 and 309-27-044 through 309-27-049) and 677-691 Dunholme Way (APNs: 309-14-048 through 309-14-051).

File #: 2016-7753

Zoning: R-0

Applicant / Owner: Susann Luschas (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

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

SUMMARY OF COMMISSION ACTION

On March 13, 2017, the Planning Commission considered this request to rezone 29 contiguous lots from R-0 to the R-0/S zoning designation to limit homes in that area to single stories. The rezoning would only affect the 29 properties included in the application area, and would prohibit future two-story homes and additions in the rezone area.

The proposed rezoning area includes 28 one-story Eichler homes and one non-Eichler one story home. The proposed rezoning area is located adjacent to two other recently adopted Single Story Combining Districts (project number 2015-8091 and 2016-7467).

The Planning Commission voted 4-3 to recommend the City Council to deny the rezone. Three of the Planning Commissioners expressed concerns about making the public interest findings. Two of the Planning Commissioners also expressed concerns that a proposed boundary for the district is located mid-block. Staff notes that the proposed district includes two residential blocks that follows the tract number 2944 boundary towards the north. Sunnyvale Municipal Code Section 19.26.200 states that to the extent feasible, the proposed district shall follow a recognizable feature such as a street, stream, or tract boundary.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of

the City Clerk and on the City's website.

ALTERNATIVES

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3).
2. Introduce an Ordinance (Attachment 6 of this report) to Rezone 29 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story).
3. Introduce an Ordinance with modified boundaries to rezone fewer properties.
4. Deny the rezone.

STAFF RECOMMENDATION

Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3); and 2) Introduce an Ordinance (Attachment 6 of the report) to Rezone 29 contiguous single family home lots from R-0 (Low Density Residential) to R- 0/S (Low Density Residential/Single-Story).

As noted in the Report to Planning Commission (See page 3 of Attachment 1), the proposed zoning request meets the criteria established for a single-story combining district including: underlying zoning, minimum number of properties, property owner support, predominance of one-story homes, and that “the proposed district shall follow a recognizable feature such as a street, stream, or tract boundary.” Staff finds the application meets all five criteria and is able to make the finding of public interest.

Prepared by: Aastha Vashist, Assistant Planner

Reviewed by: Gerri Caruso, Principal Planner

Reviewed by: Trudi Ryan, Director of Community Development Department

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Report to Planning Commission 17-0113, March 13, 2017 (without attachments)
2. Vicinity and Noticing Maps
3. List of addresses and APNs within the proposed district
4. Applicant's letter
5. List of Approved and Proposed Single-Story Districts
6. Draft Ordinance
7. Letter from the City to property owners in proposed district

Additional Attachments for Report to Council

8. Excerpt of Minutes of the Planning Commission Meeting of March 13, 2017
9. Public Comment Letters
10. Letters from the Applicant