



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2014-7602

Location: 688 Morse Avenue (APNs: 204-16-055)

Zoning: R-3

Proposed Project: **APPEAL** by the applicant of the Zoning Administrator's decision to deny a **TENTATIVE PARCEL MAP & USE PERMIT** to subdivide one lot into two lots and build two new two-story single-family homes totaling 2,877 s.f. each (including garage). **VARIANCE** to allow a shared zero-lot line side yard setback.

Applicant / Owner: Huijang Jaing (applicant) / Santa Cruz Capital LLC (owner)

Environmental Review: A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA). Class 3 Categorical Exemptions includes construction of new construction of up to three single family homes (CEQA Section 15303 (a)).

Project Planner: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Residential Medium Density

Existing Site Conditions: Single Family Residence

Surrounding Land Uses

North: Single-Family Residential

South: Apartments (Fourplex)

East: Single-Family Residential

West: School (Columbia Middle School)

Issues: Site Layout, Tree Preservation

Recommendation: Deny the Use Permit, Tentative Parcel Map, and Variance. If the Planning Commission grants the appeal and approves the Use Permit, Tentative Parcel Map, and Variance, the recommended Conditions of Approval are included in the Attachment 4.

BACKGROUND

On May 10, 2017, the Zoning Administrator considered the proposal for a Tentative Map, Use Permit, and Variance for a two-lot subdivision and construction of two attached two-story single family homes with zero-lot line side yard setbacks at 688 Morse Avenue. At the hearing, two residents requested to review the plans but did not provide comments. The Zoning Administrator took the project under advisement. On Friday, May 12, the Zoning Administrator denied the project noting that the project, as designed with two single family homes, is out of scale and too large for the site. Minutes of the Zoning Administrator Hearing are included in Attachment 7 (reference pages 4-6). An appeal was filed by the applicant on May 26, 2017. A letter of appeal is included in Attachment 8.

DISCUSSION

Description of Proposed Project: The applicant proposes to demolish an existing single-family residence with accessory structures and construct two new two-story, single-family residences. The existing 8,184 s.f. lot would be subdivided into two separate equal size lots (4,092 s.f. each). A Parcel Map is required for the subdivision and a Use Permit is required for the construction of the new residences, and to evaluate compliance with development standards. The proposed lot size of 4,092 s.f. for each lot is less than the minimum required in the R-3 Zoning District; however, a Use Permit may allow for lot area (and other development standards) to be less than the minimum requirement. A Variance is also requested to allow the shared zero lot-line between the new properties. A Project Data Table is included in Attachment 2.

Site Layout: The proposed layout would split the lot into two equal size lots. The two proposed homes mirror each other with identical floor plans, while slightly off-set from each other to the street. Each home would maintain a two-car garage with separate driveways and would maintain separate private yards with no shared common area. While each home provides a vehicular entrance directly off the public street, the front doors are located behind the garage and face separate side patios. Separate walkways lead from the driveway to the main entrances.

Except for a shared zero lot line between the properties, each property would meet all other required setbacks. The property exceeds front and rear yard setbacks for each story, as noted in the Project Data Table. At the closest point to the side property line, the homes slightly exceed the minimum first story setback (6' 1") and meet the minimum second story side (9') yard setbacks; however, much of the first and second stories are set back further from the property line.

Each home totals approximately 2,877 s.f. (including a 440 s.f. two-car garage) with five bedrooms and five bathrooms, and each site maintains an overall lot coverage of 39.9% and a 70% FAR. Unlike other single-family zoning districts, the R-3 zoning district does not require Planning Commission review for single family homes greater than 45% Floor Area Ratio (FAR). Site and Architectural Plans are included in Attachment 5.

Architecture: The proposed architectural design can be considered modern or contemporary. A stacked stone veneer material is proposed to extend vertically up the façade adjacent to the garage doors and wraps around the corners of the building. Cedar shiplap siding with a natural stain is positioned prominently on the front and side second-story elevations. Beige painted stucco is utilized within each story along all sides of the building. On each story, a wood fascia (painted dark brown) is utilized to cap a flat roof which extends one to two feet from the building. Metal shade awnings are positioned above the second story windows and balcony doors of each unit, facing the street. The building height peaks at approximately 22' 3".

The entire street elevation view of the project is the garage on the first floor with a second floor balcony above. This design is inconsistent with the Single Family Design Techniques that state: "Wherever possible, garages and their paved access drives should be subordinate to, rather than dominating, the entry and architecture of the house." This project is designed with a dominant garage facing the street and the entry along the side of the home, which is inconsistent with the policy.

A project rendering is included in Attachment 6.

Landscaping: The project meets landscaping and usable open space requirements for the R-3

zoning district. Each home would maintain a private rear yard of 852 s.f. and 1,005 s.f. respectively. Minimal front yard landscaping is provided due to the layout of the two car garages and driveways that face the public street. A side patio is provided for each unit near the main entrances. A six-foot wood fence is proposed around the rear and open side yard areas, and between the private yards of the two new homes. A three-foot wood fence will be located along the site property lines within the first 20 feet of the property line. Eight existing trees are proposed to be removed on the site. Five of these trees meet the City definition of a protected tree. These trees are either in fair or good condition but are also near or within the proposed building footprint. Replacement trees are required based on City policy as noted in the Conditions of Approval. Three additional protected street trees at the front of the site are planned to be preserved. As further discussed in the “Neighborhood Impacts/Compatibility” section of this report, staff is concerned about the long-term viability of these trees based on the current design. The City Arborist has noted that these street trees are particularly unique to the area (Jacaranda and silk floss). If the project is approved, tree protection measures are included in the Conditions of Approval.

Parking: Each home provides side-by-side two-car garages with two uncovered spaces in each of the driveways. The driveways angle away from each other towards the street due to the location of three street trees. As stated in the landscaping section, these trees are considered unique and recommended for preservation.

Neighborhood Impacts / Compatibility: Based on the density allowed in the R-3 Zoning District, up to four units could be built on this lot; however, development potential is limited due to the difficulty in meeting certain development standards. A General Plan Policy further recommends that 75% of the allowable density be considered, which would be three units for this site. Three units was previously proposed; however, the applicant chose to reduce the number of units to two, due to design limitations to meet certain development standards and the desire to provide larger single-family style units. The existing layout of neighboring single-family homes have also limited the design options of the second story portions of the homes on this property due to solar access requirements. Although the proposal does not meet the City’s General Plan policy to build 75% of the allowable density, staff can support the number of units proposed, as the proposed density provides as a transition between similarly zoned medium density (R-3) properties to the south (along Morse Avenue) and lower density R-0 single family properties to the north and east.

The proposed layout notes the preservation of the three existing street trees. The applicant’s consulting arborist notes that these trees should survive with appropriate tree protection measures. In consultation with the City Arborist, staff is still concerned that the proposed driveway locations are too close to these trees, and the trees will have difficulty surviving. An alternative layout has been previously recommended that would utilize one driveway along the north end of the site. This layout would require reconfiguration of the homes with one or both garages located at the back of the site. In addition to allowing more space for the existing trees, it would provide for a more aesthetically appealing streetscape, since more front yard area could be devoted to landscaping. The layout would reduce the private rear yard area, but adequate space could be allocated to meet required development standards.

The proposed two single family homes are approximately 2,877 s.f. (including garage), which is larger than most single family homes in the area. Although lot coverage standards have been met, the overall FAR (70%) for each site is much higher than single family homes in the immediate area.

Additionally, the second story floor area is approximately 76% of the floor area of the first floor (including the garage) and the Single Family Design Guidelines recommend that second story floor area should not exceed 35% of the first story floor area in predominantly single story neighborhoods. The surrounding neighborhood to the north and east is predominantly single story, while two-story multifamily development is located further south of the site in a higher density area; therefore, a higher ratio may be justified. Nonetheless, if approved, staff is recommending that the second story floor area be reduced to no more than 60% of the first story floor area (Condition of Approval PS-1).

Tentative Map

Description of Tentative Map: The Tentative Map calls for the subdivision of the existing lot into two private ownership lots. Each lot will be maintained separately with no common areas.

Easements: A stormwater easement dedication is provided along the front of the site crossing the subdivided property.

APPEAL

A letter from the applicant and architect is included in Attachment 8. Staff concurs with the applicant that the neighborhood is a mix of development types and that the density is compatible. Staff also acknowledges that along Morse Avenue there is also R-0, R-3 and R-2/PD zoning districts adjacent to each other. However, the proposed site layout and overall design is not in scale with nearby single family development. Furthermore, an alternative layout is possible that reduces front yard paving and improves the likelihood of survival of existing trees. As stated in the reports, staff would recommend that a singular driveway off the street along the north side of the site, with one unit facing the street and another positioned behind would create a better visual aesthetic from the street.

The applicant had also previously considered three and four-unit designs for the project. The four-unit layout included several variances to code requirements that would be difficult for staff to support. A three-unit project could be supported; however, certain design improvements were recommended to reduce the scale and better meet code requirements while also reducing possible solar and privacy impacts to adjacent development.

ENVIRONMENTAL REVIEW

A Categorical Exemption Class 3 exempts this project from CEQA provisions. Class 3 Categorical Exemptions includes construction of new construction of up to three single family homes.

PUBLIC CONTACT

As of the date of staff report preparation, staff has received no comments or phone calls from the public.

Notice of Public Hearing

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

Staff Report

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

Agenda

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

ALTERNATIVES

1. Find that the action is exempt from CEQA pursuant to CEQA Guidelines 15303, deny the appeal and deny the Use Permit, Parcel Map and Variance.
2. Find that the action is exempt from CEQA pursuant to CEQA Guidelines 15303, grant the appeal and approve the Use Permit, Parcel Map, and Variance subject to the recommended Conditions in Attachment 4.
3. Find that the action is exempt from CEQA pursuant to CEQA Guidelines 15303, grant the appeal and approve the Use Permit, Parcel Map and Variance with modifications.

RECOMMENDATION

Alternative 1: Find that the action is exempt from CEQA pursuant to CEQA Guidelines 15303, deny the appeal and deny the Use Permit, Parcel Map and Variance.

Staff cannot make the Findings for the Use Permit, Parcel Map, and Variance; therefore, cannot support the project as proposed. The proposed lot configuration with two driveways off the public street and a front yard area dominated for parking use does not contribute to a desirable streetscape. An alternative layout with reduced units and one driveway along the north side of the site is recommended, and would contribute to a more aesthetic view from the street. This alternative layout would increase the potential area for landscaping, while also improving the likelihood for survival of the existing street trees. Further reduction of the second story of each home is also recommended to be more compatible with single family development in the surrounding neighborhood.

Prepared by: Ryan Kuchenig, Senior Planner

Reviewed by: Gerri Caruso, Principal Planner

Approved by: Andrew Miner, Planning Officer

ATTACHMENTS

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Standard Requirements and Recommended Conditions of Approval
5. Site and Architectural Plans
6. Project Rendering
7. Zoning Administrator Hearing Minutes, dated May 10, 2017
8. Appeal Letter from the Applicant