

### REPORT TO PLANNING COMMISSION

#### SUBJECT

Single-Story Combining District Buffer Study: Forward a Recommendation to the City Council to Introduce an Ordinance to Rezone a 50-foot wide area along the rear (eastern) property lines of 696 Sheraton Drive (APN 202-09-020), 1158 Hollenbeck Avenue (APN 202-09-019), and 1160 Hollenbeck Avenue (APN 202-09-018), and a 20-foot wide area along the side (southern) property line of 1160 Hollenbeck Avenue (APN 202-09-018) from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S), and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3).

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#### **Report in Brief**

On December 6, 2016, the City Council approved a Single-Story Combining District designation (S) for 59 properties in the R-1 (Low Density Residential) Zoning District within the Fairbrae neighborhood (Report File No. 16-1091). The City Council action included direction for staff to study and prepare the following:

- (1) Prepare a Zoning Code ordinance to enable “split zoning,” which would allow two or more zoning districts on a single lot (considered as a separate item - Report File No. 17-0703); and
- (2) Consider split zoning for the R-1 zoned properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue and 1160 Hollenbeck Avenue (“Hollenbeck properties”) to include the R-1/S zoning district on a specified area adjoining the R-1/S properties within the Fairbrae neighborhood.

This study considers the potential split zoning distance options (buffer distances) with distances ranging from no buffer to a 60-foot buffer. Adoption of the split zoning ordinance would allow the Single-story Combining District boundary to be placed anywhere on the three subject Hollenbeck properties. The enabling legislation for split zoning is covered under a separate report (Report File No. 17-0703).

Several options for rezoning the Hollenbeck properties to R-1/S were considered, including specific distances for all sides of the Hollenbeck properties that adjoin the R-1/S district. The options are broken into two considerations: a buffer along the rear yards of the Hollenbeck properties, and a buffer along the side yard for the property at 1160 Hollenbeck Avenue. Staff recommends the following buffer distances:

- A 50-foot split zoning buffer for property boundaries of the Hollenbeck properties adjoining 675, 679, 683 and 682 Tiffany Court; and
- A 20-foot split zoning buffer for the side yard at 1160 Hollenbeck Avenue adjoining 689, 695, and 699 Torrington Drive.

The staff recommended zoning district boundary is in Attachment 3.

Staff recommends that the Planning Commission forward a recommendation to the City Council, which is scheduled to consider this item on September 12, 2017, along with the split zoning ordinance.

This item was originally scheduled for August 14, 2017 but it was continued to the following Planning Commission meeting on August 28, 2017 due to a noticing error.

## **BACKGROUND**

On December 6, 2016, the City Council approved rezoning of 59 properties in the Fairbrae neighborhood with a Single-Story Combining District with their base zoning district of Low Density Residential (R-1/S). The original rezoning request included 62 properties, but the City Council acknowledged that the properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue, and 1160 Hollenbeck Avenue ("Hollenbeck properties") have different characteristics than other properties included in the rezoning application and adopted the modified Single-story rezoning boundary without the Hollenbeck properties (Attachment 4). The Hollenbeck properties include two non-Eichler, single-family homes and one non-residential facility (Fairbrae Swim and Racquet Club). The lot sizes for the Hollenbeck properties are larger than the other properties in the original study.

To address the exclusion of the Hollenbeck properties and potential privacy impacts from any future two-story development on the adjoining single-story zoned properties, the City Council directed staff to study and prepare the following:

- (1) Prepare an ordinance to enable split zoning; and,
- (2) Study and recommend a buffer distance between the Hollenbeck properties and adjoining R-1/S properties.

This buffer study only includes three of the 62 properties in the original rezoning application in the Fairbrae neighborhood. The original boundary is Sheraton Drive to the north, Torrington Avenue to the south, Hollenbeck Avenue to the west, and Royal Ann Avenue and Tiffany Court to the east.

## **Single-Story Combining District (SSCD) Rezoning Applications**

Including the Fairbrae neighborhood SSCD application, the City has received a total of 11 SSCD rezoning applications in 2015 and 2016 (there are also two areas that were rezoned to SSCD before 2010), and nine applications have been approved for rezoning and two are pending. Attachment 5 shows a map of all SSCD areas in the City as of July 17, 2017.

## **EXISTING POLICY**

### **General Plan Goals and Policies**

The following are key goals and policies from the General Plan pertaining to this study.

### **Land Use and Transportation:**

Policy 49: Preserve and enhance an attractive community, with a positive image, a sense of place, landscaping, and a human scale.

Policy 52: Avoid monotony and maintain visual interest in newly developing neighborhoods, and promote appropriate architectural diversity and variety. Encourage appropriate variations in lot sizes, setbacks, orientation of homes, and other site features.

Policy 55: Require new development, renovation, and redevelopment to be compatible and well-integrated with existing residential neighborhoods.

Policy 56: Improve and preserve the character and cohesiveness of existing residential neighborhoods.

**Community Character:**

Policy CC -1.3: Ensure that new development is compatible with the character of special districts and residential neighborhoods.

**Sunnyvale Municipal Code Section 19.26.200**

Sunnyvale Municipal Code (SMC) Section 19.26.200 establishes the Residential Single-Story Combining District. The intent of the City Council's action creating the Single-Story Combining District was to "modify the site development regulations of the R-0, R-1 and R-2 residential zoning districts to preserve and maintain single-family neighborhoods of predominantly single-story character." SMC Section 19.26.200(b) states that the SSCD may be established at the discretion of the City Council to combine with the specified residential zoning districts. The City Council may, after a recommendation by the Planning Commission, approve a zoning amendment upon finding that the amendment, as proposed, changed or modified is deemed to be in the public interest. The language of the finding is broad and undefined and the City Council can take into consideration any aspect of the rezoning that it considers in the public interest.

**Sunnyvale Design Guidelines**

Single Family Home Design Techniques (*Adopted in January 2013*)

The Single-Family Home Design Techniques, adopted by the City Council, provide guidance on several design issues when the Zoning Code is either silent or ambivalent. The Design Techniques guide on design elements, neighborhood compatibility, and other architectural factors that apply to single family homes in Sunnyvale.

Eichler Design Guidelines (*Adopted in July 2009*)

The Council adopted Eichler Design Guidelines provide guidance on design issues, compatibility, and privacy concerns and still allow creativity and individuality in architectural expression for Eichler homes in the City.

The design techniques in both documents are applied along with development standards for appropriate zoning districts, including any single-family home design review applications (required for additions over specified size or remodels the change the character of the house).

**ENVIRONMENTAL REVIEW**

The action being considered is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15305 of the CEQA Guidelines (minor alternations in land use limitations in areas with an average slope less than 20 percent, which do not result in any change in land use or density). In addition, the action does not constitute a "project" within the meaning of the CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the action will have a significant effect on the environment. The creation of a single-story buffer zone on the Hollenbeck properties does not change the underlying residential (R-1) zoning or change any allowed uses or density. It merely limits the height of any future construction within the buffer zone from what is currently allowed (30 feet) to 17 feet.

## **DISCUSSION**

Adoption of the split zoning ordinance (separate action) would allow the Single-Story Combining District boundary to be placed anywhere on the three Hollenbeck properties, if so decided.

### **Existing Conditions**

The properties in the R-1/S Zoning District adjacent to the Hollenbeck properties are generally Eichler-designed single-story homes, except for a two-story home at 679 Tiffany Court adjacent to the Fairbrae Racquet and Swim Club. The SSCD properties within the block are generally developed with standard residential setbacks with grades approximately 2-3 feet lower than the Hollenbeck properties.

The Hollenbeck properties are developed as follows:

#### **696 Sheraton Drive**

- Current Use: Fairbrae Racquet and Swim Club (non-residential use)
- Size: 1.06 acres (46,174 sq. ft.)
- Dimensions: Corner lot, approximately 120 ft. wide x 320 ft. deep
- Potential Subdivision: 5 lots maximum (1 dwelling unit/8,000 sq. ft.)
- The meeting room building is closest to the adjacent SSCD properties along Royal Ann Drive, including the two-story house.

#### **1158 Hollenbeck Avenue**

- Current Use: Single-family, single-story home (multiple structures on the lot)
- Size: 0.73 acre (31,624 sq. ft.)
- Dimensions: Approximately 158 ft. x 198 ft.
- Potential Subdivision: 3 lots maximum (1 dwelling unit/8,000 sq. ft.)
- There are two accessory buildings in the required rear yard area.

#### **1158 Hollenbeck Avenue**

- Current Use: Single-family, single-story home
- Size: 0.39 acre (16,748 sq. ft.)
- Dimensions: Approximately 85 ft. x 198 ft.
- Potential Subdivision: 2 lots maximum (1 dwelling unit/8,000 sq. ft.)
- There are no buildings within its rear yard, only garden features and furniture.

Staff visited the Hollenbeck properties and observed landscaping along with fences in the back and side of the Hollenbeck properties abutting other SSCD properties within the block.

The Hollenbeck properties homes are all single-story, and there are two-story homes in the immediate vicinity across Hollenbeck Avenue. Most homes in the area are single-story, single-family homes, with prevalently Eichler-style. The Fairbrae Swim and Racquet Club property includes tennis lights that exceed the SSCD 17-foot height standards, but the height limitation applies to buildings, which is defined as “any structure having a roof supported by columns or walls for the shelter, housing or enclosure of persons...” (SMC 19.12.030 (9)), which do not include light structures. Free-standing structures (and roof equipment) are limited to 25 feet above the height limit of the zoning.

## Buffer Distance Options

Staff performed mapping analyses after reviewing the existing condition of each property in the study area. The analyses included mapping different rear yard buffer distances that range from 40 feet to 60 feet and side yard buffers ranging from 50 feet to no buffer. Attachment 6 shows how each buffer distance affects the Hollenbeck properties. To review the options, the study was divided into two parts: the rear yard buffer for all properties, and the side yard buffer for the property at 1160 Hollenbeck because there are different criteria to consider for both.

The following discussion analyzes buffer distances, and resulting effects for each option:

### Rear Yard Buffer Distance

#### Options

##### *Buffer distance: 0 feet*

- Provides no additional two-story setback other than the Zoning Code requirement of 20 feet (note that one-story buildings are allowed within 10 feet of the rear property line, up to 25 percent of the required rear yard area).
- Provides maximum opportunity for Hollenbeck properties to add two-story housing opportunities on the properties.

##### *Buffer Distance: 40 feet*

- Twice the current rear yard requirement for two-story homes in the R-1 zoning district; however, one-story structures could still be located within 10 feet of the rear property line, with a maximum of 25 percent of the required rear yard area.
- Same distance as the curb-to-curb distance of the streets around the block. Staff confirmed that the distance between the paved area from curb-to-curb is approximately 40 feet. The total right-of-way, from property line to property line, is approximately 62 feet (accounts for the sidewalks and landscaping area).

##### *Buffer Distance: 50 feet*

- Two and one half times the current rear yard requirement for two-story homes in the R-1 zoning district, however one-story structures could still be located within 10 feet of the rear property line.
- Over 60 percent of the two existing residentially used lots along Hollenbeck Avenue (exclusive of the Racquet and Swim Club) would be prohibited from having a two-story structure.
- Suggested minimum from the City Council.

##### *Buffer Distance: 60 feet*

- Three times the current rear yard requirement for two-story homes in the R-1 zoning district; however, one-story structures could still be located within 10 feet of the rear property line, with a maximum of 25 percent of the required rear yard area.
- Nearly equal to the total right-of-way distance, from property front property line to front property line, in the adjoining SSCD area.
- Provides greater separation of potential two-story homes adjacent to the SSCD properties, but further limits two-story options on the Hollenbeck properties.

As the buffer distance increases, the visibility of the neighboring property slightly decreases. However, as shown in the line-of-sight drawing prepared by staff (Attachment 7), the changes to sight

lines are incremental; although the increasing distance reduces visibility between the structures.

#### Recommendation

Based on factors such as line of sight, and review of existing property characteristics (such as grade changes, landscaping, and existing structures), **staff recommends using a 50-foot distance** for the split zoning line along the rear property line of the Hollenbeck properties. This would provide a sufficient distance between potential future structures on the Hollenbeck properties and the existing R-1/S properties, and would maintain at least 60 percent of the Hollenbeck properties outside the R-1/S zoning designation.

### **Side Yard Buffer Distance for 1160 Hollenbeck Avenue**

#### Options

##### *Buffer distance: 0 feet*

- Maximizes the opportunity for future improvements to the 1160 Hollenbeck property.
- Allows the property to be improved in accordance with existing zoning standards, including side yard setbacks for two-story homes, which is a minimum nine feet and a combined setback of 20 percent of the lot width, which is 17 feet.
- Provides no additional setback from adjoining SSCD properties along Torrington Drive.

##### *Buffer Distance 20 feet*

- Increases the minimum side yard setback if two-stories from nine feet to 20 feet, which is approximately 25 percent of the lot width.
- Provides 56 feet of the lot width for a two-story element to be added on the 1160 Hollenbeck property.
- The 1160 Hollenbeck property has a side yard facing the adjoining properties rear yard. There are limited opportunities to locate a two-story home further from a side yard than a rear yard because of the narrowness of the property; however, the options for first or one-story would not be affected.
- The City design review of two-story residential homes typically requires windows along the side yard to be minimized or reduced by placing smaller windows up higher along the side of the home or use of obscure glass to reduce impact to neighbors.

##### *Buffer Distance 50 feet*

- Increases the setback requirement to be consistent with the rear yard setback recommendation.
- For the 1160 Hollenbeck Avenue, which is abutting four different SSCD properties on its rear and side property lines, the potentially developable area for the second story is reduced to 20.5 percent of the lot and 26 feet of the lot width, however the options for first or one-story would not be affected.
- Provides similar setbacks for the rear yards of the SSCD homes along Torrington Drive as other properties affected by the buffer study.

#### Recommendation

**Staff recommends using a 20-foot distance** for the split zoning line along the south property line of the 1160 Hollenbeck Avenue property. This would provide reasonable distance between potential future two-story structures on the 1160 Hollenbeck property and the existing R-1/S properties, and would provide adequate area on site for the 1160 Hollenbeck properties to build a two-story structure.

According to the initial petition collected for the original SSCD rezoning application and city-conducted survey result, two of three property owners along Torrington Drive abutting 1160 Hollenbeck Avenue were either against the rezoning proposal or expressed support for rezoning only if the 1160 Hollenbeck Avenue property was rezoned to SSCD as well (Attachment 8). During outreach for this SSCD buffer study, the affected Torrington Drive property owners requested either a minimum of 50 feet buffer to 1160 Hollenbeck Avenue or to have the Single-Story Combining District removed from their properties.

### **FISCAL IMPACT**

The proposed amendments to the Sunnyvale Municipal Code associated with Single-Story Combining District would have no fiscal impact.

### **PUBLIC CONTACT**

Public contact regarding this item was made through the following ways:

1. Posting the Agenda for Planning Commission on the City's official-notice bulletin board outside City Hall and by making the agenda and report available at the Sunnyvale Public Library and on the City's website;
2. Publication in the Sun newspaper, at least 10 days prior to the hearing;
3. E-mail notification of the hearing dates sent to all interested parties and neighborhood associations;
4. Posting on-site notices at 696 Sheraton Drive, 1158 Hollenbeck Avenue, and 1160 Hollenbeck Avenue.
5. 88 notices were sent to property owners and tenants within 300 feet of the properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue, and 1160 Hollenbeck Avenue.
6. One community outreach meeting held to discuss the SSCD Buffer Study on June 7, 2017;
7. Two Planning Commission study sessions were held to discuss the SSCD Buffer Study on June 26, 2017 and July 24, 2017.

### **COMMUNITY OUTREACH MEETING**

Staff conducted a community outreach meeting on June 7, 2017 at the Fairbrae Swim and Racquet Club located at 696 Sheraton Drive. The City presented potential buffer distances (ranging from 40 feet to 70 feet) to approximately 14 residents who attended the outreach meeting. Residents asked about schedule, procedure, a general rezoning process, and discussions and motion(s) made at the City Council meeting on Dec. 6, 2016, when most of the block was rezoned to SSCD.

### **PLANNING COMMISSION STUDY SESSION**

Staff conducted two separate Study Sessions with the Planning Commission on the SSCD Buffer Study. The first Study Session was held on June 26, 2017. Staff updated the Planning Commission with background information on the Study, a summary on the outreach meeting conducted, and potential approaches for the Study. The Planning Commission asked clarifying questions and provided their preliminary feedback. Public comments received at this Study Session reflected support of the SSCD and requesting a speedy implementation to ensure protection promised with rezoning, and opposition to a Buffer Study and requesting either reduced or no buffer.

At the second Study Session on July 24, 2017, staff provided more detailed background on the Buffer

Study and explained existing regulations that may affect the Buffer Study. The Planning Commission expressed concerns with split zoning on the Hollenbeck properties setting a precedent. They expressed that the existing design requirements and development standards, along with additional landscaping requirements as a condition of approval, would be sufficient to protect privacy of the SSCD properties without impacting the Hollenbeck properties. Members of the public spoke at the end of the Study Session in support and opposition to the approach of split zoning and additional buffers. Staff noted that single-story zoning buffer areas were approved for the former Trinity Church site at Pome Avenue and Fremont Avenue.

## **PUBLIC COMMENTS**

As of the date of staff report preparation, staff has received five comments letters on the item. All the public comments can be found in Attachment 9.

## **ALTERNATIVES**

Recommend the City Council to:

1. Rezone 50 feet of the rear properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue and 1160 Hollenbeck Avenue adjoining 675, 679, 683, and 682 Tiffany Court from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S).
2. Rezone a revised distance of the rear properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue and 1160 Hollenbeck Avenue adjoining 675, 679, 683, and 682 Tiffany Court from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S).
3. Rezone 20 feet of the side property of 1160 Hollenbeck Avenue adjoining 689, 695, and 699 Torrington Drive from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S).
4. Rezone a revised distance of the side property of 1160 Hollenbeck Avenue adjoining 689, 695, and 699 Torrington Drive from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S).
5. Do not rezone the three properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue, and 1160 Hollenbeck Avenue, and make no changes to zoning district boundaries.
6. Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3).

## **STAFF RECOMMENDATION**

Recommend to the City Council Alternatives 1, 3 and 6: Rezone 50 feet of the rear properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue and 1160 Hollenbeck Avenue adjoining 675, 679, 683, and 682 Tiffany Court from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S); Rezone 20 feet of the side property of 1160 Hollenbeck Avenue adjoining 689, 695, and 699 Torrington Drive from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S); and, Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines 15305 and Section 15061(b)(3).

Creating a buffer between existing R-1/S zoned properties and R-1 zoning provides the residents in the SSCD properties some assurance of privacy and compatibility from potential future two-story homes. The recommended 50-foot distance along the rear of the Hollenbeck properties and 20 feet along the side yard of 1160 Hollenbeck Avenue provides additional distance while maintaining



sufficient area to accommodate future development options on the Hollenbeck properties.

Factors considered in staff's recommendation include distances from adjoining R-1/S properties, line of sight, and review of existing property characteristics (such as grade changes, landscaping and existing structures). The staff recommendation would provide a sufficient distance between potential future structures on the Hollenbeck properties and the existing R-1/S properties, and would maintain most the Hollenbeck properties outside the R-1/S zoning designation.

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Reviewed by: Trudi Ryan, Community Development Director  
Approved by: Kent Steffens, Assistant City Manager  
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## **ATTACHMENTS**

1. Not Used (*Reserved for Report to Council*)
2. Proposed rezoning ordinance
3. Staff recommended zoning district boundaries for 696 Sheraton Drive, 1158 Hollenbeck Avenue, and 1160 Hollenbeck Avenue
4. Map: Fairbrae Neighborhood SSCD Boundaries
5. Map: Adopted and pending SSCDs
6. Map: Buffer analysis - 40 feet to 60 feet
7. Line of sight drawings - 40 feet to 60 feet
8. Petition and survey results from the original rezoning application
9. Public comments