



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 18-0060, Version: 1

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### REPORT TO CITY COUNCIL

#### **SUBJECT**

**Proposed Project:** Call for Review by the City Council of a Decision by the Planning Commission Approving Related Applications on a 0.34-acre site:

**SPECIAL DEVELOPMENT PERMIT:** to develop four new single family homes. The existing single family home and accessory living unit are proposed to be demolished.

**VESTING TENTATIVE MAP:** to subdivide one lot into four lots

**File #:** 2017-7248

**Location:** 838 Azure Dr. (APN: 211-18-030)

**Zoning:** R-2/PD (Residential Low-Medium Density/Planned Development)

**Applicant / Owner:** Xin Lu

**Environmental Review:** Mitigated Negative Declaration

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

#### **SUMMARY OF COMMISSION ACTION**

The Planning Commission considered this item on December 11, 2017 and voted to approve the Special Development Permit and Vesting Tentative Map with the recommended findings in Attachment 3 and modified conditions of approval in Attachment 4. The vote was 4-2, with Commissioner Howe and Olevson dissenting. Commissioner Howard was absent. As captured in more detail in the Minutes of the Planning Commission of December 11, 2017 (Attachment 8), the following modified Conditions of Approval were approved:

- Add PS-1 b) regarding addition of backing to allow safety bars in bathtub area;
- Modify BP-5 regarding appropriate curb color painting for four sets of trash and recycling containers (each set is three carts) along the public street;
- Add BP-22 h) regarding the size and paving for the guest parking space between Azure Drive and Unit 2;
- Add BP-38 to specify that all garages be pre-wired for electric vehicles, as required by the Building Code;
- Add BP-19 g) regarding implementation of International Dark-Sky Association (IDA) approved exterior lighting hardware;
- Remove PS-1 a) regarding the minimum combined second-story side yard setback requirement; and,
- Add BP-9 g) to require that native large species trees as appropriate for the site be selected and to consult with the City Arborist to ensure no new trees would be vectors for Sudden Oak Death or fire volatility.

#### **DISCUSSION**

This application was called for review by Councilmembers Melton and Goldman in accordance with the provisions of Section 19.98.070 of the Sunnyvale Municipal Code. Unlike an appeal of a Planning Commission action, a call for review does not require any statement on the reason for the request.

### **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. Make the findings required by CEQA in Attachment 3, affirm the adoption of the Mitigated Negative Declaration and affirm the decision of the Planning Commission to approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4.
2. Make the findings required by CEQA in Attachment 3, affirm the adoption of the Mitigated Negative Declaration and modify the decision of the Planning Commission to approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and modified conditions of approval in Attachment 4.
3. Make the findings required by CEQA in Attachment 3, affirm the adoption of the Mitigated Negative Declaration and reverse the decision of the Planning Commission to approve the Special Development Permit and Tentative Map.
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

### **STAFF RECOMMENDATION**

Alternative 1: Make the findings required by CEQA in Attachment 3 to the report, affirm the adoption of the Mitigated Negative Declaration and affirm the decision of the Planning Commission to approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4 to the report.

The project will improve the condition of the existing site and will provide additional home ownership opportunities. The development has been designed to complement the adjacent neighborhood through high quality architecture and building materials with an appropriate site design and landscaping. The requested first story combined side yard setback deviation, as allowed by the Planning Commission is reasonable and not anticipated to negatively affect adjacent properties. Potential environmental impacts can be mitigated to less than significant levels with the measures included in the conditions of approval.

Prepared by: Ryan Kuchenig, Senior Planner  
Reviewed by: Andrew Miner, Planning Officer  
Reviewed by: Trudi Ryan, Director of Community Development  
Reviewed by: Teri Silva, Assistant City Manager  
Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Noticing and Vicinity Map

2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval (*updated to reflect Planning Commission action*)
5. Initial Study - Mitigated Negative Declaration
6. Site and Architectural Plans

**Additional Attachments for Report to Council**

7. Report to Planning Commission 17-1151, December 11, 2017 (without attachments)
8. Excerpt of Minutes of the Planning Commission Meeting of December 11, 2017