



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 18-0679, Version: 1

REPORT TO CITY COUNCIL

SUBJECT

Proposed Project: Introduce an Ordinance to Rezone two lots from R-1 (Low Density Residential) to R-0 (Low Density Residential).

File #: 2018-7309

Location: 932 Eleanor Way and 1358 Hampton Drive (APNs: 313-01-033, 313-01-034)

Zoning: R-1

Applicant / Owner: Cyrus Fakhari (applicant and owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Project Planner: Shétal Divatia, (408) 730-7637, sdivatia@sunnyvale.ca.gov

SUMMARY OF COMMISSION ACTION

The Planning Commission considered this item on July 23, 2018.

The Planning Commission voted to recommend to City Council that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and deny the Rezone for the two parcels from R-1 (Low Density Residential) to R-0 (Low Density Residential). The vote was 6-1, with Commissioner Howe dissenting. The Planning Commission noted that this large-lot neighborhood provides a diversity in housing types in Sunnyvale and is in keeping with the 1996 rezoning of this neighborhood by City Council. The Commission noted that in the absence of a larger, comprehensive study for increasing housing density, the proposed rezone of these two lots could be considered spot zoning. Planning Commission Public Hearing minutes are in Attachment 10 to the report.

Staff consulted with the Office of the City Attorney after the Planning Commission meeting and the City Attorney has opined that the proposed rezoning would not constitute illegal spot zoning.

Public Comment letters are provided in Attachment 11 to the report.

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. Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), make the Findings (Attachment 9) to approve the rezoning, and introduce an ordinance to rezone the two parcels from R-1 (Low Density Residential) to R-0 (Low Density Residential) as

requested by the applicant.

2. Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and do not make the Findings (Attachment 9) to approve the rezoning and do not introduce an ordinance to rezone the two parcels from R-1 (Low Density Residential) to R-0 (Low Density Residential) as requested by the applicant.

STAFF RECOMMENDATION

Alternative 2: Determine the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and do not make the Findings (Attachment 9) to approve the rezoning and do not introduce an ordinance to rezone the two parcels from R-1 (Low Density Residential) to R-0 (Low Density Residential) as requested by the applicant.

The two lots are in Raynor Park's R-1 zoning district that was specifically rezoned to R-1 zone by the City Council in 1996, to not allow further subdivision of the large lots in this neighborhood. The proposed rezoning could allow a future subdivision of the two lots to three lots. Although, this subdivision would result in a net increase of one lot thereby increasing ownership housing opportunity while maintaining the streetscape and character found of the R-0 zoned lots and homes on Hampton Drive, it also illustrates the concern of lot aggregation and subdivision that resulted in the R-1 rezoning.

If the City Council finds that the rezoning, which would potentially allow an additional housing unit, would not adversely affect the neighborhood character, the City Council may rezone the two properties to R-0 zoning district.

Prepared by: Shétal Divatia, Senior Planner

Reviewed by: Gerri Caruso, Principal 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. Report to Planning Commission 18-0488, July 23, 2018 (without attachments)
2. Applicant's Rezone Request
3. Vicinity and Noticing Map
4. General Plan Map of Site and Vicinity
5. Zoning Map of Site and Vicinity
6. Aerial View of Site and Neighborhood
7. Draft Rezone Ordinance
8. 1996 Raynor Park Rezone Boundary Map
9. Recommended Findings

Additional Attachments for Report to Council

10. Excerpt of Minutes of the Planning Commission Meeting of July 23, 2018
11. Public Comment Letter