



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 18-0891, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: for the demolition of one existing single family residence and the construction of five new single family residences, and;

TENTATIVE MAP: to subdivide a 0.8-acre lot into five lots.

Location: 18771 East Homestead Road (APNs: 313-41-070 and 313-41-071)

File #: 2017-7816

Zoning: R-0/PD - Low Density Residential / Planned Development

Applicant / Owner: Dutchints Development, LLC (applicant) / 18771 Homestead Road, LLC (owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Low Density Residential (0-7 du/ac)

Surrounding Land Uses

North: Single family residences

South: Hospital and non-profit family care facility

East: Calabazas Creek and single family residences

West: Single family residences

Issues: Neighborhood compatibility

Staff Recommendation: Alternative 1: Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration, and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4.

PROJECT DESCRIPTION

Description of Proposed Project

The applicant proposes to demolish an existing single-family residence and garage, and construct five new single-family residences. The existing 0.8-acre lot would be subdivided into five separate lots that would each exceed the minimum 6,000 sq. ft. as permitted within the R-0 Zoning District.

Special Development Permit

A Special Development Permit (SDP) is required for projects within the PD Combining District for site and architectural review. The SDP also allows for consideration of deviations from specified Zoning Code requirements in exchange for superior design, environmental preservation, or public benefit. The project complies with all Zoning Code requirements, such as lot coverage, parking and setbacks.

Tentative Map

The proposed project requires a Tentative Map to allow for the creation of the five individual lots. Lot lines will extend to the center of the private street and no common lot is proposed.

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project.

Previous Actions on the Site

The project site was an orchard with a farm house, a barn and other farm related structures. The original house was replaced by the existing home in 1960, and other structures have been demolished over the years. Part of the orchard became the Fairpark Addition, an Eichler subdivision, to the north on Lorne Way in 1972.

In October, 1988, the City initiated and City Council approved a Rezoning (#6439) to add a PD (Planned Development) combining district overlay zone on vacant or agricultural R-0 and R-1 zoned sites. The Rezoning did not change the use, but was intended to allow flexibility in zoning regulations, and to also require discretionary review prior to development on these sites. The project site was one of 18 sites included in the rezoning.

On October 17, 2017, the City Council denied a proposed Rezoning (#2017-7565) of 24 lots (19 lots on Lorne Way, four lots on Swallow Drive, and the project site) to add a S (Single Story) combining district overlay zone. The Rezoning was initiated by the property owners on Lorne Way with the intent to limit future development to one-story, 17 feet in height, and 45 percent Floor Area Ratio. The Rezoning was denied because the proposed boundary did not meet the Zoning Code criteria to follow a recognizable feature such as a street, stream, or tract boundary.

EXISTING POLICY

General Plan Goals and Policies: Key goals and policies from the Land Use and Transportation Chapter of the General Plan, Citywide Design Guidelines, and the Single Family Home Design Techniques that pertain to the proposed project are provided in Attachment 3.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act (CEQA) provisions and City guidelines (see Attachment 5). As part of the environmental analysis, a Traffic Impact Analysis and Noise Study were prepared for the project. The technical analysis and the Initial Study determined that the proposed project and use will not create any significant environmental impacts on surrounding properties or uses. Construction related air quality, noise and cultural resource mitigation measures will reduce construction impacts to less than significant. The Mitigation Measures have been incorporated as Conditions of Approval (see Attachment 4).

DISCUSSION

Present Site Conditions

The project site is located on the north side of East Homestead Road, approximately 0.25 mile west of the Lawrence Expressway and Homestead Road intersection. There is an existing single family residence and garage on the project site, surrounded by vegetated land around the structures to the north and east. There are single-family residences all around to the north, west, and east. Calabazas

Creek, a channelized creek, is located adjacent to the property on the east side, and J.W. House (a non-profit family care facility) and Kaiser Permanente Santa Clara Medical Center are located to the south across East Homestead Road.

Development Standards

The proposed project complies with all the applicable Development Standards as set forth in the Sunnyvale Municipal Code (SMC). The following items have been identified for clarification by staff for the Planning Commission:

Density

Housing types that are typical in the R-0 zoning district include detached one- or two-story single-family residences and the applicant has proposed to construct single-family residences for compatibility with the adjacent single-family neighborhood to the north, east, and west. The project complies with General Plan Policy HE-4.3, which requires new developments to build to at least 75% of the maximum zoning density. A maximum of five units and minimum of four units are required, and the applicant proposes five single-family homes.

Site Layout

The proposed project consists of five detached single-family homes on individual lots ranging from 6,438 sq. ft. to 7,817 sq. ft. The homes will internally face a new “T”-shaped private driveway providing vehicular ingress from and egress to East Homestead Road. There are two uncovered parking spaces at each end of the “T” shaped driveway (total of four uncovered parking spaces). A private easement and maintenance agreement will be created to allow for common use of these facilities and to ensure private maintenance. Individual lot lines will extend to the center of the private drive and each lot will contain a single-family home with a two-car garage, two-car driveway, and private yards. The three homes along the north property line will be single story with three bedrooms, and the two homes along East Homestead Road will be two story with four bedrooms. The single-story homes will range between 2,801 sq. ft. and 2,843 sq. ft. (including the garage), and the two-story homes will be 3,500 sq. ft. (including the garage).

Setbacks

Setback requirements are measured from property lines. On all the lots, the front property line is located in the middle of the private drive (10 feet), and for Lots 4 and 5, one of the side property lines, on the north side, extends 10 feet to the middle of the private drive. The applicant has provided setback measurements from “assumed” property lines 10 feet behind the actual property lines on these sides. The front setbacks measure 20 feet from the assumed front property lines for all lots.

Lots 1 through 3 and Lot 5, propose rear setbacks ranging from 13 feet one inch to 17 feet three inches. SMC 19.48.050 allows for first floor extensions into the rear 20-foot setback as long as no more than 25% of the required rear yard is covered. Lots 1 through 3 and Lot 5 conform with this regulation. The project meets all other setback requirements.

Architecture

The proposed architectural style is modern and incorporates architectural design elements that reflect the adjacent Eichler neighborhood, such as simple geometric forms, horizontal design emphasis, flat roofs, exposed roof beams, large windows, and triangular windows under the eaves. The three homes on the north side are designed to be single-story with a flat roof accented with a smaller peaked roof that extends above the main roof in the center, echoing the flat roof with a steep

central gable often found in Eichler designs and the adjacent Eichler home to west on East Homestead Road. The exterior materials will be stucco, stone veneer, metal roof for the accent roof, and glazed garage doors.

The two-story homes to the south side have flat roofs on both the first and second floor. The exterior materials are stucco on the first floor with a stone veneer base and fireplaces, and horizontal siding on the second floor. The proposed architectural style is complementary to the architectural style of the immediate neighborhood while incorporating contemporary design elements. The exterior materials tie the two-story homes to the proposed one-story homes on the north side.

Floor Area Ratio

Floor Area Ratios (FARs) exceeding 45% may be approved by the Planning Commission with a Design Review, Use Permit, or Special Development Permit. The proposed FARs range from 42% to 45%. Staff finds that the proposed FAR is common for similar projects and provides reasonable living area for future residents.

If an individual homeowner requests additional floor area in the future, the request will be considered a modification to the approved plans through a separate public hearing (see Attachment 4).

Parking

SMC Section 19.46 requires that each single-family home provides two covered spaces and two uncovered spaces, for a minimum of four spaces per unit. The project complies with the minimum parking requirements by providing two garage spaces and two driveway parking spaces for each home.

In circumstances where there is limited or no on-street parking, an additional 0.4 unassigned parking spaces per unit is required (or two spaces for five units if found necessary). The Homestead Road frontage prohibits street parking. Four additional uncovered parking spaces are provided at each end of the "T"-shaped driveway. The project exceeds the parking requirement with the four additional uncovered parking spaces.

Landscaping and Tree Preservation

The project would result in the removal of 34 existing trees, including eight protected sized trees onsite and six street trees, of which three are protected sized trees. A protected tree is defined as having a trunk that is at least 38 inches in circumference, as measured 4.5 feet from the ground. A protected Deodar Cedar tree on Lot 4 is proposed for preservation. Per Sunnyvale Municipal Code (SMC) Chapter 19.94, Chapter 19.37 and the City's Tree Replacement Standards, the project will include replacement of trees and the installation of landscaping to improve the visual/aesthetic character of the area. More trees will be added to the site than the number of protected trees being removed, which is consistent with the SMC tree replacement requirements.

Water-Efficient Landscaping

All landscaping is subject to water-efficient design requirements contained in SMC 19.37.050. The submitted landscaping plans demonstrates compliance for all landscaping on-site, including landscaping within the front yards and rear yards of each unit. The developer will install all front yard landscaping per plans. Regarding rear yard landscaping, each homeowner has the option to:

- (1) have the developer install the landscaping per pre-approved landscape plans to be provided to the homeowner at no charge;

- (2) select their own landscape professional to install landscaping per preapproved plans, or
- (3) submit an alternative water-efficient landscaping plan for staff approval through a Miscellaneous Plan Permit (see Attachment 4).

Fences and Walls

A masonry wall at a height of 6 feet will be installed to enclose the reducible front yard on Lot 4 and 5 facing East Homestead Road, as required by the mitigation measures for noise impacts in the environmental analysis (see Attachment 5) and to comply with noise requirements contained in SMC 19.42.030. All other proposed fencing within the development and on the side and rear yard will be a new 6-foot high wooden fence. The areas between the back of the public sidewalk and the masonry wall will be planted with street trees and shrubs.

Trash & Recycling Facilities

Individual trash and recycling pick-up will be provided on the private drive. In consultation with the Department of Public Works, individual carts will be staged in front of each home, against the private drive. Staff finds the pick-up on the private drive to be a positive feature of the project, which helps to avoid visual and parking impacts from carts staged on a busy public street.

Solar Access

SMC 19.56.020 states that no permit may be issued for any construction which would interfere with solar access by shading more than 10 percent of the roof of any structure on a nearby property. The project plans demonstrate that the shading of the two-story homes on Lot 4 and 5 would comply with this requirement.

Green Building Requirements

The proposed project complies with the Citywide Green Building Program by achieving a minimum of 80 points.

Expected Impact on the Surrounding Neighborhood

Staff finds that the layout and design of the five new homes are compatible with the surrounding residential neighborhood. The three homes along the north property line are proposed to be single-story and the architectural design of the development reflects the Eichler styles within the area that are similar in scale and form. The new subdivision would create five similar size lots that meet 6,000 sq. ft. minimum standard for the zoning district. The development complies with setback requirements and provides adequate setback from nearby Eichler development to the north and west. Existing and required new tree plantings will help provide increased privacy to adjacent neighbors on each side.

Tentative Map

The Tentative Map calls for division of the existing lot into five private ownership lots. The shared driveway off East Homestead Road will be established through an easement agreement between all lots, and a Home Owners Association (HOA) will ensure ongoing maintenance. Four additional guest spaces parking spaces are also provided on the private driveway.

Easements

The development includes several easements to enable ingress/egress and emergency vehicle access. In addition, an easement for private utility access and storm drain access are also provided. Per Condition of Approval in Attachment 4, the developer is required to execute a maintenance

agreement for perpetual maintenance of certain improvements within these easements.

FISCAL IMPACT

The project is required to pay a Transportation Impact Fee (TIF) for each net new peak hour trip generated by the project. The estimated TIF for the proposed five-unit subdivision (credit given for the one single-family unit) is \$12,456.00. The final amount is subject to the fee in place at the time of payment.

All residential projects are required to pay a park in-lieu fee unless dedicated park land is provided as part of the project. In this case the required in-lieu fee is estimated (based on the adopted FY 2018-19 park land valuation) to be \$311,454.00 for a net increase of four units. The park in-lieu fee will be recalculated based on the fee in place at the time of payment; the acreage basis for the fee will not change.

PUBLIC CONTACT

Planning Commission Study Session: Staff presented the project to the Planning Commission at a study session on July 23, 2017. The Commission members were supportive of the project but shared concerns related to the articulation of the elevation facing East Homestead Road on Lot 4 and 5, the massing of the front elevation on Lot 4 and 5, and recommended an alternate exterior for one of the three one-story homes. The applicant has modified the design of the homes on Lot 4 and 5 with added materials and vertical and horizontal articulation. The color rendering offer detail of the varied materials and color of the homes (see Attachment 6).

Community Outreach Meeting: A community outreach meeting was held by the applicant on June 27, 2018 at the Ortega Park park building. Four members of the public attended the meeting. The neighbors who attended the meeting were supportive of the project. Some of the concerns addressed were that no access would be off Lorne Way, and that the homes would not be two-story adjacent to the homes on Lorne Way. Some of the requests from the neighbors were to replace the existing fence, not to plant tall trees that would increase shade into their properties, and to widen the side setback on Lot 1.

At the time of drafting this report, staff has not received any correspondence from the public.

Notice of Mitigated Negative Declaration and Public Hearing

- Published in the *Sun* newspaper
- Posted on the site
- 71 notices were mailed to property owners and tenants within 300 feet of the project as shown in Attachment 1

Staff Report

- Posted on the City of Sunnyvale's web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library

Agenda

- Posted on the City's official notice bulletin board
- City of Sunnyvale's web site

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings for the Special Development Permit. Recommended Findings and General Plan Goals and Policies are located in Attachment 3.

ALTERNATIVES

1. Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration, and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and the Conditions of Approval in Attachment 4.
2. Make the findings as required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration, and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and with modified conditions.
3. Do not make the required findings and direct staff where changes should be made.
4. Deny the project.

STAFF RECOMMENDATION

Alternative 1: Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration, and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4.

Prepared by: Momoko Ishijima, Associate Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Site and Vicinity Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Mitigated Negative Declaration
6. Site and Architectural Plans