



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 19-0299, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2018-7737

Location: 898 E Evelyn (APN: 213-03-007)

Applicant / Owner: JTN Construction Inc. (applicant) / Jun Xiong And Xuedi Gao Et Al (owner)

Proposed Project:

TENTATIVE PARCEL MAP to subdivide an existing duplex into two condominiums with a common lot.

SPECIAL DEVELOPMENT PERMIT to allow a 263 square foot first floor addition, resulting in 3,878 square feet and 40.7 percent Floor Area Ratio (FAR).

Reason for Permit: A Tentative Parcel Map is required for the subdivision of a lot into four or fewer lots. A Special Development Permit (SDP) is required for additions within the Planned Development (PD) combining zoning district.

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Issues: Design compatibility

Recommendation: Approve with conditions

PROJECT DESCRIPTION

Zoning District:	R-2/PD	Existing	One-Story duplex
		Proposed	Two one-story condos with a common lot

Previous Planning Projects related to Subject Application	None
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	None

The applicant proposes to subdivide an existing one-story duplex into two condominiums and a common lot. A 263-square foot addition is proposed at the rear side of one of the two units, resulting in 3,878 square feet floor area and 40.7% FAR.

A Planning Commission review is not required for duplex or multi-family units in R-2 zoning district that have an FAR of equal or less than 55 percent. There are no previous planning applications for the subject site.

See Attachment 1 for Vicinity and Noticing Map and Attachment 2 for Project Data Table.

Site Layout

The property is located north of East El Camino Real, between Wolfe Road and Lawrence Expressway. The immediate neighborhood along the south side of East Evelyn Avenue has one-story duplexes with separate driveways for each unit.

The subject lot consists of two residential units with a shared wall and separate driveways leading to individual two-car garages. Each unit maintains their own private rear yard. In addition, a 152 square feet storage shed is located along the south-east side of the property.

The existing 9-foot tall accessory structure is unpermitted and does not meet the required setbacks from the side and rear property lines. The structure is setback three feet from rear and side property line, where a minimum ten feet is required from rear and four feet from the side property line. The applicant proposes to demolish the accessory structure as part of this application (see Condition BP-5, Attachment 3).

Architecture

The architecture of the existing duplex is consistent with the ranch style architecture of the neighborhood with stucco walls and composition roof. The proposed addition will match the color, material and finish of the existing structure.

Parking and Circulation

The site meets parking requirements with two covered and two uncovered spaces for each of the residential units. No changes are proposed to the existing parking.

Landscaping

The site maintains the required landscaping on the site for the R-2 zoning district. Each lot meet the minimum useable open space requirement of 500 square feet per unit.

An arborist report was provided, which evaluated the health and disposition of all the trees onsite and the adjacent public right-of-way. One of the trees is considered “protected” per SMC 19.94.030 and proposed to be removed as part of this application. The tree proposed to be removed has poor health and structure. The project will require one 48” box tree, or two 36” box trees, or four 24” box trees to mitigate the loss of the existing protected tree, per the City’s Tree Replacement standards (Condition BP-6, Attachment 3).

Refer to Attachment 5 for the Arborist Report, provided by the applicant, and Attachment 4 for the proposed landscaping plans.

Development Standards

The proposed project complies with the applicable development standards as set forth in the Sunnyvale Municipal Code, such as lot coverage, parking, height, and setbacks. See Attachment 2 for Project Data Table.

Neighborhood Impacts / Compatibility

The proposed structure is not expected to have a detrimental visual impact on the surrounding properties, as the design is compatible with the existing structure and the one-story addition is located in the rear yard and will not be visible from the street. Based on the setbacks and location, staff does not find any privacy impacts related to the proposed addition and openings.

Public Contact

Notice of Public Hearing

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

Staff Report

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

Agenda

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

Environmental Determination

A Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less (Guideline Section 15301).

FINDINGS

Special Development Permit

In order to approve the Special Development Permit, the following findings must be made:

Goal LT-7: Diverse Housing Opportunities

Ensure the availability of ownership and rental housing options with a variety of dwelling types, sizes, and densities that contribute positively to the surrounding area and the health of the community.

- (a) *Attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized plan of the city of Sunnyvale; **Finding met.***

The project meets the required development standards and is consistent with the City's Single Family Home Design Techniques. The conversion of the duplex into condominium provides home ownership opportunity.

- (b) *Ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. **Finding met.***

The proposed project involves a minor addition to the rear side of the property, which will not have any visual or privacy impact on the neighborhood. The proposed addition will match the material, color and style of the existing structure.

Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan.

Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Tentative Map.

1. *That the subdivision is not consistent with the General Plan.*
2. *That the design or improvement of the proposed subdivision is not consistent with the General Plan.*
3. *That the site is not physically suitable for the proposed type of development.*
4. *That the site is not physically suitable for the proposed density of development.*
5. *That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*
6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems.*
7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*
8. *That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code*

ALTERNATIVES

1. Approve the Special Development Permit and the Parcel Map subject to recommended conditions of approval in Attachment 4.
2. Approve the Special Development Permit and the Parcel Map subject to modified conditions of

approval.

3. Deny the Special Development Permit and the Parcel Map and provide direction to staff and the applicant on where changes should be made.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit and the Parcel Map with recommended Conditions in Attachment 3.

Prepared by: Aastha Vashist, Associate Planner

Approved by: Ryan Kuchenig, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Map
2. Project Data Table
3. Standard Requirements and Recommended Conditions of Approval
4. Site and Architectural Plans
5. Arborist Report