



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 21-0957, Version: 1

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### REPORT TO PLANNING COMMISSION

#### SUBJECT

##### **Proposed Project:**

**DESIGN REVIEW** to construct a 471 square foot first floor addition to an existing one-story single-family home, resulting in 1,946 square feet (1,442 square feet living area and 504 square feet garage) and 33% FAR. The project includes a new second story 845 square foot Accessory Dwelling Unit resulting in a total floor area of 2,791 square feet and 47% FAR including the ADU.

**VARIANCE** to allow a 4 foot second floor setback where a minimum of 7 feet is required to accommodate an exterior stair and landing for the proposed ADU.

**Location:** 1279 Palamos Ave. (104-27-082)

**File #:** 2020-7286

**Zoning:** R-0

**Applicant / Owner:** JER Design Group (Applicant) / Nathan Iglesias (Owner)

**Environmental Review:** A Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

**Project Planner:** Cindy Hom, (408) 730-7411, [chom@sunnyvale.ca.gov](mailto:chom@sunnyvale.ca.gov)

#### REPORT IN BRIEF

**General Plan:** Low Density Residential

**Existing Site Conditions:** One-story single-family home.

##### **Surrounding Land Uses**

**North:** One-story mobile home park.

**South:** One-story single-family home.

**East:** One-story single-family home.

**West:** One-story single-family home.

**Issues:** Neighborhood Compatibility

**Staff Recommendation:** Approve the Design Review based on Recommended Findings in Attachment 3 and subject to the Recommended Conditions of Approval in Attachment 4.

#### BACKGROUND

##### **State Accessory Dwelling Unit Legislation:**

The State of California enacted new legislation related to ADUs (AB 881, AB 68, and SB 13). The City of Sunnyvale City Council adopted ADU regulations incorporated in Sunnyvale Municipal Code (SMC) Chapter 19.79, which went into effect in February 2020. As required by state law, the City's ADU regulations provide for streamlined approval (building permit only) of ADUs that meet certain criteria. For ADUs that do not qualify for streamlined approval such as a newly constructed or an

attached ADU more than 800 square feet in size, then the ADU is subject to additional zoning requirements of the SMC. State law allows the City to impose other applicable zoning requirements in Title 19 including but not limited to, lot coverage, required rear yard maximum lot coverage, floor area ratio, open space, and design review on non-streamlined ADUs, as long as those requirements do not preclude the construction of an ADU that is at least 800 square feet in size, no more than 16 feet in height, and has four-foot side and rear setbacks.

Design Review is required for the construction of additions or new homes to evaluate compliance with development standards and with the Single-Family Home Design Techniques, which are intended to promote increased property value, protect property owner livability and investment by discouraging inappropriate and out of scale adjacent homes while maintaining neighborhood compatibility and high-quality architecture. Planning Commission review is required for homes exceeding 3,600 square feet gross floor area or a Floor Area Ratio (FAR) greater than 45%. The proposed project will exceed the 45% FAR threshold. See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Project Data Table.

An application was received on May 19, 2020 for an addition to the main dwelling and to construct a new second story Accessory Dwelling Unit (ADU). The original proposal included covered exterior stairs on the side with a wrapped porch and balcony element along the front of the ADU. This would have resulted in deviations to the front and side setback and exceeded the maximum square footage for an ADU, which is limited to 50% of the existing single family dwelling. Staff and the applicant worked on multiple resubmittals to resolve above issues and design comments while still trying to meet the owner's desired square footage and design objectives.

The project proposal is for a 471 square foot first floor addition and a new 845 square foot second story ADU resulting in a total floor area of 2,791 square feet (1,442 square foot living area, 504 square foot garage and 845 square foot ADU) and 47% floor area ratio (FAR). The request includes a Variance to allow a 4 foot second floor side setback to accommodate exterior staircase and landing to the ADU where a 7 foot setback is required for the second floor.

### **Previous Actions on the Site**

There are no previous Planning approvals and are no active neighborhood preservation cases on this property.

### **EXISTING POLICY**

#### **Applicable Design Guidelines:**

The proposed addition is generally consistent with the Single-Family Home Design Techniques based on the following:

- Maintains design continuity by utilizing 2½':12" pitch roof to match existing, which is similar to the neighborhood pattern as well as similar building forms;
- Incorporates high quality materials that improves the visual architectural character of the home; and
- Reorientates the front door to be street facing, which is encouraged by the Single-Family Home Design Techniques

However, the second story exceeds the second to first floor ratio. Per Single-Family Design Technique SF-1, the area of the second floor should not exceed the common standard of the

neighborhood. For new second stories in predominately one-story neighborhoods, the second floor area should not exceed 35% of the first floor area (including the garage area). Furthermore, Single-Family Design Technique SF-8. Indicates second floor ceiling heights should be minimized. If taller interior ceilings heights are desired, they should be achieved through the use of cathedral ceilings rather than increased wall plate height.

The proposed second floor ADU is at 43% of the first floor area and includes a front balcony which adds emphasis on the second floor. The second floor also has a wall plate height of 8 feet 6 inches. Staff has worked with the applicant to reduce the plate height from the original proposal of 9 feet 2 inches and also reduced the size of the front balcony. In consideration of the applicant's design objectives, facilitating ADUs, and ensuring architectural compatibility, staff is providing alternatives for the Planning Commission to consider and outlined further in the architectural design section. Findings and consistency analysis for the proposed project are included in Attachment 3.

## **ENVIRONMENTAL REVIEW**

A Class 3 Categorical Exemption includes alterations and additions to an existing single-family residence in an urbanized area.

## **DISCUSSION**

### **Project Description:**

The project site is 5,940 square feet and is currently developed with a one-story single-family home. The applicant proposes a 471 square foot first floor addition and a new 845 square foot second story ADU resulting in a total floor area of 2,791 square feet (1,442 square foot living area, 504 square foot garage and 845 square foot ADU) and 47% FAR. The request includes a Variance to allow a 4 foot second story side setback to accommodate exterior staircase and landing to the ADU where a 7 foot setback is required.

### **Present Site Conditions**

The neighborhood is primarily comprised of one-story single-family homes with two two-story homes on the block face. The existing home was built in the late 1958 with mid-century architectural features that includes low pitched gabled roof with deep fascias, large windows, wide porch, and materials consisting of stucco and wood siding. The existing one-story home is 1,468 square feet on a rectangular shaped lot.

### **Development Standards**

The proposed project complies with the applicable development standards as set forth in the Sunnyvale Municipal Code (SMC) except for the minimum 7 foot setback required for second floor. The applicant is requesting a Variance to allow a 4 foot setback for an exterior staircase and landing that provides the primary access to the proposed ADU. The Project Data Table for the proposed project can be found in Attachment 2.

### **Variance for Second Floor Setback:**

The applicant is requesting a reduced second floor setback on the left elevation to accommodate staircase to the proposed second story ADU. The minimum requirement is 7 feet, and the project provides a 4-foot setback. The design of the stairs is incorporated into wall of the garage addition. The applicant proposes to conceal the exterior staircase with horizontal siding as an architectural treatment and to also provide additional privacy. This architectural treatment is consistent with the

Single Family Design Technique PV-4, which encourages the design of railings to be tailored to the privacy concerns of neighbors (e.g., balcony or deck sides overlooking adjacent windows or actively used yard space should be solid in form). Staff is supportive of the Variance because the design maintains sensitivity and privacy to the adjacent neighbors. The location of the stairs would overlook the side of garage and will not have a direct line of sight to living areas of the adjacent home. It also will not be considered a special privilege because SMC Section 19.48.070 allows for uncovered stairs, landings, fire escapes, porches, and portions of balconies that extend beyond a support structure to encroach 3 feet into any required front and side yard. The way the staircase is proposed lessens the visual impact of the exterior stairs. Variance findings are provided in Attachment 3.

The Planning Commission can consider alternatives if the Variance findings cannot be met. One alternative to eliminate the need for a Variance is to remove the ground floor addition under the exterior stairs and to support the exterior uncovered stairs from a footing and supportive beam at the second floor. This would bring the project into compliance with SMC Section 19.48.070 for extensions into yards. This option would result in a loss of privacy and architectural detailing and increase the visibility of the stairs. Incorporating the stairs into the first floor addition and the use of horizontal siding helps tie the side elevation in with the front elevation design elements and allows for design continuity.

#### **Floor Area and Floor Area Ratio:**

A single-family home proposing a gross floor area greater than 45% Floor Area Ratio (FAR) requires Planning Commission Review. The proposed project has a gross floor area of 2,791 square feet on a 5,940 square foot lot, which results in 47% FAR.

Homes in the neighborhood range in size from 1,468 square feet to 2,845 square feet with an average of 1,704 square feet. The existing FARs in the vicinity range from 12% to 48%, with an average of 28%. The project proposes a 47% FAR and would be the second largest home in the immediate neighborhood. There is already a precedent for a high FAR as well as two story homes. The single story home located at 1267 Palamos is approved with a 48% FAR. There are two other two-story homes within the same neighborhood block. The proposed addition would not appear to be out of character with the neighborhood because the design incorporates the following elements to help reduce the appearance of bulk, mass, and height:

1. Incorporating roof elements to help break up the massing of the second floor.
2. Providing gable roof forms with a 2 ½":12" roof pitch to help reduce building height.
3. Utilizing materials and color changes to distinguish first and second floor.

To further minimize perception of bulk and massing, staff is recommending the wall plate height be reduce to eight feet.

#### **Architectural Design**

The existing neighborhood is comprised of mostly one-story, single-family residences constructed in 1953, which are primarily mid-century modern style with simple rectilinear forms.

The proposed second story addition is in keeping with rectilinear forms and shallow pitched gable roofs that are a dominant characteristic in the neighborhood. The proposed additions reflect a transitional mid-century style of architecture. The design and style elements consist of following:

- Asphalt composition roof;
- Roof eaves are enclosed;

- Standing seam roof material that is utilized to accent the porch entry element and the small, shed roofs over the garage that flare from the front balcony walls;
- Smooth finish stucco painted a beige earth tone color;
- Horizontal fiber cement siding along the front and left side elevation;
- Contemporary horizontal iron railings for the front balcony;
- Casement windows with ebony window mullions; and
- Contemporary doors and new garage door.

To help further de-emphasize the second story massing, staff is recommending the following addition changes, which have been incorporated in conditions PS-2:

- Horizontal siding to be added to the right half of the second floor front elevation to accentuate the asymmetry of the facade. The siding would wrap around to the right elevation and terminate at the end of the second floor bedroom window.
- The porch columns are to be clad with horizontal siding. This would add a material break and visual interest at the entry.
- The roof pitch over the porch element be revised to match the 2 ½":12" pitch roof that is provided for the home. This will help reduce height of the forehead and minimize the perception of bulk and massing.

#### **First to Second Floor Area Ratio Guideline:**

As mentioned above, the proposed second floor exceeds the 35% second to first floor ratio. The two-story home located at 1293 Palamos is three houses down from the subject site and approved with a 40% FAR and a 94% second to first floor ratio. The other two-story home is located at 1192 Manzano and is approved with 31% FAR and 36% second to first floor ratio. Staff is supportive of the proposal based on the additional changes that have been incorporated into the Conditions of Approval for the project. If the Planning Commission finds that the 43% second to first floor ratio is too high, then the following alternatives could be considered:

1. Reduce the size of the second floor to comply with the City's design guideline. The second floor would need to be reduced to be no more than 681 square feet. This option would not be in-line with the applicant's design objective and desired square footage. This change will no longer require Planning Commission approval because the total FAR will be reduced to 44.2% and will be consistent with the city's design guidelines.
2. Reduce the size of the second floor to be no more than 800 square feet, which brings the second to first floor ratio down to 41%. The total FAR would be reduced to 46%. This would be result in a compromise on the design guideline but allow facilitation of an 800 square foot ADU.
3. Keep the 845 square feet ADU as proposed and remove front balcony element. By removing the balcony, it can help de-emphasize the second floor massing.
4. Require a combination of reducing the square footage of the second floor and removal of the front balcony.

#### **Neighborhood Impacts**

The proposed home design addresses neighbor privacy, scale, and architectural design compatibility. The proposed home complies with all the development standards except for a reduced second floor setback to accommodate an exterior stair and landing to an ADU. As proposed, the design mitigates privacy with the use of high sill windows. The location of the exterior stairs and landing maintain sensitivity and privacy by overlooking the side of garage. The stairs would be concealed with horizontal siding which will provide additional privacy and adds additional architectural detailing.

The proposed home utilizes similar roof pitch and form, and traditional building forms high-quality materials that will complement the architectural style found in the neighborhood.

### **Applicant's Request:**

The applicant's project letter provided in Attachment 7 requests the Planning Commission consider the original concept design, which included a covered exterior staircase on the left side with a wrapped porch and balcony element along the side and front of the second story ADU. It also had a 9 foot 2 inch tall wall plate height on the second floor and a 4":12" pitch roof. The applicant provided renderings of two alternatives for the balcony railing. Alternative one consists of open horizontal cable railing for the balcony. The second alternative is a combination of solid walls and open railing, which is similar to the current design. This concept would have required a variance for reduced second floor front and side setback and to allow the ADU to exceed 50% of the single family dwelling. Staff would not be able to support the original design because of the bulk and massing of the second floor. Additionally, the roof pitch would be inconsistent with the existing roof and not in keeping with the neighborhood patterns, which consist of shallow roof pitches. The original concept also conflicted with many of the Single Family Design Techniques. Lastly, staff would not be able to make the required Variance findings for the multiple deviations.

Staff worked with the applicant on the changes that are reflected in the site and architectural plans provided in Attachment 5. The current design and implementation of the conditions of approval noted above, accommodates the applicant's objectives to retain a front, side, and backyard, maintain the mid-century modern architecture with more contemporary materials and build an ADU of sufficient size so that a family of two can occupy the space comfortably as well as satisfies the City's standard requirements, design guidelines and need for additional housing.

### **FISCAL IMPACT**

No fiscal impacts other than normal fees and taxes are expected.

### **PUBLIC CONTACT**

#### **Notice of Public Hearing**

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

#### **Staff Report**

- Posted on the City's website

#### **Agenda**

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

**Public Contact:** Staff has not received any correspondence or phone calls from neighbors at the time of writing of this report.

### **ALTERNATIVES**

1. Approve the Design Review and Variance subject to the Recommended Findings in Attachment 3 and Recommended Condition of Approval in Attachment 4.
2. Approve the Design Review and Variance with modified Recommended Condition of Approval in Attachment 4.
3. Continue the Design Review and Variance and provide direction to staff and the applicant where changes should be made.
4. Deny the Design Review and Variance and provide direction to staff and the applicant where changes should be made.

### **STAFF RECOMMENDATION**

Alternative 1: Approve the Design Review and Variance subject to the Recommended Findings in Attachment 3 and Recommended Condition of Approval in Attachment 4..

The proposed design can be supported because it is generally consistent with the Single-Family Design Guidelines. Staff was able to make the required Findings based on the justifications for the Design Review, Variance, and the Recommended Conditions of Approval.

Prepared by: Cindy Hom, Associate

Approved by: Shaunn Mendrin, Principal Planner

### **ATTACHMENTS**

1. Site, Vicinity and Public Notice Mailing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. FAR Study
7. Project Description Letter