Agenda Item #____

CITY OF SUNNYVALE
REPORT
Planning Commission

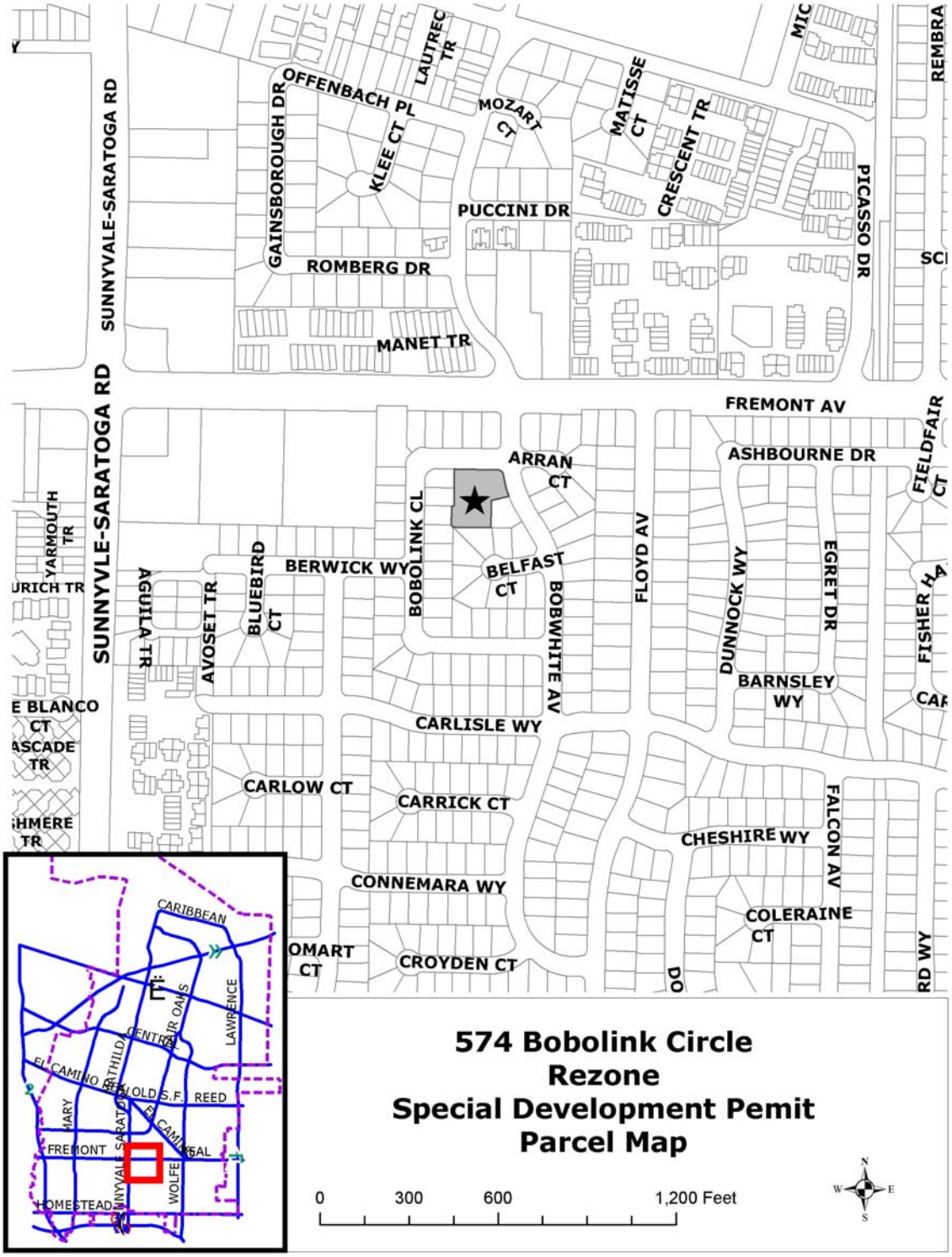
July 11, 2005

SUBJECT:	**2005-0106 – The Ridgecrest Group** [Applicant] **Omid Shakeri** [Owner]: Application for related proposals on a 29,250 square-foot site located at **574 Bobolink Circle** in a R-0/S (Low-Density Residential/Single Story) Zoning District. (Negative Declaration) (APN: 309-02-034);
Introduction of an Ordinance	**Rezone** from R-0/S (Low-Density Residential/Single Story) to R-0/PD/S (Low-Density Residential/Planned Development/Single Story) Zoning District;
Motion	**Special Development Permit** to construct 4 single-family homes, and
Motion	**Parcel Map** to subdivide one lot into four lots.

REPORT IN BRIEF

Existing Site Conditions	One single-family home and accessory buildings
Surrounding Land Uses	
North	Residential
South	Residential
East	Residential
West	Residential
Issues	Size of homes, On-site circulation, Neighborhood Compatibility
Environmental Status	A Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.
Staff Recommendation	Denial

Revised 7/8/2005


SUNNYVALE-SARATOGA RD
OFFENBACH PL
LAUTREC TR
MOZART CT
MATISSE CT
CRESCENT TR
GAINSBOROUGH DR
KLEE CT
PUCCINI DR
PICASSO DR
ROMBERG DR
MANET TR
FREMONT AV
ASHBOURNE DR
ARRAN CT
BOBOLINK CL
BERWICK WY
BELFAST CT
FLOYD AV
DUNNOCK WY
EGRET DR
YARMOUTH TR
AGUILA TR
AVOSET TR
BLUEBIRD CT
BOBWHITE AV
BARNSLEY WY
CARLISLE WY
CARLOW CT
CARRICK CT
CHESHIRE WY
FALCON AV
CONNEMARA WY
COLERAINE CT
CROYDEN CT
574 Bobolink Circle
Rezone
Special Development Pemit
Parcel Map
0
300
600
1,200 Feet
CARIBBEAN
LAWRENCE
EL CAMINO REAL
OLD S.F.
REED
FREMONT
HOMESTEAD
WOLFE

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Low Density Residential	Low Density Residential	Low Density Residential
Zoning District	R-0/S	R-0/PD/S	Rezone
Lot Size (s.f.)	29,336	7,161-7,682	6,000 min.
Gross Floor Area (s.f.)	4,384	12,042	Per SPD
Lot Width	152’	82’ (corner), 74’	62’ (corner), 57’ min.
Lot Depth	197.5’	97.5’-99’	None
Lot Coverage (%)	15%	38-45%	45% max.
Floor Area Ratio (FAR)	15%	38-45%	45% max.
No. of Units	1	4	max.
Density (units/acre)	1.5	6.0	7.0 max.
Building Height (ft.)	15	17	17 max.
No. of Stories	1	1	1 max.
★ **Front Yard Paved Surface**	N/A	Parcel 3- 57% Parcel 4- 51% (Excluding shared driveway)	50% max.
Setbacks (Facing Property)			
★ **Front**	35’	Front Units- 20’ Parcels 3 & 4- 15’	20’ min.
Reducible Front	74’	9’	9’ min.
Left Side	23’	Parcel 3- 8’	8’ min.
Right Side Parcel 3 (Between Parcels 3&4)	N/A	4’	4’ min.
Right Side	36’	Parcel 1- 4’ Parcel 4- 8’	Parcel 1- 4’ min. Parcel 4- 8’ min.
Left Side Parcel 4 (Between Parcels 3&4)	N/A	4’	4’ min.
Rear	45’	20’	20’ min.

Parking			
Total Spaces	6	2 covered and 2 uncovered per unit	2 covered and 2 uncovered per unit

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The applicant proposes to demolish the existing house and accessory structures on a 2/3 acre (29,336 square feet) site and build four new single-family detached homes. The existing home was built in the 1930's and is not listed on the City's Heritage Resource Inventory. The project includes an application to rezone the site to Planned Development, which does not change the existing permitted maximum density of the site, but does allow relief from specified zoning standards. In addition to the rezone request, a Special Development Permit for design and layout of the site and homes and a tentative subdivision map to delineate property dimensions are included as part of the overall application (See Site Plan in Attachment D).

The project includes a new private driveway to serve the back two units. The front two units will have access directly from the street. All driveways are proposed to exit onto Bobolink Circle.

The homes all comply with the single-story combining district, which limits structures to one-story and 17 feet in height. These four bedroom homes range in size from 2,369 to 2,852 square feet with two-car garages of 400 square feet (total size of 2,769-3,252 square feet). There are no additional guest parking spaces as part of the application.

The project does not meet the following requirements:

- The front setback requirement for the rear two lots (Parcels 3&4),
- The required street frontage for the two back lots (Parcels 3&4),
- The amount of paved area in the front setback of the two rear lots (Parcels 3&4).

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
2002-0205	Rezone to Single Story Combining District	Approved	06/11/02

Environmental Review

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment C, Initial Study).

Rezoning

Change Under Consideration: R-0/S to R-0/PD/S

Discussion of Rezoning: The applicant is requesting a Planned Development Combining District (PD) in conjunction with the R-0/S zoning for the site. The request does not change the permitted density of the site, but is used to allow for flexibility in meeting the City's development standards.

Sunnyvale's 1998 Guidelines for PD Zoning:

- *To facilitate development or redevelopment of a site to improve the neighborhood.* The site is under-utilized pursuant to the existing zoning standards. Only two units would be permitted without the PD zoning because the minimum street frontage would not be able to be met for the rear units.
- *To allow for a proposed use that is compatible with the neighborhood but requires deviations from development standards for a successful project.* The proposed use of detached single-family homes is compatible with the neighborhood. The size and density, although mainly consistent with the zoning setbacks, is greater than the existing homes in the area and could be considered incompatible with the neighborhood.
- *To allow for the development and creation of lots that are less than the minimum size required in the base zoning district.* The lots meet the zoning standards for R-0 zoning; however, varying lot sizes could be considered if the PD Combining District is approved.

Special Development Permit

Site Layout: The 29,336 square foot lot allows the creation of 4 lots which meet the minimum lot size, but requires a deviation because the 2 internal lots (Parcels 3 and 4) do not meet the required front street frontage requirements. This deviation manifests itself in the creation of a shared driveway for the two internal lots. This shared driveway exits onto Bobolink Circle between the two proposed driveways for the front two lots. The result is 3 driveways along the approximately 140' length of Bobolink Circle where no driveway now exists. A deviation is also required because the amount of paved area in the required front yards of Parcels 3 and 4 exceed 50%.

The proposal is an infill development and would replace one existing 4,384 square foot single-family home with 4 new homes totaling 12,042 square feet. The applicant states that several project layouts were considered (Attachment F), but that the proposed project best balances the site constraints with the project budget. In general, staff is concerned because although the proposed lots meet the minimum size requirements, the size of each home on those lots constrains the overall site layout as each home is basically designed to the minimum setback standard. The result is a layout with 3 driveways exiting on one street frontage, difficult on-site circulation, possible impacts on existing on and off-site trees and the requirement for a front yard deviation for the rear two homes.

Neighborhood Compatibility: The subject property and the Bobolink Circle neighborhood have an "S" Combining Zoning designation, which limits development to single-story homes no greater than 17' high. In 2002 a majority of the neighbors voted for and the City Council approved the rezone to include this zoning restriction in order to maintain their privacy and to preserve the single-family character of the neighborhood. The Single-story designation expires in seven years, unless a renewal of the zone is approved by Council. The proposed project includes lots similar in size to the existing neighborhood, but has homes greater in size than those existing in the "S" zoning district. The following table compares the proposed project to nearby existing "S" zoning district properties of Bobolink Circle:

Bobolink Circle Single-story Properties					
#	Street	Lot Size	House	Garage	Total
575	Bobolink	7500	2172	500	2672
571	Bobolink	8125	1879	424	2303
567	Bobolink	8125	1555	500	2055
563	Bobolink	7380	1880	500	2380
559	Bobolink	8060	2149	500	2649
1315	Bobolink	6000	1468	537	2005
1323	Bobolink	6000	1564	500	2064

Bobolink Circle Single-story Properties						
#	Street	Lot Size	House	Garage	Total	
1329	Bobolink	6000	1564	500	2064	
1335	Bobolink	6500	1936	420	2356	
1341	Bobolink	6500	1564	500	2064	
1316	Bobolink	6825	1555	500	2055	
1324	Bobolink	6300	1555	500	2055	
1330	Bobolink	6305	1564	500	2064	
1336	Bobolink	6615	1555	500	2055	
1342	Bobolink	6300	1564	500	2064	
1348	Bobolink	6300	1555	500	2055	
1354	Bobolink	6825	1858	420	2278	
1360	Bobolink	6825	2270	420	2690	
1366	Bobolink	6825	1662	500	2162	
1368	Bobolink	7245	1994	500	2494	
1372	Bobolink	6000	1564	500	2064	
1374	Bobolink	6000	1530	500	2030	
1376	Bobolink	6000	1564	500	2064	
1380	Bobolink	6500	1564	500	2064	
		6711	**1712**	**488**	**2200**	**Average**

Proposed Project		Lot Size	House	Garage	Total Home Size	
Parcel 1	Bobolink	7224	2852	400	3252	
Parcel 2	Bobolink	7682	2852	400	3252	
Parcel 3	Bobolink	7161	2369	400	2769	
Parcel 4	Bobolink	7269	2369	400	2769	
		7334	**2611**	**400**	**3011**	**Average**

As can be seen from the tables above, the proposed average home sizes are over 800 square feet larger in size than the existing neighborhood with an average FAR of 41% compared to the neighborhood average of 32%. The front two homes would be the largest found in the neighborhood.

A larger neighborhood comparison is shown in detail in Attachment E, and shows that the proposed project has smaller lots than found in the neighborhood but proposes homes over 800 square feet larger resulting in a difference in FAR of 29% to 41% for the proposed project.

Stormwater Management: The project would have more than 10,000 square feet of impervious surface; therefore it is subject to Stormwater Management Best Practices (BMP) for Group I or Group II projects. A recommended condition of approval directs that roof drains be directed to landscape areas rather than directly to storm drains and include BMPs to the extent practicable for other impervious surfaces on the site.

Easements and Undergrounding: The existing utilities run overhead along the rear of the adjacent properties and would not need to be placed underground for the proposed project. The service drops for each proposed unit would, however, need to be placed underground.

Architecture: The project proposes two nearly identical home types which are located adjacent to each other. The homes will have four different roof color patterns along with different color schemes for each home. The primary exterior material is stucco. Each home includes a raised floor foundation of 24 inches, but the overall height does not exceed the 17 foot zoning limitation.

The following Guidelines were considered in the analysis of the project architecture.

Single Family Design Techniques and Land Use and Transportation Element	Comments
2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns	The homes proposed along Bobolink Circle are similar in orientation to the existing neighborhood. The two rear units would have a unique orientation because they would be accessed by a shared driveway and would not have street frontage.
2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood	The proposed homes would be single-story and similar in style to the existing neighborhood, but would be larger than the average home.
2.2.3 Design homes to respect their immediate neighbors	The neighbors on all sides back up to the proposed project, so their rear yards would be adjacent to the side yards of the proposed homes. Staff has worked with the applicant to increase the side yard setback as much as possible with the current house plans.

Single Family Design Techniques and Land Use and Transportation Element	Comments
Land Use Element C.9 Define building entries by use of human scale architecture elements such as arches, posts, awnings, etc. Orient main entries toward public streets.	The proposed homes meet the single-story requirements in height and the homes have been designed in scale with that height. Two of the units are oriented toward the public street, but two would not have the required street frontage because they are interior lots.

Landscaping: The applicant has prepared an arborist report (Attachment G) that describes the current landscaping on the property. According to the report, the site currently has many existing trees that would be affected by the project. The most significant trees include a 35' tall Date Palm, a Grapefruit tree 10' tall, a multi-trunk Pittosporum at 15' tall, a 15' tall Jacaranda, an English Walnut 18' tall, a Southern Magnolia 20' tall, and a large Fig tree 20' high with a 35' spread. There are also a few fruit trees of significant size but not mentioned because they are listed in poor health. Some of these trees fall outside of the planned home footprint, but the Date Palm, Grapefruit, Pittosporum, Jacaranda and Fig may need to be removed as part of the development. Tree removals are subject to the conditions listed in the Conditions of Approval.

There is also a large oak tree in the rear of the property adjacent to proposed Parcel 3 that includes a canopy that extends into the subject property. The arborist report describes the oak tree as 40" in diameter, 40' tall with a spread of 80'. The report states that the tree extends into the proposed home foundation area which "may or (may not) have an adverse effect on the health of the tree" and that damage to the root zone is not recommended. Staff recommends avoidance of the drip line in order to best protect the tree. This would require the home layout to be revised.

The following Guidelines were considered in analysis of the project landscaping.

Single Family Design Techniques	Comments
2.2.7 Preserve Mature Landscaping	There are several mature trees that would be removed as a result of the project. Also, the oak tree on an adjacent property could be affected unless the home is redesigned or a special foundation used for the proposed home adjacent to the tree.

Parking/Circulation: The shared driveway extends into the property to serve the rear two homes, which have side-loaded garages. Each home is required to have two covered and two uncovered parking spaces, which greatly constrains the on-site circulation pattern of the these two units. The distance between the two unit's uncovered parking spaces is approximately 28' that makes for difficult ingress and egress when cars are parked outside the garages. Also, access to and from each unit would be required to cross the property line of the adjacent home.

There would be a total of three driveways along Bobolink where none exist. The driveways would be 10' and 50' apart and would serve 4 homes. The applicant stated that this was the only feasible design without reducing the home sizes or setback distances.

Staff discussed the driveway situation with the applicant in order to reduce the number exiting onto Bobolink Circle. One of the options discussed was to have all units access the shared driveway so only one driveway is needed. This would require the front homes to be redesigned so the garage is moved to the rear of the homes. The applicant did not support this option because it would reduce the rear yard setback and usable open space area for these homes, and would require a reduction in home size.

The following Guidelines were considered in analysis of the project parking and circulation:

Single Family Design Techniques	Comments
3.2 Parking- Design garages and driveways to be compatible with the neighborhood	The driveway design of three new driveways along Bobolink Circle would not be compatible with the neighborhood. The homes along Bobolink would have similar garage designs to the others in the neighborhood.
3.2.H Maintain on street parking by providing a minimum of 20' between curb cuts.	There would be 10' between the shared driveway and Parcel 1 curb cuts, which is not consistent with these design criteria.

Expected Impact on the Surroundings: The proposed project will lead to an increase in the intensity of use of the site, but no significant traffic or noise impacts to the surrounding area are expected. The greatest impacts to the surrounding area will be the increase in the number of units from one to four, having more homes located closer to existing property lines and the additional driveways along Bobolink Circle. Staff has worked with the applicant to address the project's compatibility with the existing neighborhood, but was

unable to find feasible alternatives in these areas that met the applicant's interests.

The architectural style consists of one-story homes similar in height to the existing neighborhood. The front units facing the public streets will have similar layouts to the existing neighborhood with front-loading garages while the rear units would be unique to the neighborhood with a shared driveway and interior lots.

Tentative Map

Description of Tentative Map: The project includes the subdivision of 1 parcel into 4 parcels with a shared driveway to the rear units that is owned equally by the rear two homes. As part of the proposed construction, the sidewalks, curbs and gutter may need to be upgraded where they do not impact mature street trees.

Fiscal Impact

Transportation Impact Fee: The project will result in a net increase in the trip generation at this site due to 3 net new units. Traffic impacts of approximately $5,415.09 are estimated for this project. The applicant would be required to pay this fee at the time building permits are issued.

Park Dedication Fee: This project is subject to Park Dedication Fees of $8,235.56 per unit. This fee shall be collected prior to action on a Final Map.

Public Contact

Staff has received three letters from neighbors and has had discussions with 3 other neighbors about the project. The general concerns are about the driveways and size and number of homes.

Planning Commission Study Session: The Planning Commission considered the item at a Study Session on June 27, 2005. General comments from the Commission included concerns about the number of homes proposed, the size of the units, the number and type of driveways and about the trees on site and off site.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
• Published in the *Sun* newspaper • Posted on the site • 110 notices mailed to the property owners and residents within 300 ft. of the project site	• Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library	• Posted on the City's official notice bulletin board • City of Sunnyvale's Website • Recorded for SunDial

Conclusion

Discussion: The concept of replacing a single home with four new one-story single-family homes on the subject property is consistent with the City goals of providing additional home ownership opportunities. Staff acknowledges the challenges associated with in-fill development, but finds that the proposed project includes homes too large for the site and neighborhood, especially considering the interest of the majority of the homeowners to rezone their property to the Single Story Combining District in 2002 in order to maintain the privacy and character of the neighborhood.

Reducing the size of the units would create homes similar in size to those found in the neighborhood and could help solve design issues such as the setbacks, tree preservation, on-site circulation and the number of driveways onto Bobolink Circle. A reduction in the number of units would likely result in similar sized homes with more open space. Staff met with the applicant several times to revise the project to be more consistent with the neighborhood, but was unable to find workable solutions on the main issues. The applicant revised the architecture and moved the rear homes further away from the neighboring homes, but did not reduce the home size or reduce the number of driveways onto Bobolink Circle.

Findings and General Plan Goals: Staff is recommending denial for this project because the Findings (Attachment A) were not made. However, if the Commission is able to make the required findings, staff is recommending the Conditions of Approval (Attachment B).

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Adopt the Mitigated Negative Declaration and introduce an Ordinance to Rezone 574 Bobolink Circle from R-0/S to R-0/PD/S and approve the Special Development Permit and Tentative Map with attached conditions.
2. Adopt the Mitigated Negative Declaration and introduce an Ordinance to Rezone 574 Bobolink Circle from R-0/S to R-0/PD/S and approve the Special Development Permit and Tentative Map with modified conditions.
3. Adopt the Mitigated Negative Declaration and do not introduce an Ordinance to Rezone 574 Bobolink Circle and deny 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.

Recommendation

Recommend Alternative 3 to the City Council.

Prepared by:

Andrew Miner
Project Planner

Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

A. Recommended Findings
B. Recommended Conditions of Approval
C. Negative Declaration
D. Site and Architectural Plans
E. Neighborhood Comparison
F. Letter from the Applicant
G. Arborist Report
H. Letters from Other Interested Parties
I. Draft Rezoning Ordinance

Recommended Findings – Design Review

The proposed project is not desirable in that the project's design and architecture does not conform to the policies and principles of the Single Family Home Design Techniques.

Basic Design Principle	Comments
2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns	The front two units home orientation would meet the neighborhood pattern while the rear two units would introduce a new element with flag lot interior units served by a shared driveway.
2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.	Although the proposed units would be single story, the size, scale and bulk of the units would be too large for the neighborhood.
2.2.3 Design homes to respect their immediate neighbors	The unit on Parcel 1 would be placed at the minimum setback from the adjacent home, which backs up to the unit. The homes located in the interior of the site would also have their sides against the rear of the adjacent properties.
2.2.7 Preserve mature landscaping	The layout of the homes would require the removal of several mature trees and could impact an adjacent oak tree. Project redesign could allow the avoidance of these trees.

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

C2.2 – *Encourage the development of ownership housing to maintain a majority of housing in the City for ownership choice.*

The proposed project will result in an increase of three single family detached for sale homes, which meets the Housing and Community Revitalization Sub-Element Goal of providing at least 75% of the permitted number of residential units. The building sizes will, however,

be greater than found in the neighborhood and should be reduced to better conform to the existing conditions.

N1.4.1: *Require infill development to complement the character of the residential neighborhood.*
The proposed project would introduce homes larger in size and bulk than found in the immediate neighborhood. The average FAR of the homes in the area is approximately 30% compared to the proposed average of 41%. This increase in size leads to the need for difficult on-site circulation and the addition of 3 new driveways along Bobolink Circle where none exist now.

Community Design Sub-Element

Policy C.4: Encourage quality architectural design, which improves the City's identity, inspires creativity, and heightens individual as well as cultural identity.
The proposed architecture incorporates a standard design which is repeated with adjacent units. The units are built to the maximum setback requirements, which limit future additions or alterations.

1. The proposed use does not attain the objectives and purposes of the General Plan of the City of Sunnyvale as the units would be significantly larger than that found in the neighborhood.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will impair the orderly development of and the existing uses being made of adjacent properties because the units would be either too large or too many for the neighborhood. The neighborhood consists of homes smaller with less density than that proposed. Smaller or fewer units would bring the project into closer conformance with the neighborhood and would help solve some of the project's constraints.

Recommended Findings - 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 not in conformance with the General Plan. If any of the following findings can be made, the Tentative Map shall be denied. Staff was made a number of the following findings and recommends denial of the Tentative Map as

the subdivision is not consistent with the General Plan.

1. That the design or improvement of the proposed subdivision is not consistent with the General Plan.

2. That the site is not physically suitable for the proposed type of development.

3. That the site is not physically suitable for the proposed density of development.

4. 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.

5. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

6. 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.

7. 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

Staff concludes that these findings are accurate, and recommends denial of the Tentative Map.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

A. Project shall be in conformance with the plans approved at the public hearing(s) and modified by these conditions to allow an average unit size no greater than 2,500 gross square feet. Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.

B. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.

C. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.

D. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.

E. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.

F. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Commission or City Council) .

G. To address storm water runoff pollution prevention requirements, an Impervious Surface Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

A. Obtain necessary permits from the Development Permit from the Department of Public Works for all proposed off-site improvements.

3. DESIGN/EXTERIOR COLORS AND MATERIALS

A. Final exterior building materials and color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to issuance of a building permit.

B. Roof material shall be 50-year dimensional composition shingle, or as approved by the Director of Community Development.

4. FENCES

A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.

B. Such fences may extend along side property lines, but do not extend beyond the front line of the main building on each lot.

C. Any side yard fence between the building and the public right-of-way shall not exceed three feet in height.

D. For front yard fences in residential areas, open decorative type fences, such as picket, post and rail are preferred.

E. Chain link and barbed wire fences are not allowed in residential areas.

F. Only fences, hedges and shrubs or other natural objects 3 feet or less in height may be located within a "vision triangle" (For definition, refer to Vision Triangle brochure or SMC 19.12.040(16), SMC 19.12.050 (12))

5. LANDSCAPING

1. Landscape and irrigation plans shall be submitted to the Director of Community Development subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy.

B. A tree protection plan shall be submitted for any existing trees on the site. Where possible, trees shall be protected and saved. Provide an inventory and valuation of any trees proposed to be removed prior to issuance of building permits.

C. The landscape plan shall include street trees, if required, and shall be submitted and approved per the City Arborist.

D. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.

E. Prepare a landscape maintenance plan subject for review and approval by the Director of Community Development

F. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.

G. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.

H. Any "protected trees", (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.

I. At the expense of the subdivider, City staff shall install required street trees of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.38.070) prior to issuance of a Building Permit.

J. All areas not required for parking, driveways or structures shall be landscaped.

K. Provide a fifteen-foot deep band of decorative paving for the width of the private drive(s) immediately behind the public sidewalk.

6. TREE PRESERVATION

A. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval.

B. The tree protection plan shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.

C. The tree protection plan shall remain in place for the duration of construction.

D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum:

1. An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).

2. All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.

3. Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.

E. Overlay Civil plans including utility lines to ensure that tree roots system are not damaged.

7. PARKING

A. Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.

B. No parking shall be allowed on the shared driveway.

C. The paved area in front of the homes on Parcels 3 and 4 shall remain free and clear of all obstacles at all times to allow parking and maneuvering of cars.

8. RECYCLING AND SOLID WASTE

A. All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.

B. Remove all debris, structures, area light poles, and paving from the site prior to commencement of new construction.

9. STORAGE

A. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure.

B. Unenclosed storage of any vehicle shall be prohibited.

C. Unenclosed storage of any kind shall be prohibited on the premises.

D. All exterior trash shall be confined to approved receptacles and enclosures.

10. UNDERGROUND UTILITIES

A. All proposed utility drops shall be undergrounded.

11. MISCELLANEOUS

A. Prior to commencement of new construction remove all debris, structures, area light poles, and paving from the site.

12. TENTATIVE MAP CONDITIONS

A. Full development fees shall be paid for each project parcel or lot shown on Parcel Map and the fees shall be calculated in accordance with City Resolutions current at the time of payment.

B. Comply with all applicable code requirements as noted in the Standard Development Requirements.

13. SUBDIVISIONS

A. All requirements of the Subdivision Ordinance in effect at the time of the sale shall be compiled with in full prior to such sale (State Subdivision Map Act).

B. Remove all debris, structures, area light poles, and paving from the site prior to recordation of a final map.

14. EASEMENTS AND DEDICATIONS

A. An easement for the shared driveway shall be included in the Final Map which secures the right to pass for either property along the length of the driveway.

B. The paved area in front of the units on Parcels 3 and 4 shall be shared by both properties for ingress and egress to the garage and uncovered parking areas. This area shall remain free and clear of all obstructions.

15. FEES

A. Pay Traffic Impact fee estimated at $5,415.09, prior to issuance of a Building Permit. (SMC 3.50)

B. Pay Park In-lieu fees estimated at $32,942.24, prior to approval of the Final Map or Parcel Map. (SMC 18.10)

16. RIGHT-OF-WAY IMPROVEMENTS

A. Obtain a Development Permit from the Department of Public Works for improvements.

B. Curbs, gutters, sidewalks, streets, utilities, traffic control signs, electroliers (underground wiring) shall be designed, constructed and/or installed in accordance with City standards prior to occupancy. Plans shall be approved by then Department of Public Works.

17. TRAFFIC/ROAD IMPROVEMENTS

A. Approval of detailed street improvements plan shall be obtained from Public Works and bonds posted prior to issuance of a Building Permit.