



**May 13, 2008**

**SUBJECT:**           **2007-0065** – Applicant appeal of a decision of the Planning Commission to deny an application for **688 Conway Road** (near Hollenbeck Ave) in an R-2 (Low-Medium Density Residential) Zoning District.

Motion               Design Review to allow a new two-story single family residence for a total of 3,448 square feet and 62.9% FAR (Floor Area Ratio) where 45% FAR may be allowed without Planning Commission review.

**REPORT IN BRIEF**

**Existing Site Conditions**           Single-Family Residential

**Surrounding Land Uses**

North               Single-Family Residential

South              Single-Family Residential

East               Single-Family Residential

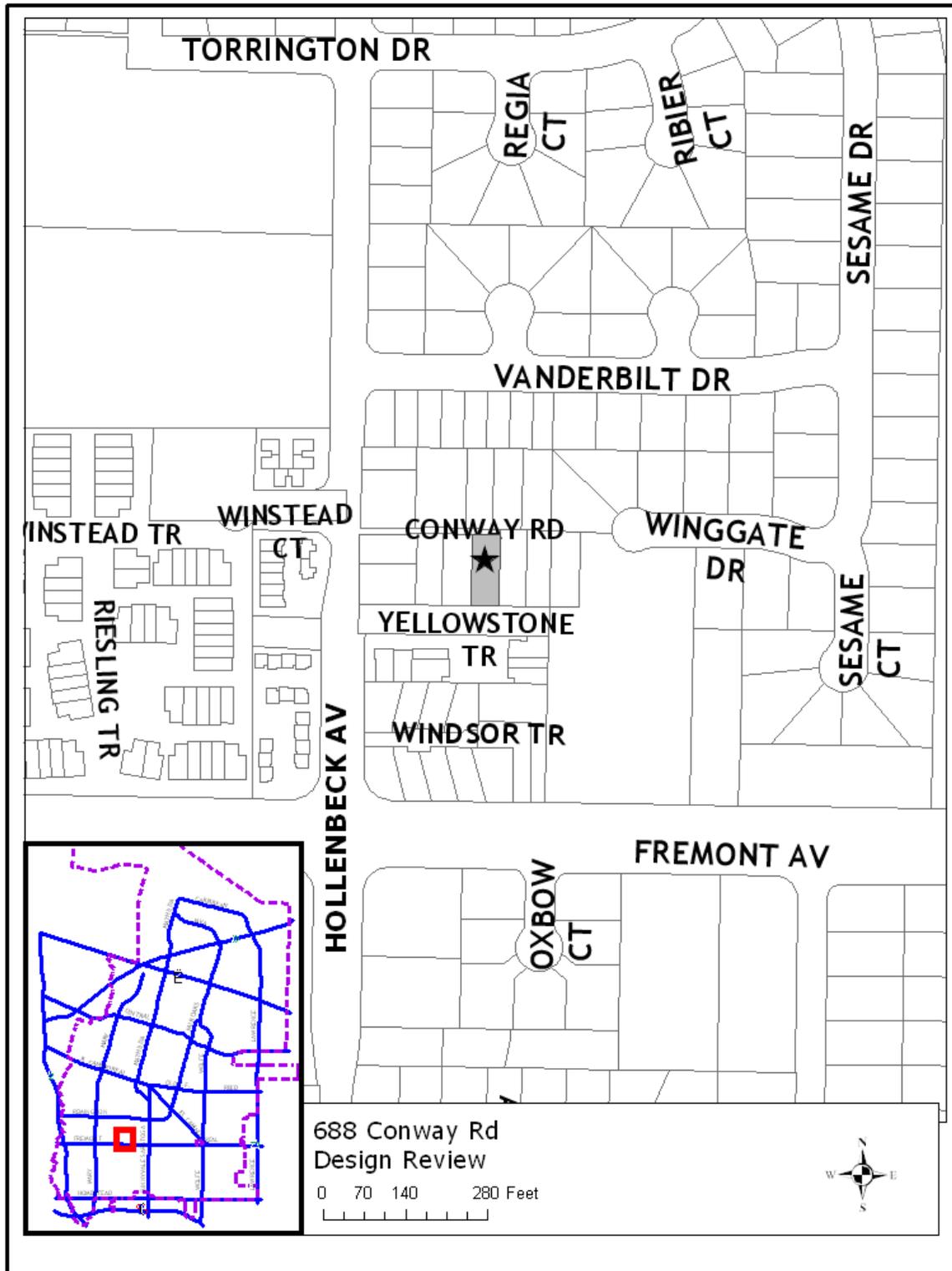
West               Single-Family Residential

**Issues**               Compatibility with neighborhood, including massing and bulk

**Environmental Status**           A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Planning Commission Action**       Denied the Design Review Application

**Staff Recommendation**           Deny the appeal, and uphold decision of Planning Commission to deny the Design Review.



**PROJECT DATA TABLE**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED/ PERMITTED</b>
<b>General Plan</b>	Low Density Residential	Same	Low Density Residential
<b>Zoning District</b>	R-2	Same	R-2
<b>Lot Size (s.f.)</b>	5,482	Same	8,000 min.
<b>Gross Floor Area (s.f.)</b>	598	3,448	2,467 max. without PC review
<b>Lot Coverage (%)</b>	10.9%	40%	40% max.
<b>Floor Area Ratio (FAR)</b>	10.9%	62.9%	45% max. without PC review
<b>Building Height (ft.)</b>	12'	24'-6"	30' max.
<b>No. of Stories</b>	1	2	2 max.
<b>Setbacks (First/Second Facing Property)</b>			
<b>Front</b>	57'	21'/25'-6"	20'/20' min.
<b>Left Side</b>	0	4'/9'	4'/9' min.
<b>Right Side</b>	20'	8'/13'	8'/9' min.
<b>Rear</b>	8'	20'-4"/20'-4"	20'/20' min.
<b>Landscaping (sq. ft.)</b>			
<b>Total Landscaping</b>	N/A	1,608	850 min.
<b>Usable Open Space</b>	N/A	1,353	500 min.
<b>Parking</b>			
<b>Total Spaces</b>	0	4	4 min.
<b>Covered Spaces</b>	0	2	2 min.

**ANALYSIS**

**Description of Proposed Project**

The proposed project involves the demolition of an existing one-story single-family residence, and the construction of a new two-story single family residence. The proposed home would be 3,448 square feet in size, which would include 3,018 square feet of living area, a 400 square foot garage, and a 30 square foot covered front porch. Planning Commission review is required for a project, when the Floor Area Ratio (FAR) is proposed over 45%; this project is

for an FAR of 62.9%. The proposed Design Review was denied at the November 12, 2007 Planning Commission public hearing. An appeal request was submitted by the applicant; therefore, City Council review is required.

### **Background**

**Previous Actions on the Site:** In 2000 an assessment district was approved by the City Council in the Conway Road neighborhood for purposes of maintaining the private road and utilities. As part of this action, an 11-foot easement across the front of the northern parcels was required for the expansion of the street. In addition, there is a 10-foot private road dedication between the northern and southern parcels, which is part of Conway Road.

The existing home was constructed in 1950 and is not considered a Heritage Resource. No significant permits have been obtained for this property.

**Planning Commission Hearing:** On November 12, 2007, the project was considered by the Planning Commission. During the public hearing, the applicant made a correction to the staff report regarding the gross floor area and FAR of the proposed home. The open area on the second floor was erroneously counted towards the second floor area. The applicant's corrections are as follows:

	<b>Reviewed by Planning Commission</b>	<b>Corrected Values</b>
<b>Gross Floor Area</b>	3,538 s.f.	3,448 s.f.
<b>FAR</b>	64.5%	62.9%

The applicant also submitted an alternative front elevation drawing, which was provided to the Commissioners and staff during the public hearing. Staff did not review the alternative front elevation drawings prior to the hearing, and it was therefore, not included in the Planning Commission staff report. During the public hearing, the Planning Commission did not provide specific comments on the alternative front elevation drawings. After public testimony was taken, the Planning Commission denied the project with a 5-1 vote. On November 13, 2007, the applicant submitted an appeal. This staff report reflects the applicant's corrections to the gross floor area and FAR calculations, and includes the analysis of the alternative front elevation drawing. The applicant prefers the original design.

### **Environmental Review**

A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 3 Categorical Exemption includes construction of single family homes.

### **Design Review**

**Site Layout:** The site has typical dimensions for the Conway Road neighborhood with width of approximately 45 feet and a depth of 121 feet, and lot size of 5,482 square feet. However, the property is substandard with regards to the minimum requirements for properties found in the R-2 Zoning district, in which lot width of 76 feet and lot area of 8,000 square feet are required. The existing site contains a one-story single family home that is 598 square feet in size. The project includes the demolition of the existing home.

The proposed home and driveway would face the front of the lot. The home would be 3,448 square feet in size, which would include 3,018 square feet of living area, a 400 square foot garage, and a 30 square foot covered front porch. The first floor would be 2,242 square feet in area, and the second floor would be 1,206 square feet. The proposed home would contain four bedrooms, four bathrooms and an office. The proposed office located on the first floor could be considered a fifth bedroom, as it contains a door and is approximately 100 square feet in area.

*Easements and Undergrounding:* Easements and undergrounding of utilities occurred as part of the assessment district that was established in 2000. The subject property contains a public utility easement within the first 8 feet of the property. No structures are proposed within this easement.

The following Guidelines were considered in analysis of the project site design.

<b>Single Family Home Design Techniques (Site Layout)</b>	<b>Comments</b>
<i>3.1 Respect neighborhood home orientation and setback patterns.</i>	The proposed home would be centered on the lot and would face the street frontage. The orientation of the proposed home is consistent with that of other homes in the neighborhood. Setbacks of other homes in the neighborhood vary. The setbacks proposed for the new home are in compliance with the Zoning Code.

**Architecture:** The proposed architecture is contemporary, with stucco siding and composition shingle roof material. The front façade of the home is dominated by the proposed garage door and a two-story bay window feature. The front entry is approximately 18 feet in height, and is recessed approximately 10 feet from the bay window feature and 14 feet from the face of the garage. The windows are a mix of double-hung and fixed windows, with window trim. Additional ornamentation includes a pair of arched windows on the front elevation of the second floor, with trellis features below.

While there is no prevailing architectural style in the neighborhood, many of the homes have similar features, such as front porches and front-gabled roofs. Roof materials and exterior colors vary, and exterior materials are either stucco or wood siding. Most of the homes in the neighborhood, including those adjacent to the subject site, are one story but the area is in transition and new two-story homes are approved or being constructed in the immediate neighborhood.

The most recently approved and constructed home on this street is located two properties to the west at 694 Conway Road, which was approved by the Planning Commission in June 2005 (2005-0353). This new two-story home was designed in a contemporary style with Spanish elements, such as stucco and tile roof materials. Additionally, a two-story home located across the street at 687 Conway Road was approved by the Planning Commission in May 2004 (2004-0282). This two-story home was also designed with Spanish elements, but was never constructed.

*Privacy:* One-story homes exist on each side of the subject property, with approximately 4-foot side yard setbacks. While narrow lots result in site constraints for two-story homes, the placement and size of windows can help to minimize privacy impacts to adjacent neighbors. The applicant has attempted to address potential privacy impacts by minimizing the number of full-sized windows along the second floor. The left side elevation consists of two full-sized windows that are located between 9 feet to 15 feet from the side property line. The proposed windows along the right side elevation are located 13 feet from the side property line. Additionally, windows along the right side elevation not required for egress are high sill or made of obscured glass. Two pairs of double-hung full-sized bedroom windows are also proposed, resulting in four windows. While egress is required for bedrooms on the second floor, staff recommends that these windows be reduced to the minimum required for egress.

In addition, the applicant has submitted a solar access and shadow analysis which demonstrates that the proposed two-story home will shade no more than

8.95% of the existing one-story home on the left side of the property, where 10% is the maximum allowed.

*Floor Area Ratio:* The applicant proposes a Floor Area Ratio (FAR) of 62.9%. There is no Zoning Code limit for FAR in the R-2 Zoning District; however, Planning Commission review is required for single-family homes with an FAR over 45%. The following table shows square footages, numbers of stories and FAR for homes on Conway Road.

<b>Property Address</b>	<b>Square Footage of Structure</b>	<b>Number of Stories</b>	<b>FAR</b>
691 Conway	2,117	1	19%
687 Conway	3,061	2	51%
683 Conway	852	1	13%
679 Conway	520	1	8%
676 Conway	1,006	1	15%
680 Conway	968	1	15%
684 Conway**	928	1	16%
688 Conway*	3,448	2	62.9%
690 Conway**	1,260	1	20.5%
692 Conway	1,260	2	21%
694 Conway***	3,266	2	59.5%

\* Proposed home

\*\* Adjacent homes

\*\*\* Recently constructed

The highest FAR approved to date in the immediate vicinity is 59.5% for a 3,266 square foot home at 694 Conway Road, which is located two properties to the west of the project site. This new home has recently been constructed.

As previously stated, there are easements along both the north and south sides of Conway Road. For properties on the north side, there is an 11-foot easement. The easement on the south side is 10 feet wide. The applicant contends that the FAR calculation should include the existing 10-foot easement in front of the subject property, which is a portion of Conway Road. Conway Road is privately owned and provides access to Hollenbeck Avenue. The applicant identifies this area as "Parcel 2" on the proposed plans and it is 450 square feet in area (Attachment C, Architectural and Site Plans). If staff included this easement in the calculations, the total lot area would be 5,932 square feet and the FAR would be 60% (as opposed to 62.9%)

A two-story home located at 694 Conway Road is on the same side of the street as the project site, and the approved lot area and FAR calculations excluded the easement along Conway Road. Additionally, the FAR approved was 59.5%, which is still lower than the proposed project.

Regardless of the FAR calculation, the lots along Conway Road are similar in size. Therefore, it is also important to consider the size of the homes on Conway Road for comparison purposes. As previously discussed, the largest home approved on this street is at 694 Conway Road and includes a 3,266 square foot home. The proposed project includes a 3,448 square foot home, which is almost 200 square feet larger than the recently approved home. One alternative is to reduce the home to a size similar to the home at 694 Conway Road, resulting in compatibility with the precedent already set in the neighborhood.

Another alternative to reduce the size of the proposed home is to remove the proposed den on the first floor at the back of the house, and remove the sitting area, walk-in closet and bathroom from the master bedroom suite on the second floor. These master bedroom suite features can still be accommodated in the home by replacing "bedroom 2" with these amenities. Although this alternative would result in a loss of one bedroom, the home would still consist of three bedrooms on the second floor and an office on the first floor (or four bedrooms if the office is counted as a bedroom). This would reduce the size of the home by approximately 560 square feet, and would result in a 2,888 square foot home with a 49% FAR. This option would be compatible with other homes found in the neighborhood.

*Massing and Bulk:* There are design elements that contribute to the massing and bulk of the home. These elements include the two-story bay window feature, front entry, vaulted ceiling along the left side of the home, and the flat walls. Staff believes that there are options available for the applicant to modify these features, that could reduce mass and bulk, but these would require significant changes to the home:

- The entry feature shall not exceed a total height of 14 feet. This reduced height would allow for compatibility with the modest entries also found in the neighborhood.
- Additional design features shall be added along the front, side and rear elevations, such as wall trim, window trim or wainscoting along the base of the building. This would provide better articulation and visual interest to the flat elevations.
- The two-story bay window feature shall be removed/relocated and the home should be redesigned to become the front entry to the home. Relocating the front entry would allow the entry to be more visible from the street front.

- Relocate the front elevation of the garage farther back/south on the lot, or at a minimum, a trellis should be added along the top of the garage door. The current elevation is dominated by the garage doors. Although the narrow lot width may limit the design options for the garage doors, there is adequate opportunity to move the garage back. At a minimum, added detailing on the garage wall would help to break up the massing of the wall.
- The vaulted ceiling feature shall be modified by bringing the ceiling height to no more than 9 feet on the outside edge, with the roof element following the same pitch as the second story roof, transitioning to a wall forming the edge of the second story rooms. This condition would help to reduce the visual massing and bulk and would allow for a greater second floor setback along the left side elevation.
- The garage area could be set back further and the front door could be moved forward. This change would make the entry the primary visual feature of the home. It would require other modifications to the floor plan and elevations.

*Alternative Elevations (Attachment F):* In an attempt to address staff's concerns, the applicant submitted an alternative front elevation drawing contained in Attachment F. This alternative elevation includes a modified two-story bay window, reduced front entry height, and additional wood trim. The bay window feature would be modified into a two-story flat wall with standard windows, wood trim and a front gable. In addition, the entry would be reduced to a height of 14 feet. Wood trim would also be added to the base of the first floor and wrap around the entire home.

This alternative elevation design incorporates some of staff's concerns, the applicant submitted an alternative front elevation drawing contained in Attachment F. This alternative elevation includes a modified two-story front window, reduced front entry height, and additional wood trim. The front window feature would be modified into a two-story flat wall with standard windows, wood trim and a front gable. In addition, the entry would be reduced to a height of 14 feet. Wainscoting would also be added to the base of the first floor and wrap around the entire home. The wainscoting is proposed to be wood trim, but could be stone or masonry.

This alternative elevation design incorporates some of staff's recommended conditions, such as providing additional architectural wall detailing, and reducing the height of the front entry. Although this alternative helps address some of the design issues, the proposed home is still massive and more effective solutions are needed to reduce the square footage (most likely on the second floor), reduce the vaulted ceilings and to also push the garage back (Attachment B, Recommended Conditions of Approval).

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

<b>Single Family Design Techniques</b>	<b>Comments</b>
<i>3.3 Design entries to be in scale and character with the neighborhood.</i>	The proposal consists of an entry feature that is 18 feet in height; other entry features found in the neighborhood generally line up with eaves on the first floor. As possible conditions of approval, the entry feature height could be reduced to no more than 14 feet; comparable with the proposed garage and other homes found in the neighborhood.
<i>3.3 A. Located home entries so that they are visible from the street.</i>	The proposed entry is set back approximately 14 feet from the face of the garage. Staff recommends that the two-story front window feature be redesigned to become the front entry. As conditioned, the front entry would be more visible from the street frontage, and reduce the visual impact of the garage doors. The garage could be set back further.
<i>3.4 D. For second floors with an area greater than 35% of the ground floor area, setbacks should generally be greater unless the prevailing pattern of second floors in the neighborhood is less.</i>	The proposed second floor is 58% of the ground floor. While the minimum front and rear yard setbacks on the second floor are proposed, the applicant has designed the side yard setbacks to be greater than the minimum required.
<i>3.4 P. The use of projecting horizontal holding can break up taller wall surfaces and give the home more of a horizontal composition to reduce its apparent visual height.</i>	As proposed, the elevations are relatively flat and contribute to the visual massing and bulk of the home. If approved, staff recommends that the applicant redesign the project to use architectural elements, such as wall and window trims and wainscoting, to add visual interest to the elevations.

Single Family Design Techniques	Comments
<p><i>3.6 A. New homes and additions to existing structures should be located to minimize blockage of sun access to living spaces and actively used outdoor areas on adjacent homes.</i></p>	<p>The applicant has submitted a solar access and shadow analysis which demonstrates that the proposed two-story home will shade no more than 8.95% of the existing one-story home on the left side of the property, where 10% is the maximum allowed.</p>
<p><i>3.6 C. Windows should be placed to minimize views into the living spaces and yard spaces near neighboring homes. When windows are needed and desired in side building walls, they should be modest in size and not directly opposite windows on adjacent homes.</i></p>	<p>The proposed windows not required for egress on the second floor have been designed to be high sill windows or made of obscured glass. As conditioned, the remaining windows will be redesigned to be the minimum size required to meet egress requirements.</p>
<p><i>3.7 Use materials that are compatible with the neighborhood.</i></p>	<p>The proposed home consists of stucco siding and composition shingle roofing, which are also found on existing homes in the neighborhood.</p>

**Landscaping:** As proposed, the project provides approximately 1,608 square feet of total landscaping area where 850 square feet is the minimum required in the R-2 Zoning district. Additionally, 1,353 square feet of useable open space is proposed, where 500 square feet is the minimum required. Therefore, the project meets and exceeds landscaping requirements.

Existing landscaping on the project site is minimal. No protected trees will be removed as part of this project.

**Parking/Circulation:** The proposed project includes a two-car garage that provides the two required covered parking spaces. The driveway is 17 feet wide and 21 feet deep, and provides two additional parking spaces. In total, 4 parking spaces are proposed. Moreover, approximately 360 square feet of the required front yard will be paved to accommodate the driveway and concrete walkway. The total impervious surface proposed in the required front yard is approximately 40%, where 50% is the maximum allowed. Therefore, the project meets the parking requirements and does not exceed allowable front yard paving.

It should be noted that the garage dominates the façade of the building due to the narrow lot. Some would consider this design to be a “snout house” which is a term used for front forward garage designs and is discouraged in the

Sunnyvale Single Family Design Techniques. Staff recommends that the garage be pushed back/south to reduce its visual impact. Alternatively, at a minimum, a trellis feature could be added along the top of the garage doors to provide some relief from the garage elevation (Attachment B, Recommended Conditions of Approval).

**Compliance with Development Standards:** As proposed, the project meets all the development standards required for properties located in the R-2 Zoning district, including setbacks, landscaping and parking. However, various elements of the proposed design of the home are inconsistent with the established character of the neighborhood and the Single Family Home Design Techniques.

While the FAR provides one method of assessing the compatibility of a new home within an existing neighborhood, there are existing site constraints on this lot that may not accurately reflect on the proposed project. As such, a size comparison of other homes found on Conway Road must also be considered. As previously discussed, the proposed home is more than 200 square feet larger than the recently approved home located at 694 Conway Road, with a similar lot size and site constraints. Therefore, staff finds that the size of the proposed home is excessive in comparison with the already established precedent in the neighborhood. If the project is approved, staff recommends that the size of the proposed home be reduced in size to allow for compatibility with the size of the proposed home be reduced to a size to allow for compatibility with this precedent, and the vertical mass (vaulted ceiling) be reduced.

In addition, there are elements of the design that do not meet Design Techniques, such as the entry feature, two-story front windows and blank walls. If the project is approved, staff further recommends the applicant work with staff on revised architectural plans to reduce the visual massing and bulk of the home. As demonstrated by staff, there are feasible alternatives that exist to achieve a better design.

### **Fiscal Impact**

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

### **Public Contact**

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A neighboring resident reviewed the site and architectural plans on November 6, 2007. No comments have been received by staff.

<b>Notice of Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"> <li>• Published in the <i>Sun</i> newspaper</li> <li>• Posted on the site</li> <li>• 12 notices mailed to property owners and residents adjacent to the project site</li> </ul>	<ul style="list-style-type: none"> <li>• Posted on the City of Sunnyvale's Website</li> <li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li> </ul>	<ul style="list-style-type: none"> <li>• Posted on the City's official notice bulletin board</li> <li>• City of Sunnyvale's Website</li> <li>• Recorded for SunDial</li> </ul>

**Planning Commission Public Hearing:** A public hearing was held by the Planning Commission on November 12, 2007 regarding this proposal. Detailed minutes of the hearing are provided in Attachment E. The primary concern raised by the Planning Commission during the hearing was regarding the size of the home with respect to the lot and the neighborhood.

During public testimony, two residents expressed their concerns regarding privacy impacts of the first and second floor windows, and the proposed size of the home. As previously discussed, the Planning Commission and staff received copies of the alternative front elevation drawings during the public hearing. The Planning Commission did not provide comments on these drawings. However, the Planning Commissioners expressed concern with the size and mass of the proposed home. After the public hearing was closed, the Planning Commission took action to deny the Design Review application with a 5-1 vote.

**Applicant's Appeal:** On November 13, 2007 the applicant submitted an appeal request and raised the following issues (Attachment D, Applicant's Appeal Letter):

- The development of the property would benefit the community as a whole and Conway Road.
- The new home would be compatible with the neighborhood with staff's recommended conditions of approval.

**Staff's Discussion on the Appeal:** During the public hearing, some of the Planning Commissioners stated that they would like to see the applicant come back to the Planning Commission with a smaller home and revised architecture. Staff's recommended conditions of approval generally focus on modifying the architecture of the home to reduce the visual bulk and massing, and reducing the square footage of the home to allow for compatibility with the neighborhood. In staff's opinion, the applicant's alternative elevation drawings help to address some of staff's concerns; however, staff believes that this alternative is not enough to reduce the visual bulk and mass of the home.

Staff believes that while the recommended conditions of approval may address the Planning Commission's concerns, the design should return to the Planning Commission for further review if the applicant is willing to redesign and reduce the size of the dwelling. Alternatively, if the City Council grants the appeal, staff recommends the following conditions of approval (see also, Attachment B):

- The project shall be redesigned to not exceed a size of 3,266 square feet in area (similar in size to the house down the street).
- The architectural plans shall be redesigned to incorporate the following features, subject to review and approval of the Director of Community Development:
  - The entry feature shall not exceed a total height of 14 feet, comparable to the garage.
  - Additional design features shall be added along the elevations, such as wall trims, windows trims or wainscoting along the base of the building.
  - The two-story front window shall be removed and redesigned to become the front entry to the home.
  - The front elevation of the garage should be pushed further back/south. Alternatively, at a minimum, a trellis feature shall be added along the top of the garage door.
  - The second-story windows along the side elevations shall be redesigned to be the minimum size required to meet egress.
  - The vaulted ceiling feature shall be modified by bringing the ceiling height to no more than 9 feet on the outside edge, with the roof element following the same pitch as the second story roof, transitioning to a wall forming the edge of the second story rooms.
  - The garage shall be set back further and the front door shall be moved forward to make the entry the primary visual features of the home. Associated modifications to the floor plan and elevations shall be incorporated into the project design.

## **Conclusion**

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**Findings and General Plan Goals:** Staff was unable to recommend approval of this project, because the project's design and architecture would not

conform to the policies and principles of the Sunnyvale Single Family Home Design Techniques. Staff was not able to concur with the Basic Design Principles located in Attachment A.

**Conditions of Approval:** If approved, recommended Conditions of Approval are located in Attachment B.

### **Alternatives**

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1. Grant the appeal and approve the Design Review with conditions as recommended by staff.
2. Grant the appeal and approve the Design Review with modified conditions.
3. Deny the appeal and uphold the decision of the Planning Commission to deny the Design Review, and provide direction on future designs.

### **Recommendation**

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Recommend Alternative 1 to the City Council.

Reviewed by:

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Hanson Hom, Director, Community Development  
Reviewed by: Trudi Ryan, Planning Officer  
Prepared by: Noren Caliva, Project Planner

Approved by:

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Amy Chan, City Manager

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Applicant's Appeal Letter
- E. Planning Commission Hearing November 12, 2007 Minutes
- F. Alternative Elevations

**Recommended Findings – Design Review**

The proposed project is desirable in that the project’s design and architecture conforms with the policies and principles of the Single Family Home Design Techniques.

<b>Basic Design Principle</b>	<b>Comments</b>
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	Like other homes in the vicinity, the proposed home is oriented with the front elevation towards Conway Road. <i>Principle Met</i>
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The proposed home is approximately 300 square feet larger than the recently approved project located at 694 Conway Road. Square footage would need to be reduced for the project to result in a home that is comparable in size and is in keeping with the established precedent in the neighborhood. <i>Principle Not Met</i>
<i>2.2.3 Design homes to respect their immediate neighbors</i>	Privacy of adjacent lots has been addressed in the design of the proposed home and as conditions of approval. Windows not required for egress have been designed to be high sill or made of obscured glass. As conditioned, the remaining windows will be reduced to the minimum size required to meet egress. <i>Principle Met</i>
<i>2.2.4 Minimize the visual impacts of parking.</i>	The front elevation of the garage is a prominent feature on the front of the house and the streetscape. <i>Principle Not Met</i>
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The project results in 40% of impervious surface in the required front yard, where 50% maximum is allowed. <i>Principle Met</i>
<i>2.2.6 Use high quality materials and craftsmanship</i>	The project will require building permits and inspections. The project incorporates stucco, trimmed windows, and trellis features. <i>Principle Met</i>

2007-0065 Applicant appeal of a decision of the Planning Commission to deny a Design Review application for 688 Conway Road (near Hollenbeck Ave.) for a new two-story single-family residence with 62.9% FAR (Floor Area Ratio).

Attachment A

Page 2 of 2

<p><i>2.2.7 Preserve mature landscaping</i></p>	<p>The existing landscaping on the project site is minimal. No protected trees will be removed as part of this project. <i>Principle Met</i></p>
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## **Recommended Conditions of Approval - Design Review**

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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 and approval of the Director of Community Development.

### **1. GENERAL CONDITIONS**

- A. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at the Planning Commission hearing except that minor changes of the approved plans may be approved by the Director of Community Development.
- B. The Design Review shall be null and void one year 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 the expiration date.
- C. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
- D. No existing protected trees are approval for removal.

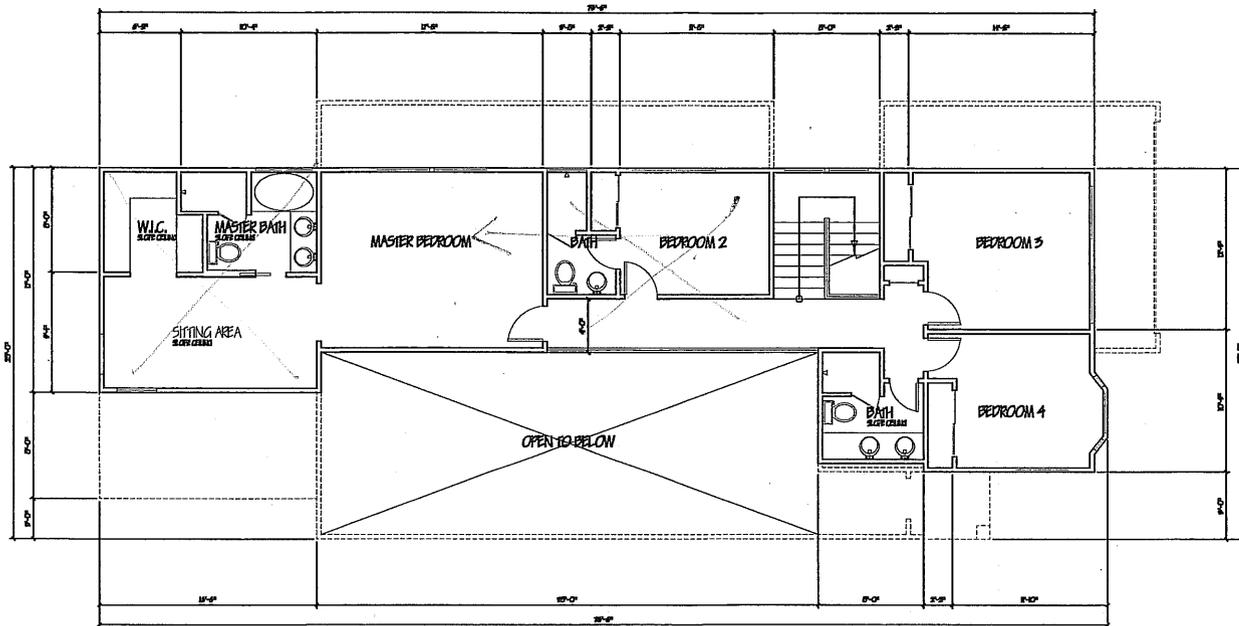
### **2. DESIGN/EXTERIOR COLORS AND MATERIALS**

- A. Final exterior building materials and color scheme are subject to review and approval of the Directory of Community Development prior to issuance of a Building permit.
- B. The project shall be redesigned to not exceed a size of 3,266 square feet in area.
- C. The architectural plans shall be redesigned to incorporate the following features, subject to review and approval of the Director of Community Development:
  - a. The entry feature shall not exceed a total height of 14 feet, comparable to the garage.
  - b. Additional design features shall be added along the elevations, such as wall trims, windows trims or wainscoting along the base of the building.

- c. The two-story bay window shall be removed and redesigned to become the front entry to the home.
- d. Increase the set back of the garage front elevation.
- e. The second-story windows along the side elevations shall be redesigned to be the minimum size required to meet egress.
- f. The proposed windows not required for egress on the second floor have been designed to be high sill windows or made of obscured glass. As conditioned, the remaining windows will be redesigned to be the minimum size required to meet egress.
- g. The vaulted ceiling feature shall be modified by bringing the ceiling height to no more than 9 feet on the outside edge, with the roof element following the same pitch as the second story roof, transitioning to a wall forming the edge of the second story rooms.
- h. The garage shall be set back further and the front door shall be moved forward to make the entry the primary visual feature of the home. Associated modifications to the floor plan and elevations shall be incorporated into the project design.

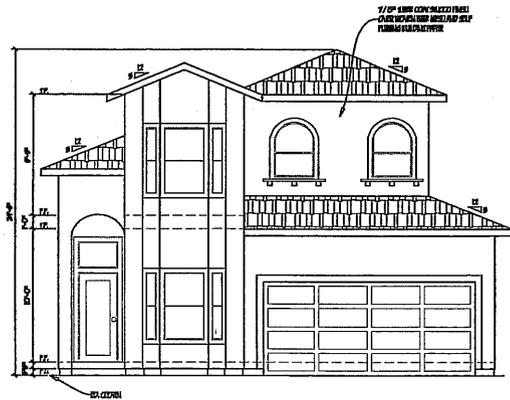




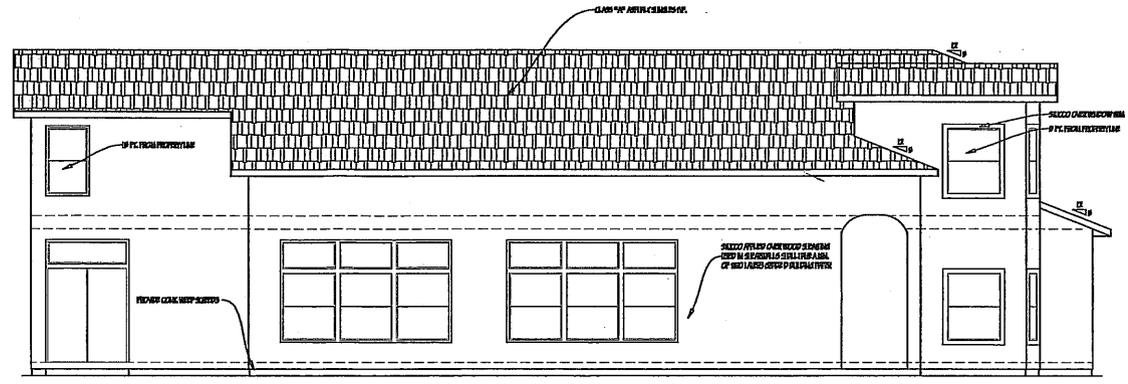


SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

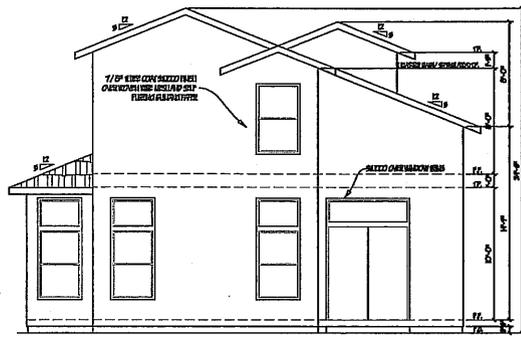
Revision	no.
<b>CUSTOM HOME PLAN</b> 688 CONWAY DRIVE SUITE 102, CAROLINA	
<b>SECOND FLOOR PLAN</b>	<b>Perkins and Gerech</b> Drafting & Design <small>1000 W. 10th Street, Suite 100          Oklahoma City, Oklahoma 73106          Phone: (405) 241-1111</small>
DATE	02/20/11
SCALE	AS SHOWN
FLOOR	SECOND
NO.	A-2A
DATE	02/06/2011



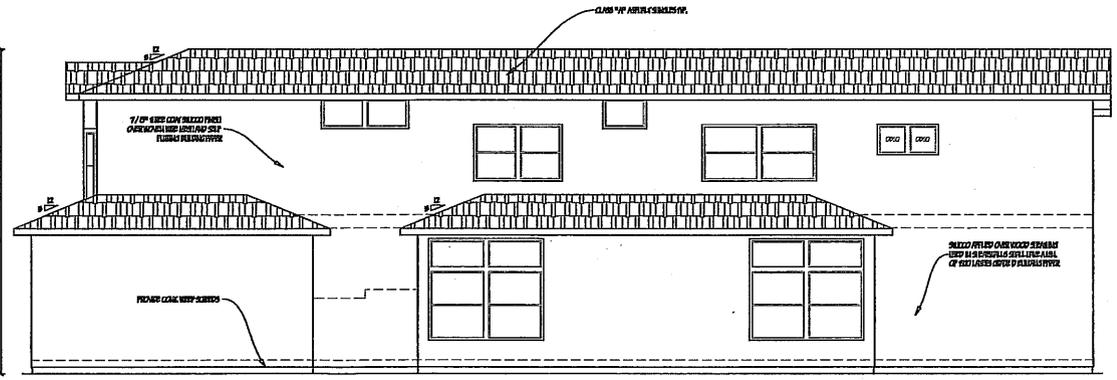
FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



LEFT ELEVATION  
SCALE: 1/4" = 1'-0"

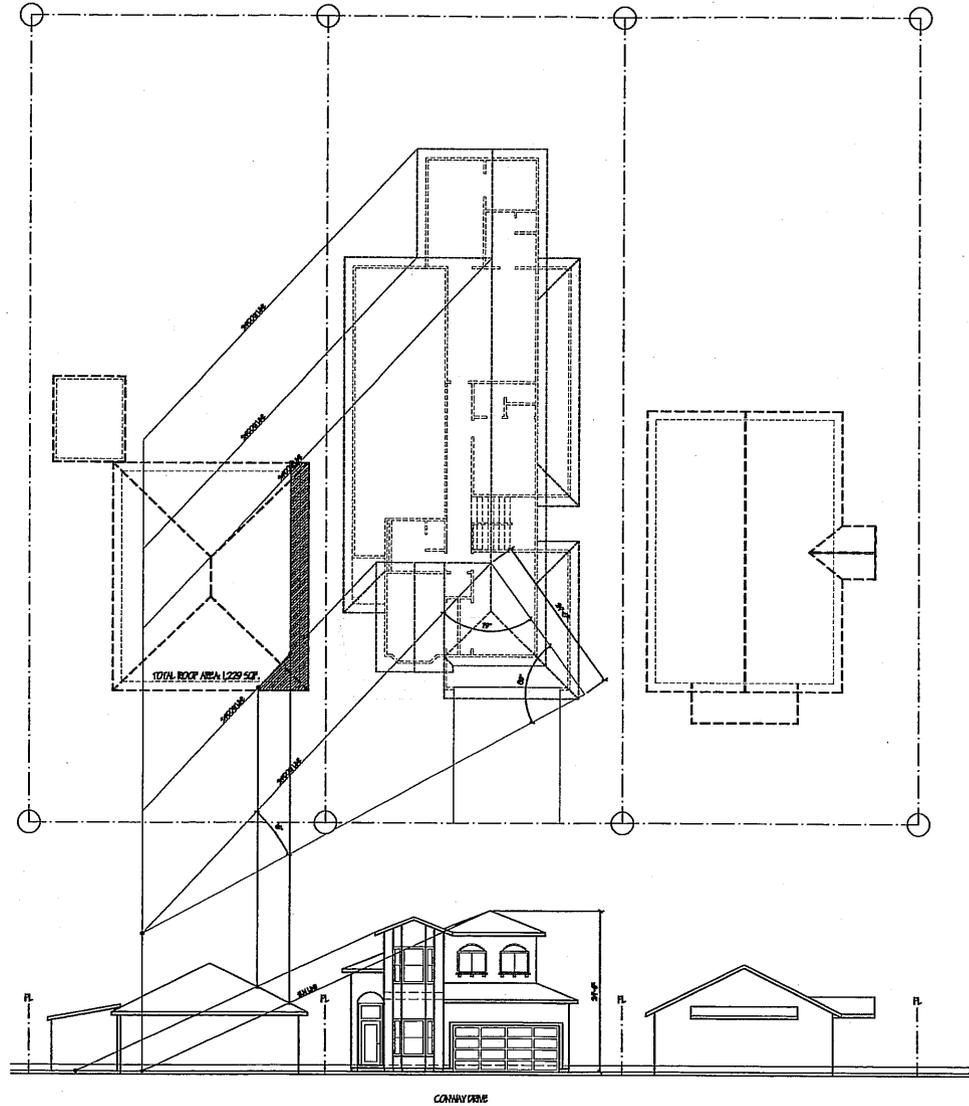


REAR ELEVATION  
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION  
SCALE: 1/4" = 1'-0"

PROJECT NO.	05
DATE	
CLIENT	
PROJECT NAME	CLIFTON HOME PLAN
DESIGNER	6666 CONWAY DRIVE SUNNYVALE, CALIF. 95086
SCALE	
PLAN	REAR PLAN
DESIGNER	Ferdinand Garcia Drawing & Design 2000 International Lane, Suite 200 San Jose, CA 95131 Tel: (408) 261-1111
DATE	05/07
SCALE	
PLAN	REAR PLAN
DATE	
SCALE	
PLAN	



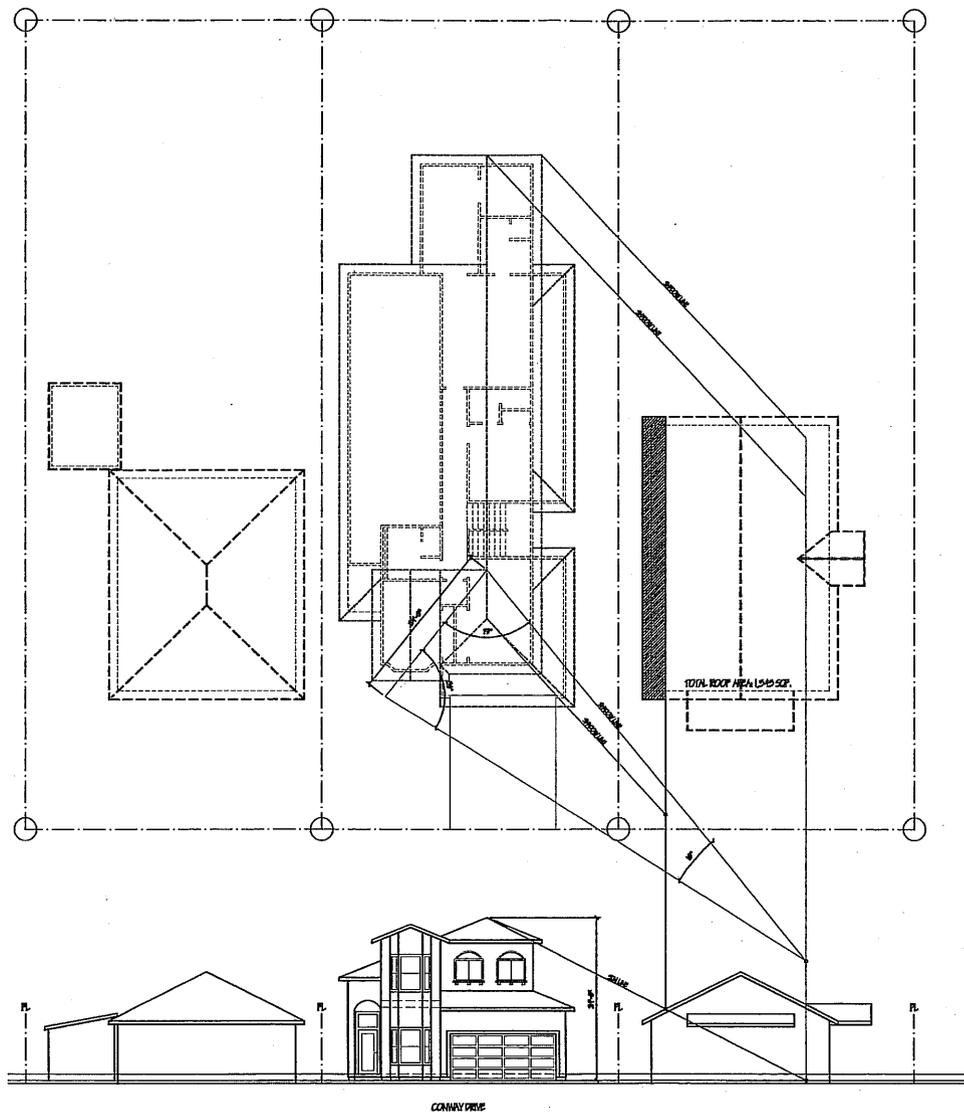
**SOLAR ANALYSIS**

- PGC 21 - 900PM
- AZIMUTH: 157° west from north
- ALTITUDE: 12°
- TOTAL ROOF AREA: 1229 SQ. FT.
- SHADED AREA: 100 SQ. FT.
- 14 SQ. FT. = 8.95% LOSS



DATE	1/11/10
PROJECT	CUSTOM HOME PLAN 4550 CONNIVILLE SUNNYSIDE, CALIFORNIA
SCALE	AS SHOWN
DATE	1/11/10
DESIGNED BY	Ferdinand Garcia
DRAWN BY	Ferdinand Garcia
CHECKED BY	Ferdinand Garcia
DATE	1/11/10
SCALE	AS SHOWN
DATE	1/11/10
SCALE	AS SHOWN

**Ferdinand Garcia**  
**Drafting & Design**  
 2000 Connecticut Ct., Newark, CA 94560  
 Tel: (925) 938-0000, Fax: (925) 938-0001



**SOLAR ANALYSIS RESULT**

**FIG. 2 - 9:00AM**

- SOLAR 1.157' and Path with
- ALTITUDE 15'
- TOTAL ROOF AREA 1545 SQ. FT.
- SHADY AREA 1545 SQ. FT.
- IN SQ. FT. = 9.75% x 10%



NO. 2020	CS
BY	
<b>CUSTOM HOME PLAN</b> 688 CONWAY DRIVE SAN RAFAEL, CA 94907	
DATE	
<b>SOLAR ANALYSIS</b>	
<b>Ferdinand Garcia</b> Drafting & Design <small>10000 S. SAN ANTONIO AVE. SUITE 100 SAN ANTONIO, TX 78224</small>	
NO.	
DATE	
BY	
DATE	
NO.	
DATE	

RECEIVED

NOV 13

PLANNING DIVISION

RE: 688 Conway Project

To Council Members:

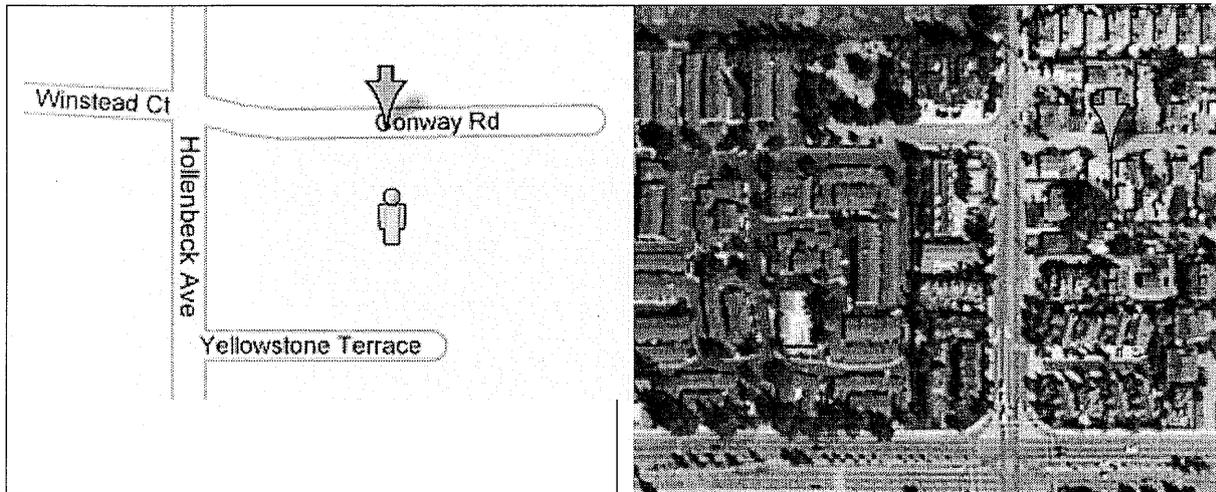
The development on Conway Road will be to the benefit of the community as a whole and the Conway Road in particular by encouraging the upgrading of the housing on Conway Road: installment of housing sprinklers, upgrade of building codes, etc. And with staff's recommendations addressed, the project will be compatible with the immediate neighborhood.

I thank you for your consideration,

Dave Strigler

Home Owner

PLANNING DIVISION



Property Address	Square Footage of Structure	Number of Stories	FAR
1204 #1 Hollenbeck	1,956 s.f.	2	56%
1204 #2 Hollenbeck	1,954s.f.	2	57%
1204 #3 Hollenbeck	2,473 s.f.	2	51%
691 Conway	2,117 s.f.	1	19%
687 Conway	3,061 s.f.	2	57%
683 Conway	852 s.f.	1	13%
679 Conway	520 s.f.	1	8%
676 Conway	1,006 s.f.	1	15%
680 Conway	968 s.f.	1	15%
684 Conway	928 s.f.	1	16%
688 Conway	594 s.f.	1	11%
692 Conway	1,260 s.f.	2	21%
694 Conway	3,266 s.f.	2	59.50%
1230 Hollenbeck	4,494 s.f.	1	30%
658 Yellowstone Terrace	2,518 s.f.	2	174%
628 Yellowstone Terrace	2,518 s.f.	2	174%
668 Yellowstone Terrace	2,518 s.f.	2	174%
638 Yellowstone Terrace	2,518 s.f.	2	174%
648 Yellowstone Terrace	2052 s.f.	2	241%
678 Yellowstone Terrace	2053 s.f.	2	241%
688 Yellowstone Terrace	2054 s.f.	2	241%

**PLANNING COMMISSION MINUTES OF NOVEMBER 12, 2007**

**2007-0065** – Application for a Design Review to allow a new two-story single family residence for a total of 3,538 square feet and 64.5% FAR (Floor Area ratio) where 45% FAR may be allowed without Planning Commission review. The property is located at **688 Conway Road** (near Hollenbeck Ave) in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 202-06-017) NC

**Gerri Caruso**, Principal Planner, presented the staff report. She said that staff is recommending approval of the Design Review with the conditions shown in Attachment B. She said that the applicant has provided on the dais a revised front elevation for the Commission to consider. She said staff just received the revisions and has not had a chance to completely evaluate them. Ms. Caruso said the applicant has attempted to address staff's concerns about the height of the entrance and the impact of the two-story bay window feature on the front elevation.

**Comm. Babcock** asked about 687 Conway Road and confirmed with staff that 687 Conway has an accessory living unit within the house.

**Chair Sulser** opened the public hearing.

**Dave Strigler**, the applicant, thanked staff for their assistance and said he worked to reduce the mass and privacy concerns and would be happy to further work with staff on these concerns. He said that Conway Road has essentially had a building moratorium on it for about 20 years. He discussed the frontage situation for his and several other houses on the street and said his main concern is that his house and the neighboring houses have the 33 square foot frontage. He said he was trying to avoid having the front of his house dominated by a door and a garage and that he attempted to address some of the bay window concerns with the revised front elevation plans he submitted tonight.

**Paul Qian**, a resident of Sunnyvale and neighbor to the property, said he has a couple of concerns about this proposal. Mr. Qian said his house is very close to the property line as it was built many years ago so he is concerned about the setbacks. He referred to Attachment C, page 6, the solar analysis, which shows that one of their bedroom windows is in the shade. He would prefer the house be setback further to so they are not in the shade. He said he is also concerned about the seven windows facing their house. He said he is fine with the smaller windows, but said there are two large windows that face his house. He said he would like to see the trees along the property line retained as they are in good condition. Mr. Qian said that he would like a fence built before the construction to minimize the impact for noise and dust. He said he likes seeing new houses built on Conway and that he is not against his neighbor and just wants to work on the privacy concerns. He thanked the Planner for her assistance.

**Vice Chair Rowe** asked Mr. Qian if he read the conditions in Attachment B, page 2, and asked if conditions 2.C.e and 2.C.f address his privacy concerns. Mr. Qian said these two

conditions only address the windows on the second floor and not the kitchen window on the first floor.

**Arthur Schwartz**, a resident of Sunnyvale, said his concern is about variances requested and in this case the FAR (Floor Areas Ratio). He commented that he feels there is an unfortunate precedence with homes being approved that are too large. Mr. Schwartz said that the FAR can be reduced to the legal requirements if the design of the house is modified and suggested ways to attain an acceptable FAR. He said he thinks this is the wrong design, wrong size and does not fit the lot.

**Comm. Simons** commented about consistency and said that, for him, precedence does not mean he agrees with past precedence. He said he understands Mr. Schwartz's concern.

**Ms. Ryan** commented that Mr. Schwartz indicated that going above 45% FAR is a variance, however it is not a variance, it is a different level of review. She said that the City does not have a maximum FAR for homes, but does have a requirement that if the FAR is over 45% that the decision changes from staff level to a public hearing. She said in this case the FAR is over 45% and requires a Planning Commission decision.

**Comm. Hungerford** confirmed with staff that there is no maximum FAR for this property. Ms. Ryan said there is a theoretical maximum of 80% for a two-story home, but it would require that the proposal meet all the other requirements of the zoning district. She said the code does not have an expressed maximum.

**Vice Chair Rowe** referred to page 3 of the report and asked about the lot size requirement of 8,000 square feet minimum. Vice Chair Rowe asked if the requirement means, for a house this size, that an 8,000 square foot lot would be required. Ms. Caruso, said a new subdivision would require 8,000 feet per lot. She said this is a smaller, pre-existing lot in an R-2 zoning district and the size of the lot is legal, non-conforming. Ms. Ryan added that in an R-2 zoning district, the minimum needed for a housing unit is 3,600 square feet.

**Mr. Strigler** thanked staff for working with him. He emphasized that one of the reasons the street is starting to be developed is because of the 20-year moratorium and the new street was put in. He said that the residents on this street looked forward to the moratorium being lifted.

**Chair Sulser closed the public hearing.**

**Vice Chair Rowe** commented that the street looks narrow and confirmed with staff that the street is a private street and narrower than standard. Ms. Caruso said that a few years ago, the City helped the neighbors on the street form an assessment district to put in improvements and the result is a street that is as wide as the right-of-way.

**Ms. Ryan** said that Mr. Strigler is correct that there had been a moratorium on construction on Conway Road. She said there was a moratorium due to an undersize road that was not

sufficient for emergency vehicles, particularly fire apparatus. She said that to increase the size of the homes would have been too big of a risk. Ms. Ryan said the City worked with the neighbors to put in a more permanent road, upgrade utilities, upgrade the sewer, and underground the overhead utility lines which allowed the neighbors to begin to make investments in their properties.

**Vice Chair Rowe** moved for Alternative 1, to approve the Design Review with conditions as recommended by staff. The motion died for lack of a second.

**Comm. Babcock** moved for **Alternative 3, to deny the Design Review.** **Comm. Hungerford** seconded.

**Comm. Babcock** said she feels this house is too massive for the lot and that she is not comfortable with the conditions of approval. She said she would like to see the applicant come back to the Planning Commission and present a different design of a smaller scale and with less square footage.

**Comm. Hungerford** said he agrees with Comm. Babcock. He said he feels this neighborhood is in transition and is changing from smaller to larger homes, but feels this house is too large for the lot size and neighborhood. He said he is uncomfortable with going this high on the FAR.

**Comm. Simons** said he would be supporting the motion. He said he is happy to see an investment being put into this neighborhood. He said he is not comfortable with approving a home larger than what they have approved in the past.

**Vice Chair Rowe** said she would be supporting the motion. She said she was willing to go along with the staff recommendation, but she does like this motion better. She said she looked at this proposal in comparison to the 694 Conway home that was previously approved by Planning Commission and the proposed house is even larger. She said she feels if the Commission makes a decision and later feels it was not the best decision that the Commission has the right to change their minds on other projects.

**Chair Sulser** said he would not be supporting the motion as he found the staff report to be compelling and he was planning to vote to approve the project.

**ACTION: Comm. Babcock made a motion on 2007-0065 to deny the Design Review. Comm. Hungerford seconded. Motion carried unanimously, 5-1, Chair Sulser dissenting, Comm. Klein absent.**

**APPEAL OPTIONS: This action is final unless appealed to the City Council no later than November 27, 2007.**



# FRONT ELEVATION

SCALE: 1/4" = 1'-0"

