

**Council Meeting: January 27, 2009**

SUBJECT: **2008-1056:** Application for related proposals located at **615 Dunholme Way** (near Floyd Ave.) in an R-0 (Low Density Residential) Zoning District.

Motion **Parcel Map** to subdivide one lot into two lots;
Introduction of **Rezone** from R-0 (Low Density Residential) to R-0/PD (Low Density Residential/Planned Development) Zoning District;
an Ordinance
Motion **Special Development Permit** to construct an additional single family home.

REPORT IN BRIEF

Existing Site One single-family home
Conditions

Surrounding Land Uses

North	Single-family homes
South	Single-family homes and Stocklmeir Elementary School
East	Single-family homes
West	Single-family homes

Issues Privacy and compatibility with neighborhood

Environmental Status A Class 32 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

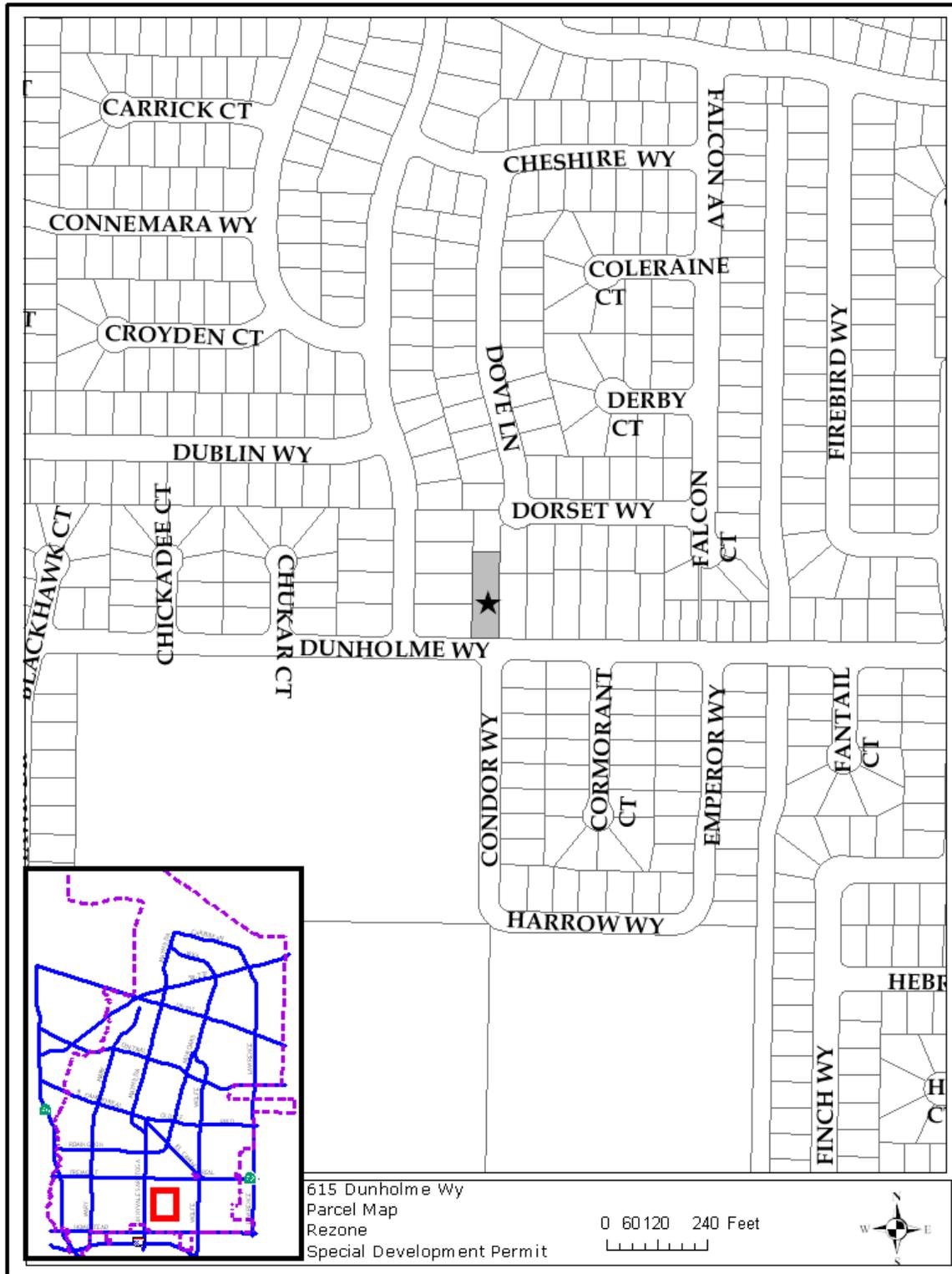
Planning Commission Recommendation Recommend to City Council Rezoning to R-0/PD, and approve Special Development Permit and Parcel Map for two single-family homes with conditions.

Staff Recommendation Recommend to City Council Rezoning to R-0/PD, and approve Special Development Permit and Parcel Map for two single-family homes with conditions.

2008-1056: Parcel Map, Rezone, Special Development Permit
Application for 615 Dunholme Way

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PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-0	R-0/PD	R-0/PD
Lot Size (s.f.)¹	12,941	Lot A: 7,281 Lot B: 5,660 ² <i>Average: 6,471</i>	6,000 min. or by SDP
Lot Width (ft.)	64'	Lot A: 44' ² Lot B: 64'	57' min. or by SDP
Gross Floor Area (s.f.)	3,247	Lot A: 3,247 Lot B: 2,547 <i>Total: 5,794</i>	5,823 max.
Lot Coverage (%)	25.1%	Lot A: 44.6% Lot B: 25.4% <i>Overall: 36.2%</i>	Lot A: 45% max, for one-story homes Lot B: 40% max, for two-story homes
Floor Area Ratio (FAR)	16.2%	Lot A: 44.6% Lot B: 45% <i>Overall: 44.8%</i>	45% max. without PC review
No. of Units	1	2	2 max.
Density (units/acre)	3.4	6.7	7 max.
Meets 75% min?	No	Yes	---
Bedrooms/Unit	4	Lot A: 4 Lot B: 4	---
No. of Buildings On-Site	2 (home and detached garage)	Lot A: 2 Lot B: 1 <i>Total: 3</i>	---
Building Height (ft.)	16'	Lot A: 16' Lot B: 29'-6"	30' max.
No. of Stories	1	Lot A: 1 Lot B: 2	2 max.
Setbacks (First/Second Facing Property)			
★ Front	91'	Lot A: 0 Lot B: 20'/25'	20'/25' min.
Right Side	5'	Lot A: 5' Lot B: 5'/7'	5'/7' min.
Left Side	7'	Lot A: 7' Lot B: 20'/20'	7'/11' min.
★ Rear	6' (22.8%) ³	Lot A: 6' (22.8%) ³ Lot B: 17'-2" (6%) /17'-2"	10' (25%)/20' min.
Landscaping (sq. ft.)			
Total Landscaping	Unknown	6,220	---
Landscaping/Unit	Unknown	Lot A: 2,066 Lot B: 2,289	---

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Usable Open Space/Unit	Unknown	Lot A: 912 Lot B: 504	---
Parking			
Total Spaces	4	8	8 min.
Covered Spaces	2	4	4 min.
Stormwater			
Impervious Surface Area (s.f.)	4,924	6,829	---
Impervious Surface (%)	38%	52.8%	---

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

- ¹ The site plan refers to Lot A as the proposed lot located towards the rear and Lot B as the lot located directly in front with the new home on it.
- ² Sunnyvale Municipal Code (SMC) section 19.30.020 allows the consideration of reduced lot sizes and lot widths through a Use Permit or Special Development Permit, so long as the overall density is consistent with the Zoning District. The proposed density is consistent with the R-0 Zoning District; therefore, the reduced lot sizes and lot widths are not considered deviations.
- ³ The existing detached garage was permitted and built with a substandard rear yard setback. Therefore, the rear yard setback is legal nonconforming and is not a deviation.

ANALYSIS

Description of Proposed Project

The project site consists of one parcel, which is currently developed with a one-story single-family home and detached two-car garage that is sited towards the back of the lot. The applicant proposes to retain the existing home and build an additional two-story single-family home towards the front of the lot. Each home will consist of four bedrooms, and each lot will include individual two-car garages and private yards. Access to both homes will be provided by a common driveway facing Dunholme Way through a shared easement.

The applicant proposes to Rezone the site from R-0 (Low Density Residential) to R-0/PD (Low Density Residential/Planned Development), which does not change the existing permitted maximum density of the site but allows the application to seek relief from specified Zoning standards. The proposed project has been designed to meet most of the development standards for the R-0 Zoning District, such as parking, height, lot coverage and floor area ratio (FAR). However, the applicant proposes the following deviations from the R-0 Zoning standards:

- Front yard setback for Lot A, and

- Second-floor rear yard setback for Lot B

In addition, the applicant proposes a reduced lot area for Lot B, and reduced lot width for Lot A. Reduced lot sizes are not considered deviations, as the Zoning Code has provisions to allow reduced lot areas and lot widths when overall density is met, subject to review of a Use Permit or Special Development Permit. The proposed Parcel Map is required to subdivide the existing lot into two individual lots.

Background

Previous Actions on the Site: The existing home was built in 1948 and the detached two-car garage was subsequently built in 1966. The site is not considered to be a heritage resource. There are no other Planning applications on record for the property.

Planning Commission Hearing – January 12, 2009: On January 12, 2009, the project was considered at a Planning Commission Hearing. The project was recommended for approval by a 7-0 vote. More discussion is noted in the “Public Contact” section of this report.

No modifications to the project have been made since the time of the hearing.

Environmental Review

A Class 32 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 32 Categorical Exemptions include urban infill sites that do not exceed the overall density allowed by the General Plan.

Rezoning

Change Under Consideration: The subject property is located within the R-0 (Low Density Residential) Zoning District. The applicant is requesting the addition of a PD (Planned Development) Combining District requiring a Rezone to R-0/PD (Low Density Residential/Planned Development).

Objective: The applicant is requesting a Planned Development Combining District (PD) in conjunction with the existing R-0 zoning for the site. The request does not change the permitted density of the site but instead is a common tool utilized throughout Sunnyvale for the development of infill and small lot development projects. PD is intended to allow for flexibility in meeting the City's development standards and in some instances to place stricter controls on new development. Below are the City Council Policy Guidelines 1.1.11 for approving a PD zoning request that are applicable to this project:

- *To allow for a proposed use that is compatible with the neighborhood but requires deviations from development standards for a successful project.*
- *To allow for the development and creation of lots that are less than the minimum size required in the base zoning district.*

In order to create an additional ownership lot, the proposed project includes setback deficiencies, which would otherwise be considered through a Variance. However, the proposed density is consistent with the overall density allowed by the General Plan, and is compatible with the densities found within the neighborhood. Additionally, the project exceeds other development standards, such as total landscaping and usable open space and includes reduced lot coverage for both lots.

Special Development Permit

Detailed Description of Use: The proposed project will create two individual ownership lots (net gain of one) at a density of 6.7 units per acre. The maximum allowed density under the R-0 Zoning designation is 7 units per acre. The proposed project satisfies the housing goal of achieving at least 75 percent of the maximum allowable density.

Site Layout: The existing lot is developed with a one-story single-family home and detached two-car garage that is sited towards the back of the property. The front portion of the property is vacant, and includes driveway surface and landscaping. The existing home consists of four bedrooms, an office and two bathrooms. While the existing home meets the development standards for the R-0 Zoning District, the detached garage was constructed in 1966 with a substandard rear yard setback of 6 feet, where 10 feet minimum is currently required. No modifications are proposed to the existing home and detached garage.

In staff's review of the permit history for this site, an existing 384 square foot patio cover was found to be constructed without permits towards the back of the home. The patio cover currently meets all setback requirements and provides for covered recreational area for the residents. In addition, a 12-foot tall wooden pergola was constructed over the driveway without permits. The applicant proposes to remove the pergola structure as part of this project, as the pergola does not meet the side yard setback requirement along the left side (Attachment B, Recommended Conditions of Approval).

The applicant proposes to retain the existing home and garage, legalize the unpermitted patio cover and construct a new two-story single-family home towards the front of the lot. The new home will include four bedrooms, three

bathrooms and a two-car garage. Street access will be provided by a shared driveway along Dunholme Way.

Lot Area and Lot Width: Sunnyvale Municipal Code (SMC) section 19.30.020 allows the consideration of reduced lot areas and lot widths through a Special Development Permit. The reduced standards are not considered deviations, so long as the overall density is consistent with the Zoning District. The standard R-0 Zoning District requires a minimum lot area of 6,000 square feet for newly created lots. Additionally, the required minimum lot width is 57 feet.

The applicant proposes the following reduced standards through the proposed Special Development Permit:

- Lot area of 5,660 square feet for Lot B, and
- Lot width of 44 feet for Lot A.

Staff finds that the reduced lot standards are reasonable, as the project is consistent with the allowed density for the R-0 Zoning District. Additionally, staff finds that the average lot size of 6,470 square feet is greater than the minimum 6,000 square feet required.

Lot Coverage and FAR: The maximum lot coverage for the R-0 Zoning District is 40%, where the overall lot coverage for the entire lot is proposed as 36.2%. Individually, the lot coverage requirements differ between a one-story and two-story home. Lot A is proposed with 44.6% lot coverage where 45% is the maximum allowed for one-story homes. Lot B is proposed with 36.2% lot coverage where 40% is the maximum allowed for two-story homes. Therefore, the overall and individual lot coverages meet the requirements for the R-0 Zoning District.

With regards to FARs, the maximum FAR permitted in the R-0 Zoning District is 45% without Planning Commission review. The applicant proposes an overall FAR of 44.8%, with individual FARs that range from 44.6% to 45%. Staff also finds that the proposed FARs are appropriate for the site and neighborhood.

Individual Setbacks and On-Site Relationship: Setback requirements are assessed for each single-family lot. The two lots have been configured to resemble a “flag lot”, with one lot tucked behind the other. Therefore, the front yard of Lot A abuts the rear yard for Lot B and the distance between the two homes is 27 feet 2 inches. Due to the unique lot configuration and the applicant’s attempt to provide adequate landscaping and parking for Lot B, options to meet all setback requirements are limited. Therefore, the applicant proposes the following deviations from the R-0 Zoning standards:

- Front yard setback for Lot A – 10 feet where 20 feet minimum is required,
- Second-floor rear yard setback for Lot B – 17 feet 2 inches where 20 feet minimum is required.

As reduced setbacks are proposed between the two homes, consideration must be taken regarding their on-site relationship and potential privacy impacts. The second floor of the new home on Lot B will face a bedroom and the living room of the one-story home on Lot A. Although the windows along the second floor elevation facing the one-story home are required to be full-sized to meet egress, staff finds that the privacy impacts to the existing one-story home on Lot A can be reduced if the balcony feature is removed from the new home (Attachment B, Recommended Conditions of Approval).

Therefore, staff finds that the proposed setback deviations are justified, as the proposed yard areas provide adequate separation between the two homes and the privacy impacts are minimized with staff's recommended condition to remove the balcony feature. In addition, the reduced setbacks will not negatively impact the streetscape, as the deviations are internal to the site.

Relationship to Adjacent Neighbors: The new two-story home on Lot B will have the most impact to the neighbor along the left side, which abuts the rear yard of an existing two-story home. In an attempt to reduce the privacy impacts on the private rear yard of the adjacent neighbor, the applicant designed the new home to exceed the minimum setback requirements along the left side, by providing a second-story setback of 20 feet. Additionally, there is an existing 4-foot wide landscaping strip along the left property line that contains mature Italian Cypress trees that will help to provide additional privacy for the adjacent neighbor. The City's Fire Department requires 1 to 2 feet of the landscaping strip to be modified into turf block in order to allow fire access to the rear home. As conditioned, staff will work with the applicant to retain as many of the existing Italian Cypress trees along the left property line as possible, while providing sufficient fire access. Staff further recommends that all second floor windows along the left side not needed for egress shall be high sill (Attachment B, Recommended Conditions of Approval).

The new two-story home on Lot B is adjacent to the front yard and carport of a one-story home along the right property line. While minimum second-story setbacks for the new home are proposed along the right side, the siting of the new home on the lot will not adversely impact the privacy of the adjacent home because the applicant has also designed the second floor windows along the right side to be high sill windows. Therefore, staff finds that the privacy impacts to the adjacent neighbors are minimized with adequate setbacks and design considerations.

Stormwater Management: This project has less than 10,000 square feet of impervious surface; therefore, it is not subject to Stormwater Management Best Management Practices (BMP) requirements for either Group I or Group II projects. A recommended condition of approval directs that roof drains be

directed to landscape areas rather than directly to the storm drain and include BMP to the extent possible for other impervious surfaces on site.

Easements and Undergrounding: Per SMC 19.38.090, service drops shall be placed underground (Attachment B, Recommended Conditions of Approval).

Architecture: The neighborhood is a mix of traditional and contemporary architectural styles, with one and two-story homes. The existing home on Lot A can be considered contemporary with stucco siding and barrel-style roofing material, and the doors and windows are accented with trim. The new home on Lot B will utilize similar materials and will be painted to complement the colors of the existing home. Visual interest includes stone veneer, window trim and sills, and wall trim that will wrap around the whole home.

The street elevation will be most influenced by the new two-story home and the existing one-story home located towards the back of the property will be minimally visible. The front entry of the new home will face Dunholme Way and a secondary entrance will face the interior driveway. The new home will meet all setback requirements and will be compatible with the existing streetscape pattern. Therefore, staff finds that the proposed architectural design is in keeping with the existing neighborhood and contributes positively to the street frontage.

In order to reduce the amount of impervious surface area, staff recommends that all driveway areas, back-up areas and pedestrian pathways along the front yards of both lots be made of pervious pavers or concrete. The design and materials shall be subject to review and approval by the Director of Community Development (Attachment B, Recommended Conditions of Approval).

Solar Access: The applicant has submitted a solar access and shadow analysis. Due to solar orientation, the proposed two-story home will not shade any portions of the adjacent one-story home.

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

Single Family Home Design Techniques (Architecture)	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The new home on Lot B, which will be visible from the street frontage, will have a front entry that is oriented towards the front. Therefore, the new home is in keeping with the orientation of the other homes found in the neighborhood.

Single Family Home Design Techniques (Architecture)	Comments
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood</i>	The neighborhood is a mix of one and two-story homes, with traditional and contemporary architectural styles. The proposed project is consistent with the scale and bulk of the other homes, and is in keeping with the architectural styles found in the neighborhood.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The proposed project has been designed to minimize the privacy impacts of the adjacent neighbors as much as possible. A majority of the windows facing adjacent properties are high sill, and the new two-story home will not shade the roof of the adjacent one-story home.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The primary exterior materials include stucco wall siding and barrel-style roofing, with varied architectural elements that utilize high quality materials.
<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>	The applicant has submitted a solar access and shadow analysis which demonstrates that the new two-story home will not shade any portions of the adjacent one-story home.

Landscaping: The site currently has seven protected trees, which include a mix of Cypress and Emerald Green species along the side property lines and a Mexican Palm tree located towards the front of the lot. Protected trees are those that measure 38 inches or greater in circumference when measured at four and a half feet from the ground. The applicant proposes to remove one protected Emerald Green tree located on Lot B, in order to accommodate the new home. Two additional healthy Cypress trees along the left property line and the right side of the driveway may need to be removed in order to allow for sufficient fire access to the rear unit. As conditioned, the applicant will work with staff to retain as many existing trees on-site as possible. An arborist report, completed by Arborist Online on November 20, 2008, was submitted by the applicant and recommended protective fencing be installed during construction (Attachment B, Recommended Conditions of Approval).

A conceptual landscaping plan has been submitted by the applicant, which shows additional ground cover and new trees to be planted on-site. The preliminary landscaping plan appears to be sufficient. The final landscaping plan will be reviewed by the City's Arborist to determine the appropriate tree species and ensure that the all vision triangles are maintained. As a standard City condition, each protected tree that will be removed shall be replaced with a specimen tree of at least 36-inch box size (Attachment B, Recommended Conditions of Approval).

Usable Open Space: Although there are no usable open space requirements for properties located within an R-0 Zoning District, each lot has at least 504 square feet of enclosed usable open space located in the rear yards. This is consistent with Council Policy 1.1.12, which recommends that small lot subdivisions provide at least 500 square feet of usable open space. Therefore, staff finds that the usable open space provided for each lot is sufficient.

Parking/Circulation: The proposed project meets the minimum parking requirements for single-family homes. Each lot provides two covered garage spaces and two uncovered spaces.

As previously noted, street access will be provided by a one-way shared driveway along Dunholme Way. Two-way driveways are uncommon on single-family residential lots and are more common in multi-family developments, which would include more vehicles utilizing the driveway. Although the home on Lot A will have to back out a long distance, the applicant has provided an additional back-up area on Lot A for vehicles to do a three-point turn and exit onto Dunholme Way nose-first. The plans were reviewed by the Traffic Division, who deemed that all parking spaces and back-up areas are adequate to ensure access and sufficient room for vehicles to maneuver. Additionally, the Traffic Division did not find that the project warrants a two-way driveway.

Compliance with Development Standards/Guidelines: The proposed project meets most of the development standards required for the R-0 Zoning District, with the exception of the following deficiencies:

- Front yard setback for Lot A, and
- Second-floor rear yard setback for Lot B

Staff finds that the proposed deviations are consistent with the Council Policy 1.1.11 to allow approval of a Planned Development Combining District, as the project meets the overall density requirement and is compatible with the existing density and pattern in the neighborhood. Additionally, the project meets the design guidelines established by the Single Family Home Design Techniques and has been designed with minimal impacts to the existing residents.

Expected Impact on the Surroundings: Staff believes that the project is in keeping with the character of the existing neighborhood and contributes positively to the overall streetscape. The most impacted by this development are the adjacent neighbors along the right and left side. Staff finds that the applicant attempted to reduce the visual and privacy impacts to these neighbors as much as possible, in the overall site design and building elevations.

Parcel Map

Description of Parcel Map: The project includes the subdivision of one parcel into two. There is no common lot as a part of the project, but there is a driveway easement to allow for the residents of Lot A to cross the property of Lot B for ingress and egress onto Dunholme Way. Maintenance agreements will be required to ensure its maintenance by all parties in the development (Attachment B, Recommended Conditions of Approval).

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected. A traffic impact fee is assessed for the net gain of one unit, resulting in an estimated fee of \$2,049.18, which is assessed at the time of payment. The park dedication in-lieu fees are also required for the net gain of one unit, resulting in an approximate fee of \$14,374.80. Park dedication fees must be paid prior to approval of the final parcel map.

Public Contact

Planning Commission Study Session – November 10, 2008: On November 10, 2008, the Planning Commission reviewed the project at a Study Session. The plans for the new two-story home at that time included substandard front yard setbacks, and the home was approximately 100 square feet larger than presently proposed. The applicants were present for the meeting. The general comments at the study sessions included:

- Modify home to meet all setback requirements.
- The size of the new two-story home may overpower the existing one-story (consider reducing the size).
- Explore pervious pavers for driveways/walkways.
- Circulation of the one-way driveway appears to be too tight and would require the residents of Lot A to back-out a long distance (consider a two-way driveway).

The applicant attempted to address these concerns as much as possible by re-designing the home on Lot B to meet all perimeter setback requirements and

reducing the size of the home by almost 100 square feet. Additionally, a back-up area was added to Lot A to allow for vehicles to exit onto Dunholme Way nose-first. As conditioned by staff, all driveway and walkways will utilize pervious pavers.

The distance proposed between the two homes is 27 feet, where 20 feet minimum would be required if the homes were on the same lot. Therefore, staff finds that there is adequate distance between the two homes.

Planning Commission Hearing – January 12, 2009: On January 12, 2009 a Planning Commission hearing was held to discuss the project (Attachment H, Draft Minutes of Planning Commission Hearing January 12, 2009). The Planning Commission expressed concerns regarding the “flag lot” type of configuration, setbacks and massing of the new two-story home. No members of the public offered comments during the hearing.

As the requested setback deficiencies are interior to the lot and there are other two-story homes in the neighborhood, the Planning Commission was able to make the finding to support the project. The Planning Commission voted 7-0 to approve the project with the recommended conditions contained in Attachment B.

Neighborhood Meeting – December 14, 2008: The applicant conducted a neighborhood meeting at the project site on Sunday, December 14, 2008, which was attended by Planning staff and approximately 10 residents. The applicant shared the plans with the neighbors, including streetscape drawings, and collected comments from the neighbors. The following is a summary of the comments received at the neighborhood meeting:

- Reduce privacy impacts to the adjacent neighbor along the left property line by retaining as many existing Cypress trees on-site and designing second-floor windows to be high sill.
- Adequate parking should be provided on-site.
- Traffic impacts on Dunholme Way should be minimal, as there is an existing elementary school across the street.
- Minimize dirt/dust and noise during construction.

Staff finds that the addition of one single-family home to the site will not result in significant traffic impacts, and does not warrant a traffic study by the City’s Traffic Division. With regards to on-site parking, the project meets the minimum number of on-site parking spaces. The long driveway can further accommodate additional vehicles on-site. Additionally, standard construction guidelines address the concerns regarding impacts to neighbors.

Letters from Neighbor: At the time of the staff report, staff received two letters of opposition from neighbors. One letter was received on November 17, 2008,

from a neighbor living about a block away on Condor Way, which states concerns regarding the compatibility of the new two-story home within the neighborhood. Staff found several two-story homes within this neighborhood, with the adjacent home to the left and across the street on Condor Way having two-stories.

A second letter was received by staff on December 3, 2008 from a neighbor to the north on Dove Lane, stating concerns regarding traffic and density. These issues have been addressed in the staff report. (Attachment G, Letters from Neighbor).

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 62 notices mailed to the property owners and residents within 300 ft. of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Rezoning, Special Development Permit and Parcel Map. Findings and General Plan Goals are located in Attachment A.

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

Alternatives

1. Introduce an Ordinance to Rezone 615 Dunholme Way from R-0 to R-0/PD, and approve the Special Development Permit and Parcel Map with attached conditions.
2. Introduce an Ordinance to Rezone 615 Dunholme Way from R-0 to R-0/PD and approve the Special Development Permit and Parcel Map with modified conditions.
3. Deny the Rezone, Special Development Permit and Parcel Map.

Recommendation

Alternative 1.

Reviewed by:

Hanson Hom
Planning Officer

Reviewed by: Trudi Ryan, Planning Officer
Prepared by: Noren Caliva, Assistant Planner

Approved by:

Gary Luebbers
City Manager

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Tentative Map
- E. Draft Rezoning Ordinance
- F. Letter from Applicant
- G. Letters from Neighboring Residents
- H. Draft Minutes of Planning Commission Hearing January 12, 2009

Recommended Findings - Rezone

In order to approve a Rezoning request the City Council is required by Zoning Code Section 19.92.050 to make a finding that "the amendment, as proposed, changed, or modified, is deemed to be in the public interest." The proposed Rezoning is consistent with this finding because it is consistent with the proposed General Plan land use designation and density, while also assisting the City in meeting its housing goals by providing one additional ownership unit (two units total).

Recommended Findings – Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

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

Policy N1.2 *Require new development to be compatible with the neighborhood adjacent land uses and the transportation system.*

Housing and Community Revitalization Sub-Element

Policy C.1 *Continue efforts to balance the need for additional housing with other community values, such as preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.*

Goal D *Maintain diversity in tenure, type, size and location of housing to permit a range of individual choices for all current residents and those expected to become city residents.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project provides for compatible infill development while attaining the zoning standards and guidelines designed to meet community standards for livability, character and quality. The project is also consistent with the permitted density.
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 not impair either the orderly development of, or the existing uses being made of, adjacent properties as proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the proposed project meets the character of the neighborhood by providing density consistent with the other R-0 zoned properties adjacent to the site.

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

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

Staff was not able to make any of the findings (B.1-8), and recommends approval of the Parcel Map.

Recommended Conditions of Approval – Rezone, Special Development Permit and Parcel Map

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). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- C. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- D. 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 and approved prior to expiration date.
- E. Only fences, hedges and shrubs or other natural objects 3 feet or less in height may be located within a “vision triangle”.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

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

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. The existing 4-foot landscaping strip along the left side property line shall be modified to include 1 to 2 feet of turf block in sections to allow for adequate fire access and while also retaining some of the trees, as deemed appropriate by the Department of Public Safety.
- C. Lot A shall be modified with the following:

1. The existing pergola structure on Lot A shall be removed, or modified to meet all development standards.
- D. Lot B shall be modified with the following:
1. All second floor windows not needed for egress shall be high sill.
 2. The second floor balcony shall be removed and replaced with siding to match the remaining home.

4. EASEMENTS AND DEDICATIONS

- A. Maintenance agreements shall be required to ensure the maintenance of the driveway and back-up areas by all parties in the development agreement. The Agreement is subject to review and approval by the Director of Community Development and Director of Public Works.

5. FEES

- A. Pay Traffic Impact fee estimated at \$2,049.18, prior to issuance of a Building Permit (SMC 3.50).
- B. Pay Park Dedication in-lieu fee estimated at \$14,374.80, prior to the approval of the final map.

6. LANDSCAPING

- A. The applicant shall work with City staff to retain as many of the existing trees along the left property line as possible, while allowing for adequate fire access.
- B. 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.
- C. A tree protection plan shall be submitted for all “protected” trees that will remain on-site, showing protective fencing as recommended by the arborist report prepared by Arborist Online, dated November 20, 2008.
- D. All driveway areas, back-up areas and pedestrian pathways along the front yards shall be made of pervious pavers or concrete. The design and materials shall be subject to review and approval by the Director of Community Development.
- E. All roof drains shall be directed to landscape areas rather than directly to storm drain and include Best Management Practices to the extent possible for other impervious surfaces on site.

7. PARKING

- A. Each unit shall have two covered and two uncovered parking spaces.
- B. Garage spaces shall be maintained at all times so as to allow parking of two automobiles.

8. UNDERGROUND UTILITIES

- A. Service drops shall be placed underground.

9. PARCEL MAP CONDITIONS

- A. Full development fees shall be paid for each project parcel or lot shown on the 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.
- C. Any existing deficient public improvements shall be upgraded to current City standards, as required by the Director of Public Works. Submit a preliminary utility and drainage plan. The plan should show existing and proposed sewer, storm drain and water mains and laterals that serve or will serve the new development. The plans should also show existing and proposed demolition and construction of public improvements (water meters for domestic and irrigation with backflow device, overhead utilities, etc.). Any existing deficient public improvement shall be upgraded to current City standards.
- D. Provide individual water meters for each home.
- E. Post bonds and execute a subdivision agreement prior to map recordation.



PC 1/12/09

ATTACHMENT C
 Page 1 of 8

PROJECT INFORMATION

THIS PROJECT SHALL COMPLY WITH THE CALIFORNIA BUILDING CODES:
 A) CBC CALIFORNIA BUILDING CODE 2007
 B) UBC UNIFORM BUILDING CODE 2007
 C) CALIFORNIA MECHANICAL CODE 2007
 D) CALIFORNIA ELECTRICAL CODE 2007
 E) CALIFORNIA PLUMBING CODE 2007
 F) UIC UNIFORM FIRE LOSS CODE 2007
 G) CALIFORNIA MECHANICAL CODE 2007
 H) CALIFORNIA ELECTRICAL CODE 2007
 I) CALIFORNIA PLUMBING CODE 2007
 J) AS APPROVED BY STATE OF CA

AND ALL STATE OF CALIFORNIA CITY COUNTY & MUNICIPAL ORDERS:
 K) ALL INTERNATIONAL CONFERENCES OF BUILDING OFFICIALS
 L) STATE OF CALIFORNIA CITY COUNTY & MUNICIPAL ORDERS

PROJECT PROPOSAL FOR LOT A

1. NEW 2 STORY RESIDENCE ON NEW LOT AND NEW 2 CAR GARAGE

PROJ. LOC./OWNER
 A) PARCEL NUMBER: 3L-16-027
 B) ZONING DISTRICT: R-107D
 C) NEW LOT SIZE: 4,637A
 D) GENERAL PLAN: RESIDENTIAL

PARKING REQ'D
 2 MINIMUM

CRC 2007/CONSTRUCTION INFORMATION
 A) CONSTRUCTION TYPE: VI
 B) FIRE SPRINKLERS: NONE
 C) OCCUPANCY GROUP: R-1
 D) STYLE: SPA

BUILDING SQ. FT./LOT COVERAGE/FLOOR AREA RATIO (FAR)
 1) NEW 2 STORY RESIDENCE: 2,528 SQUARE FT. (54.5% OR 3247 S.F.)
 2) NEW 2 CAR GARAGE: 1,109 SQUARE FT. (24.0% OR 2947 S.F.)
 3) LOT SQUARE FOOTAGE: 4,637 SQUARE FT.
 4) MAX. LOT COVERAGE: 44.5% OR 3247 S.F.
 5) ACTUAL LOT COVERAGE: 44.5% OR 3247 S.F.
 6) MAX. FAR: 44.5% OR 3247 S.F.
 7) ACTUAL FAR: 44.5% OR 3247 S.F.

PROJECT INFORMATION

THIS PROJECT SHALL COMPLY WITH THE CALIFORNIA BUILDING CODES:
 A) CBC CALIFORNIA BUILDING CODE 2007
 B) UBC UNIFORM BUILDING CODE 2007
 C) CALIFORNIA MECHANICAL CODE 2007
 D) CALIFORNIA ELECTRICAL CODE 2007
 E) CALIFORNIA PLUMBING CODE 2007
 F) UIC UNIFORM FIRE LOSS CODE 2007
 G) CALIFORNIA MECHANICAL CODE 2007
 H) CALIFORNIA ELECTRICAL CODE 2007
 I) CALIFORNIA PLUMBING CODE 2007
 J) AS APPROVED BY STATE OF CA

AND ALL STATE OF CALIFORNIA CITY COUNTY & MUNICIPAL ORDERS:
 K) ALL INTERNATIONAL CONFERENCES OF BUILDING OFFICIALS
 L) STATE OF CALIFORNIA CITY COUNTY & MUNICIPAL ORDERS

PROJECT PROPOSAL FOR LOT B

1. EXISTING RESIDENCE 2. SUB DIVISION OF EXISTING LOT

PROJ. LOC./OWNER
 A) PARCEL NUMBER: 380-16-027
 B) ZONING DISTRICT: R-107D
 C) NEW LOT SIZE: 7,281 S.F.
 D) GENERAL PLAN: RESIDENTIAL

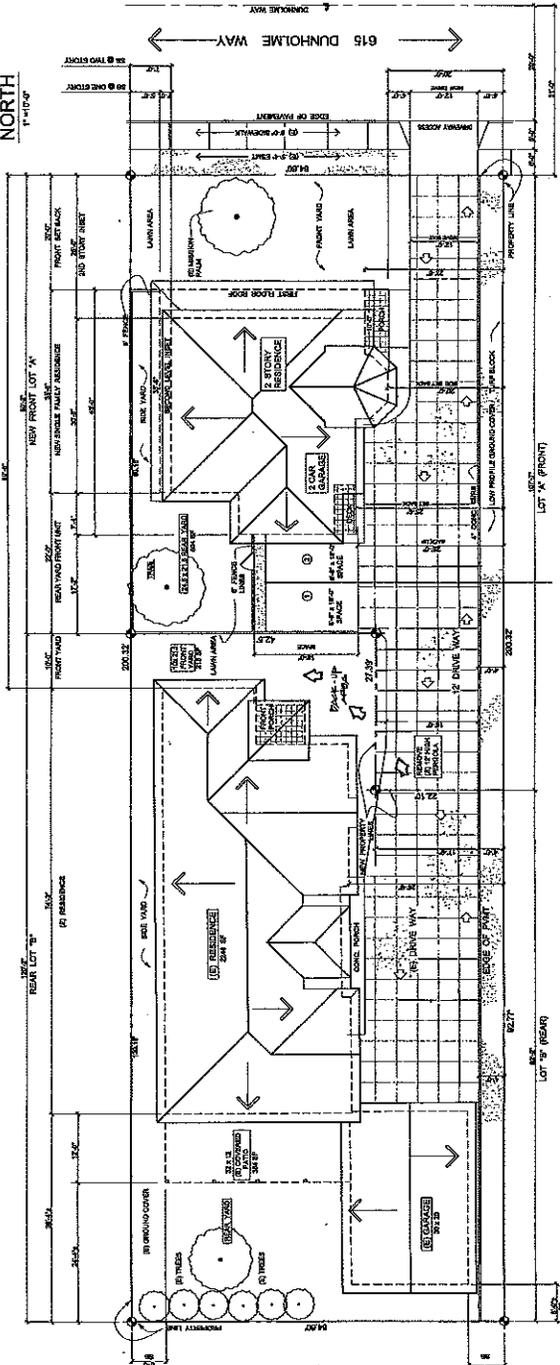
PARKING REQ'D
 2 MINIMUM

CRC 2007/CONSTRUCTION INFORMATION
 A) CONSTRUCTION TYPE: VI
 B) FIRE SPRINKLERS: NONE
 C) OCCUPANCY GROUP: R-1
 D) STYLE: SPA

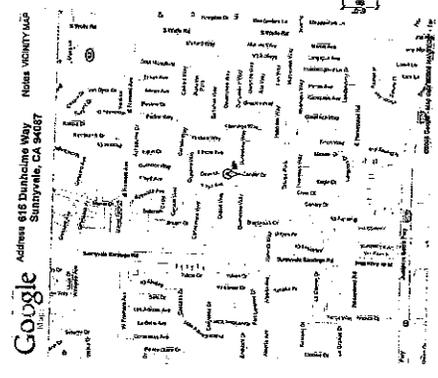
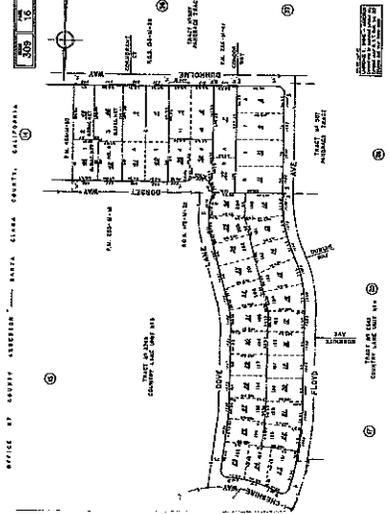
BUILDING SQ. FT./LOT COVERAGE/FLOOR AREA RATIO (FAR)
 1) EXISTING RESIDENCE: 2,528 SQUARE FT. (54.5% OR 3247 S.F.)
 2) EXISTING GARAGE: 1,109 SQUARE FT. (24.0% OR 2947 S.F.)
 3) LOT SQUARE FOOTAGE: 7,281 SQUARE FT.
 4) MAX. LOT COVERAGE: 44.5% OR 3247 S.F.
 5) ACTUAL LOT COVERAGE: 44.5% OR 3247 S.F.
 6) MAX. FAR: 44.5% OR 3247 S.F.
 7) ACTUAL FAR: 44.5% OR 3247 S.F.

LIST OF DRAWINGS

NO.	DATE	DESCRIPTION
1	SEPTEMBER 2008	PROPOSED SITE PLAN
2	SEPTEMBER 2008	LANDSCAPE PLAN
3	SEPTEMBER 2008	LANDSCAPE PLAN
4	SEPTEMBER 2008	LANDSCAPE PLAN
5	SEPTEMBER 2008	LANDSCAPE PLAN
6	SEPTEMBER 2008	LANDSCAPE PLAN
7	SEPTEMBER 2008	LANDSCAPE PLAN
8	SEPTEMBER 2008	LANDSCAPE PLAN



PROPOSED SITE PLAN
 SCALE: 1"=16'

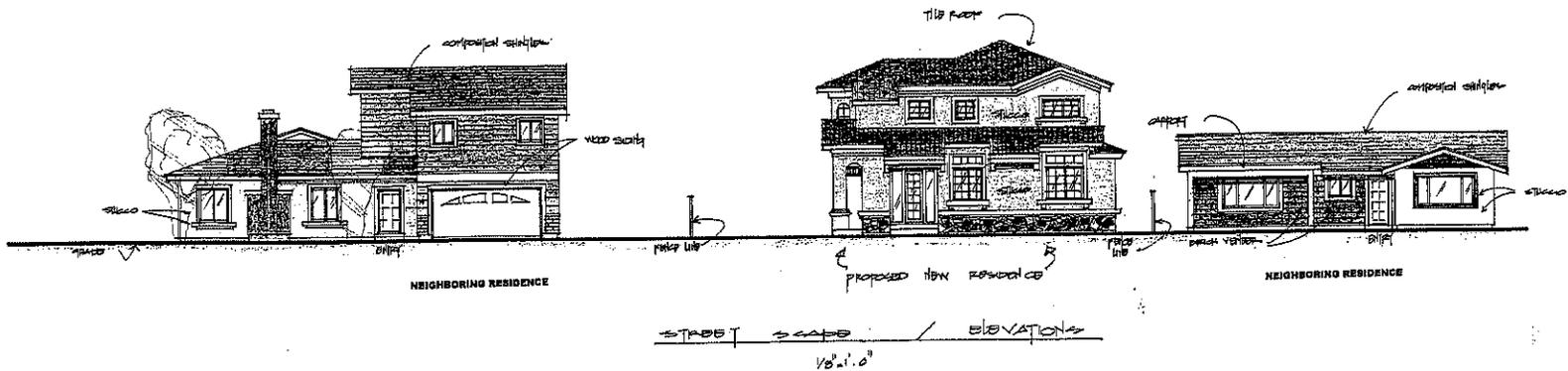


LOT A COVERAGE FRONT

NO.	DESCRIPTION	S.F.	%
1	Landscaping	2032	43%
2	Building coverage	1477	31%
3	Paving	1039	22%
TOTAL		4548	100%

LOT B COVERAGE FRONT

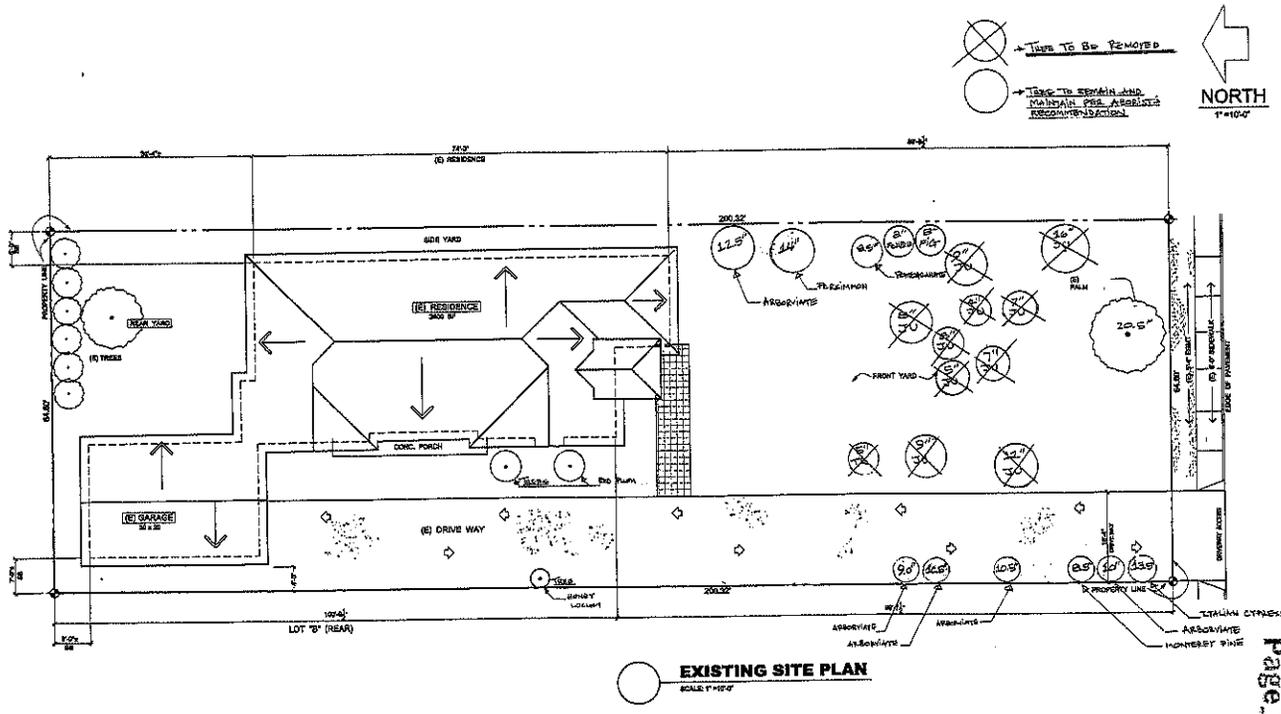
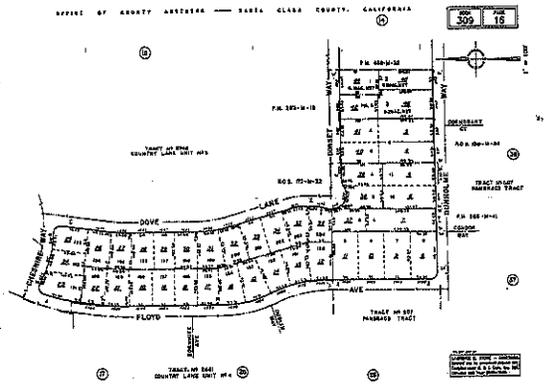
NO.	DESCRIPTION	S.F.	%
1	Landscaping	3277	45%
2	Building coverage	3189	43%
3	Paving	1034	14%
TOTAL		7500	100%



REVISIONS
DATE

OWNER: MS. TINA THOA T. TRAN 615 DUNHOLME WAY SUNNYVALE, CA 94087 PHONE: (408) 489-4004
EXISTING RESIDENCE & SUBDIVISION OF EXISTING LOT
DATE:
SCALE:
DRAWN:
JOB:
B

ATTACHMENT C
 Page 2 of 8

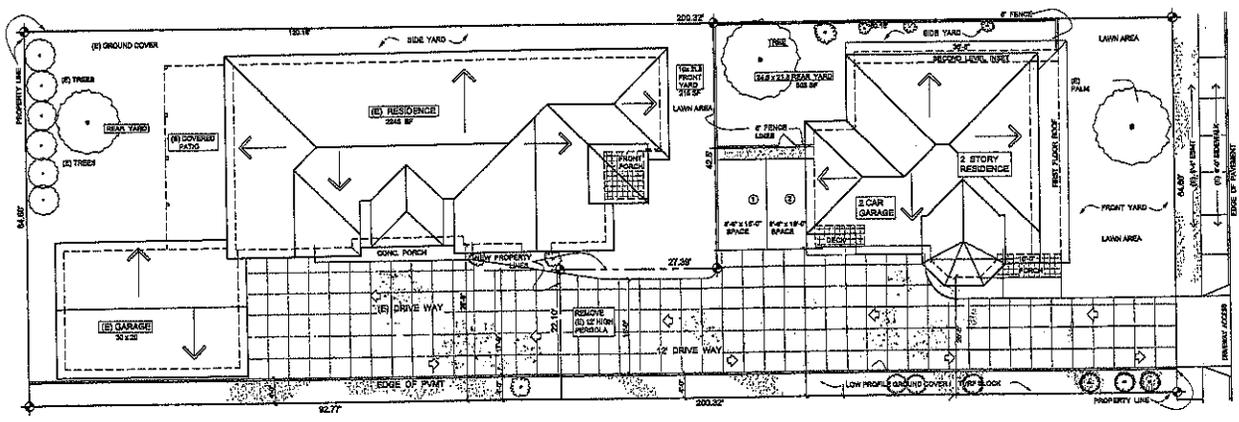


REVISIONS	
DATE	
OWNER: MS. TINA THOA T. TRAN 615 DUNHOLME WAY SUNNYVALE, CA. 94087 PHONE: (408) 499-4904	
EXISTING SITE PLAN	
DATE: 06/20/08	
SCALE:	
DRAWN: Gem	
JOB:	
2 OF SHEETS	

ATTACHMENT C
 Page 3 of 8



NOTES: THESE DRAWINGS ARE TO BE
REVIEWED AND MAINTAINED
BY THE ARCHITECT'S REPRESENTATIVE.



LANDSCAPING PLAN
SCALE: 1" = 10'-0"

615 DUNHOLME WAY
← →

ATTACHMENT C
Page 4 of 8

REVISIONS

DATE:

Professional Design Consultants
3023 Wilshire Blvd., Suite 400
Los Angeles, CA 90010
(405) 948-0800



OWNER:
MS. TINA THOA T. TRAN
615 DUNHOLE WAY
SUNNYVALE, CA. 94087
PHONE: (408) 498-9804

PROPOSED SUB DIVISION
AND SINGLE FAMILY
RESIDENCE

DATE: 02/18/06

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

DRAWN: JG

JOB:

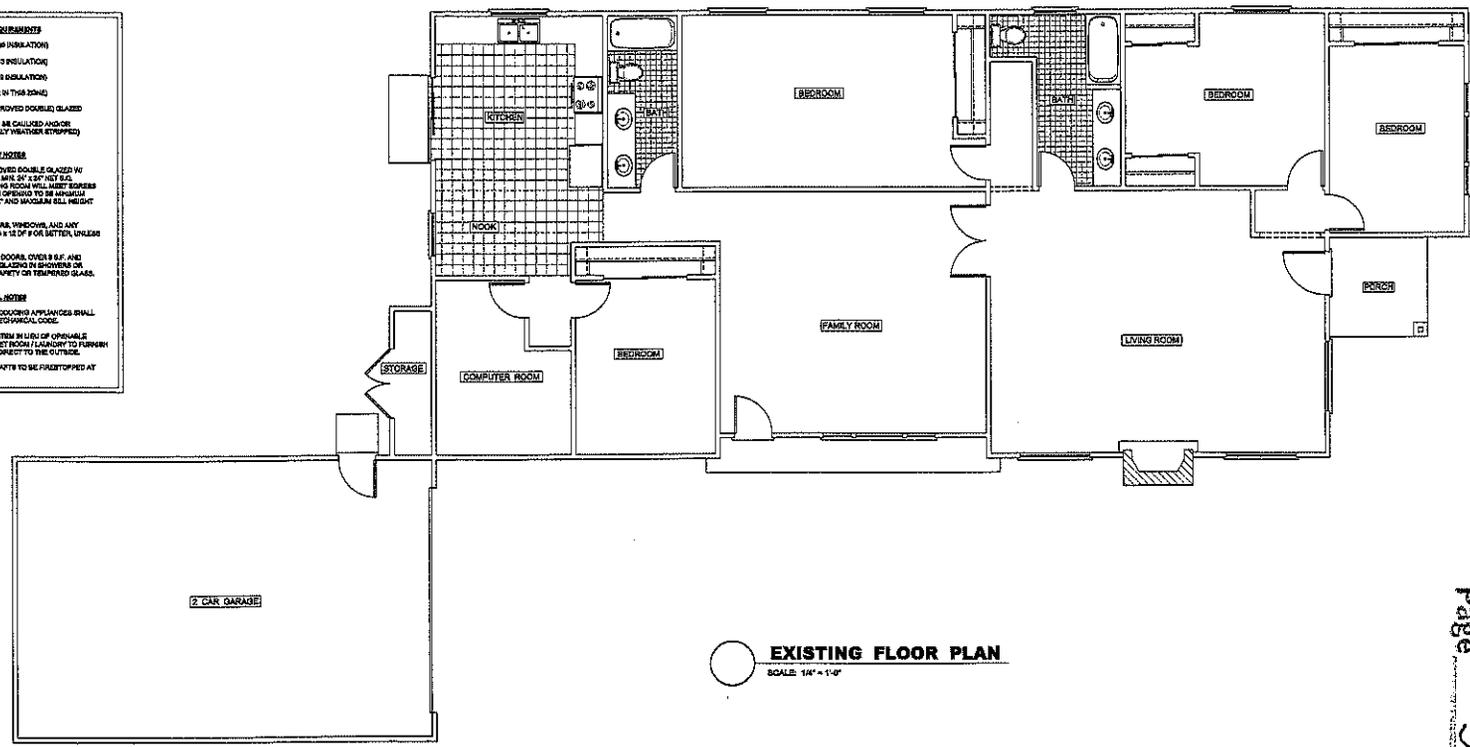
4
OF SHEETS

DEPENDENT TO TITLE (FOR RESIDENTIAL ADDITIONS)
CONTRACTOR TO INSURE THE FOLLOWING:
1. ROOF BREACHES WITH ADJACENT BARRIERS OF BUILDINGS SHALL BE PREVENTED.
2. ALL WINDOWS SHALL HAVE A BURNING RESISTANCE EQUIVALENT TO 30 SECONDS AND DUCT TESTING.
3. ALL BARRIERS TO HOT GASES SHALL BE: LISTED AND LABELED.
4. THERMAL PROTECTIVE LAYER BY WEATHER RESISTANCE, 1/8" OF BURN RESISTANT.
5. WALL BRICKS AT GABLE ENDS MUST BE BURNED BRICK WITH SECTION OF WALL BRICKING.
6. ALL WALL BRICKS MUST BE BURNED BRICK SHALL BE BURNED.

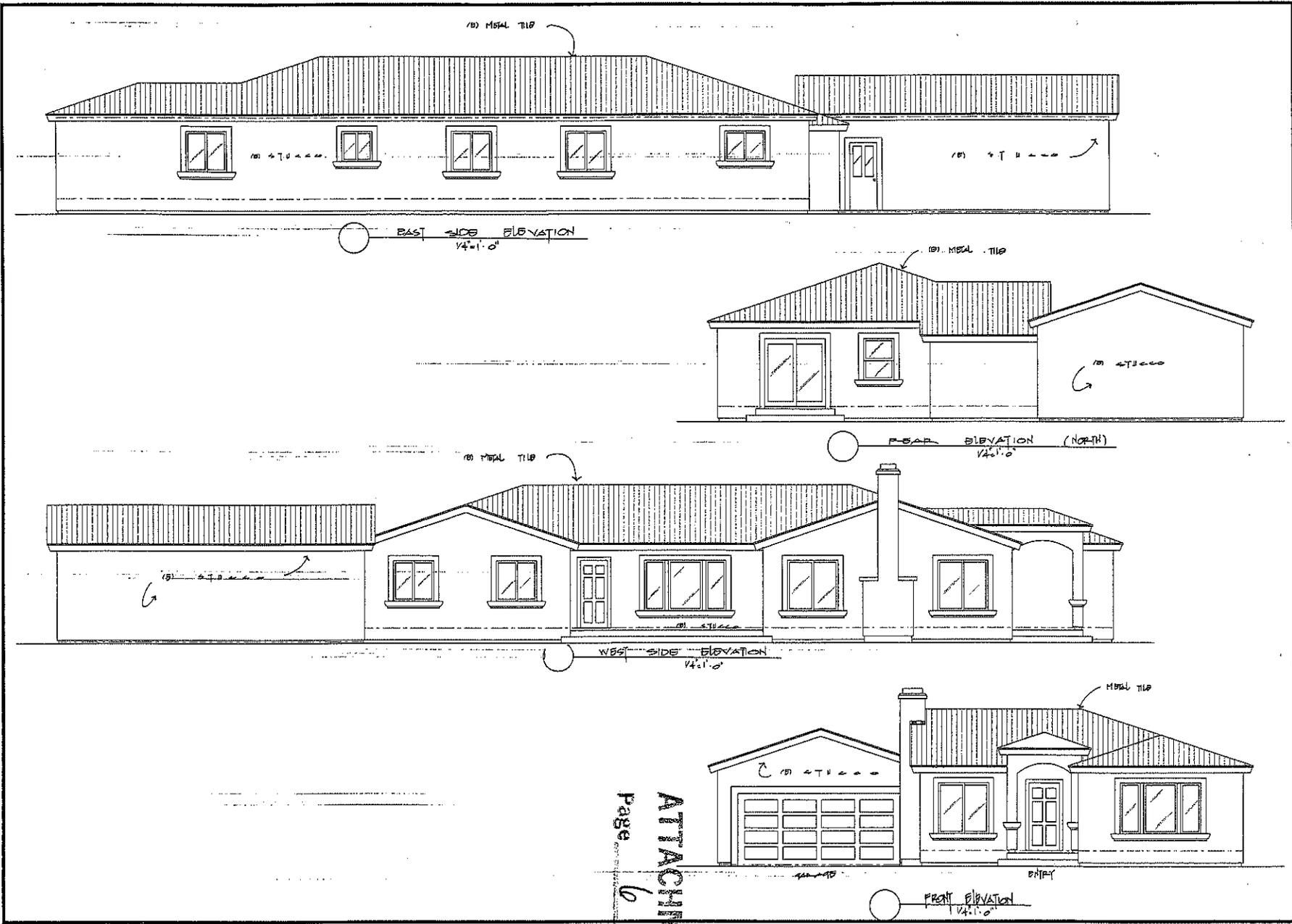
SPECIAL BATHROOM NOTE:
A. WATER CLOSET SHALL BE ULTRA LOW FLUSH-TYPE AND PROVIDE A MAXIMUM FLOW RATE OF 1.6 GALLONS PER FLUSH, CALIFORNIA ENERGY EFFICIENCY.
B. ABOVE-GRADE LAVATORY AND SINK FAUCETS SHALL HAVE MAXIMUM FLOW RATE OF 2.2 GPM, CALIFORNIA ENERGY EFFICIENCY.
C. SHOWER AND TUB-ENCLOSURE COMBINATIONS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE-BALANCE OR THERMOSTATIC MIXING VALVE TYPE. MANUAL EXCESS FLOW SHALL BE PROVIDED ON EACH VALVE AND SHALL BE ADJUSTED PER MANUFACTURER'S INSTRUCTIONS TO DELIVER A MAXIMUM WATER SETTING OF 120 DEGREES F (IN DEGREES C), SECTION.

PLUMBING NOTES
ALL NEW PLUMBING SHALL CONFORM TO THE 2004 CALIFORNIA PLUMBING CODE, SECTION 107.
A. ALL WORK SHALL BE PERMITTED AND INSPECTED BY THE CITY BUILDING DEPT. AND PLUMBING DEPT.
B. ALL FAUCETS ON ALL SINKS AND SLEEPING VALVES ON ALL TOILETS SHALL HAVE A FLOW RATE IN COMPLIANCE WITH THE STATE OF CALIFORNIA C.E.C. CONSERVATION STANDARDS.
C. ALL PLUMBING SHALL BE 1/2" & 3/4" C.P. WALL CONSTRUCTION, UNLESS OTHERWISE NOTED.
D. ALL NEW HOT AND COLD WATER LINES SHALL BE COPPER PIPE FOR THE TYPE OF WORK, USE APPROVED CONNECTORS.
E. PLUMBING SIZE REQUIRED:
1) TOILET: 1/2" MIN. WHITE
2) SINK: 1/2" MIN. WHITE
3) BATH: 1/2" MIN. WHITE
4) TUB: 1/2" MIN. WHITE
5) HOT/COLD WATER LINES: 3/4" MIN. COPPER
F. PLUMBING VENTS AND CLEANOUTS
1) VENT PIPE TO BE MIN. 2" DIAMETER VENT THRU ROOF MAX. (4) FOUR PITCHES PER VENT.
2. PROVIDE AT EACH ROOF VENT, A 36 GAUGE GALVANIZED STEEL FLASHING WITH E-ROOF.
G. CLEANOUTS SHALL BE INSTALLED WHERE SHOWN ON THE DRAWINGS OR WHERE REQUIRED BY CODE AND AT ALL BENDS, ANGLES AND UPPER TERMINALS TOP OF COVER PLATE SHALL BE FLUSH WITH THE FINISHED FLOOR OR GAUGE.
H. ALL WALLS BEHIND SHOWERS AND TUBS TO HAVE APPROVED WATER PROOF DRESS BOARD OR WATER BOARD OVER FLOOR JOIST TO INSTALLATION OF FLOORING AND FINAL LAYER OF GROUT, SAME PAINT OR VINYL TILE FINISHING.
I. TOILETS: PROVIDE 30" CLEAR WIDTH FOR WATER CLOSET COMPARTMENTS AND 34" MIN. CLEARANCE IN FRONT OF WATER CLOSET.
K. WATER HEATERS SHALL BE PROVIDED WITH PRESSURE TEMPERATURE RELIEF VALVE WITH DRAIN TO OUTSIDE.
L. ALL NEW & EXISTING WATER HEATERS TO BE BURNED TRAPPED TO WALL AT TOP AND BOTTOM WITH 26 GAUGE GALV METAL STRAPS PER UBC 1997.

THE ENERGY REQUIREMENTS
1. ALL NEW CEILING: 1/2" R-19 INSULATION
2. ALL NEW WALLS: 1/2" R-19 INSULATION
3. ALL NEW FLOORS: 1/2" R-19 INSULATION
4. CONG. SLAB FLOOR: 1/2" R-19 INSULATION
5. NEW WINDOWS: APPROVED DOUBLE GLAZED
6. DRINKING FOUNTAIN: TO BE CALLED AND/OR FULLY WEATHER STRIPPED ETC.
WINDOW NOTES
1. ALL NEW WINDOWS TO BE APPROVED DOUBLE GLAZED W/ BROWN WINDOW HAVING A MIN. 20" X 34" NET RLT. OPENING WINDOW IN BATHROOM SHALL MEET ENERGY EFFICIENCY REQUIREMENTS WITH OPENING TO BE APPROX. 27 SQ. FT. MINIMUM HEIGHT 34" AND MAXIMUM RLT. HEIGHT 44" ABOVE FINISHED FLOOR.
2. ALL HEADERS USED OVER DOORS, WINDOWS, AND ANY NECESSARY OPENING TO BE 4 X 12 OF FUR BATTEN, UNLESS OTHERWISE SPECIFIED.
3. ALL GLAZING ON WITHIN 24" OF DOORS, OVER 8' 6" AND WITHIN 18" OF FLOOR AND ALL GLAZING IN SHOWERS OR BATHTUBS TO BE APPROVED SAFETY OR TEMPERED GLASS.
MECHANICAL NOTES
1. INSTALLATION OF ALL HEAT PRODUCING APPLIANCES SHALL COMPLY WITH THE UNIFORM MECHANICAL CODE.
2. MECHANICAL VENTILATION SYSTEM IN USE OF OPERABLE WINDOWS IN BATHROOM TOILET ROOM/LAVATORY TO FURNISH FRESH AIR CHANGES PER HOUR DIRECT TO THE OUTSIDE.
3. ALL COMBUSTION AIR DUCTS SHALL BE FIRE STOPPED AT CEILING AND FLOOR.



ATTACHMENT C
Page 5 of 8



ATTACHMENT C
 Page 6 of 8

REVISIONS

DATE:

Professional Design Consultants
 1001 Redwood Ave. #1000, San Jose, CA 95128
 (408) 253-1000



COPY TO:
 MS. TINA THOA T. TRAN
 615 DUNHOLME WAY
 SUNNYVALE, CA. 94087
 PHONE: (408) 499-4804

PROPOSED SUB DIVISION
 AND SINGLE FAMILY
 RESIDENCE

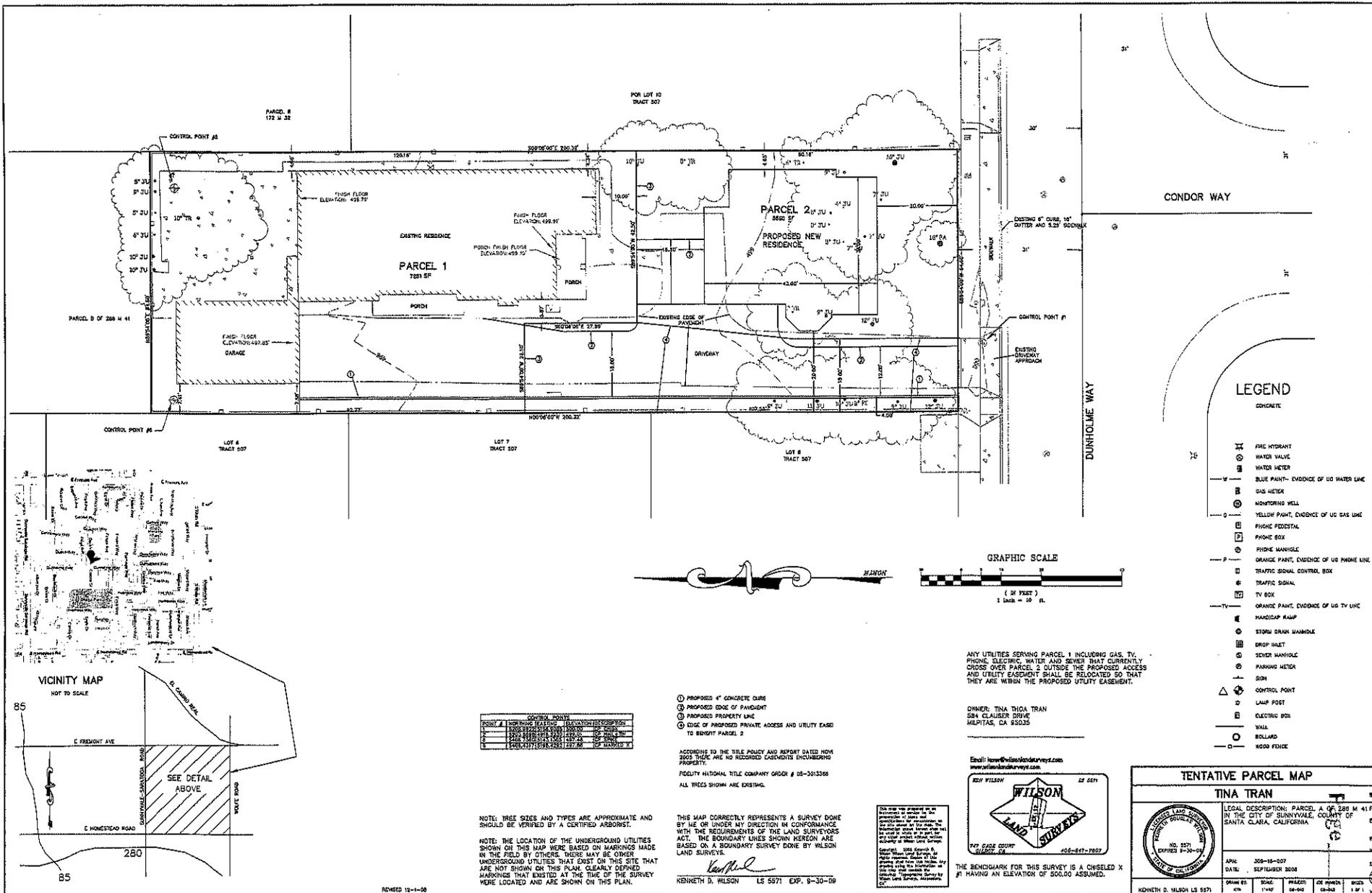
DATE: 08/16/06

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

DRAWN: JG

JOB:

4A
 OF SHEETS



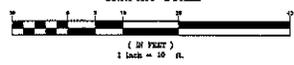
CONDOR WAY

DUNHOLME WAY

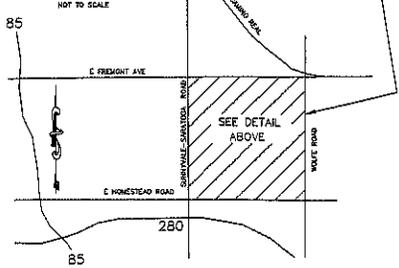
LEGEND

- CONCRETE
- ⊗ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊙ WATER METER
- BLUE PAINT, EVIDENCE OF LIQ WATER LINE
- ⊕ GAS METER
- ⊙ MONITORING WELL
- YELLOW PAINT, EVIDENCE OF UC GAS LINE
- ⊕ PHONE PEDISTAL
- ⊕ PHONE BOX
- ⊕ PHONE MANHOLE
- GRANGE PAINT, EVIDENCE OF US PHONE LINE
- ⊕ TRAFFIC SIGNAL CONTROL BOX
- ⊕ TRAFFIC SIGNAL
- ⊕ TV BOX
- GRANGE PAINT, EVIDENCE OF US TV LINE
- ⊕ HANDICAP RAMP
- ⊕ STORM DRAIN MANHOLE
- ⊕ DROPP INLET
- ⊕ SEWER MANHOLE
- ⊕ PARKING METER
- ⊕ SIGN
- ⊕ CONTROL POINT
- ⊕ LAMP POST
- ⊕ ELECTRIC BOX
- ⊕ WALL
- ⊕ BOLLARD
- ⊕ WOOD FENCE

GRAPHIC SCALE



VICINITY MAP
NOT TO SCALE



POINT #	COORDINATES	DESCRIPTION
1	122 2 32	CONTROL POINT #1
2	122 2 32	CONTROL POINT #2
3	122 2 32	CONTROL POINT #3
4	122 2 32	CONTROL POINT #4
5	122 2 32	CONTROL POINT #5
6	122 2 32	CONTROL POINT #6
7	122 2 32	CONTROL POINT #7
8	122 2 32	CONTROL POINT #8
9	122 2 32	CONTROL POINT #9
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15	122 2 32	CONTROL POINT #15
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46	122 2 32	CONTROL POINT #46
47	122 2 32	CONTROL POINT #47
48	122 2 32	CONTROL POINT #48
49	122 2 32	CONTROL POINT #49
50	122 2 32	CONTROL POINT #50

- ① PROPOSED 4" CONCRETE CURB
- ② PROPOSED EDGE OF PAVEMENT
- ③ PROPOSED PROPERTY LINE
- ④ EDGE OF PROPOSED PRIVATE ACCESS AND UTILITY EASEMENT TO BENEFIT PARCEL 2

NOTE: TREE SIZES AND TYPES ARE APPROXIMATE AND SHOULD BE VERIFIED BY A CERTIFIED ARBORIST.

NOTE: THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ON THIS MAP WERE BASED ON MARKINGS MADE IN THE FIELD BY OTHERS. THERE MAY BE OTHER UNDERGROUND UTILITIES THAT EXIST ON THIS SITE THAT ARE NOT SHOWN ON THIS PLAN. CLEARLY DEFINED MARKINGS THAT EXISTED AT THE TIME OF THE SURVEY WERE LOCATED AND ARE SHOWN ON THIS PLAN.

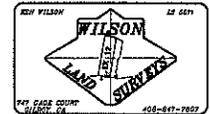
THIS MAP CORRECTLY REPRESENTS A SURVEY DONE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS ACT. THE BOUNDARY LINES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY DONE BY WILSON LAND SURVEYS.

KENNETH D. WILSON LS 5571 EXP. 9-30-09

ANY UTILITIES SERVING PARCEL 1 INCLUDING GAS, TV, PHONE, ELECTRIC, WATER AND SEWER THAT CURRENTLY CROSS OVER PARCEL 2 OUTSIDE THE PROPOSED ACCESS AND UTILITY EASEMENT SHALL BE RELOCATED SO THAT THEY ARE WITHIN THE PROPOSED UTILITY EASEMENT.

DRAWN: TINA TRAN
SEA CLAUSER DOWIE
MILPITAS, CA 95035

Email: kaw@wilsonlandsurveys.com
www.wilsonlandsurveys.com



NO. 2571
EXPIRES 9-30-09
STATE OF CALIFORNIA

THE BENCHMARK FOR THIS SURVEY IS A CHISELED X IN IRONING AN ELEVATION OF 302.00 ASSUMED.

TENTATIVE PARCEL MAP

TINA TRAN

LEGAL DESCRIPTION: PARCEL A OR 228 M 416 IN THE CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA

APR: 308-15-007
DATE: SEPTEMBER 2008

DRAWN BY: TAW
SCALE: 1"=40'
PROJECT: 08-002
JOB NUMBER: 08-002
SHEET: 1 OF 1

KENNETH D. WILSON LS 5571

ATTACHMENT D
1 of 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTY LOCATED AT 615 DUNHOLME WAY FROM R-0 (LOW DENSITY RESIDENTIAL) TO R-0/PD (LOW DENSITY RESIDENTIAL/ PLANNED DEVELOPMENT) ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended in order to include certain properties within the R-0/PD (Low Density Residential/Planned Development) Zoning District which properties are presently zoned R-0 (Low Density Residential) Zoning District. The location of the properties is set forth on the scale drawing attached as Exhibit "A."

SECTION 2. CLASS 32 CEQA EXEMPTION. The City Council hereby determines that this action is exempt from California Environmental Quality Act provisions. A Class 32 Categorical Exemption relieves this project from CEQA provisions and City Guidelines, including urban infill sites that do not exceed the overall density allowed by the General Plan.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2009, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2009, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

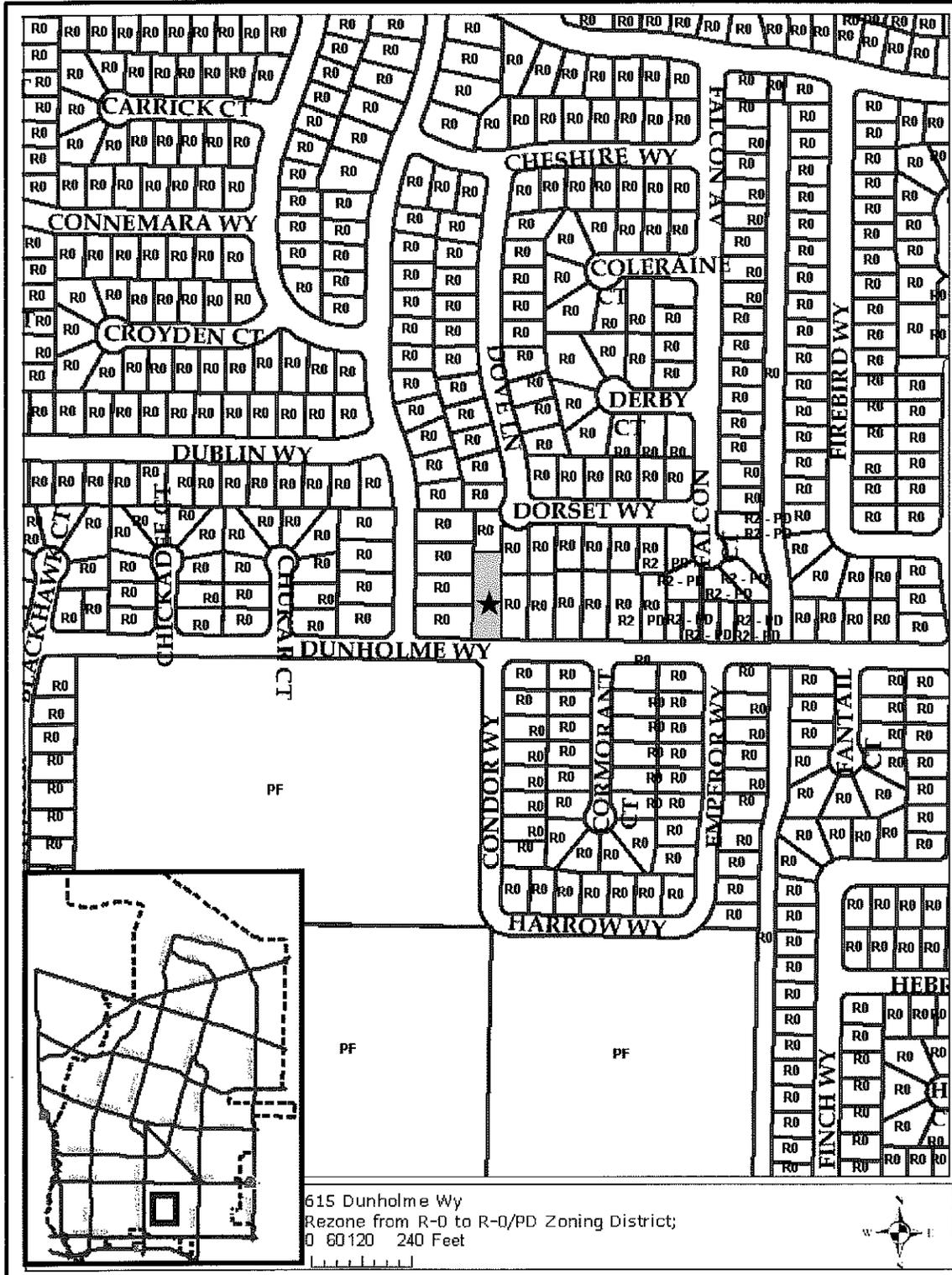
APPROVED:

 City Clerk
 Date of Attestation _____
 SEAL

 Mayor

APPROVED AS TO FORM AND LEGALITY:

 David E. Kahn, City Attorney





USE PERMIT/SPECIAL DEVELOPMENT PERMIT JUSTIFICATIONS

ATTACHMENT F

Page 1 of 1

One of the two following findings must be made in order to approve a Use Permit or Special Development Permit application.

The Sunnyvale Municipal code states that at least one of the following two justifications must be met before granting the Use Permit or Special Development Permit. Please provide us information on how your project meets at least one of the following criteria.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project ...

THE RESIDENCE MEETS THE REQUIRED MIN YARD SETBACKS, IS IN CONFORMANCE W/ LOT COVERAGE, HEIGHT LIMITATION, BUILDING MASS & IN INSET @ 2ND LEVEL AS PER MIN REQUIREMENTS

OR

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 not impair either the orderly development of, or the existing uses being made of, adjacent properties as ...

If you need assistance in answering either of these justifications, contact the Planning Division staff at the One-Stop Permit Center.

2

City of Sunnyvale
Planning Commission
City Hall
456 W. Olive Ave.
Sunnyvale, CA 94087

ATTACHMENT G
Page 1 of 2

Planning Commission,

11-22-08

My name is Thomas Phillips and I reside at 1467 Dove Lane, Sunnyvale, CA 94087. I received a public notice that 615 Dunholme Way (file # 2008-1056) is seeking a special development permit to construct an additional single family home.

I drove-by the property and observed the surrounding neighborhood. Having done this, I am inclined to put fourth a comment of opposition to this request. Considering the proximity of the location to a school and public area I do not believe the additional traffic generated by another single family home is in the best interests of the Sunnyvale community. Further, I believe the size of the physical real property really does not lend itself to an additional single family home. Placing another home on this property furthers a trend of moving away from low density residential housing and again, I believe, not a desired characteristic of this neighborhood in the long term.

I respectfully submit this letter for your input, when making a decision on the application of 615 Dunholme Ave.

Best regards,

Thomas Phillips

Thomas Phillips
1467 Dove Lane
Sunnyvale, CA 94087

RECEIVED

DEC - 3 2008

PLANNING DIVISION

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ATTACHMENT G
Page 2 of 2

NOREN CALIVA
SUNNYVALE CITY

NOV. 17, 2008

RE: FILE NO. 2008-1056
615 DUNHOLME WAY
SUNNYVALE, CA

I DONT MIND THAT IF OWNER WILL BUILD SINGLE STORY HOUSE, BUT AS YOU TOLD ME THAT THE PLAN IS TWO(2) STORY WHICH WE DONT LIKE IT.

- TWO STORY WILL BLOCK THE VIEW AND UNBALANCED IN NEIGHBOR.
- ALSO IT WILL BLOCK THE STREET VIEW OF DRIVERS COMING OUT FROM PARK SIDE.
- ABOUT 95% OF AREA HOUSE ARE SINGLE STORY HOUSE.

RECEIVED

NOV 20 2008

PLANNING DIVISION

BEST RGRDS,

Jang S. Minn

JANG S. MINN
1516 CONDOR WAY
SUNNYVALE, CA 94087

PLANNING COMMISSION MINUTES OF JANUARY 12, 2009

2008-1056 - Application for related proposals located at **615 Dunholme Way** (near Floyd Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 309-16-007) NC; (*Continued from December 8, 2008*)

- **Parcel Map** to subdivide one lot into two lots;
- **Rezone** from R-0 (Low Density Residential) to R-0/PD (Low Density Residential/Planned Development) Zoning District;
- **Special Development Permit** to construct an additional single family home.

Gerri Caruso, Principal Planner, presented the staff report. She said that staff is recommending approval of this project subject to the conditions in Attachment B. She said a letter of opposition from Thomas Phillips, also in Attachment G, has been provided to the Council on the dais this evening.

Comm. Klein confirmed with staff that lot A is the rear lot and lot B is the front lot. Comm. Klein asked staff about the front setback of lot A with staff clarifying that the setback is 10 feet.

Vice Chair Chang referred to page 4 of the report and asked about the rear setback for lot B and what the 6% is referring to. **Trudi Ryan**, Planning Officer, said the percentage is referring to the amount of the rear yard that is being encroached into.

Comm. Hungerford confirmed with staff that the front yard of lot A and rear yard of lot B adjoin each other.

Comm. Klein referred to page 1 of Attachment C and asked staff for clarification about the "backup area" on the proposed site plan. Ms. Ryan said that the backup area is by the front door of lot B and would have to be stabilized with grasscrete or permeable pavers so it could be driven on. Comm. Klein asked about the landscaping. Ms. Caruso said that in the R-0 zoning district there is not a minimum useable open space requirement like there is in multi-family districts and instead there are maximum lot coverages. She said 50% of the front yard can be paved and staff would have to check on the percentage proposed when the applicant comes in for the building permits.

Chair Rowe opened the public hearing.

Tina and John Tran, applicants, said that Ms. Caruso presented their application well and that they are available to answer any questions.

Chair Rowe closed the public hearing.

Chair Rowe asked staff about the cypress trees to provide privacy shields and how to keep them from being removed. Ms. Caruso said that privacy landscaping can be required as a condition of approval which would mean the homeowner would be required maintain a privacy screen.

Comm. Sulser moved for alternative 1, to recommend to City Council to introduce an ordinance to Rezone 615 Dunholme Way from R-0 to R-0/PD, and approve the Special Development Permit and Parcel Map with attached conditions. Comm. Travis seconded the motion.

Comm. Sulser said that this project helps bring the site into conformance with the zoning, that the proposed home is attractive, and he thinks this is a good project.

Comm. Travis said he was concerned about the setbacks, however after review and finding that the rear and front setbacks would be facing each other, that he has no problem sending this recommendation forward to City Council.

Comm. Klein said he would be reluctantly supporting the motion. He said he did have issues with the massing, that he feels that this proposal is pushing to the edge of what is allowed, but there are other two-story buildings nearby. He said that he feels this project does have a place in the community and that it fits as proposed.

Vice Chair Chang said he would be supporting the motion. He said the architecture of the house is nice and that he thinks this will be a good addition.

Comm. McKenna said she agrees with Comm. Klein. She said she is not fond of flag lots and that this proposal is right at the development limit. She said she will be supporting the motion.

Comm. Hungerford said he is not in favor of flag lots and he thinks there are a lot of problems with them. He said he does not like the idea of two houses back to back and not facing the front of the street. He said he is concerned about setting precedence as this pattern is not already established in the neighborhood. He said he would reluctantly be supporting the motion.

Chair Rowe said she agrees with Comm. Klein, Comm. McKenna and Comm. Hungerford. She said this project meets all the criteria and the homeowners have the right to develop this project. She said she would be supporting the motion.

ACTION: Comm. Sulser made a motion on 2008-1056 to recommend to City Council to introduce an ordinance to Rezone 615 Dunholme Way from R-0 to R-0/PD, and approve the Special Development Permit and Parcel Map with attached conditions. Comm. Travis seconded. Motion carried unanimously, 7-0.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the January 27, 2009 meeting.