



CITY OF SUNNYVALE REPORT ADMINISTRATIVE HEARING

April 15, 2009

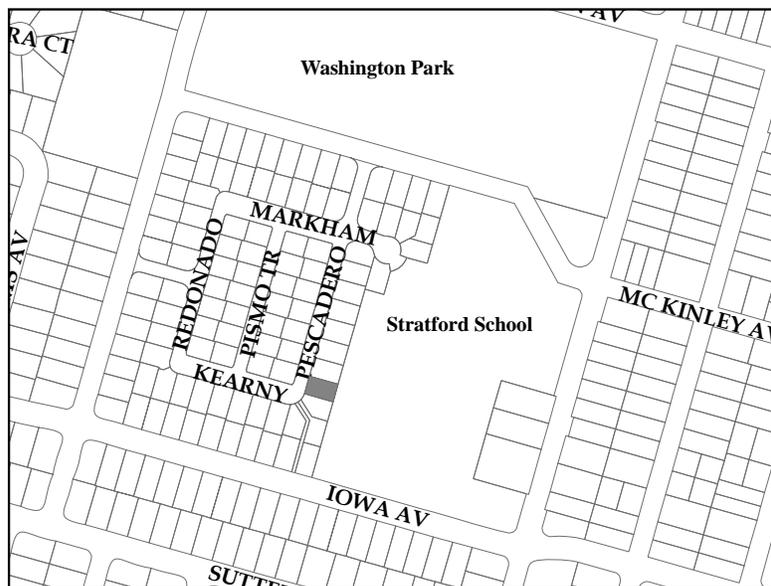
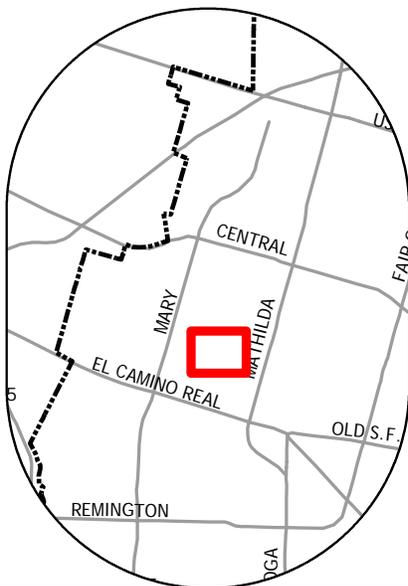
File Number: 2009-0164 **Permit Type:** Special Development Permit
Location: 386 Pescadero Tr (near W. McKinley Av.) (165-46-089)
Applicant/Owner: Michael Kram/Chungsen Cheng
Staff Contact: Noren Caliva, Assistant Planner, (408) 730-7637

Project Description: To allow a Floor Area Ratio (FAR) of 55.2% where 51.7% FAR was originally allowed.

Reason for Permit: A Special Development Permit is required for a minor modification to the originally approved Special Development Permit.

Issues: FAR and impacts to adjacent neighbors.

Recommendation: Approve with Conditions.



PROJECT DESCRIPTION

	Existing	Proposed
Site Conditions:	Single Family Residence	Same
General Plan:	Low-Medium Density Residential	Same
Zoning District:	R-1.7	Same
Gross Floor Area (sf):	1,993	2,125 sf
Floor Area Ratio (FAR):	51.7%	55.2%

No	Previous Planning Projects related to Subject Application: There have been no previous planning applications related to the subject property since the original Special Development Permit (File Number 7685) for the subdivision in 1992.
No	Neighborhood Preservation Complaints: None
No	Deviations from Standard Zoning Requirements: The original home was approved with substandard front and right side yard setbacks. The right side of the home has a “zero lot line” and the front setback is 18 feet. The substandard setbacks are nonconforming and no changes to the existing building footprint are proposed; therefore, the project does not result in deviations.

Floor Plan: The applicant proposes to construct a 132 square foot fourth bedroom over the existing dining area that currently has a vaulted ceiling. The additional floor area would increase the FAR from 51.7% to 55.2%. Similar projects have also been approved within the development at 378 Pismo Terrace and 382 Redondo Terrace.

Exterior Changes: The only exterior change as a result of this project would be to slightly raise an existing exterior window to a standard height for the new room along the left elevation. To reduce privacy and visual impacts to neighbors, staff recommends that the new window be the minimum size required to meet egress and that all exterior modifications to the home will match existing colors and materials (including window trim).

Parking: The site meets the parking requirements by providing two covered garage spaces and two uncovered driveway spaces. No modifications are proposed to the garage and driveway.

Public Contact: Seven notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters were received.

Environmental Determination: A Categorical Exemption Class 1 (minor modifications to existing structures) relieves this project from CEQA provisions.

FINDINGS

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

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. *[Finding Met]*

Staff finds that the project allows the applicant to have a reasonable option to expand the home, with minimal modifications to the exterior of the home. In addition, the proposed project maintains the visual character of the development.

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 the orderly development of, or the existing uses being made of, adjacent properties. *[Finding Met]*

The project is expected to have minimal impacts on surrounding properties, as exterior modifications to the home are limited to the existing second-story side-facing window along the left side. The interior addition will not impact the street frontage, nor will it increase the bulk or intensity of the development.

ALTERNATIVES:

1. Approve the Special Development Permit with recommended Conditions in Attachment A.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment A.

Reviewed by:

Steve Lynch

Senior Planner

Prepared By: Noren Caliva, Assistant Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Special Development Permit Justifications
- D. Site Photo

Standard Requirements

The following is a list of standard requirements. This list is intended to assist the applicant and public in understanding basic related requirements, and is not intended as an exhaustive list. These requirements cannot be waived or modified.

- A. **Permit Expiration:** The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- B. **Permit Lapse if not Exercised:** The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development.
- C. **Building Permits:** Obtain Building Permits for interior improvements as required by the Building Safety Division.
- D. **Comply with Previous Permit:** Comply with all requirements of previously approved Special Development Permit File Number 7685.

Recommended Conditions of Approval

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:

- 1. **Project Conformance:** 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.
- 2. **Conditions of Approval on Plans:** The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- 3. **Architectural Design:** Any exterior modifications to the home shall match existing colors, materials and architectural design (including window trim).
- 4. **Privacy Impacts:** The second-floor side-facing windows shall be designed to be the minimum size permitted to meet egress requirements.
- 5. **Trees:** No existing trees shall be removed as part of this permit.