



# CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

November 16, 2011

**File Number:** 2011-7720

**Permit Type:** Use Permit

**Location:** 554 Crescent Avenue (near Manet Drive) (APN: 211-32-013)

**Applicant/Owner:** Anita Connor / Neva Farmer Trustee

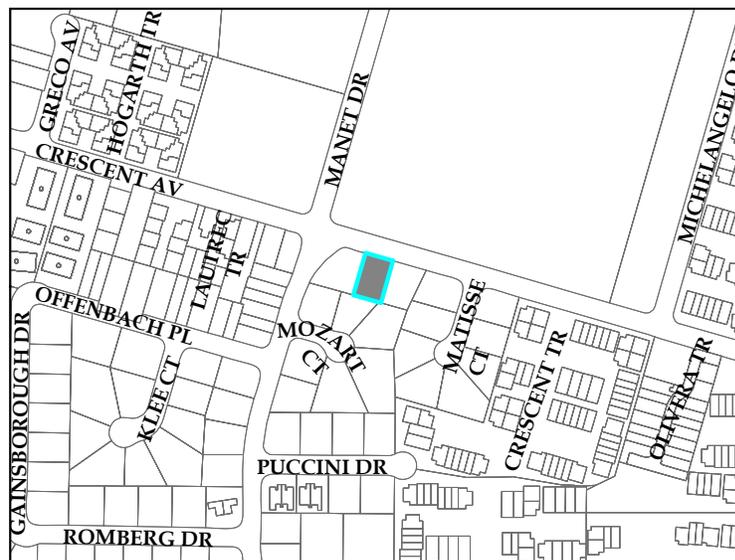
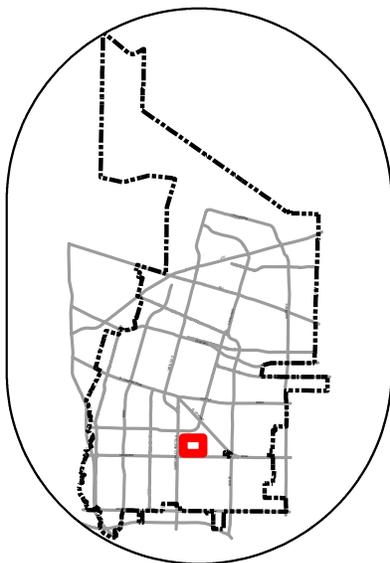
**Staff Contact:** Shaunn Mendrin, Senior Planner, (408) 730-7429

**Project Description:** To convert an existing duplex to condominiums and expand the existing garage.

**Reason for Permit:** A Use Permit is required for the conversion of an existing building into multiple ownership units. A Parcel Map is required to subdivide an existing duplex into two condominium units with one common area.

**Issues:** Site upgrades.

**Recommendation:** Approve with Conditions



500

Feet

**PROJECT DESCRIPTION**

	<b>EXISTING</b>	<b>PROPOSED</b>
<b>General Plan</b>	Residential Low Medium Density	Same
<b>Zoning District</b>	R-2	Same
<b>Lot Size (s.f.)</b>	8,276	Same
<b>Lot Coverage (%)</b>	35%	Same
<b>Floor Area Ratio (FAR)</b>	35%	Same
<b>No. of Units</b>	2	Same
<b>Unit Sizes (s.f.)</b>	1,250 – Unit A 1,758 – Unit B	Same – Unit B Same – Unit A
<b>Front Setback</b>	20'	Same
<b>Left Side Setback</b>	11'-6"	Same
<b>Right Side Setback</b>	11'-7" (23'-3" combined)	Same
<b>Rear Setback</b>	20'-7"	Same
<b>Landscaping</b>	2,720 – Total	2,720 – Total 1,360 – Usable Open Space/Unit
<b>Parking</b>	6 – Total 3 – Covered	6 – Total 3 – Covered

Previous Planning Projects related to Subject Application	<b>No</b>
Neighborhood Preservation Complaints	<b>No</b>
Deviations from Standard Zoning Requirement	<b>No</b>

**Non-conforming:** The project is non-conforming with regard to the following development standards.

- **Parking:** Single-family and duplex dwellings require two covered parking spaces and two uncovered parking spaces per dwelling unit (SMC19.46.050). The existing site has two dwelling units, which would require a total of four covered and four uncovered parking spaces. A total of three covered and three uncovered spaces are currently provided. While this does not meet current parking requirements, it is an existing legal non-conforming condition. The proposed condominium map would not increase the demand for parking, nor would it further reduce available parking supply. Staff notes that any future additions to the existing structures may trigger a requirement to comply with current parking standards.

**Parcel Map for Condominium:** The project includes conversion of the duplex into two air-space condominium units with shared common areas on one lot. The existing driveway area and yards will be part of the common area. Each unit will contain its own private back yard areas. An existing 10-foot public utility easement will be maintained along the rear of the property

**Public Contact:** 110 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 Class 15 Categorical Exemption (minor land divisions) relieves this project from CEQA provisions.

### **FINDINGS – PARCEL MAP**

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If any of the following findings can be made, the Parcel Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Parcel 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, and recommends approval of the Parcel Map.

**FINDINGS – USE PERMIT**

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In order to approve the Use 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]*

The proposed project increases the number of opportunities for home ownership in the City of Sunnyvale, and further enhances the residential character of the neighborhood.

2. *The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties. [Finding Met]*

The site complies with most of the development standards for the R-2 Zoning District with the exception of the legal non-conforming parking for one unit. The project does not exacerbate the existing situation and any further additions would require compliance with Zoning Code requirements.

**ALTERNATIVES:**

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

**RECOMMENDATION**

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

Reviewed by:

Steve Lynch, Senior Planner

Prepared By: Shaunn Mendrin, Senior Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans

**ATTACHMENT A**

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
November 16, 2011**

**Planning Application 2011-7720**

554 Crescent Avenue

Parcel Map and Use Permit to convert an existing duplex to condominiums.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

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 and Standard Development Requirements of this Permit:

**GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.**

**GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:**

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

**GC-2. USE EXPIRATION:**

The approved use Permit for the use shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)

GC-3. PERMIT EXPIRATION:

The 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. [SDR] (PLANNING)

GC-4. UNIT A:

Future additions increasing the square footage or bedrooms exceeding the thresholds contained the Zoning Code will require compliance with parking requirements.[SDR] (PLANNING)

GC-5. MAP REQUIRED

This project is subject to, and contingent upon, the recordation of a Final Parcel Map. The submittal, approval and recordation of the Final Parcel Map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Pay all required fees for Final Parcel Map review and recordation. [SDR] (PUBLIC WORKS)

GC-6. ENCROACHMENT PERMIT:

Obtain an encroachment permit from the Public Works Department for all improvements in the public right-of-way.[SDR] (PUBLIC WORKS)

**PM: THE FOLLOWING SHALL BE ADDRESSED ON THE MAP SUBMITTED FOR PUBLIC WORKS REVIEW AND SHALL BE MET PRIOR TO THE RECORDATION OF THE FINAL MAP(S).**

PM-1 WATER METERS:

Upgrade all on-site water meters to radio-read disk-type meters, 1" minimum. Larger meter size may be required by the Fire Protection Engineer if fire sprinklers are required. [COA] (PUBLIC WORKS)

PM-2 SEWER CLEANOUT:

Provide a sewer cleanout, if none exists. The sewer cleanout shall be in conformance with current City standard details. [COA] (PUBLIC WORKS)

PM-3 LOT DRAINAGE:

The subdivision shall not cause lot drainage to cross any property line, nor shall it have any negative impact on the drainage pattern for the subject site or adjacent properties. Provide grading details to confirm the drainage requirements are met. [COA] (PUBLIC WORKS)

PM-4 UTILITIES:

The map submitted for Final Parcel Map review shall show the location of any overhead or underground utilities on the existing and proposed lots. Overhead and/or underground utilities shall not cross any property line. [COA] (PUBLIC WORKS)

PM-5 PUBLIC IMPROVEMENTS:

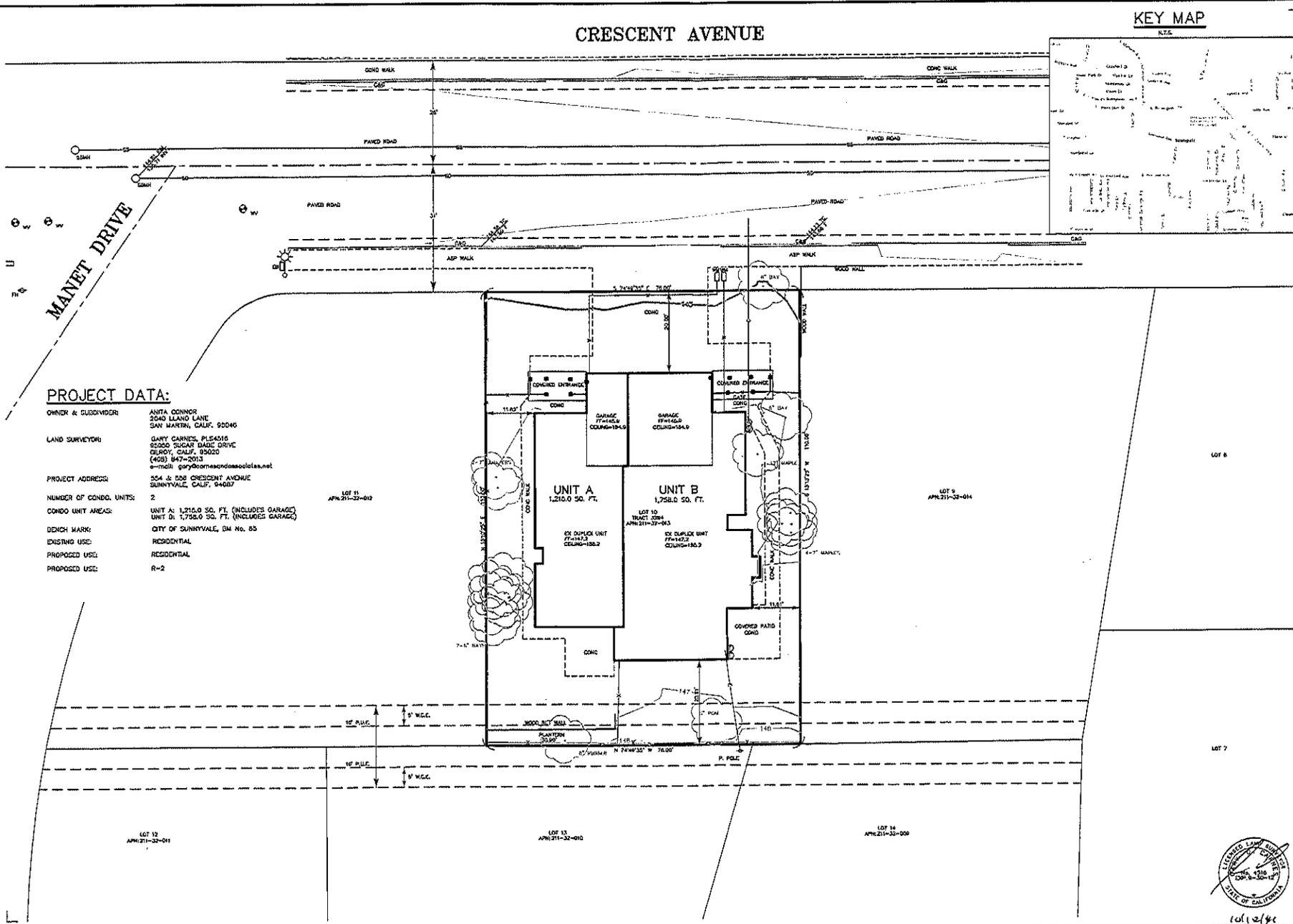
Any existing deficient public improvements shall be upgraded to current City standards, such as driveway approaches, upgrade existing water meter to radio-read water meter, curb, gutter and sidewalk. [COA] (PUBLIC WORKS)

PM-6 MAINTENANCE AGREEMENTS:

A maintenance agreement shall be submitted for review and approval by the Director of Public Works and Director of Community Development. The agreement shall clearly define the exclusive use of the detached garage and the common area for each homeowner in the agreement, as well as maintenance responsibilities of the common areas on the lot including rooftops. [COA] (PUBLIC WORKS)

CRESCENT AVENUE

KEY MAP



PROJECT DATA:

OWNER & SUBDIVIDER: ANITA CONNOR  
 2040 LLANO LANE  
 SAN MARTIN, CALIF. 95040

LAND SURVEYOR: GARY CARNES, PL54315  
 95050 SUGAR BABE DRIVE  
 GILROY, CALIF. 95020  
 (408) 847-2013  
 e-mail: gary@cornesandassociates.net

PROJECT ADDRESS: 504 & 506 CRESCENT AVENUE  
 SUNNYVALE, CALIF. 94087

NUMBER OF CONDO. UNITS: 2

CONDO UNIT AREAS:  
 UNIT A: 1,210.0 SQ. FT. (INCLUDES GARAGE)  
 UNIT B: 1,758.0 SQ. FT. (INCLUDES GARAGE)

DEITCH MARK: CITY OF SUNNYVALE, DM No. 85

EXISTING USE: RESIDENTIAL

PROPOSED USE: RESIDENTIAL

PROPOSED USE: R-2

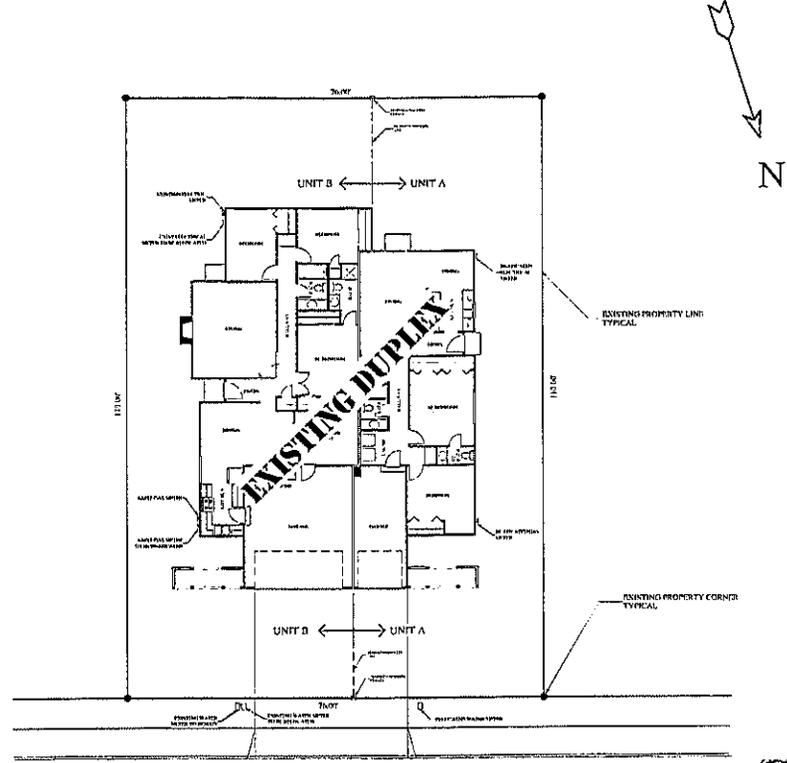
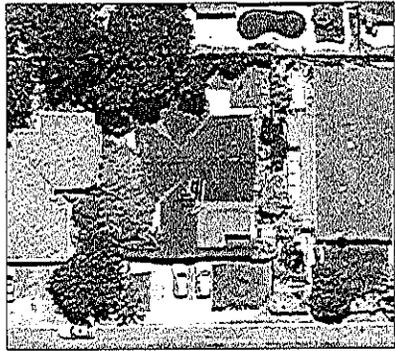
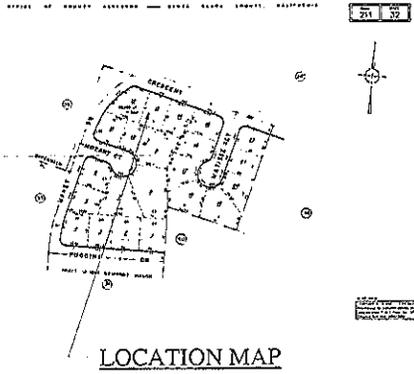
**CARNES & ASSOCIATES**  
 9505 SUGAR BABE DRIVE  
 GILROY, CALIFORNIA 95020  
 408-847-2013

**TENTATIVE CONDOMINIUM MAP**  
**FOR ANITA CONNOR**  
**LOT 10 TRACT NO. 3294**  
**CITY OF SUNNYVALE, CA.**

DATE:	07-18-11
SCALE:	1"=50'
DRAWN BY:	CC
CHECKED BY:	CC
DATE:	
SCALE:	
DRAWN BY:	
CHECKED BY:	
DATE:	



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 ATTACHMENT B



554 & 556 CRESCENT AVENUE

APN: 211-32-13

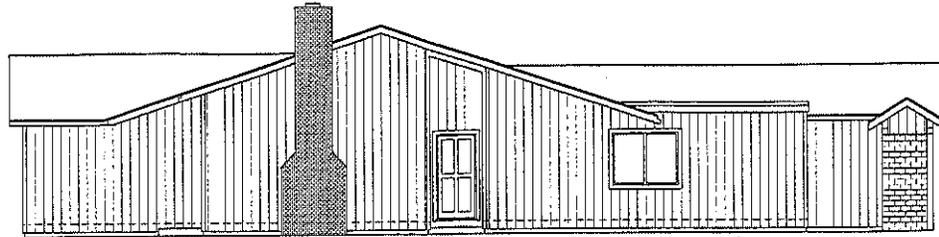
LOT AREA = 8360 SF  
 LOT COVERAGE = 2999 SF = 35.8%

**EXISTING  
 SITE PLAN**

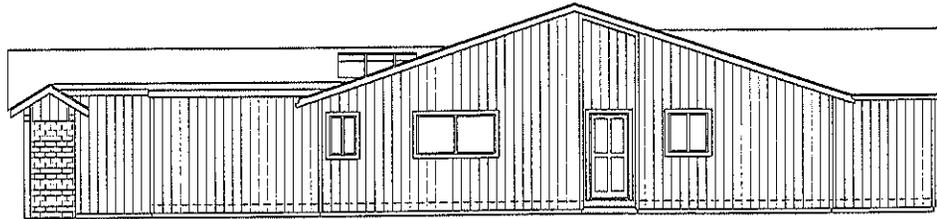
SCALE: 1"=10'

ATTACHMENT B  
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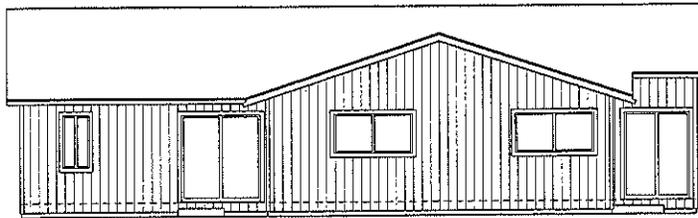




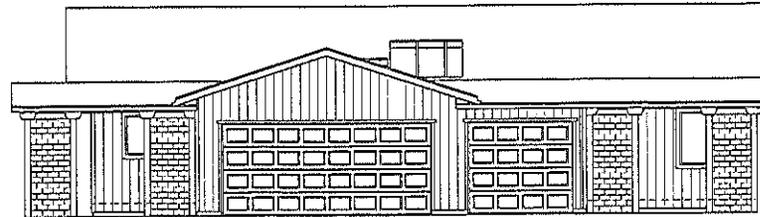
LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



FRONT ELEVATION

EXISTING  
ELEVATIONS PLAN

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

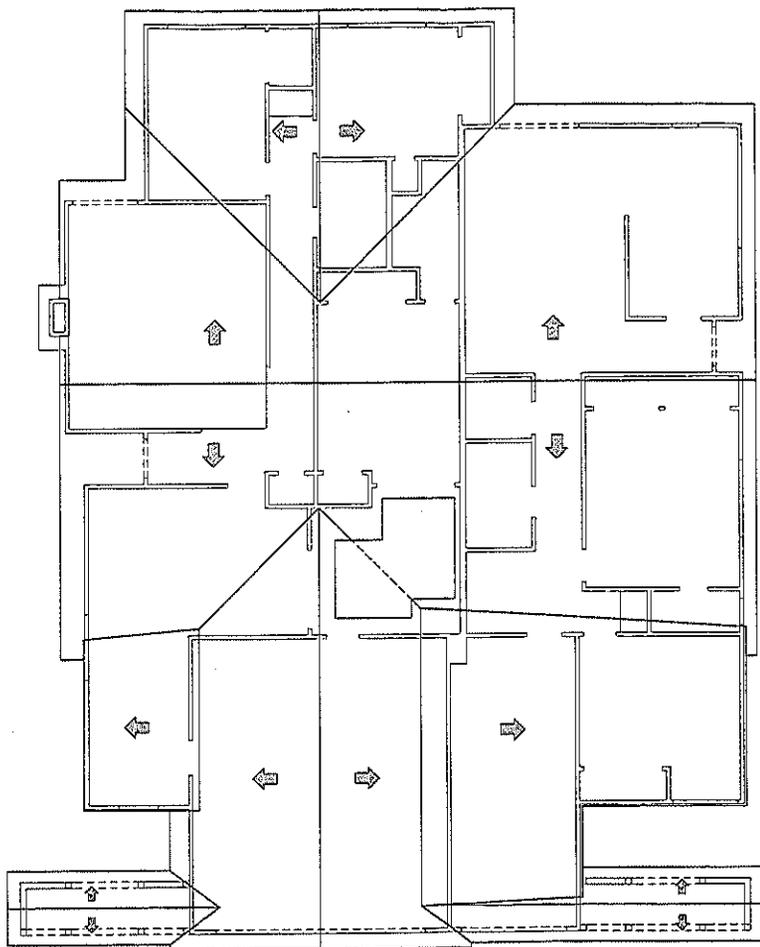
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ATTACHMENT

DATE	BY	SCALE	SHEET
			3

UNIVERSITY OF CALIFORNIA  
ARCHITECTURAL CENTER  
101 SHALICE DRIVE  
BERKELEY, CA 94720  
PHONE: (415) 863-8300

FOR THE ARCHITECT  
DATE: 11/15/2011  
BY: [Signature]



EXISTING  
ROOF LAYOUT  
SCALE: 1/4" = 1'-0"

ATTACHMENT B  
Page 5 of 5

PLAN	DATE	SHEET
FOR:	SCALE	4
ENGINEER: <b>CLAYTON</b> 900 WEST 10TH STREET NORMAN, OK 73069 PHONE: (405) 833-8822 FAX: (405) 833-8822		