



**CITY OF SUNNYVALE
REPORT
Planning Commission**

March 22, 2010

SUBJECT: **2009-0911:** Application for a project located at **532 Fern Ridge Court** (near Yukon Dr.) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District (APN: 323-31-008):

Motion Special Development Permit and Design Review for an approximate 700 square foot one and two story additions to an existing home for an approximate total of 2,406 square feet and 44% Floor Area Ratio

REPORT IN BRIEF

Existing Site Conditions Single-Family Home

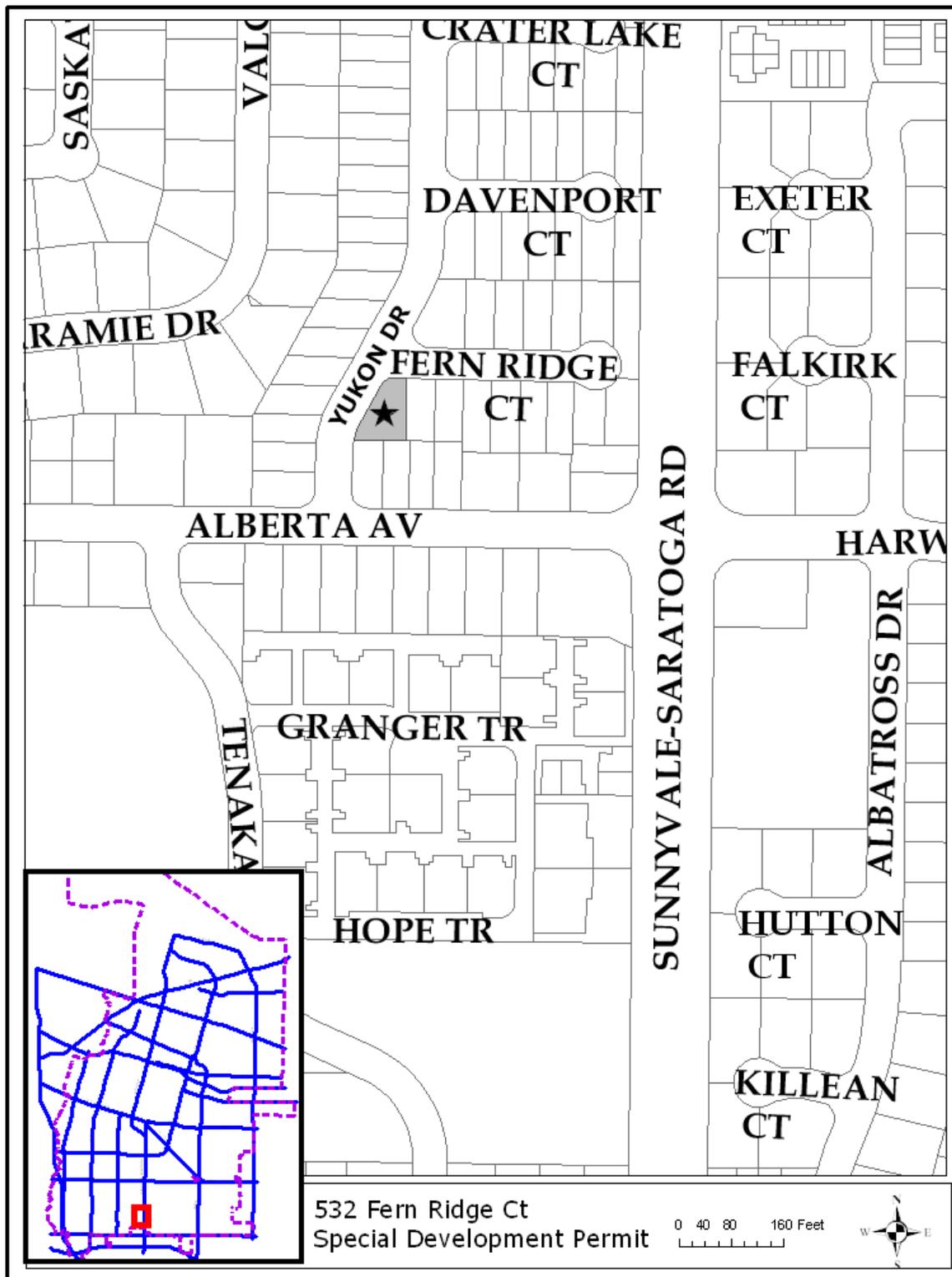
Surrounding Land Uses

North	Single-Family Home
South	Single-Family Home
East	Single-Family Home
West	Single-Family Home

Issues Design and Neighborhood Compatibility

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Medium Density	Same	Residential Low Density
Zoning District	R-2 / PD	Same	R-2
Lot Size (s.f.)	5,490	Same	Per Planned Development
Gross Floor Area (s.f.)	1,699	2,395	PC review for any addition in this Planned Development
Lot Coverage (%)	30%	35%	40% max.
Floor Area Ratio (FAR)	30%	43.6%	45% threshold
Building Height (ft.)	18'	22'	30' max.
No. of Stories	1	2	2 max.
Setbacks			
First Floor:			
Front	16'	Same	Per Planned Development
Right Side	22'	Same	Per Planned Development
Left Side	0'	Same	Per Planned Development
Combined Side	22	22'	Per Planned Development
Second Floor:			
Front	N/A	25'	Per Planned Development
Right Side	N/A	30'	Per Planned Development
Left Side	N/A	7' 4"	Per Planned Development
Combined Side	N/A	37' 4"	Per Planned Development
Rear:	10'	10'	10' As per original Planned Development
Parking			
Total Spaces	4	4	4 min.
Covered Spaces	2	2	2 min.

ANALYSIS

Description of Proposed Project

The proposed project includes additions to the existing Bahl Patio home, including a first floor addition of 226 square feet and a new second floor of 470 square feet for a total floor area of 2,395 square feet and a Floor Area Ratio of 43.6%. The proposed additions will accommodate a dining area on the first floor and two bedrooms and a bath on the second floor.

Background

Previous Actions on the Site: The existing home was originally constructed in the 1970's and part of a Bahl Patio home Planned Development (PD), which included waiving front and side setbacks, fence heights and minimum lot size. The Conditions of Approval contained as part of the PD limited lot coverage to 40%, limited encroachments into the required rear yard to 25%, and that alterations needed to be reviewed by the Planning Commission and City Council (see discussion below). It is important to note that the PD was based on previous regulations, which over time, have evolved. It has been common practice to process these types of applications based on current review requirements. There have not been any subsequent changes to the original home.

Other Bahl Patio homes have proposed second story additions and have either been withdrawn or denied by the Planning Commission. The main concerns have dealt with privacy impacts as these types of homes are an open style and make use of courtyards and open space and they are all, basically, one story. Each proposal has been reviewed on its own merits, existing conditions and compatibility (see discussion below).

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. The proposed additions are exempt in that the proposed additions are less than 50% of the existing floor area.

Special Development Permit

The proposed project is located within a previously approved Planned Development. Changes to the structures require review and consideration of a Special Development Permit. As noted above, the previous PD included limitations on lot coverage and extensions into the rear yard and also required

review by the Planning Commission and City Council. The following provide clarification on those issues that pertain to this project:

- *Lot Coverage:* The PD limited lot coverage to 40%. The project proposes 35%, which is within the maximum allowed.
- *Extensions in the Rear Yard:* The PD also limited extensions into the rear yard to 25% of the rear yard area. The rear ground floor addition results in a 28% rear yard extensions. This exceeds the maximum allowed. Staff has included a condition requiring a reduction in the proposed extension into the required rear yard, not to exceed 25%.
- *Review by Planning Commission and City Council:* At the time the PD for this development was reviewed and approved, it was common to require review by the Planning Commission and City Council. As subsequent development occurred throughout the City and as revisions to the Zoning Code were proposed, the involvement of the City Council in deviations in Zoning Code requirements was found to be less necessary as they focused on broader land use policy issues. Today the Zoning Code either requires review by the Administrative Hearing Officer or Planning Commission. As review requirements have evolved, staff has applied the same review authority practice to these older PDs that were based on older Zoning Code Provisions. Current practice only requires Planning Commission review of these types of applications.

Design Review

Site Layout: The subject property is on the corner of Yukon Drive and Fern Ridge Court. The existing home is located immediately adjacent to the east (left) side property line, leaving a large amount of open space on the west side of the structure. As noted above, a small ground floor addition is proposed at the rear of the home and the second floor is located above the existing bedroom area.

Architecture: The existing home is a single-story Bahl Patio home, which has an open floor plan with geometric shapes. The proposed second floor addition uses similar architectural elements as the existing home, such as wood siding, roof form and aluminum windows. The addition of a second floor to these types of homes can be difficult due to the unique design and overall character of the neighborhood. Often this results in the loss of the original architecture of the home. In this case, the proposed second floor addition somewhat maintains the architecture of the existing home through the use of appropriate materials and form. In addition, the applicant has proposed the minimum height allowed by the Building Code, on the east side, in combination with a compatible roof slope, which results in the current configuration. The ground floor addition will

have a flat roof element and it will be screened by the existing fencing that was installed as part of the original development.

Privacy: Privacy has been the main concern for previous second floor additions in this development. This is a valid concern due to the smaller lot sizes, zero lot lines and openness of the floor plans. The second floor addition contains a large picture window at the new stairwell and clear story windows along the west side. The proposed stairwell window has been required to be changed to a clear story window (see Condition of Approval #2). The remaining clear story windows on the west side will not result in privacy impacts due to height and that they face the public right of way.

Solar Access: The applicant submitted a solar access and shadow analysis. According to the analysis, the proposed second story does not exceed the solar access requirements.

The following Guidelines were considered in analysis of the design review for the proposed project.

Single Family Design Techniques	Comments
<p><i>2. Respect the scale, bulk and character of the homes in the adjacent neighborhood.</i></p>	<p>The existing home and neighborhood are predominately one story homes, to the extent feasible, the second floor has been designed to respect the scale of the adjacent home and uses building forms that compliment the architectural style.</p>
<p><i>3.5 B Use roof forms, orientations and ridge heights similar to those in the adjacent neighborhood. For example, where nearby homes along a street front have prominent gables facing the street, include gable elements of a similar scale and pitch facing the street on the new home or addition.</i></p>	<p>As noted the area is predominately one story homes. The proposed second floor uses roof forms that compliment the neighborhood and the taller face is oriented towards the street.</p>
<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 proposed addition casts minimal shadows on the adjacent neighbors home (compliant with Zoning Code requirements).</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 second floor side windows either face the street or look over the existing home to the left. As conditioned, the windows will have minimal impacts on adjacent neighbors.</p>

Single Family Design Techniques	Comments
3.7 Use materials that are compatible with the neighborhood.	The proposed materials will match the existing home.

Landscaping: There are no changes proposed that affect the existing landscaping.

Parking/Circulation: The proposed project meets parking requirements with two covered spaces and two uncovered spaces in the driveway area.

Compliance with Development Standards/Guidelines: The proposed project was designed to meet the development standards required as part of the Planned Development and Single Family Design Techniques.

Expected Impact on the Surroundings: The proposed additions will result in a change to character of the existing one story Bahl Patio homes. However, the area does not have a Single-Story Combining District, thus, the property owner may propose a new second floor. The subject property is large, 5,490 square feet, compared to the average for the area which is 4,378 square feet. The larger lot size allows the site to accommodate additional floor area. The project has been designed in a manner that is sensitive to the surrounding architecture and neighborhood pattern and scale.

Fiscal Impact

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

Public Contact

Staff has received several inquiries and letter in opposition to the proposed project (See Attachment D). At the time of the staff report, staff did not receive any additional comments.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 138 notices mailed to the property owners and residents within 200 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

The proposed residence will result in a home that is larger than the other homes found in the neighborhood. The proposed design uses elements to reduce the mass and bulk and compatibility with the area. The use of quality elements will ensure that the proposed residence is comparable in craftsmanship and detail as the older homes in the area.

Findings and General Plan Goals: The Findings are located in Attachment A. Staff is recommending the Conditions of Approval shown in Attachment B.

Alternatives

1. Approve the Special Development Permit and Design Review with the conditions in Attachment B.
2. Approve the Special Development Permit and Design with modified conditions.
3. Deny the Special Development Permit and Design and provide direction to staff and the applicant where changes should be made.

Recommendation

Alternative 1.

Prepared by:

Shaunn Mendrin

Project Planner

Reviewed by:

Steve Lynch
Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letters in Opposition of the Project

Recommended Findings – Special Development Permit

In order to approve the Special Development Permit the proposed project must meet the following finding.

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

The proposed additions maintain existing housing stock that is compatible with the neighborhood and complies with the previous Planned Development approval.

Staff was able to make the findings as the design meets the guidelines described above and the design policies described in the report.

In order to approve the Special Development Permit, the following finding may also be made.

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.

The project is expected to have minimal impacts on surrounding properties in that the addition will not have privacy impacts and the subject property is larger than the average lot size and it can accommodate the proposed addition.

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.

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The proposed additions respect the current home orientations and entry patterns.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The proposed addition, to the extent feasible, respect the scale and bulk of the homes in the neighborhood through the use of appropriate materials and building forms.

Basic Design Principle	Comments
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The design, to the extent feasible, respects the scale and form of the immediate neighbor since the massing has been designed to pull away from the neighbor.
<i>2.2.4 Minimize the visual impacts of parking.</i>	There is no new parking required as part of the application.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	No changes proposed.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed project will use materials to match existing.
<i>2.2.7 Preserve mature landscaping</i>	No landscaping will be altered.

Recommended Conditions of Approval – Special Development Permit /Use Permit

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

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

1. GENERAL CONDITIONS

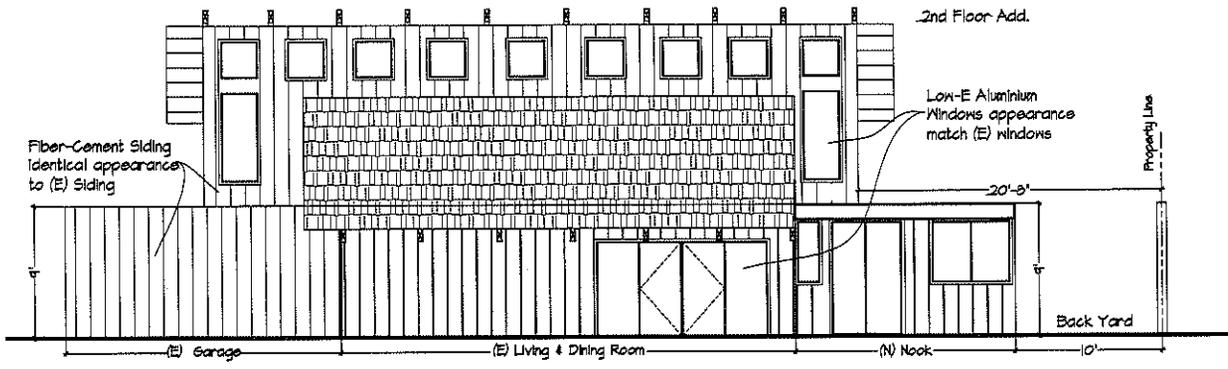
- A. The project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development. Major changes shall be subject to approval at a public hearing.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- C. The Design Review shall be null and void two years (Ordinance 2895-09) 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.
- D. The building permit plans shall be in substantial conformance with the approved plans and planning application.
- E. No trees are proposed for removal as part of this project. A separate tree removal permit shall be required for removal of protected trees in the future.
- F. Execute a Special Development Permit document prior to issuance of the building permit.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

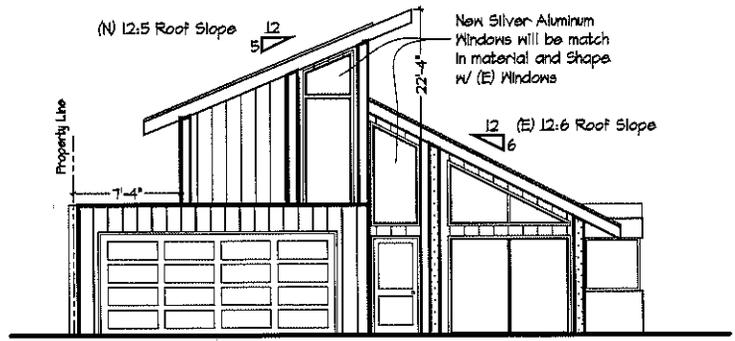
- A. Obtain Building Permits as required for all proposed demolition and construction.
- B. Building Permit plans shall include the following changes:
 1. The allowed encroachment into the rear yard shall not exceed 25%. This will require a reduction in the floor area proposed for the first floor rear addition.
 2. The stairwell window shall be changed to a clear story window to eliminate privacy impacts.

3. DESIGN/EXTERIOR COLORS AND MATERIALS

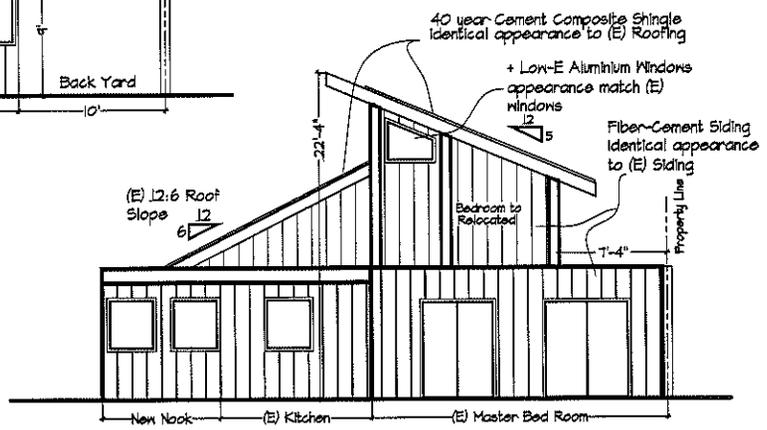
- A. The building permit plans shall reflect all architectural elements included on the elevations as approved by the Planning Commission.
- B. Final exterior building materials and color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to issuance of a building permit.



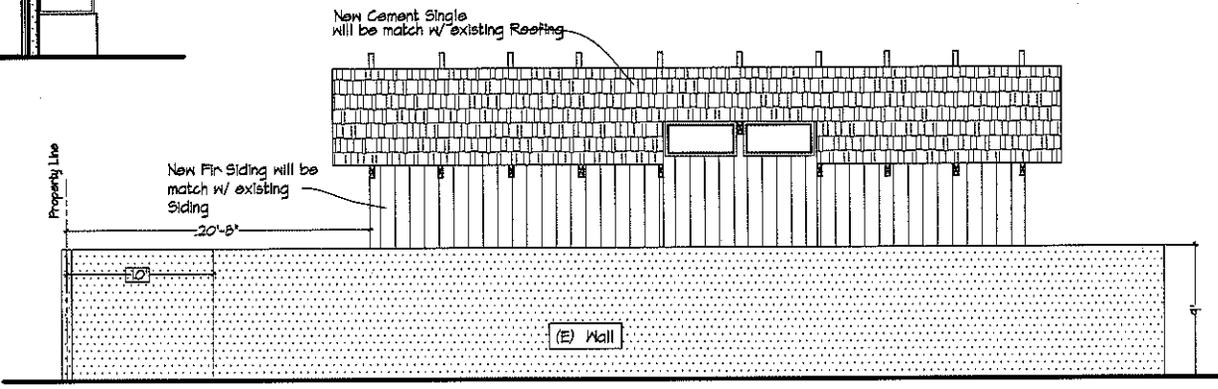
West ELEVATION (Side-front to Yukon)
 Scale 1/8" = 1'



North ELEVATION (Front)
 Scale 1/8" = 1'



South ELEVATION (Rear)
 Scale 1/8" = 1'



East ELEVATION (Side)
 Scale 1/8" = 1'

EXTERIOR FINISHES	
ROOF	40 year Cement Composite Shingle Identical appearance to (E) Roofing
WALL	Fiber-Cement Siding Identical appearance to (E) Siding
WINDOWS	+ Low-E Aluminum Windows appearance match (E) windows
GUTTER/VENTS	Fiber-Glass

Revisions / Submittals	
Sign	_____
Drawing Date	_____
Sign	_____
Drawing Date	_____
Sign	_____
Drawing Date	_____

BRCS Builders Inc.
 4500
 Tel: (888) 224-4764
 Fax: (888) 752-2262
 e-mail: info@brcsbuilders.com

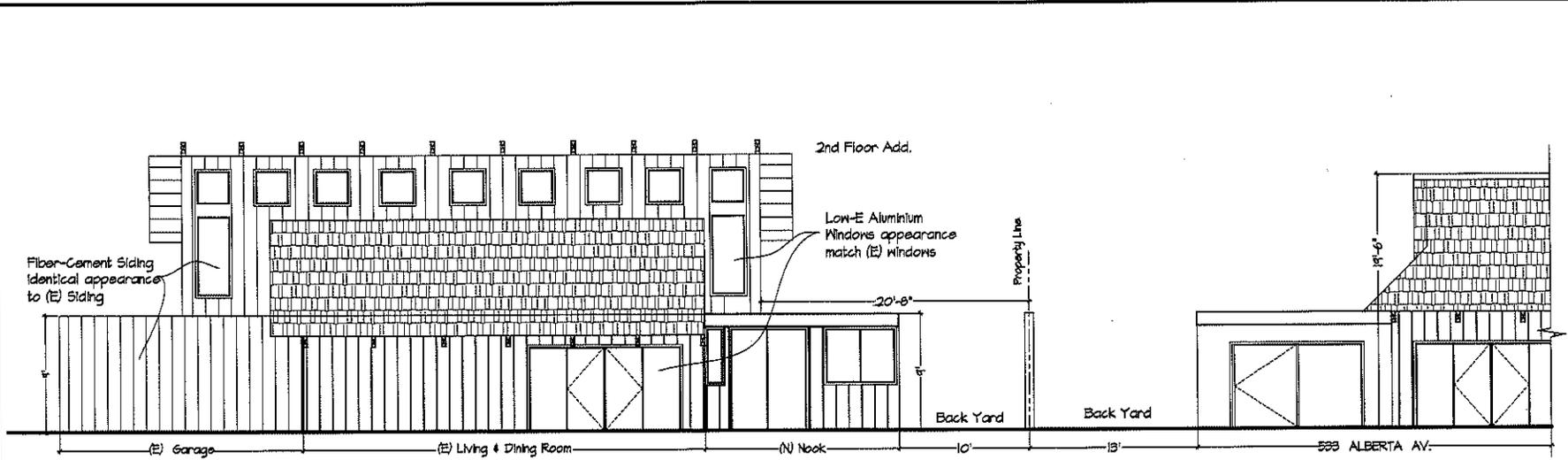


WILSON Construction
 General Contractor, Lic. # 97359

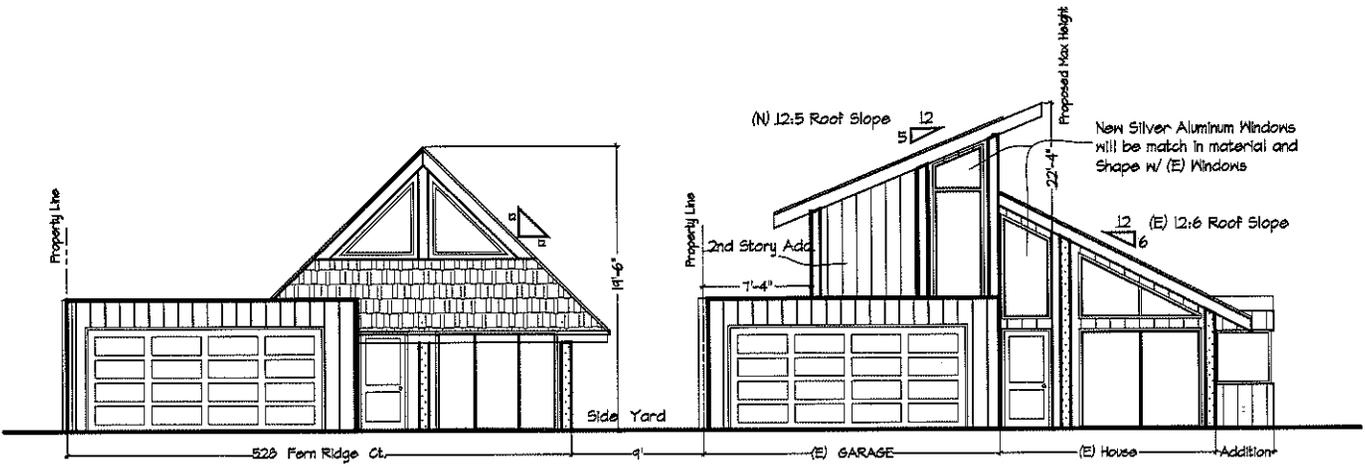
Project: SAAVEDRA RESIDENCE
 597 Fern Ridge Ct.
 Sunnyvale, CA 94085-1281
 APN: 825 91 003

Owner: Martha Vanegas & Rafael Saavedra
 2827 W. ...
 Sunnyvale, CA 94085-1281
 Phone: (408) 596-6287

Content: Elevations
 Exterior Finishes
 Notes



West ELEVATION (Side-front to Yukon Dr.)
 Scale 1/8" = 1'



North ELEVATION (Front)
 Scale 1/8" = 1'

Revisions / Annotations
Sign _____
Drawing Date _____
Sign _____
Drawing Date _____
Sign _____
Drawing Date _____

1848 Duane Dr.
 Berkeley, CA 94702
 Tel: (925) 276-4746
 Fax: (925) 735-2230
 e-mail: mda_cas@hacon.com

HAACON
 ARCHITECTS

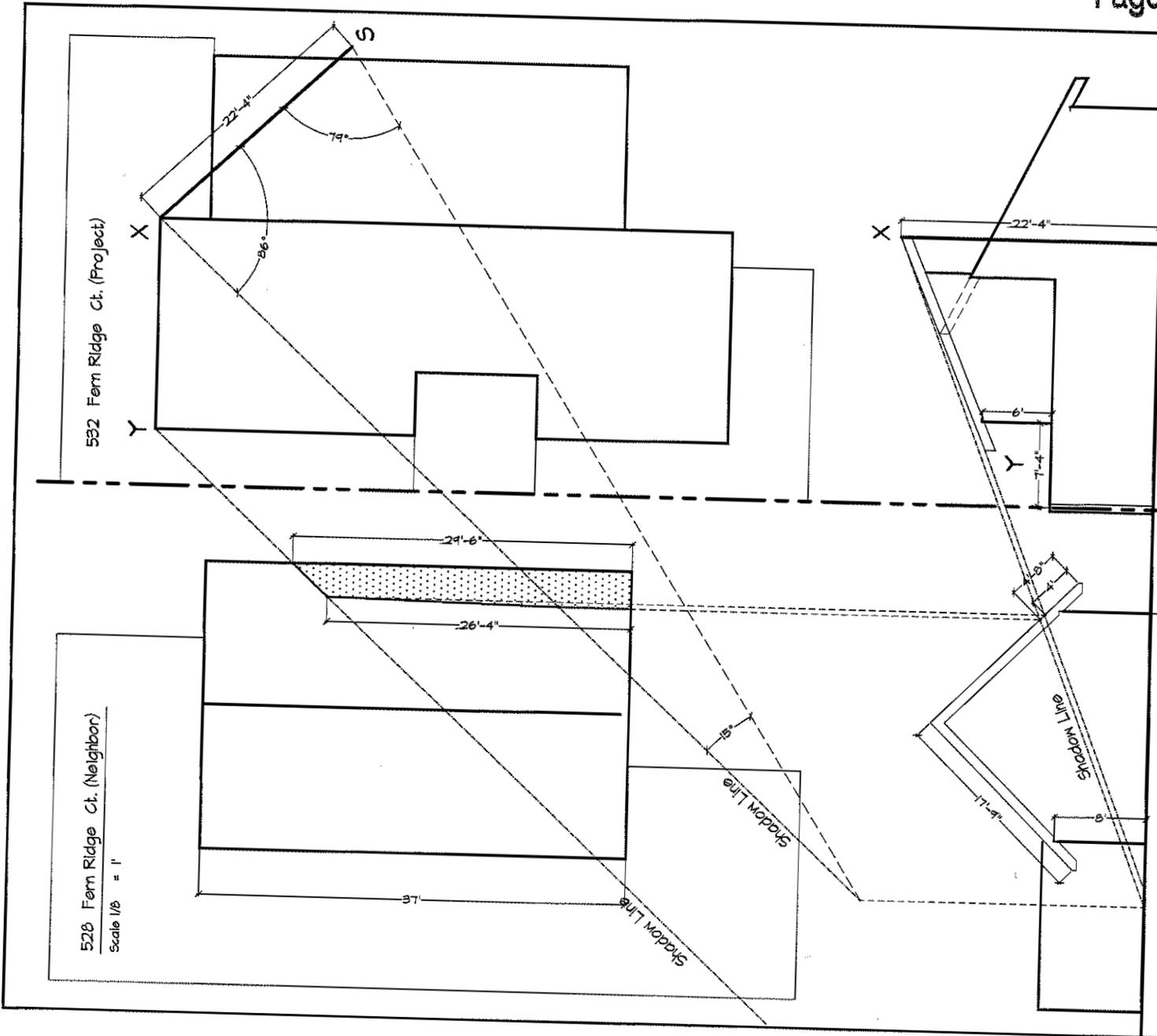
CELEA MENDO
 General Contractor Lic # 37879

Project: **SAAVEDRA RESIDENCE**
 533 Fern Ridge Ct.
 San Rafael, CA 94901-5201
 APN: B29 31 006

Owner: **Martha Vazquez & Rafael Saavedra**
 533 Fern Ridge Ct.
 San Rafael, CA 94901-5201
 Phone: (925) 366-6224

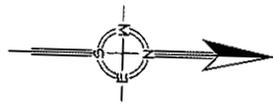
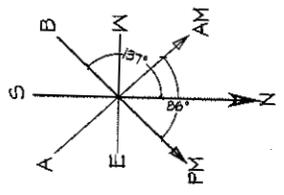
Contact: **Shoreline Elevation w/ Adjacent houses from Fern Ridge Court & Yukon Dr.**

A-5



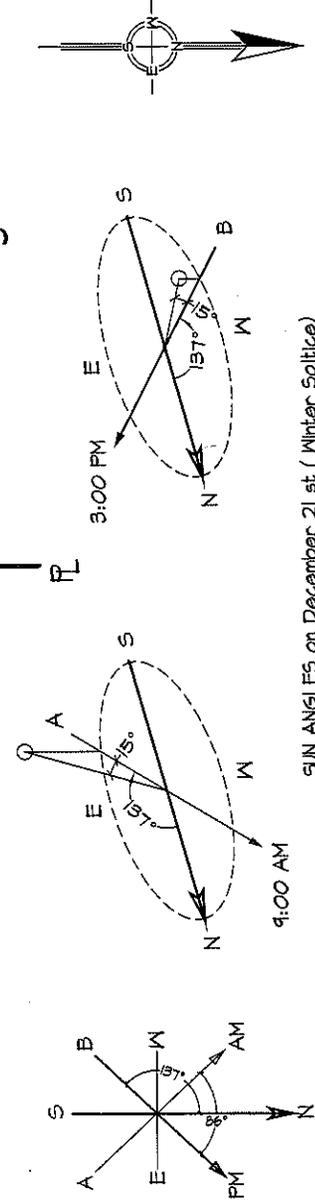
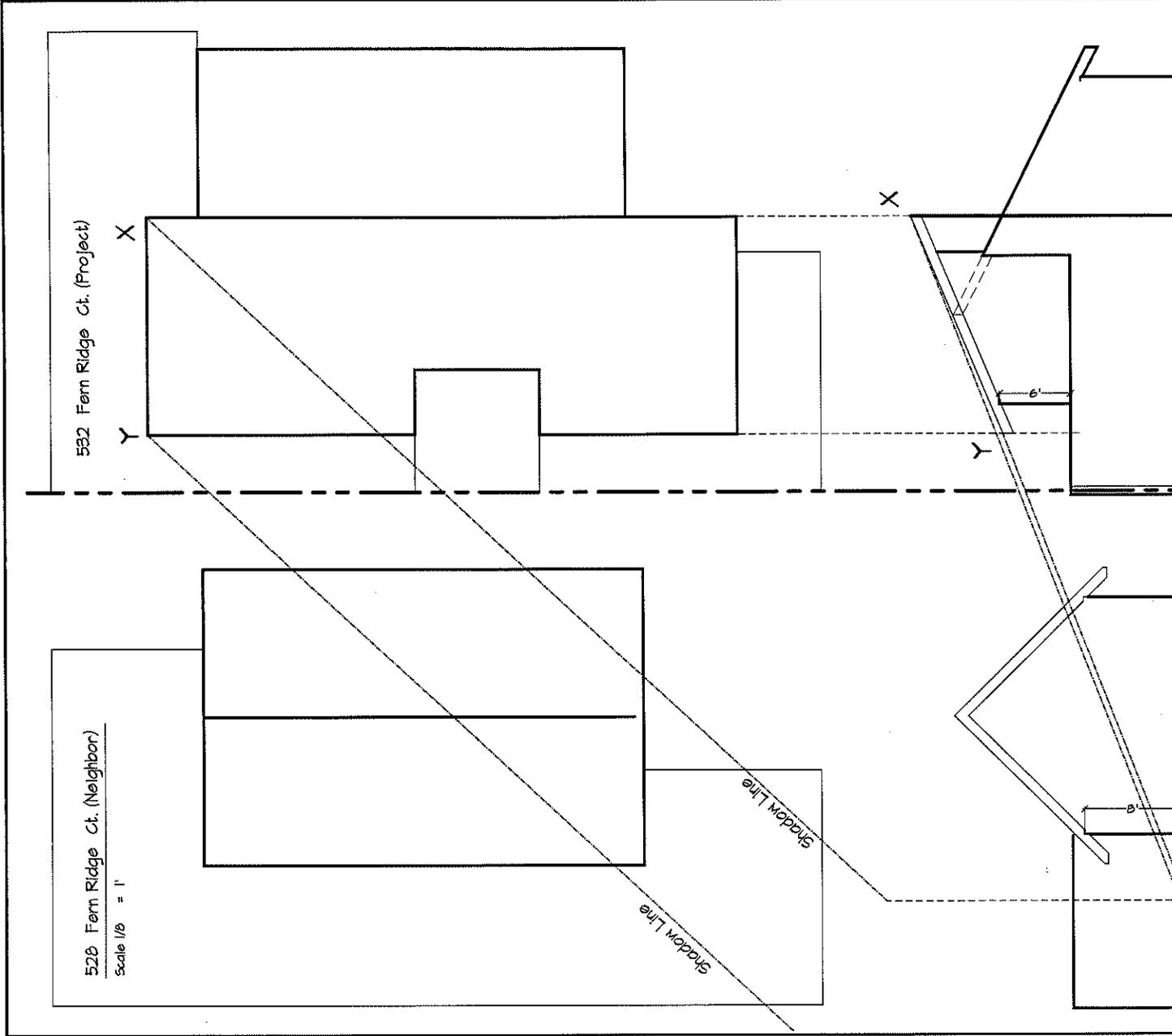
528 Fern Ridge Ct. (Neighbor)
 Scale 1/8" = 1'

582 Fern Ridge Ct. (Project)



SHADOW on the Neighbor roof at 3:00 PM
 Roof Area = (17.75 ft x 37 ft) 2 = 1313.50 sq.ft.
 Area Shaded = (4.33 ft avg. x 28 ft. average) = 122 sq.ft.
 Shadow on the Neighbor Roof at 3:00 PM = 122 sq.ft. = 9.3 %
 Shadow on the Neighbor roof at 9:00 AM (Not apply)

SA-2	
SHEET <u> </u> OF <u> </u>	SOLAR ACCESS and SHADOW ANALYSIS
Contact: Martha Varegas & Rafael Sandoval 582 Fern Ridge Ct. San Diego, CA 92121 Phone: (619) 386-6224	
Project: SAANVEDRA RESIDENCE 582 Fern Ridge Ct. San Diego, CA 92121 APN: 323 31 008	
 GISELA MAREJO General Contractor - Lic # 93759	
18450 CHANDLER AVE. SUITE 200 SAN DIEGO, CA 92128 TEL: (619) 520-9744 FAX: (619) 520-2207 E-MAIL: mds@marsgroup.com	
Revisions / Submittals Sign: _____ Drawing Date: _____ Sign: _____ Drawing Date: _____ Sign: _____ Drawing Date: _____	



Revisions / Submittals

Sign	_____
Drawing Date	_____
Sign	_____
Drawing Date	_____
Sign	_____
Drawing Date	_____

BLAKE CONSULTING, INC.
 20015 20th St., Suite 200
 San Diego, CA 92128
 Tel: (619) 441-2221
 Fax: (619) 441-2222
 e-mail: info@blakeconsulting.com

SAVEDRA
 CONSULTING
 GENERAL CONTRACTORS

GRELA MORIO
 General Contractor Lic. # 97269

Project: **SAAVEDRA RESIDENCE**
 532 Fern Ridge Ct.
 San Diego, CA 92107-3241
 APR 2009 31 COB

Drawn: **Martina Yanez & Rafael Saavedra**
 532 Fern Ridge Ct.
 San Diego, CA 92107-3241
 Phone: (650) 906-6224

Contents: **SOLAR ACCESS and SHADOW ANALYSIS**

SA-1
 SHEET # 1 OF 9

Shaunn Mendrin - 532 Fern Ridge Court

ATTACHMENT D
Page 1 of 3

From: Andrew Frazier
To: <smendrin@ci.sunnyvale.ca.us>
Date: 3/11/2010 7:31 PM
Subject: 532 Fern Ridge Court

Hi Shaun,

I'm at 517 Fern Ridge Court, just down the street from 532 Fern Ridge Court

I oppose second story additions to our award winning Bahl homes for the following reasons:

They block sunlight into neighboring Bahl homes.

They negate the privacy afforded by the walls surrounding Bahl homes. This is significant as Bahl homes have floor-to-ceiling glass on almost all exterior walls. Second story additions would cause neighbors to need to create privacy using window coverings, thus turning their homes into dark bunkers.

They reduce the value of neighboring homes for the above reasons.

The improvements proposed for 532 Fern Ridge Ct closely match those proposed (and denied) at 516 Fern Ridge Court approximately 5 years ago. At the time of the 516 Fern Ridge ct proposal, the suggestion was made to designate Bahl homes in a manner that preserves their design intent. I firmly support this.

thank you,
Andrew and Deborah Frazier
517 Fern Ridge Court
Sunnyvale, CA 94087

Shaunn Mendrin - File number 2009-0911: 532 Fern Ridge Ct.

ATTACHMENT D
Page 2 of 3

From:
To: <smendrin@ci.sunnyvale.ca.us>
Date: 3/15/2010 9:52 AM
Subject: File number 2009-0911: 532 Fern Ridge Ct.

Dear Mr. Mendrin,

We are writing to express our opposition to the proposed second-story addition to the Bahl Patio Home at 532 Fern Ridge Ct. Only 64 Bahl Patio Homes were built in our area, and we wish to preserve these award-winning homes against any development which would change the original character and unique privacy of the neighborhood and potentially have a negative impact on our property values. All of these homes are still *single-story*, and we believe that allowing a second-story addition to any of them would set a dangerous precedent for all the rest. As Commissioner Hungerford said on July 24, 2006 in a ruling against a similar proposal (file number 2006-0599), if the design of the home is altered then it begins to affect the character of the community and opens a "Pandora's box." For these reasons we ask that you recommend **against** approval of permit 2009-0911.

Sincerely,
Ana and Tom McParland
520 Fern Ridge Ct.

Shaunn Mendrin - APN 323-31-008

ATTACHMENT D
Page 3 of 3

From:
To: <smendrin@ci.sunnyvale.ca.us>
Date: 3/17/2010 11:09 AM
Subject: APN 323-31-008

March 17

To: Shaunn Mendrin

Re: the proposed project at 532 fern Ridge Court (APN 323-31-008)

I would like to go on record as objecting to the above proposed project. In order to have such a large home, one can not be in a zero lot line development. This proposed project would convert our homes from a PUD into a condominium development. I will be at the meeting on Monday March 22.

Sincerely,
Elizabeth Dickinson
526 Davenport Ct