



REPORT TO PLANNING COMMISSION

Hearing Date: January 24, 2011
File Number: 2010-7797

SUBJECT: [Daryl Fazekas/Ophir and Vered R. Rachman]:
Application for a property located at **1325 Los Arboles Avenue** in an R-1 Zoning District (APN: 323-08-004):

Motion **2010-7797-** Design Review to allow a 475 square foot single-story addition to an existing single-story home resulting in approximately 3,763 square feet, where 3,600 square feet or greater requires Planning Commission review.

REPORT IN BRIEF:

Existing Site Conditions Single-family residence

Surrounding Land Uses

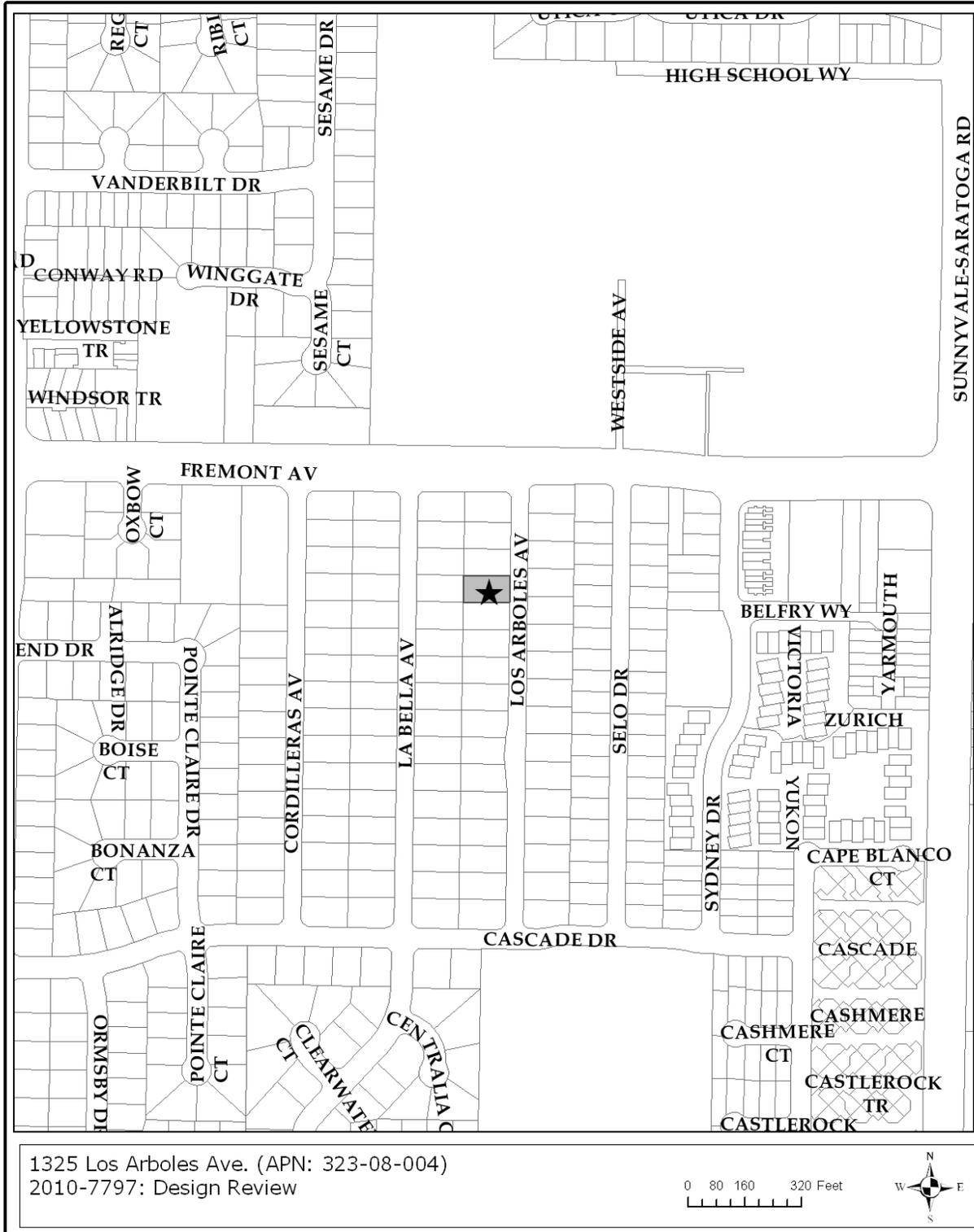
North	Single-family residence
South	Single-family residence
East	Single-family residence (across Los Arboles Ave.)
West	Single-family residence

Issues Floor Area, 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

VICINITY MAP



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-1	Same	R-1
Lot Size (s.f.)	9,633	Same	8,000 min.
Gross Floor Area (s.f.)	3,288 (not including 149 sq. ft. existing covered porches)	3,763 (not including 149 sq. ft. existing covered porches)	3,600 max. without PC review
Lot Coverage (%)	35.7%	40.6%	45% max.
Floor Area Ratio (FAR)	34.1%	39.1%	45% max. without PC review
No. of Buildings On- Site	1	Same	---
Building Height (ft.)	18'	Same	30' max.
No. of Stories	1	Same	2 max.
Setbacks (Facing Property)			
Front	25'	Same	20' min.
Left Side	10'	Same	6' min. per side, 20% lot width (15') total
Right Side	10'	6'	
Rear	34'	10'	20' min. (10' for limited area)
Parking			
Total Spaces	4	Same	4 min.
Covered Spaces	2	Same	2 min.

BACKGROUND:

The proposed project is to allow a 475 square foot single-story addition to the rear of an existing single-story home. The home was constructed in 1950. A large single-story addition was constructed in 2008-2009 as noted below.

Previous Actions on the Site

The following table summarizes previous planning applications related to the project site.

File Number	Brief Description	Hearing/Decision	Date
2008-0824	Design Review to allow a 1,756 square foot single-story addition to the rear of the home and 171 square feet of new covered porches	Staff Review / Approved	8/11/2008

DISCUSSION:

Requested Permit

The applicant is requesting approval of a Design Review application to allow a total floor area of approximately 3,763 square feet (not including two covered porches totaling 149 square feet, which are exempt from calculation of floor area) resulting in a Floor Area Ratio of 39.1%. The proposed addition will accommodate a new guest/recreation room. Planning Commission review is required because the proposed addition will result in a gross floor area greater than 3,600 square feet.

ANALYSIS:

Architecture

The proposed addition will be located at the rear of the existing residence. The addition will have the same roof pitch as the existing home but will have a slightly lower roofline. Colors and materials will match the existing home.

Applicable Design Guidelines and Policy Documents

The proposed addition is consistent with the adopted Single-Family Design Techniques. It is a single-story addition located at the rear of the home which generally maintains the existing shape and form of the structure. The single-story character of the streetscape is maintained. Staff has included findings relate to the Single-Family Design Techniques in Attachment A.

Development Standards

The proposed project complies with the applicable development standards as set forth in the Sunnyvale Municipal Code. The following items have been identified as items for additional clarification for the Planning Commission:

- **Site Layout**

The site is located on an interior lot on Los Arboles Avenue near West Fremont Avenue. The proposed addition complies with all required setbacks and adopted Code requirements.

- **Parking/Circulation**

The existing home provides a two car garage and two uncovered parking spaces on the driveway in compliance with Zoning Code requirements.

- **Landscaping and Tree Preservation**

The proposed project does not include the removal of any trees. Future removal of any protected trees would require approval of a separate Tree Removal Permit.

- **Green Building**

The proposed project is a single-family addition with an estimated construction value less than \$100,000, and is therefore exempt from current Green Building requirements.

- **Accessory Living Unit**

The addition was originally proposed to be accessible only from an exterior door rather than from within the residence, and to incorporate a large wet bar area which could be easily converted to a kitchen. Based on the floor plan, staff noted that the addition appeared to meet the definition of an accessory living unit. An accessory living unit could be permitted on this property, but would require an additional uncovered parking space, payment of a Transportation Impact Fee, and recordation of a deed restriction specifying that either the principal residence or the accessory living unit must be occupied by a property owner. The applicant stated that the purpose of the addition is not to serve as a living unit, and has modified the proposed floor plan. The addition is now proposed to be accessible from within the residence as well as from the exterior, and the wet bar area has been significantly reduced in size to reduce its potential for conversion to a kitchen. Staff also recommends a condition of approval requiring recordation of a deed restriction to specify that the addition may not be used as a separate living unit (see Attachment B).

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include modifications and additions to existing facilities.

FISCAL IMPACT

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

PUBLIC CONTACT

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 35 notices mailed to property owners and residents within 200 feet of the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Web site • 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 • Posted on the City of Sunnyvale's Web site

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings to approve the Design Review based on the project plans and justifications. Recommended Findings are located in Attachment A.

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

ALTERNATIVES

1. Approve the Design Review with the attached conditions.
2. Approve the Design Review with modified conditions.
3. Deny the Design Review.

RECOMMENDATION

Alternative 1 - Approve the Design Review with the attached conditions.

Prepared by:

Mariya Hodge
Project Planner

Reviewed by:

Steve Lynch
Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans

RECOMMENDED FINDINGS

Design Review

The proposed project is desirable in that the project's design and architecture complies 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 addition maintains the existing neighborhood pattern and single-story streetscape. The existing massing and orientation of the home will remain, and the addition will be minimally visible from the street.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The proposed addition will not increase the height of the existing home and will meet all required setbacks and lot coverage limits. The home will remain as a single story and the appearance from the street will not be significantly impacted.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The proposed addition will be located at the rear of the existing home. The proposed addition meets all required setbacks and is not expected to have a visual or privacy impact on adjacent neighbors.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The existing structure provides the required two covered parking spaces within a garage, as well as two uncovered parking spaces on the driveway. No changes to the parking layout are proposed.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The project does not include any proposed landscaping changes.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed addition will match the colors and materials of the existing home, including stucco for exterior walls and composition shingle roof material.
<i>2.2.7 Preserve mature landscaping</i>	The project does not include any proposed landscaping changes.

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS JANUARY 24, 2011

Planning Application 2010-7797

1325 Los Arboles Avenue

Design Review to allow a 475 square foot single-story addition to an existing single-story home resulting in approximately 3,763 square feet and 39.1% Floor Area Ratio.

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 AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.
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GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform to 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. PERMIT EXPIRATION (ORDINANCE 2895-09):

The Permit shall be valid for three (3) years from the date of approval by The Special Development Permit must be exercised within three (3) years from the date of approval by the final review authority (as

adopted by City Council on April 21, 2009, RTC 09-094). Extensions of time may be considered, for a maximum of two one year extensions, if applied for and approved prior to the expiration of the permit approval. If the approval is not exercised within this time frame, the permit is null and void. [SDR] (PLANNING)

GC-3. TITLE 25:

Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

BP-4. ACCESSORY LIVING UNIT NOTICE OF PROJECT RESTRICTIONS:

The property owner shall record a Notice of Project Restrictions in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Project Restrictions, to be prepared by the City, shall state that the approved addition may not be used as an accessory living unit or other separate dwelling unit at any time.

The Notice of Project Restrictions shall provide a description of the subject property; shall identify the Planning Application number and any accompanying subdivision or parcel map, including book and page and recorded document number, if any; and shall be signed and notarized by each property owner of record. For purposes of

determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Project Restrictions. [COA] [PLANNING]

BP-5. TREE PROTECTION PLAN:

Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees shall be shown on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-6. BEST MANAGEMENT PRACTICES:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.

- c) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
 - ii) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:

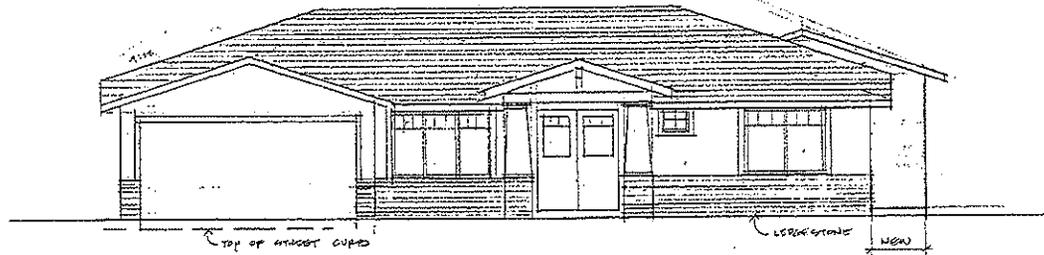
The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. TREE PROTECTION:

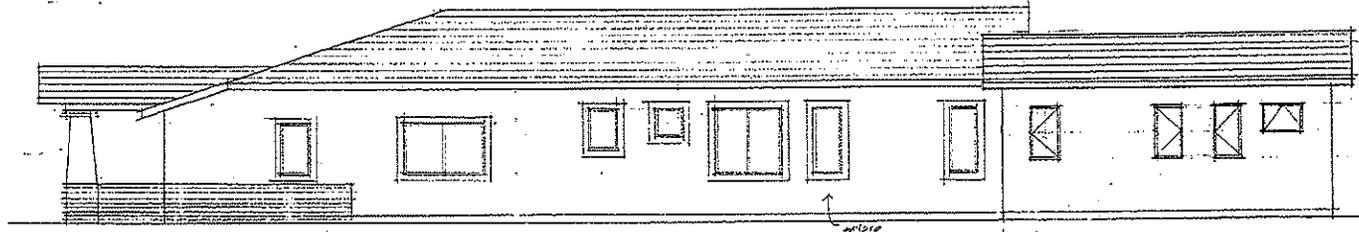
All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

REVISIONS	BY

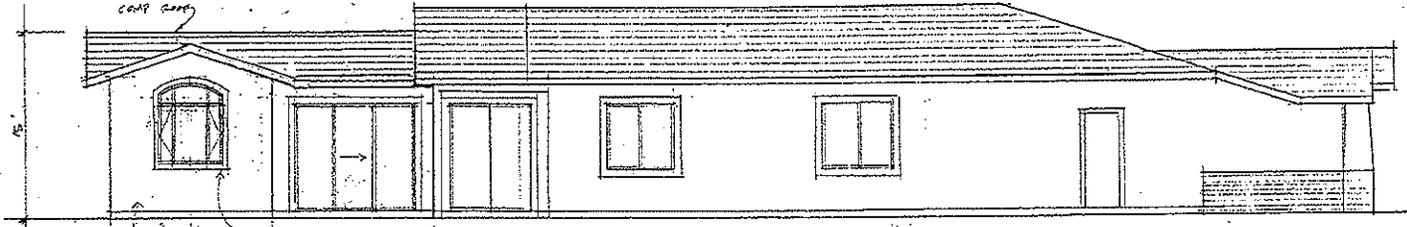
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FRONT ELEVATION



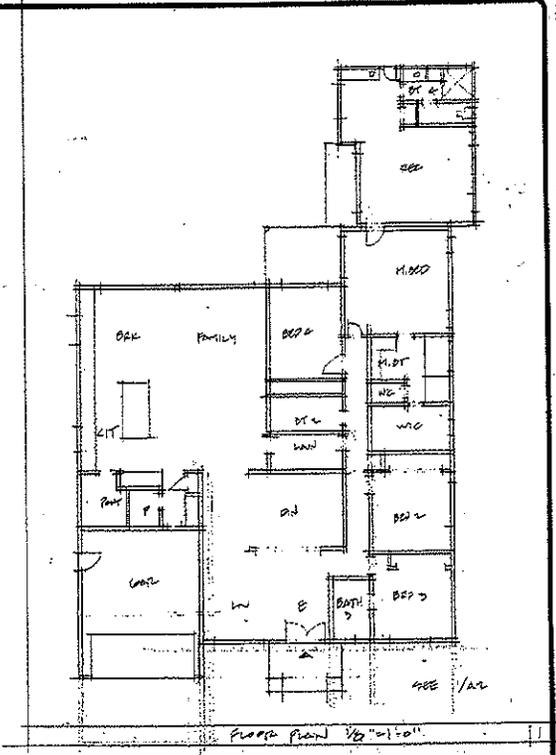
RIGHT ELEVATION



LEFT ELEVATION

REVISIONS	BY

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EXHIBIT