

**PLANNING COMMISSION MINUTES OF JULY 14, 2008**

**2007-1302:** Application for a Design Review to allow a 1,408 square foot one- and two-story addition to an existing single-story home resulting in 3,507 square feet and approximately 57% Floor Area Ratio (FAR) where 45% FAR may be allowed without Planning Commission review. The property is located at **1035 Daisy Court** (near Smoke Tree Wy.) in an R-0 (Low Density Residential) Zoning District. (APN: 213-15-002) MH

**Mariya Hodge**, Associate Planner, presented the staff report. She said staff recommends approval of the Design Review subject to the conditions in Attachment B. She said staff is recommending the applicant reduce the size of the addition resulting in an FAR of 50% or less. Ms. Hodge said the applicant has submitted an additional letter and information this evening, dated July 14, 2008, which has been provided on the dais.

**Chair Rowe opened the public hearing.**

**Steve Schweizer** and **Colleen Yamada**, applicants and long time Sunnyvale residents, said they are seeking approval for the proposed additions to their home and expressed the importance and reasons for their remaining at this address and enlarging this home. Mr. Schweizer said in 2001 they submitted a very similar plan to their current proposal and it was approved without any difficulty at all. He said they are requesting the Commission approve their proposed design with the 56.8% FAR, are opposed to further reducing the FAR to 50% or less as recommended by staff, and commented that they have no other objections to the requirements in the Conditions of Approval. He said they are interested in making sure their home blends in with the neighborhood and do not think they are requesting anything bulky or overly large. He said they have worked with staff and modified the original plans with a reduction of approximately 300 square feet. He said the proposed plan complies with all zoning codes and setbacks and they are not asking for any variances. He said he and his neighbors do not feel the proposed addition would appear larger than other homes in the neighborhood. Mr. Schweizer referred to Attachment E, pages 7, 8 and 9 showing a variety of elevation plans in the neighborhood and signatures of support from all of the Daisy Court neighbors. He reiterated that the only disagreement they have with staff's recommendation is the 50% or less FAR requirement. He said the square footage reduction that would be required to bring the proposed project to the 50% FAR would be the equivalent of knocking two bedrooms off the second story and would not result in any significant financial savings. He said they understand the concern of staff about building

oversized houses on small lots and about setting precedence allowing the construction of enormous homes. He said they feel they have mitigated the concerns. Mr. Schweizer said the reduction of their proposal to the 50% FAR requirement would be grounds for a major redesign and they would like their plan approved as proposed. He said they seem to be at an impasse with staff over the FAR and they need the space for their family. Mr. Schweizer said the neighborhood does not seem to share the concerns of staff regarding an appearance of bulk.

**Chair Rowe closed the public hearing.**

**Chair Rowe** asked staff about the second story setbacks. Ms. Hodge said the applicant's proposal meets the second story combined setbacks and does not exceed the minimum setback on either side. Chair Rowe commented about possible options for reducing the square footage. Ms. Hodge said staff is recommending reducing square footage primarily from the sides to remove bulk rather than from the back of the house. Chair Rowe asked about how much would be reduced on each side. Ms. Hodge said the reduction would be about 400 square feet which would be about five feet off each side of the house commenting that she agrees with the applicant that it would probably require significant redesign.

**Comm. McKenna** referred to the document provided by the applicant on the dais this evening. She asked staff if the representation provided in the illustration on page 7 reducing the FAR from 56.8% to 50% or less, by the elimination of two bedrooms, is a fair representation. Ms. Ryan said that the representation seems reasonable as illustrated and seems close as the approximate 400 square feet is close to the equivalent of the two bedrooms proposed.

**Comm. Klein** asked staff how the 50% FAR was chosen. Ms. Hodge said staff looked at other homes in the immediate area and none of the other homes had an FAR exceeding 50%. Ms. Hodge said some homes in a larger surrounding area of the neighborhood have an FAR exceeding 50% and these homes were approved prior to the City's current standards and design techniques. Ms. Ryan added that the Commission has approved homes in excess of 50% FAR and there is not a prohibition of approving a higher FAR. Ms. Ryan said, in general, it seems desirable to keep the homes in a 50 to 55% FAR range. Ms. Ryan said ultimately the decision is whether the Commission feels the design is compatible with the neighborhood as this is a Design Review.

**Comm. Klein moved for Alternative 2, to approve the Design Review with modified conditions: to modify Condition of Approval 3.A.1 that the Floor**

**Area Ratio be reduced below 52%**, instead of 50%, with the majority of the reduction to be from the sides of the second floor. **Comm. Sulser seconded the motion.**

**Comm. Klein** said that he chose the 52% FAR based on review of the surrounding community in comparison to the proposed project. He said the highest FAR in the surrounding area is 56% and there are several other homes in the neighboring community that are in the 52% range. He said staff would like a decrease in the bulk and the 52% seems to be an equitable compromise.

**Comm. Sulser** said he thinks the 50% FAR is too low, and agrees there are other homes in the neighborhood in the 52% FAR range. He said he feels the 52% FAR is very reasonable.

**Vice Chair Chang** asked staff what the square foot reduction would be if the FAR were reduced from 56% to 52%. Staff said the additional 2% increase that the Commission is considering approving would give the applicant about 125 additional square feet more than what staff is recommending. Staff said if the Commission approves an additional 2% FAR that the end result would be a home totaling 3,209 square feet.

**Comm. Hungerford** commented when he did his site visit that he felt the court was well guarded by the boys in the neighborhood. He said he would be supporting the motion as FAR is important criteria for keeping the bulk down on a house. He said he looked at some of the other homes in the neighborhood and agrees that 52% is a good compromise.

**ACTION: Comm. Klein made a motion on 2007-1302 to approve the Design Review with modified conditions: to modify Condition of Approval 3.A.1 that the Floor Area Ratio be reduced below 52%. Comm. Sulser seconded. Motion carried unanimously, 7-0.**

**APPEAL OPTIONS: This action is final unless appealed to the City Council no later than July 29, 2008.**