

PLANNING COMMISSION MINUTES OF FEBRUARY 8, 2010

2009-0874: Design Review to allow a 1,469 square foot addition to an existing 2,018 square foot home totaling 3,487 square feet with 56% Floor Area Ratio for a site located at **1560 Grackle Way** (APN: 309-33-009) SM

Shaunn Mendrin, Senior Planner, presented the staff report. He said staff recommends approval of the Design Review with the conditions in Attachment B.

Comm. Klein discussed with staff the Floor Area Ratio (FAR) percentages including what the percentage would be with staff's recommendation, requiring an additional 4 foot setback. Comm. Klein referred to the findings in Attachment A and discussed with staff wording regarding windows in non frequented places, the second floor addition, and privacy impacts. Staff confirmed that there are no privacy issues that staff is aware of and discussed the location of the windows. **Trudi Ryan**, Planning Officer, further discussed the types of glass typically used in windows considering privacy impacts, and further commented about the FAR percentages.

Comm. Sulser discussed with staff the recommendation to change one of the proposed gables to a hipped roof element with staff clarifying which gable would be changed.

Comm. Rowe referred to page 5 of the report and had staff clarify the section about "due to recent Zoning Code changes" and staff recommending the 4 foot right side setback for the second floor. Mr. Mendrin explained the recent changes to the code in December, 2009 and the reasoning for the recommendations.

Comm. Hungerford referred to page 4 of the report and discussed with staff the size of the second floor. Ms. Ryan commented that to one side of this home are mostly two story homes and to the other side are mostly one-story homes. She said the final design may be based on how the Commission feels about this home becoming a part of the two story portion of the neighborhood. Comm. Hungerford discussed with staff what a hipped roof treatment is.

Comm. Rowe discussed the limits of lot coverage with staff.

Chair Chang opened the public hearing.

Shilpa Pathare, architect representing the applicant, said that they are in agreement with everything except two conditions on page 2 of Attachment B. She discussed conditions 3.A.1 and 3.A.2 which were the changes provided by staff: requiring the additional 4 foot setback on the right side of the second floor;

and the requirement to change the gable over the new second floor bedroom to a hipped roof element. She requested that the Commission drop the two conditions and allow the design as proposed explaining the reasons for the proposed design.

Comm. Klein asked the Ms. Pathare to clarify part of the design including that the second story section which is 15 feet long, and that there is a slanted roof over the family room on the first floor.

Comm. McKenna asked the applicant to clarify part of the design including the family room on the first floor, and the master bedroom on the second floor.

Arthur Schwartz, a Sunnyvale resident, said he thinks the main issue with this project is compatibility, and not just the details, as the neighborhood changes at this house site and the two story houses are creeping down into the one story neighborhood. He said the proposed house would result in a high FAR and staff and the Commission need to consider if the large expansion is the model wanted for the future to maintain a compatible city.

Peter and Anne McCloskey, Sunnyvale residents, said their house is the first one-story house next to the proposed project. Mr. McCloskey said they have one window on the side of the house closest to the project and the highest point of the project is closest to their house. He said they are concerned about the light through that kitchen window being blocked due to the project height. Ms. McCloskey said from looking at the plans, it looks like the light would be blocked.

Ms. Ryan responded to a prior Commission question that the staff recommendation to move the wall in by 4 feet on the right side of the second story would reduce the FAR by 1%.

Ms. Pathare addressed the McClosky's concern about the kitchen window and said there is a tree near that area that already blocks whatever light that could be blocked and that she does not think the proposed addition would make a significant difference in the amount of light into the window. Ms. Pathare said that she believes the project as proposed would have a 54% FAR.

Comm. Hungerford asked Ms. Pathare about the shadow analysis in the report confirming that she provided this information. Ms. Ryan explained the shadow analysis and that it refers to the roof shading and not the neighbor's kitchen window. Comm. Hungerford discussed further with staff the location of the neighbor's kitchen window with the neighbor indicating that the window is toward the front of their house.

Comm. Rowe asked further about the shading of the neighbor's kitchen window with staff explaining that the shadow studies are based on the shading of the roof for solar access at certain times of the day.

Chair Chang closed the public hearing.

Comm. Rowe asked staff further about wall setback on the second story.

Comm. Hungerford discussed the shadowing studies with staff. **Comm. Hungerford** asked staff if there is a vaulted ceiling on the first floor. **Mr. Mendrin** said the family room has a vaulted ceiling and that the actual FAR for this project would be 52%, discussing the height of the proposed house.

Comm. McKenna referred to page 7 of Attachment C and discussed with staff the shadowing of the neighbor's roof from the proposed project.

Comm. Hungerford asked staff about the design and the vaulted ceiling, and discussed with staff why the tallest part of roof is next to the neighbor's house. **Ms. Ryan** referred to pages 6 and 7 of Attachment C and discussed the design including the height.

Comm. Rowe discussed with staff that the roof design on the outside is a result of accommodating the proposed design on the inside.

Comm. McKenna commented that the shading of the neighboring house concerns her and she is wrestling with how best to preserve sunlight for the neighbors.

Comm. Rowe said that the conditions the staff have recommended are important and that she thinks the shading of the neighbor's window is also an important issue. **Ms. Ryan** referred to the roof shadow plans and said if the kitchen area is behind the garage that it appears the kitchen window would be shaded in the morning and not in the afternoon, not considering shading from trees.

Comm. Klein discussed with staff possibly increasing the setback by 4 feet on the left side of the second floor instead of the right side and asked if this would change the height of the roof, as it would reduce FAR and the shading to the neighbor. **Mr. Mendrin** said he is not sure what the exact results would be with that design change.

Comm. Hungerford discussed other possible design changes with staff to reduce the size with staff saying the applicant might not be happy with the suggested changes.

Ms. Ryan said that it seems there is more information that the Commission desires about the location and shadowing of the neighbor's kitchen window. She said the Commission could take an action on the project this evening, or could request additional information about shadowing and the location of the neighbor's kitchen window.

Comm. Rowe moved to continue this item to the Planning Commission meeting of February 22, 2010 requesting additional information regarding the location of the neighbor's window and the shadowing of the neighbor's window from the proposed addition. **Comm. Rowe** said she would like the motion to include for staff to work with the architect to see if there is a way to reduce the height of the peak of roof on the second floor. **Comm. Hungerford** seconded the motion.

Comm. McKenna reiterated that she is more concerned about the neighbor's kitchen window being shadowed than she is with moving the wall in on the second story.

Comm. Klein said he would like the privacy impacts clarified fully before the next meeting including the windows and which windows are opaque.

Comm. Sulser said that he shares staff's concern about the bulk and mass of the proposed project and that when this item comes back to the Commission that he'd like to make sure those items are still considered.

ACTION: **Comm. Rowe** made a motion on 2009-0874 to continue this item to the February 22, 2010 Planning Commission to allow time for the applicant to provide more information on the location of the neighbor's kitchen window and the potential shadowing resulting from the addition; and for staff to work with the architect to possibly reduce the height of the peak of the second floor. **Comm. Klein** requested clarification on the proposed side windows on the second floor regarding privacy impacts and what windows are opaque to be included in the additional information provided for February 22, 2010. **Comm. Hungerford** seconded. Motion carried, 7-0.

APPEAL OPTIONS: This action serves a legal notification of the continuance of this item to the February 22, 2010 Planning Commission meeting.