

Hacienda Village Project Description

1. Project Overview

Project Name: Hacienda Village

Assessor's Parcel Number: 205-12-001, 205-12-002, 205-12-003, 205-12-004

Applicant/Developer: Nicholas Gera, Hacienda Garden Properties LLC

Project Type: Mixed-Use (Residential and Retail)

Approvals Requested: Development Review, Grading Permit, Special Development Permit, Zoning Amendment

Hacienda Village is a proposed mixed-use development consisting of residential condominiums and supporting retail uses on 4.22 acres in the City of Sunnyvale. The project proposes to demolish most of the existing on-site improvements and develop a horizontal mixed-use project consisting of 67 residential units and approximately 15,635 square feet of new commercial space. The existing 2,900-square-foot commercial building located at the southeast corner of the site (Speedy's Tacos) would remain.

2. Project Location

The project site is located at 911 East Duane Avenue, at the northwest corner of East Duane Avenue and San Rafael Street. The site is currently developed with an L-shaped, single-story commercial building totaling approximately 55,867 square feet, originally constructed in 1959 and expanded in 1979, and occupied by a variety of uses including grocery stores, restaurants, and other retail uses. A separate square-shaped, single-story commercial building of approximately 2,900 square feet is located at the southeast corner of the site and is currently occupied by a restaurant (Speedy's Tacos). The site is bordered by:

- **North:** Residential Development
 - **South:** Residential Development/Wiser Park
 - **East:** Residential Development
 - **West:** Residential Development
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3. Existing General Plan and Zoning Designations

General Plan Designation

The project site is designated Village Mixed-Use (VMU) under the City's General Plan. The General Plan identifies commercial uses as a critical component of VMU sites and anticipates that future mixed-use development includes commercial components comprising a minimum of 10 percent

and up to approximately 25 percent of the total lot area. Residential development within most VMU areas is expected to achieve an average density of 18 dwelling units per acre.

Existing Zoning

The project site is zoned Commercial (C-1) with a Planned Development (PD) Overlay. The C-1 Neighborhood Business zoning district is intended to accommodate commercial buildings that provide retail shopping and service uses serving adjacent residential neighborhoods. Residential uses are permitted within the C-1 district subject to approval of a Special Development Permit. For residential development within the C-1 district, the Zoning Code requires compliance with the development standards of the lowest-density residential zoning district that would allow the density established by the General Plan. Based on the General Plan density applicable to the site, the project is required to comply with the R-3 zoning district development standards.

4. Proposed Project Description

The proposed Hacienda Village project includes the development of residential units and neighborhood-serving retail uses within a horizontal mixed-use site.

Residential Component

- **Size:** 3.42 acres
- **Residential Use Types:** Townhomes, Flats
- **Number of Buildings:** 14 residential buildings each with 4, 6, or 7 units
- **Number of Units:** 67 units (55 townhomes, 12 flats)
- **Residential Density:** 15.87 dwelling units per acre
- **Building Stories / Height:** 3 stories (with a maximum height of 38 feet)
- **Parking:** Each residential building would contain a ground-floor two-car garage with additional street parking on the proposed private drive.
- **Support Features:** The project would provide approximately 16,502 square feet of common amenity space consisting of landscaped areas in between the buildings approximately 9,000 square feet of private open space consisting of private porches and decks for units.

Retail / Commercial Component

- **Size:** 0.8 acres
- **Commercial Building Area:** 15,635 sq. ft. + existing 2,900 sq. ft. = 18,535 sq. ft.
- **Number of Buildings:** 1 commercial building
- **Building Stories:** 2 stories
- **Floor Area Ratio:** 10.1% (100 x (18,535 sq. ft. floor area / 183,823 sq. ft.))
- **Primary Access Points:** Along the southern boundary of the project site along East Duane Avenue
- **Parking:** Parking lot located adjacent to the commercial building (50 spaces).

5. Anticipated Retail Uses

Retail Uses Allowed Under Existing Zoning

Under the existing C-1 zone, the following commercial uses are permitted or conditionally permitted:

P = Permitted Use UP = Use Permit Required MPP = Miscellaneous Plan Permit Required	
Retail Commercial	
Bakeries	P
Drive-through retail sales businesses, except restaurants	UP
Retail sales businesses	P
Outside display of merchandise or products in connection with a retail sales business	MPP
Donation centers for used goods	MPP
Retail liquor stores outside 200 feet of public schools	P
Service Commercial	
Open or unenclosed storage ancillary to a permitted use (screened from public view)	P
Repair shops for household appliances and apparel	P
Retail service uses such as copiers, locksmiths, and engravers not using chemical processes	P
Personal Service	
Child care centers with occupancy of 30 or fewer children	MPP
Child care centers with occupancy of 31 or more children	UP
Laundry, cleaning business, self-operated laundries, and dry cleaners	UP
Personal service businesses not otherwise specified	P
Eating/Drinking Establishments	
Drive-through restaurants	UP
Nightclubs and cocktail lounges, where alcoholic beverages are sold and consumed	UP
Restaurants and fast food restaurants that may have on sale beer and wine alcohol beverage service	MPP P
Restaurants and fast food restaurants that have on sale general alcoholic beverage service	UP P
Automotive	
Automotive service stations:	UP
Retail sales of groceries at permitted stations	MPP
Retail sale of beer and wine at permitted stations	UP
Education, Recreation, and Places of Assembly	
Education—Recreation and enrichment	MPP
Education—Primary and high school	UP
Education—Institution of higher learning	UP
Recreational and athletic facilities	UP
Places of assembly—Business serving	UP
Places of assembly—Community serving	UP
Entertainment establishments	UP
Office	
Ground floor dependent office less than 1,000 square feet	P
Ground floor dependent office greater than 1,000 square feet	MPP
Office not located on the ground floor	P
Financial institutions	MPP

Medical clinics	MPP
Public Facilities	
Bus terminals and other public transportation facilities	UP
Public utility buildings and service facilities	UP
Other	
Massage establishments	P
Recycling centers	UP
Animal hospitals and clinics	UP

Alcohol Sales and/or On-Site Consumption

Within the C-1 zone, retail liquor stores located more than 200 feet from a public school are permitted. Restaurants and fast-food restaurants proposing on-sale beer and wine service are subject to approval of a Miscellaneous Plan Permit, while restaurants and fast-food restaurants proposing on-sale general alcoholic beverage service require approval of a Use Permit. All alcohol-related uses would also be subject to compliance with applicable zoning standards and permitting requirements, as well as licensing by the California Department of Alcoholic Beverage Control (ABC).

As part of the project request, an amendment to the C-1 zoning regulations is proposed to allow on-sale alcoholic beverage service as a permitted use for restaurants and fast-food restaurants. This amendment is intended to support the economic viability and functionality of on-site dining uses while maintaining consistency with the intent of the C-1 zone.

6. Affordable Housing Considerations

Applicable Affordable Housing Requirements

Pursuant to Sunnyvale Municipal Code (SMC) §19.77, residential developments that construct three or more rental units after November 8, 2019, are generally subject to affordable housing requirements. These requirements apply to ensure that the City maintains and expands its supply of affordable rental housing to low- and very low-income households. Specifically, the base inclusionary requirement under SMC §19.77.050 mandates that at least 15% of total project rental units be provided as affordable rental units 10% to low-income households and 5% to very low-income households unless an alternative compliance option is approved.

Use of Ordinance Provision to Remove Requirement

The Hacienda Village project is located within a Village Mixed Use (VMU) General Plan land use designation and is therefore subject to the modified affordable housing provisions set forth in Sunnyvale Municipal Code (SMC) §19.77.040(b) and (c). These provisions establish alternative inclusionary housing requirements for qualifying Village Mixed Use projects that meet specific locational and development criteria.

The project site satisfies the applicability criteria of SMC §19.77.040(b), including:

1. The site has a General Plan land use designation of Village Mixed Use;
2. The site is not identified in the Housing Element as available for lower income housing;
3. The site is not located within 1,700 feet walking distance via public street from any C-1, C-2 or MP-AC zoned property (excluding properties in the same Village Center as the project site), as measured from the closest point of the C-1, C-2 or MP-AC zoned property to the farthest point of the project site;
4. The site is located north of El Camino Real;
5. The site is located entirely within a Village Center, and that Village Center is no more than 6.0 acres in size; and
6. The project has a minimum residential density of 13 dwelling units per acre (for the entire project site).

Pursuant to SMC §19.77.040(c), Village Mixed Use projects that include over 10% commercial or retail FAR are not subject to a below-market-rate (BMR) housing requirement. Accordingly, the Hacienda Village project qualifies for removal of the affordable housing requirement that would otherwise apply under SMC Chapter 19.77.

This ordinance-based exemption is consistent with City regulations intended to promote mixed-use development within Village Centers while maintaining compliance with applicable City, State, and regional housing policies.



RESIDENTIAL PROJECT DATA

Applicant should refer to the Sunnyvale Municipal Code for current requirements.

Sunnyvale

	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
■ General Plan Category	Village Mixed Use	Village Mixed Use	N/A
■ Zoning District	C1 (R3 applied)	C1	N/A
■ Use (If vacant, how long has it been vacant?)	Retail, Shopping Center	Mixed Use	N/A
■ Lot Size (sq. ft.)	183,730	183,730	8,000 min.
■ Gross Floor Area (sq. ft.)	58,700	158,643	N/A max.
■ Floor Area Ratio (%)	0.32 Retail	0.10 Retail	0.10 min. max.
■ Lot Coverage (%)	31.9	34.3%	40% max.
■ Number of Units	0	67	101 max.
■ Density (units/acre)	18	15.9	18 expected average max.
■ Meets 75% min?	unknown	unknown	unknown max.
■ Bedrooms / Unit	N/A	2 or 3 bedrooms per unit	N/A max.
■ Unit Sizes (sq. ft.)	N/A	1,620, 1,841, 2,150 & 2,189	N/A
■ Lockable Storage / Unit (cu. ft.)	N/A	provided in garages	24,300 max.
■ Number of Buildings On-Site	2	16	N/A
■ Distance Between Buildings	142'	19'-10.8"	N/A min.
■ Building Height (ft.)	20'	39'-10.5"	35' max.
■ No. of Stories	2	3	3 max.
■ Front Setbacks (1 st Story/2 nd Story)	12'	5'	15' min.
■ Left Side Setbacks(1 st Story/2 nd Story facing property)	22'	30'	6' min.
■ Right Side Setbacks(1 st Story/2 nd Story facing property)	14'	7'	6' min.
■ Rear Setback	15'	6'	20' min.
■ Landscaping (total sq. ft.)	6,556	36,372	34,425 min.
■ Landscaping (sq. ft./unit)	N/A	542	425
■ Useable Open Space (sq. ft./unit)	N/A	246 provided/400 required	15 ft. min.
■ Parking Lot Area Shading (%)	less than 1%	15%	50% min. in 15 yrs.
■ Water Conserving Plants (%)	unknown	78%	70% min.
■ Total No. of Parking Spaces	275	216	245 min.
■ Standards	unknown	0	3 min.
■ Compacts / % of total	unknown	18 / 8%	6 max.
■ Accessible Spaces	5	5	6 min.
■ Covered Spaces	0	134	79 min.
■ Aisle Width (ft.)	13' & 42'	24' & 26'	24'
■ Bicycle Parking	unknown	9 racks for 18 bicycles	18 bicycles
■ Impervious Surface Area (sq. ft.)	177,174	87,145	87,145
■ Impervious Surface (%)	96	47.4	47.4

One-Stop Permit Center at City Hall, 456 W. Olive Ave., 408-730-7444
Building and Planning Division representatives are available 8 a.m. - 12:30 p.m. and 1 p.m. - 5 p.m.
Sunnyvale.ca.gov - Search "Planning and Building"

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Hacienda Village Housing Development Project: 911-933 E. Duane Avenue, Summary of Anticipated Exceptions to Development Standards			
Relevant Standard	Description of Standard	Exception to Development Standard	Basis For Exception
SMC § 19.48.030	26-foot required setback between buildings.	19.8-foot minimum setback.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC § 19.32.020; Table 19.32.020.	35-foot height limit for residential buildings.	Project buildings would range from 35.9 to 39.9 feet in height.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC § 19.34.030; Table 19.34.030.	15-foot building setback – front.	5 feet.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse

			impacts to adjacent properties, circulation, or site operations.
SMC § 19.34.030; Table 19.34.030.	20-foot building setback: rear.	6 feet.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC § 19.34.030 And 19.34.080	12 Foot Side Setback 21 Foot Side Setbacks Combined	5 Foot Side Setback 10 Foot Side Setbacks Combined	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC § 19.34.030	70 Foot Front Setback in C-1 zone.	5 feet.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.

<p>SMC § 19.46.050; Table 19.46.050.</p>	<p>245 parking spaces required</p>	<p>216 spaces.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>SMC § 19.46.120</p>	<p>Trees shall be planted and maintained so that 50% of parking area is shaded within 15 years.</p>	<p>15% of parking area will be shaded within 15 years.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>SMC § 19.37.040(c).</p>	<p>15 foot minimum landscape frontage strip from inside edge of public sidewalk to building.</p>	<p>7 foot minimum.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>SMC § 19.38.045(b).</p>	<p>250 square foot community</p>	<p>No community room provided.</p>	<p>The requested exception is warranted because strict application of the development</p>

	room requirement.		standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC §§ 19.38.090, 19.38.095, and 19.38.100; Objective Design Standard 5.6.2.1	Requirement to underground existing overhead utilities.	Overhead utilities not undergrounded.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
Submittal Checklist, SMC 19.32.020 and SMC 19.56.020	Solar Shading less than 10%	The Solar Access Study has been updated with data to include average shading percentages at 9am, noon, and 3pm, across the year. Including the noon data point reduces the shading percentages significantly across all lots. In the previous submittal, four lots exceeded the 10% shading threshold. With the updated data point to include noon shading, only two lots exceed the 10% shading threshold. Lot S: 11.2%,	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.

		<p>and Lot T: 11.8%. Please see Sheets A11, and A11.1 for updated information. Since bringing the last two lots into compliance under the 10% shading threshold would require a significant enough modification of the architecture to cause a reduction in the number of units and a consequent density reduction for the project, the developer is requesting a waiver for the 10% max. shading percentage on lots.</p>	
<p>Objective Design Standards 2.2</p>	<p>Location of Parking</p> <p>Other than accessible or underground parking spaces, is prohibited in front setback.</p> <p>Parking within 100' of the public right-of-way shall be located behind or inside buildings or in an underground parking facility.</p>	<p>Parking is located within the required setback along San Rafael Street, and is not located behind a building.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>

<p>Objective Design Standards 2.3</p>	<p>Multi Family Transition Space, 50 points required.</p>	<p>Project does not meet the minimum point requirement, as non-compliant architectural, planting bed and buffers are proposed for this project.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>Objective Design Standards 3.3</p>	<p>Side/Rear Context The minimum daylight plane angle from a rear or side lot line shared with existing R-0, R-1, R-1.5, R-1.7/PD and R-2 residential zoning districts shall be 45 degrees as measured from the ground level at the subject property line, perpendicular to the property line.</p>	<p>The project meets Daylight Plane requirements at all locations except at Building 1 (right elevation), and Building 2 (left elevation). Since meeting the standard would require a significant enough modification of the architecture to cause a reduction in the number of units and a consequent density reduction for the project, the developer is requesting a waiver for the 10% max. shading percentage on lots.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>Objective Design Standards 3.7</p>	<p>Pitched roof eave projection: 2' required.</p>	<p>Pitched roof eave projection: 1' provided.</p>	<p>The 1' eave is more in keeping with the architectural style for this project. The developer is requesting an exception to reduce the 2' eave depth requirement to 1'.</p>

<p>Objective Design Standards 5.6</p>	<p>Back Flow Preventer Screening Approaches: indicate how 50 points have been achieved</p>	<p>Backflow Preventer Screening will not score at least 50 points. For 5.6.1 applicant relocated the AC units from the front of the building to the side of the building. See sheet C5.</p> <p>5.6.1.3 - BFPs will be screened. Screen for irrigation BFP is on sheet L015.</p> <p>5.6.2 - Transformers will be underground. See sheet C13.</p> <p>5.6.2.3 - Project complies with Access to Trash Collection Facilities, see sheet C9.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>Objective Design Standards 6.2</p>	<p>External Accessibility / Pedestrian Pathway Design Approaches: show how the 120 points have been met</p>	<p>Project does not meet the minimum point requirement, as non-compliant walkway widths, planting materials, landscape features and lighting are proposed for this project.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>Objective Design Standards 6.4</p>	<p>Open Space Amenities: show how 50 points been met</p>	<p>Project does not meet the minimum point requirement, as non-compliant landscaping</p>	<p>The requested exception is warranted because strict application of the development standard would require the</p>

		is proposed for this project.	Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC 19.46.120	Parking Lot Shading Trees shall be planted to ensure that at least fifty percent of the parking area will be shaded within fifteen years of tree establishment.	Trees shall be planted to ensure that 15 percent of the parking area will be shaded within fifteen years of tree establishment.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.
SMC 19.38.030 and Table 19.37.040	Minimum Useable Open Space Dimensions and Area. Each useable open space area shall have at least a twelve foot dimension in any direction and a minimum area of two hundred square feet except for: Private balconies must have a minimum of seven feet in	Private balconies and porches do not meet the stated requirements, please see dimensions on architectural plans. Project does not meet the 400 square feet of usable open space per unit, and instead provides 246 square feet per unit.	The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed density and commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.

	<p>any direction and a minimum area of eighty square feet. Roofs, decks or porches must have a minimum of ten feet in any direction and a total of one hundred twenty square feet.</p>		
<p>SMC 19.46.120</p>	<p>Landscaping Area. Parking lot landscaping shall follow the general requirements of Chapter 19.37 (Landscaping, Irrigation and Useable Open Space). A minimum of twenty percent of the parking lot area is required to be landscaped.</p>	<p>15% of the parking lot is proposed to be landscaped.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed commercial FAR of 10%. The deviation does not create adverse impacts to adjacent properties, circulation, or site operations.</p>
<p>SMC 19.38.030</p>	<p>Recycling and solid waste enclosures shall be located within one hundred fifty feet by path of travel from any dwelling unit or</p>	<p>A portion of Building 16 exceeds 150' with a maximum distance of 233' from a recycling/solid waste enclosure.</p>	<p>The requested exception is warranted because strict application of the development standard would require the Project to be reconfigured and physically preclude the construction of the Project at its proposed commercial FAR of 10%. The deviation does not create adverse impacts to</p>

	commercial business.		adjacent properties, circulation, or site operations.
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