

Project Description Letter

Project Location

Parcel Number: 205-21-010

Legal Description: The land referred to herein below is situated in the City of Sunnyvale, in the County of Santa Clara, State of California, and is described as follows: Parcel B, as shown on a Parcel Map recorded February 10, 1978 in Book 412 of Maps, Page 42 of Santa Clara County.

Site Address: 845 Stewart Drive, Sunnyvale, CA 94085

Detailed Narrative

The site currently is developed with an office building (that includes a restaurant) and a parking lot. The project will demolish the existing improvements, grade the site, install new utilities, and construct 28 townhome-style condominiums. It will connect to existing City utilities and roadways, install new landscaping, and provide 4 affordable housing units.

Proposed Project Details

- Four 3-story all-residential buildings are proposed. Building 1 will be 20,605 square feet (inclusive of garages). Building 2 will be 5,859 square feet. Building 3 will be 20,605 square feet. Building 4 will be 9,087 square feet.
- In total, the project will be 43,484 square feet of residential living space (12,672 garage square feet). No non-residential square footage is proposed.
- Measured from top of nearest curb, the buildings will have a maximum height of 40-feet 8-inches.
- The project will have 28 residential units.
- 61 parking spaces will be provided (2 per unit in covered, attached garages [56] and 5 additional parking spaces).
- 4 affordable units, 15% of the proposed project, will be sold at moderate affordability levels, consistent with the City's Municipal Code.
- No bonus units are being requested pursuant to Government Code 65915. The City's General Plan allows for up to 24 dwelling units per acre on the 1.16-acre site (28 units max). The project proposes 28 units.
- There are no existing residential units on the project site.

Information Regarding Requested Approvals

The project requests a Vesting Tentative Map, Design Review, and a Tree Removal Permit.

The project is eligible for a density bonus concession and waivers consistent with state Government Code §65915. Accordingly, City Ventures is proposing a concession and waivers as detailed in the chart below. We reserve the right to request additional concessions or waivers and concessions in the future in accordance with state law.

Density Bonus Summary	
<u>Topic</u>	<u>Description</u>
<i>Concession 1</i>	<i>The project is entitled to receive one concession for having more than 10% of the base density be moderate income units.</i>
East Sunnyvale Sense of Place Plan graphic for street trees	<p>The East Sunnyvale Sense of Place Plan graphic depicts street trees within the parkstrip along Stewart Drive. Existing underground electrical lines are located directly beneath the planned parkstrip along Stewart Drive. Planting street trees in this location would create direct conflicts with these utilities and cannot be accomplished without relocating the underground electrical infrastructure.</p> <p>Accordingly, the project requests a concession from the requirement to install street trees on Stewart Drive as shown in the East Sunnyvale Sense of Place Plan graphic. Instead, the project will construct the required parkstrip and install low plantings such as grasses and groundcover.</p>
<i>Waivers</i>	<i>In addition to incentives or concessions, a developer may request waivers of any development standards that would have the effect of physically precluding the construction of a development at the density or with the incentives or concessions permitted by the State Density Bonus Law (SDBL).</i>
1) Setbacks	<p>Table 19.34.030 of the Sunnyvale Municipal Code establishes a 6-foot side yard setback for the R-3 Zoning District. Sunnyvale Municipal Code §19.34.080 (Side yards-Increase-Multi-story) requires each side yard to be increased three feet for each additional story above the first story. The project proposes 3-story buildings and is thus subject to 9-foot 2nd story setbacks and 12-foot 3rd story setbacks. The western property line of the project site is a side yard. A minimum 5-foot setback is proposed from this property line for 1st, 2nd and 3rd story setbacks. The 285-foot-wide site does not support the city-permitted density with the required minimum side yard setback and graduated 2nd and 3rd story setbacks. The project proponent desires to maximize the density on site and the proposed waiver would accommodate a 28-unit project. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).</p>
2) Maximum Building Height	<p>Table 19.32.020 of the Sunnyvale Municipal Code establishes a 35-foot maximum building height for the R-3 Zoning District. The project proposes a maximum height of 41 feet and 8 inches. To deliver the full project unit count, the building must include 3 stories, which cannot be compressed into 35 feet without compromising minimum ceiling heights, code-required floor</p>

	heights, or eliminating full residential floors. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).
3) Lot Coverage	Table 19.32.020 of the Sunnyvale Municipal Code establishes a maximum lot coverage of 40%. In order to provide a project that maximizes the density of the site, while providing five guest parking spaces, walkways that meet the minimum width requirement of the City's Objective Design Standards, and adequate paved roadways for trash collection and fire access, the project requires a lot coverage of 41.7%. This is 1.7% above the City's maximum lot coverage. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).
4) Min. private balcony dimensions	Section 19.37.100(d) of the Sunnyvale Municipal Code requires private balconies to have a minimum dimension of 7 feet in any direction and area of 80 square feet and roofs. The project's private balconies are 5 feet deep and 15 feet 6 inches wide (77.5 square feet). Complying with the full 7-foot depth and 80-square-foot minimum for every balcony and 200 square foot minimum usable open space would require significant changes to the building footprint which would result in reductions in unit count. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).
5) Site Design Standards (ODS 2.2, Table 2A)	<p>The ODS require buildings on corner lots to include at least one entry and direct pedestrian access from both street frontages. Direct pedestrian access is provided. While the Stewart Drive buildings face the primary street, they are not oriented toward the De Guigne Drive side. The dual frontage, corner lot physically precludes compliance with this standard while maintaining the minimum density. Reorienting the building footprints to provide entrances on De Guigne Drive would result in a loss of units and non-compliance with fire access requirements. Enhanced elevations have been added to these buildings, however, to comply with the intent of the requirement. Enhancements include arbors and climbing vines. Additionally, utilities closets for these buildings are located on the west sides of the buildings (opposite of De Guigne Drive).</p> <p>The ODS prohibit parking in the front setback and for parking within 100 feet of the public right-of-way to be located behind or inside buildings or in an underground parking facility. The project</p>

	<p>provides five surface parking spaces to accommodate the maximum guest parking the site can provide without the loss of units. Four of the project's five shared (guest) parking spaces are located outside of the front setback, with one space located partially in the front yard setback. Fifty-six of the project's 61 parking spaces are located inside buildings, with the remaining five surface spaces not behind or inside buildings or 100 feet from the public right-of-way. The site geometry does not accommodate locating the five surface spaces behind buildings or underground, as drive isles would need to be widened in a way that would result in a loss of units. Similarly, relocation of the fifth parking space to be entirely out of the front yard setback would result in a roadway shift that would alter building footprints as well as stormwater treatment areas that would result in a loss of units.</p> <p>The ODS require minimum ground floor plate heights of 14 feet. The project proposes a 9-foot, 1-inch ground floor plate height. Increasing the ground floor plate height by 4 feet and 11 inches to achieve a minimum 14 feet would further increase the building height and require the reconfiguration of dwelling units to offset the added vertical mass, resulting in the loss of units and thereby physically precluding the project. Absent these waivers, application of these development standards would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).</p>
6) Access to Parking and Service Areas (ODS 5.2)	<p>The ODS require a minimum three-foot-wide landscaped area for the first 50 feet of vehicle access lanes as well as a minimum five-foot-wide pedestrian walkway on at least one side. The project provides 7 feet of landscape area on the west side of the vehicle access lane and 2-feet, 9-inches on the east side, and pedestrian access behind buildings 3 and 4 as well as on the west side of building 1. Additionally, the ODS require a driveway throat length of 30 feet with no parking located within the driveway throat. They also require at least one parking space to be dedicated to loading/unlocking or pick-up/drop-off activities per building and located within 10 feet of that building and be at least 350 square feet and 35 feet long minimum in one direction. Requiring a 30-foot driveway throat length and dedicated large loading spaces for each building would consume significant site area that would otherwise be used for residential units, landscaping, or open space. Additionally landscape area would also take up space that is occupied by residential units. These dimensional requirements conflict with site constraints and density goals and would result in the removal of units, physically precluding development of the project at the density allowed. Absent these waivers, application of these development standards would physically preclude construction of the proposed housing development project at the</p>

	permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).
7) Ground-Mounted Services and Utilities (ODS 5.6), Transformers, and Screening of Equipment	The ODS disallow ground-mounted utilities or mechanical equipment from being located in a front setback area. Locating ground-mounted utilities outside of the front setback area for the double-frontage lot would reduce usable site area and physically preclude development at the density allowed. The project will, however, comply with the City's ODS Location Exception Requirements for utilities that are required to be located in the front yard. SMC 19.38.090 also requires transformers to be undergrounded, and 19.38.020(a) requires that exterior mechanical, electrical, and other equipment be screened from view, including that equipment may not be located between the building and the street. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).
8) Exterior Common Open Space (External Accessibility; ODS 6.2.1.2)	ODS Table 6A requires a minimum score of at least 120 points for pedestrian pathway linking public rights-of-way. The project will provide a 6-foot-wide pathway with colored concrete that will achieve 40 points. It will also include a drinking fountain and trash bins, recycling bins and pet waste receptables every 150 feet (40 more points). This leaves the project 40 points short of the ODS-required score. Without a loss of units, the site does not have adequate space to accommodate any of the other items that score points in the ODS Paver Material (8" wide paver bands) or Landscaping and Furniture Adjacent to Pedestrian Pathway/Walkway (tree lined every 25 feet, benches every 50 feet, lighting every 20 feet). Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).
9) Surface Parking Landscaping (ODS 7.7)	The ODS require the minimum 10-foot-wide buffer between surface parking and pedestrian walkways. The project's 5 surface parking spaces are separated from the adjacent pedestrian walkway by a curb. Strict adherence to the required buffer width and landscaping design would require reduction of buildable area, reconfiguration of drive aisles and parking, or the elimination of dwelling units. On a constrained infill site, this standard physically precludes the development of the project at the density allowed. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density and with the incentive/concession permitted under the State Density Bonus Law (SDBL).

10) Shading Requirements	SMC 19.46.120(g) requires trees to be planted and maintained throughout the parking lot to ensure that at least 50% of the parking area will be shaded within 15 years of tree establishment. All surfaces that can be driven on, including parking spaces, vehicular drives, drive-through lanes and maneuvering areas are subject to shade calculation. Up to 25% of the 50% parking lot shading requirement (12.5% of the total parking lot area) may be met with installation of solar energy systems rather than trees. Shading is calculated by using the diameter of the tree crown at fifteen years or the dimensions of any roofed area within the parking lot. The project as proposed does not meet the 50% shading requirement; there is physically insufficient space on the site to provide sufficient additional landscape area to enable planting of additional trees with sufficient space for their root structures to survive while retaining the same number of units on the site plan. Accordingly, the project requests a waiver from this requirement. Absent this waiver, application of this development standard would physically preclude construction of the proposed housing development project at the permitted density.
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The project also requests parking reductions pursuant to Government Code 65915.

No Point Sources Proposed

The proposed residential project does not propose any point sources of air or water pollutants.

Species of Special Concern

Per the project biologist, there are no species of special concern known to occur on the property.

Historic or Cultural Resources

Per the City's list of historic properties and the project CHRIS review, there are no historical resources known to exist on the property.

Protected Trees

The location of the utilities, circulation access design for resident, delivery, emergency, and refuse vehicles, and open space requirements preclude the design of the proposed project from being able to be altered to maintain the protected trees onsite. Specifically, most of the existing trees are along the site's Stewart Drive frontage, between the street and the existing building. The proposed project will install new sidewalk, stormwater treatment areas and ADA access pathways where the existing trees proposed for removal are located.

City Ventures has designed a project in substantial compliance with the City's standards, guidelines, and regulations, and numerous proposed plantings, including new trees, are proposed as part of the project. Modification of the project to preserve the existing trees would physically preclude the project from being built at a density consistent with what the General Plan allows.