



City of Sunnyvale

Agenda Item

23-0590

Agenda Date: 5/22/2023

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project: Related applications on a 0.85-acre site:

SPECIAL DEVELOPMENT PERMIT: to allow construction of 18 three-story condominium units and the retention of one single-family house (156 Crescent Avenue); and,

TENTATIVE MAP: to create one lot and 19 condominium units.

Location: 148 and 156 Crescent Avenue (APNs: 211-35-008 and 211-35-009)

File #: 2021-7826

Zoning: R3/PD - Medium Density Residential / Planned Development

Applicant / Owner: Samir Sharma (applicant) / Crescent Avenue LLC (owner)

Environmental Review: A Class 32 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions.

Project Planner: Momo Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Medium Density Residential

Existing Site Conditions: A one-story single-family house, a two-story single-family house, a warehouse building, and accessory structures

Surrounding Land Uses

North: Senior residential care facility across Crescent Avenue

South: Multi-family residential (apartment complex) and duplex

East: Multi-family residential (condominium development)

West: Multi-family residential (senior apartment complex)

Issues: Neighborhood Compatibility and Waivers from Development Standards

Staff Recommendation: Approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4.

BACKGROUND

Description of Proposed Project

The project site is comprised of two parcels totaling 0.85 acres. The proposed project includes the following:

- Demolition of the existing house and detached garage at 148 Crescent Avenue;
- Preservation of the existing house and demolition of the accessory structures at 156 Crescent Avenue; and
- Construction of 18 three-story townhomes within two buildings sited perpendicular to Crescent Avenue.

The project proposes to utilize the State Density Bonus Law and is requesting waivers from

23-0590

Agenda Date: 5/22/2023

development standards.

A Special Development Permit (SDP) is required for the development of multi-family projects in the R3/PD zoning district. A Tentative Map (TM) is required for the creation of 19 condominium units for individual ownership and one common lot. The findings required in order to grant an SDP and TM are discussed in Attachment 3.

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project.

Previous Actions on the Site

The area was originally developed as part of the Easter Gables subdivision. The house at 156 Crescent Avenue was constructed in 1927, and the house at 148 Crescent Avenue was constructed in 1953 and was expanded with a two-story rear addition in 1964.

The properties were included on the Sunnyvale Heritage Resource Inventory in 1979 as part of the "Crescent Avenue Streetscape". The Heritage Preservation Commission (HPC) approved Resource Alteration Permit #2021-7265 on May 3, 2023, to remove 148 Crescent Avenue from the Heritage Resource Inventory and consider the impacts of the 18-unit townhouse development and minor exterior improvements for the house at 156 Crescent Avenue. A condition of approval was added by the HPC to include a historical plaque honoring the heritage resource and the significance of the agricultural heritage of the site (see Attachment 11).

There are no active Neighborhood Preservation complaints at the sites.

EXISTING POLICY

General Plan Goals and Policies: Key goals and policies from the General Plan Land Use and Transportation Element and Housing Element which pertain to the proposed project are provided in Attachment 3.

Density: Housing types that are typical in the R-3 zoning district include townhouse style developments and podium style residential buildings and the applicant has proposed to construct a townhouse style condominium for compatibility with the surrounding multi-family developments. The project complies with General Plan Policy HE-4.3, which requires new developments to build to at least 75% of the maximum zoning density. The project proposes 93% of the maximum density.

ENVIRONMENTAL REVIEW

The Class 32 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions (see Attachment 5). Class 32 Categorical Exemptions include in-fill developments that are:

- Consistent with the General Plan and Zoning Ordinance;
- Within city limits on sites that are no more than five acres;
- Not on sites that include habitats for endangered, rare or threatened species;
- Not having a significant effect on traffic, noise, air quality or water quality; and
- On sites that are adequately served by utilities and public services.

DISCUSSION

23-0590

Agenda Date: 5/22/2023

Present Site Conditions

The project site is located mid-block on the south side of Crescent Avenue between Manet Drive and Sunnyvale-Saratoga Road, a six-lane Class I arterial street. The site is surrounded by two- to three-story multi-family developments and a duplex. The 148 Crescent Avenue site is a 6,450-square foot rectangular lot. The 156 Crescent Avenue site is 30,483 square feet and extends deeper beyond the front parcel (148 Crescent Avenue). The combined site is currently developed with two single-family homes, a detached garage with a patio cover, three accessory structures, a 5,800-square foot cold storage warehouse, surface parking, and landscaping.

Site Layout and Architecture

The lot is narrow and deep measuring 120 feet wide at the street and 230 feet in length. The house at 156 Crescent Avenue will be retained at its current location. All other structures will be removed. One three-story building with 10 units will be located on the west side and another three-story building with eight units will be located on the east side. A single driveway access is proposed from Crescent Avenue with five guest parking spaces, a small open amenity space, bicycle racks and mailboxes located at the south end (see Attachment 6).

The project architecture can be described as Craftsman style with the use of stucco, horizontal and vertical siding as exterior materials, exposed rafters at gable ends, and contrasting colors of the Craftsman period. Subsequent to the Planning Commission Study Session on April 10, 2023, the applicant incorporated positive design aspects from the two design alternatives presented to the Commission. Some of changes incorporated are garage doors that are more reflective of the Craftsman details with windows, massing and articulation on the long elevations of the townhouse buildings, and the application of more horizontal siding on the insets. Staff is supportive of the changes as it improves massing with architectural features and varying projections, height, and color schemes.

DEVELOPMENT STANDARDS

The project complies with several applicable development standards in the Sunnyvale Municipal Code, such as lot coverage, height, and solar access. The applicant proposes to utilize the State Density Bonus Law to waive five development standards and allow reduced parking. The Project Data Table in Attachment 2 summarizes the project's compliance with SMC development standards.

State Density Bonus Law

The project will include two affordable units that will be available for sale to very low- and low-income households with a 0.7 fractional payment in lieu (15% affordable). This triggers the entitlements in the State Density Bonus Law that allows a developer to request one concession, unlimited number of waivers, and reduced parking.

Concession: A concession is not being requested.

Waivers: Unlimited waivers (reduction in development standards) are permitted if the applicant can demonstrate that site constraints physically preclude them from constructing the development with the allowed number of units. The applicant has provided a letter (see Attachment 9), which provides justifications. The applicant requests the following six waivers:

1. Side yard setbacks - 7.5 feet on first floor and 10.5 feet on the second floor, where 12 feet

23-0590

Agenda Date: 5/22/2023

- minimum is required;
2. Combined side yard setbacks - 15 feet on the first and second floors and 21 feet on the third floor, where 24 feet minimum is required;
 3. Distance between buildings - 20.5 feet (house to Building 2), where 26 feet minimum is required;
 4. Landscape - 247 square feet per unit, where 425 square feet per unit minimum is required;
 5. Usable open space - 225 square feet per unit, where 400 square feet per unit minimum is required;
 6. Garage space to accommodate solid waste bin storage - 435 square feet, where 450 square feet is required.

As noted, the project site is narrow and deep. The reduced side and combined side yard setbacks allow the 26-foot wide driveway access to be maintained, which is a requirement for emergency vehicle access as well as solid waste and recycling truck access. The reduced distance between the historic house and Building 2 allows for the house to remain in its current location while providing uncovered parking and hammerhead turnaround access for emergency and solid waste/recycling vehicles at the south end of the property. The waiver for the landscape and usable open space requirement allows for the retention of the historic house and the number of proposed units.

The City's solid waste and recycling design guidelines for multifamily developments recommend a 50-square foot increase in the minimum 400-square foot two-car garage size to accommodate recycling and garbage bin storage space inside the garage. In terms of the garage space for solid waste bin storage, the applicant has noted that all of the proposed units will have washer and dryer spaces inside the units (typically located inside garages) and have illustrated on each garage plan that there is sufficient space inside the garages for recycling and garbage bins.

Therefore, staff is able to make the finding that the waivers are needed to achieve the proposed density and the retention of the historic house while maintaining safe access for the development and would not result in an adverse impact.

Reduced Parking: Sunnyvale Municipal Code (SMC) Section 19.46 requires a minimum of 45 parking spaces (average of 2.4 spaces per unit). The State Density Bonus Law automatically allows 29 reduced parking spaces (average of 1.5 spaces per unit).

The proposed project provides 37 assigned spaces and five unassigned spaces, for a total of 42 on-site parking spaces. The assigned parking spaces will be within the two-car garages per townhouse unit and one uncovered parking space located behind the historic house. The unassigned parking spaces are located at the south end of the property. Therefore, the project exceeds the minimum density bonus parking requirement by 13 extra parking spaces.

Green Building

The project is required to meet a minimum of 90 Build-It-Green points.

Transportation Demand Management (TDM) Program

The SMC requires all new multi-family residential uses to participate in a TDM program. A minimum of 1.9 points is required from the menu of strategies in the City's TDM program. The project attains 2 points (see Attachment 10 for information concerning the TDM plan).

23-0590

Agenda Date: 5/22/2023

Tree Preservation

A tree survey was provided for the project and staff visited the site with the City Arborist. Seven trees are proposed for removal, of which four are considered “protected” per SMC Section 19.94. Staff is supportive of removal of the protected trees due to conflicts with the location of the proposed buildings and declining health. There are 15 protected trees on adjacent properties close to the property lines which will require protection during construction. Protected-sized trees are required to be replaced per the City’s Tree Replacement Standards, and conditions have been included for staff review of the Landscape Plan including replacement tree reviews (see Attachment 4).

Solid Waste and Recycling Access

The project includes single-family recycling and garbage service, with individual carts to be staged on-site during trash collection. The applicant has worked with Environmental Services and Public Works Department staff to determine that the internal circulation satisfies the requirements for solid waste and recycling collection vehicles.

Vesting Tentative Map

The Vesting Tentative Map calls for subdivision of the existing lot into one parcel with 19 condominiums. A Homeowners Association (HOA) will ensure ongoing maintenance of common areas such as surface parking, private walkways, private utilities, and public utilities.

Easements

The development includes several easements to enable ingress/egress and emergency vehicle access, and a six-foot street easement that would be dedicated along Crescent Avenue. In addition, public utility easements, a public storm drain and sanitary sewer easement, are also provided for private utility access, storm drain access and sanitary sewer access. Per Condition of Approval in Attachment 4, the developer is required to execute a maintenance agreement for perpetual maintenance of certain improvements within these easements.

NEIGHBORHOOD IMPACTS AND COMPATIBILITY

The applicant proposes to develop 18 townhouses on the site. This type of redevelopment has been anticipated in the City’s General Plan and Zoning since the site was zoned to allow for medium density residences. If redeveloped, the site will no longer provide any appearance of its former use as a poultry farm. The house at 156 Crescent Avenue will maintain a visible presence from street view and the community will continue to enjoy a heritage resource in an improved condition. The demolition of the existing home at 148 Crescent Avenue will not be impactful because it does not exhibit any significant characteristics of a style, type, period, or method of construction appropriate for preservation.

The proposed townhouse buildings are three stories at 35 feet in height. The project site is surrounded by multi-family developments which are similar in height. The senior apartment complex to the west is also three stories at 40 feet in height and the condominium development to the east is also three stories at 35 feet in height. Sufficient setbacks and landscaping will be maintained around the heritage resource house to preserve integrity.

FISCAL IMPACT

The project is subject to payment of traffic and park in-lieu fees to the City and school impact fees to

23-0590

Agenda Date: 5/22/2023

the Sunnyvale School District as noted in the Conditions of Approval (Attachment 4). The project is not expected to have a negative fiscal impact to the City.

PUBLIC CONTACT

Neighborhood Outreach Meeting

The applicant held a community outreach meeting on December 7, 2022. Property owners and residents within 1,000 feet of the site were notified. The meeting was held virtually and seven community members attended the meeting. There were questions related to construction timeframe, site layout, parking, unit size, and pricing. Most of the participants expressed support of the project.

Planning Commission Study Session

A study session was held with the Planning Commission on April 10, 2023. At the study session, Commissioners provided comments related to the site layout and architecture of the project. Concerns were noted regarding development standard waivers, accessible units, possible use of balcony space as private open space, location and programming of the amenity open space, cool surface for driveways, townhouse elevations, and garage door designs. The Planning Commissioners supported the retention of the historic house and the proposed architectural design; however, requested elevator access for accessible units, change in garage door design to include windows, application of cool surface technology for the driveway, and to consider improving the elevations on the townhouse buildings. The applicant modified the garage door design based on the Planning Commission comments, which improved the longer elevations of the townhouse buildings. Elevators and enhanced accessibility upgrades were not included in the final design.

One member of the public spoke in support of the project, retention of the historic home, and the waivers.

Heritage Preservation Commission

Heritage Preservation Commission held a public hearing on May 3, 2023. One member of the public expressed concerns related to increase in traffic and noise, and construction impacts.

Notice of Planning Commission Public Hearing

Public contact was made by posting the Planning Commission meeting agenda on the City's official-notice bulletin board at City Hall. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

1,704 notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. At the time of writing this report, staff received two correspondences from residents asking for clarification regarding the notice and potential impacts on their property.

ALTERNATIVES

1. Approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4.
2. Approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and with modified conditions.
3. Do not make the required findings and direct staff where changes should be made.
4. Deny the project.

23-0590

Agenda Date: 5/22/2023

STAFF RECOMMENDATION

Alternative 1: Approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4

The project provides homeownership opportunities on underutilized land within the City. The project is consistent with the R-3/PD zoning district by providing 19 residential units within three-story buildings, where 20 units maximum are allowed. The project will preserve a historic house while utilizing the State Density Bonus Law for waivers from the side and combined side yard setback, distance to buildings, landscape and usable open space standards. While the City has limited discretion on this State Density Bonus allowance, staff finds that the overall project meets the objectives of the General Plan, Zoning District and relevant objective design guidelines.

Prepared by: Momo Ishijima, Senior Planner

Reviewed by: Noren Caliva-Lepe, Principal Planner

Approved by: Shaunn Mendrin, Planning Officer

ATTACHMENTS

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. CEQA Class 32 Exemptions Analysis
6. Site and Architectural Plan
7. 156 Crescent Avenue As Built Plan
8. Color and Materials Board
9. Project Description Letter
10. Transportation Demand Management Plan
11. Link to Heritage Preservation Commission May 3, 2023 Staff Report
12. Heritage Preservation Commission May 3, 2023 Draft Minutes