

PUBLIC HEARINGS/GENERAL BUSINESS

3. [20-0353](#) **Proposed Project:** Related applications on a 0.82-acre site:
 REZONE: Introduce an Ordinance to extend the PD Combining District boundary to include the 585 and 595 Columbia Avenue parcels.
 SPECIAL DEVELOPMENT PERMIT: To allow demolition of existing residential structures and construction of 18-unit

residential subdivision consisting of three-story townhomes with associated site improvements and deviations from minimum rear setback, maximum distance between main buildings and maximum distance to a trash enclosure, and

VESTING TENTATIVE MAP: To create 18 residential lots and one common area lot.

Location: 475 N. Fair Oaks and 585 & 595 Columbia Ave.

File #: 2019-7415

Zoning: R-3/PD and R-3

Applicant / Owner: ADL 11 LLC (applicant) / Henry E Shepherd Trustee and Chung Tai Intl Chan Buddhist Assn (owner)

Environmental Review: Class 32 Categorical Exemption (Infill Development)

Project Planner: Cindy Hom, 408-730-7411, chom@sunnyvale.ca.gov

Principal Planner Shaunn Mendrin presented the staff report and noted minor modifications to the Recommended Conditions of Approval for trees and solid waste.

Assistant Director Andrew Miner added that the City Council will consider the proposed project because it involves a rezone to extend the Planned Development Combining District boundary to include the Columbia Avenue parcels.

Commissioner Weiss asked staff how the eastern side of the property with stamped concrete would be used. Associate Planner Cindy Hom stated that the concrete is decorative paving only. Commissioner Weiss stated her concern for the beautiful tree at the corner of North Fair Oaks and Columbia avenues and asked if it would remain. Associate Planner Hom stated that it is planned for removal. Commissioner Weiss asked about the railing material and Associate Planner Hom responded that it would be made of either wrought iron or steel. Commissioner Weiss confirmed with Associate Planner Hom that every unit would have a roof deck, the noise study conducted demonstrated that the air conditioning units on each deck would comply with noise standards, and there would be no private yards but private usable open space on the roof deck and a small common gathering space on the ground level.

Vice Chair Simons asked about the proposed project's number of stories. Principal Planner Mendrin and Assistant Director Miner responded that the building is three stories with stair enclosures above the third story that lead to the roof deck. Vice Chair Simons confirmed with Associate Planner Hom that all the window mullions and moldings would be the same color and that the Commission can require that as a Condition of Approval. Vice Chair Simons also confirmed with Associate Planner Hom that the Commission can require trees that provide more shade and match the

building heights. Vice Chair Simons asked if staff believes that the tree at the corner of North Fair Oaks and Columbia avenues must be removed. Associate Planner Hom responded that staff can review the area.

Commissioner Rheume stated his interest in the tree at North Fair Oaks and Columbia avenues remaining in place.

Commissioner Harrison noted that trash truck access to the site appears very tight and asked staff to comment. Associate Planner Hom agreed that the access is tight and noted that staff and the applicant determined the proposed plan requires deviations to work and multiple alternative site plan configurations have been considered.

Vice Chair Simons opened the Public Hearing.

Rob Dowling, Project Manager representing Aron Developers, presented images and information about the proposed project.

Commissioner Weiss asked if staff performed vision triangle measurements for the tree at North Fair Oaks and Columbia avenues. Mr. Dowling stated that there is a 40 x 40 vision triangle at that corner and Associate Plan Hom stated that it appears from the plans that the tree needs to be removed because it would conflict with utility undergrounding. Commission Weiss commented that she would like a definitive answer about why the tree needs to be removed and asked about possible Below Market Rate (BMR) units. Associate Planner Hom stated that the applicant's provision is 2 BMR units with a plan to pay an in-lieu fee for the fractional unit, which meets the requirements of SB 330 and the requirement to provide BMR units at the rate of 12.5% of the total units. Commissioner Weiss confirmed with Mr. Dowling that the railing consists of steel and the railing and decks would not consist of any wood.

Commissioner Harrison asked the applicant what species the tall trees are in the renderings and if they are to scale and to explain cement board. Mr. Dowling stated that cement board is made of cement with grains that replicate wood and it can be different colors and is more durable and easier to maintain than wood. Greg Lewis, Landscape Architect, stated that on the proposed site the ten trees along Columbia Avenue are Ginkgo Fairmont trees that grow 50-75 feet tall, the Chinese Pistache trees between units grow to 30-35 feet tall and also serve as shading for the parking areas, tree 2T would remain, and two Crepe Myrtle trees are planned for each side

of the small patio area. Mr. Lewis further remarked that the paving on the eastern side of the property is planned to be a small common area patio with benches and the tree at the southwest corner of the site cannot be saved because of the location of the irrigation water backflow preventer.

Commissioner Rheaume confirmed with Mr. Dowling that all the windows would be a dark bronze color and that Aron Developers is the developer and builder and the company plans to take ownership of the three addresses on a different timeline separate from the entitlement process.

Vice Chair Simons confirmed with Mr. Dowling that the moldings around the garage and entryway doors would also be dark bronze.

Mr. Dowling added that they can work with their arborist to try to preserve the tree at the corner of North Fair Oaks and Columbia avenues if they are able to and the tree is healthy.

Vice Chair Simons closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Rheaume seconded the motion for Alternative 2 - Recommend that the City Council make the findings the CEQA determination that the project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 as noted in Attachment 6 to the report, Introduce an ordinance (Attachment 7 to the report) to Rezone part of the site to include the Planning Development combining district, approve the Rezone, and approve the Special Development Permit and Vesting Tentative Map subject to the findings in Attachment 4 to the report and the modified Conditions of Approval as follows:

1. Specify that the dark bronze color be used for all the window moldings and mullions instead of an almond color.

Commissioner Harrison thanked the applicant for considering the Commission's comments from the Study Session and appreciated the BMR units, the drone views and videos in the applicant's presentation. She stated she accepts the deviations for the building distances and trash enclosure and the added height to accommodate the stairwells that lead to the roof decks. She added that the proposed project looks great and she appreciates the homeownership opportunities considering the Commission reviews many apartment building projects.

EXCERPT

FRIENDLY AMENDMENT: Commissioner Rheume offered a friendly amendment to specify that the applicant and staff explore the possibility for the tree at the corner of North Fair Oaks and Columbia avenues to remain in place. Commissioner Harrison accepted the friendly amendment.

Commissioner Rheume stated that he will support the motion and thanked the applicant for considering the Commission's feedback from the Study Session and recognized the improvement in the proposed project as a result. He stated that he likes the modern architectural style and its consistent application throughout the design, particularly with the garage and front doors, and that the two front units on North Fair Oaks Avenue would create a nice curbside presence. He noted the eastern side of the property that appears unused and indicated that he will start to more closely examine these types of open spaces with bigger projects to determine how they can be of more use. He further remarked that the proposed project meets all the applicable requirements, he can make the findings, and that he hopes the Commissioners will also support the motion.

Commissioner Olevson stated that he will support the motion, can make the findings, and cannot find anything related to the vesting tentative map that would preclude the Commission from approving the proposed project. He commented that cement board is very durable and can be made any color but can become problematic if structure settling takes place because it is not flexible. He further remarked that it is a great proposed project that he is pleased to vote for.

Commissioner Weiss stated she will support the proposed project despite that it is the largest development in the immediate neighborhood, noting that it may lead to improvement of the surrounding area which consists of vacant, older structures. She repeated Mr. Lewis's statement that the eastern side of the property would be a patio with benches. She added that she can make the findings, the deviations are appropriate, and urged the Commissioners to also support the motion.

FRIENDLY AMENDMENT: Vice Chair Simons offered a friendly amendment to require that the dark bronze color also be applied to all the entryway and garage doors. He also requested the tree selection be modified to maximize the number of native species trees large a maturity appropriate for their placement on the site, in addition to staff's recommended condition for replacement trees requiring a minimum of 30 24-inch box trees or six trees to be upsized to 36-inch box size. Additionally, he proposed that staff and the applicant explore mitigating any problems caused by

undergrounding that might result in the removal of the tree at North Fair Oaks and Columbia avenues and that the tree be trimmed and not removed if there is a vision triangle issue. Commissioner Harrison and Commissioner Rheaume accepted the friendly amendment.

Vice Chair Simons stated that he will support the motion and notices the design changes since the Study Session and thanked the applicant. He commented that he can make the findings and believes the proposed project would turn out nicely.

The motion carried by the following vote:

Yes: 6 - Commissioner Howe
Commissioner Harrison
Commissioner Olevson
Commissioner Rheaume
Vice Chair Simons
Commissioner Weiss

No: 0

Absent: 1 - Chair Howard

Assistant Director Miner stated that this recommendation will be forwarded to the City Council for consideration at the July 28, 2020 meeting.