

**Orchard Gardens Redevelopment  
A Development for First Community Housing**

**Special Development Permit Submittal: Project Description Letter**

**September 20, 2021**

(Revisions since Letter, dated 08/07/21, in Red)

**Development Information:**

The project will be pursuing a Special Development Permit for the substantial rehabilitation of the Parkview Apartment buildings, demolition of the Sunburst Apartment buildings, and construction of a new residential building, Orchard Garden Apartments.

The Orchard Gardens Redevelopment will be a 123-unit property providing homes for families and individuals earning between 30% and 60% of the local area median income (AMI). The project has a particular focus on providing healthy, quality places to call home for families and individuals currently or at risk of experiencing homelessness and individuals with intellectual/developmental disabilities. The proposed unit mix includes 47 units restricted to maximum 30%AMI (1 SRO, 27 1brs, 15 2brs, and 4 3brs), up to 15 1br units for individuals with intellectual/developmental disabilities at 40% AMI, 26 units at the 50% AMI tier (22 1br, 4 3br), and 33 units at 60% AMI (15 1br, 12 2br, 6 3br). Two 2br units will be set-aside for manager's and maintenance supervisor's units.

The existing property includes two residential complexes: 1) Parkview Apartments: two 3-story, wood-frame buildings with 30 units, constructed in 2000 and now requiring some rehabilitation; and 2) Sunburst Apartments: two 2-story, wood-frame buildings with 32 units, which were partially renovated in 2000 and now in poor condition. All existing units are currently fully occupied. The redevelopment plan consists of substantially rehabilitating the Parkview Apartment buildings, demolishing the Sunburst Apartment buildings, and constructing a new building, Orchard Gardens Apartments. The new six-story, 93-unit building will unify the site architecturally, replace hardscape surface parking with ecologically restorative, permeable areas for both residents and vehicles as well as add additional units, communal outdoor space, amenities, and site connections.

**Site Information:**

Address: 245 W. Weddell Drive, Sunnyvale, CA 94089

Assessor's Parcel Number: 110-12-93

Site Area: 1.72 Acres (approximately 74,923.2 SF)

Please refer to the attached ALTA/NSPS Land Title Survey

Zoning: R-4

|                    |                     |  |
|--------------------|---------------------|--|
| Required Setbacks: | Front Yard:         | 20 Feet (Additional Front Setback Requirements for Multi-story Residential Developments) |
|                    | Side Yard Total:    | 20 Feet  |
|                    | Side Yard One Side: | 9 Feet   |
|                    | Rear Yard:          | 20 Feet  |

Proposed (New Building) Setbacks\*:

Front Yard\*\*:  
Side Yard One Side:  
Rear Yard:

10'-4" – 17'-0"  
28'-6"  
34'-9"

Proposed (Existing Building) Setbacks\*:

Front Yard:  
Side Yard One Side:  
Rear Yard:

106'-0"  
12'-0"  
10'-0"

\*Refer to Dimensions on Site Plan

\*\*Refer to Proposed Concession / Incentive Below

Maximum Lot Coverage: 40%  
Maximum FAR: No Maximum

Proposed Lot Coverage: 33,910 SF (Building Footprints) / 74,923.2 SF (Site Area) = 45%  
Refer to Proposed Concession / Incentive Below

Proposed FAR: 146,503 SF (Total Building Area) / 74,923.2 SF (Site Area) = 1.96

**Density Information:**

AB 1763 allows 100% affordable housing projects to utilize the 80% Density Bonus increase and up to four concessions/incentives from the City's development standard. If there is a major transit stop within one-half mile of the project, there is no maximum controls on density. In addition, the applicant can request up to 4 incentives or concessions and a height increase of up to 3 additional stories or 33 feet.

Acreage: 1.72 acres (74,923.2 SF)

Allowable Density under R-4 Zoning District: 36 du/ac or 1 unit/1200 SF = 62 units

AB 1763 Density Increase of 80% = 64.8 du/acre = 112 units allowed

Current Proposed Density under AB 1763 with \*No Maximum Controls on Density =  
123 units / 1.72 acres = 72 du/acre = 100% increase over current zoning allowable density

\*Major Transit Stop: The project is within 1/2-mile of the Moffett Park Light Rail Transit station.

Existing Parkview Buildings: 30 Existing Units

1-Bedroom Units: 6 units  
2-Bedroom Units: 14 units  
3-Bedroom Units: 10 units

New Orchard Garden Building: 93 New Units

|                  |          |
|------------------|----------|
| Studio Units:    | 4 unit   |
| 1-Bedroom Units: | 70 units |
| 2-Bedroom Units: | 15 units |
| 3-Bedroom Units: | 4 units  |

Total Proposed Units: 123 units (30 existing units + 93 new units)  
Proposed Density under AB 1763: 72 units/acre

**Building Information:**

Existing Parkview Buildings: Two 3-Story Buildings, Construction Type VA

|               |   |
|---------------|---|
| First Floor:  | $5,739 + 4,823 = 10,562$ SF             |
| Second Floor: | $5,078 \text{ SF} \times 2 = 10,080$ SF |
| Third Floor:  | $5,078 \text{ SF} \times 2 = 10,080$ SF |

|                                |           |
|--------------------------------|-----------|
| Total Existing Building Area:  | 30,718 SF |
| Existing Residential Area:     | 30,718 SF |
| Existing Non-Residential Area: | 0 SF      |

New Orchard Garden Building:

|  |             |
|--|-------------|
| First Floor (Construction Type 1A):            | 22,621 SF   |
| Second Floor (Construction Type IIIA):         | 23,148 SF   |
| Third – Fifth Floors (Construction Type IIIA): | 17,613 Each |
| Sixth Floor (Construction Type IIIA):          | 17,177 SF   |

|                           |            |
|---------------------------|------------|
| Total New Building Area:  | 115,785 SF |
| New Residential Area:     | 52,100 SF  |
| New Non-Residential Area: | 63,685 SF  |

Proposed Total Building Area: 146,503 SF

Maximum Building Height Allowable under R-4 Zoning District: 4-Stories or 55' High

Allowable Building Height under AB 1763: 7-Stories or 88' High

Proposed New Building Height: 6-Stories, 75'-0" Max. (Overall Building Mass)  
82'-0" Elevator Roof Access + Overrun  
76'-0" Stair Penthouse  
73'-4" Highest Sloped Roof  
68'-6" T.O. Parapet  
65'-0" T.O. Roof Structure

**Parking Information:**

Per AB 2162 for Permanent Supportive Housing, Supportive Housing Units are exempt from parking requirements:

- a. 15 One Bedrooms for I/DD = 0 spaces
- b. 47 Units for Measure A Rapid Rehousing = 0 spaces
- c. 62 Total Supportive Units = 0 space required

Existing Units Parking Ratio per City Requirements: Update per Table 19.46.060: assigned and unassigned

- a. Assigned:
  - i. 6 One Bedroom Units (1 space per unit) = 6 spaces
  - ii. 24 Two + Three Bedroom Units (1 space per unit) = 24 spaces
- b. Unassigned:
  - iii. 6 One Bedroom Units (0.5 space per unit) = 3 spaces
  - iv. 24 Two + Three Bedroom Units (1 space per unit) = 24 spaces
- c. 30 Existing Units = 57 spaces required

Per State Density Bonus Legislation AB 1763, the Density Bonus Parking Ratio for New, Non-Supportive Units is:

- a. 2 Studios (1 space per unit) = 2 spaces
- b. 25 One Bedrooms (1 spaces per unit) = 25 spaces
- c. 4 Two Bedrooms (1.5 spaces per unit) = 6 spaces
- d. 31 Total New, Non-Supportive Units = 33 spaces required

**Total Parking Spaces Required = 90 Spaces**

Proposed Parking:

- Existing Spaces to Remain: \*31 spaces (21 standard, 1 accessible, \*\*9 compact)
- New Parking Spaces: 59 spaces (11 standard, 3 accessible, 45 automated stacker)

**Total Proposed Parking Spaces: 90 spaces**

\*24 spaces of the 31 existing spaces will be unassigned per existing unit parking ratio outlined above.

\*\*9 Compact spaces are less than the maximum allowable 10% compact stalls of the total number of stalls.

Parking Management Strategy:

All parking spaces within the new parking garage will be assigned to residential units. Access to parking garage will be restricted to residents by bi-folding garage door gates with remote control devices assigned to residents. This strategy will ensure residents an open parking space for their use and removes dead end turn around issues. Parking spaces in the existing surface parking lot will be assigned to residents along with the required number of spaces to be reserved for unassigned parking spaces. This parking lot is not restricted by a gate and is a complete loop for vehicles to drive in and out.

Refer to updated FPI Parking Management Plan, dated July 2021.

Bicycle Parking: Minimum 31 Spaces Required  
126 Spaces Proposed (Resident) + Guest Bike Parking

**Storage Space:**

Minimum Storage Space Required: 300 Cubic Feet per Unit

Proposed Storage in New Units: \*Units will have approximately 37.5 SF of storage area in within the unit:  $37.5 \text{ SF} * 8 \text{ Ft (in height)} = 300 \text{ CF per Unit}$

All storage closets are a minimum of 8'-0" in height and 3' minimum in width or depth.

Proposed Storage in Existing Units: \*Units have  $45 \text{ SF} * 7.5 \text{ FT (in height)} = 337.5 \text{ CF per Unit}$

\*Refer to floor plans where typical unit plans include storage closets with SF indicated.

\*\*Residents will have access to additional shared residential storage space on the first floor (refer to the first floor plan for reference).

**Building Indoor Environmental Air Quality:**

Air filtration devices shall be rated MERV13 or higher for all fresh air circulated into dwelling units.

The ventilation system shall be designed to keep the building at positive pressure to reduce intrusion of unfiltered outside air into the building.

A maintenance plan for the buildings HVAC air filtration system is required and will be provided.

Any use agreements and property management documents will include the following:

- (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks,
- (2) include assurance that new owners or tenants are provided information on the ventilation system, and
- (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

**Landscape & Usable Open Space:**

Required Landscaped Area: Minimum 20% of Site Area Required

**Parking Lot Landscape Area:**

Parking Lot Area = 15,313 sf

Landscape Area in Parking Lot = 3,568 sf

% Landscape Area in Parking Lot = 23.3% (greater than 20% required)

**Other Landscape Areas:**

Site (Beyond Parking Lot Area) Landscape Area = 20,881 Sf

Courtyard Landscape Area = 1,698 Sf

Roof Deck Landscape Area = 5,434 Sf

Total Other Landscape Area = 28,013 Sf

Total Other Landscape Area/Unit = 227.75 Sf/Unit

\*Note: Project is requesting a waiver for the Landscape Area/Unit Requirement of 375 Sf/Unit.  
Refer to Proposed Concession/Waiver Letter

**Total Other Landscape Area:**

|                                 |                                 |
|---------------------------------|---------------------------------|
| Landscape Area in Parking Lot = | 3,568 sf                        |
| Total Other Landscape Area =    | 28,013 Sf                       |
| Total Landscape Area =          | 31,581 Sf                       |
| Required Landscape Area:        | Min. 20% Of Site Area           |
| Proposed Landscape Area:        | 31,581 Sf / 74,923.2 Sf = 42.1% |

Required Usable Open Space / Unit: Minimum 380 SF per Unit

Required Private Usable Open Space per Unit: Minimum 80 SF per Unit

**Proposed Usable Open Space:**

|                                   |           |
|-----------------------------------|-----------|
| Site (First Floor) =              | 14,645 sf |
| 2 <sup>nd</sup> Floor Courtyard = | 4,934 sf  |
| 6 <sup>th</sup> Floor Roof Deck = | 1,610 sf  |

**Total Communal Usable Open Space = 21,189 sf**

**Private (Unit Balconies) Open Space:**

86 Units (with Compliant Balconies) \* 80 SF = 6,880 sf

**Total Usable Open Space: 28,069 sf**

**Total Usable Open Space / Unit: 28,069 sf / 123 Units = 228 sf/Unit**  
Refer to Proposed Concession / Incentive Below

**State Density Bonus: AB 1762**

Legislation Includes: Unlimited Density + 33' Height Increase + Parking Reductions:

**Supportive Housing Unit Parking Exemption:**

- 15 One Bedrooms for I/DD = 0 spaces
- 47 Units for Measure A Rapid Rehousing = 0 spaces
- 62 Total Supportive Units = 0 space required

**Existing Units Parking Ratio per City Requirements:**

- 6 One Bedroom Units (1 space per unit) = 6 spaces
- 24 Two + Three Bedroom Units (2 spaces per unit) = 48 spaces
- 3 Visitor spaces required based on current standards (VERIFY)
- 30 Existing Units = 57 spaces required

**Density Bonus Parking Ratio for New, Non-Supportive Units:**

- 2 Studios (1 space per unit) = 2 spaces
- 25 One Bedrooms (1 spaces per unit) = 25 spaces

4 Two Bedrooms (1.5 spaces per unit) = 6 spaces  
31 Total New, Non-Supportive Units = 33 spaces required  
**Total Parking Spaces Required = 90 Spaces**

Concessions/Incentives: 4 Allowed

1. Front yard setback (Required: 20', Proposed: +/- 10' to 17')
2. Lot Coverage (Max: 40%, Proposed: 45%)
3. Solar Shading (Max: 10% Shading on Adjacent Roofs, Proposed: 30+%)
4. Usable open space (Required: 380 SF/Unit, Proposed: 228 SF/Unit)
  - a. Note: Site will have a direct and improved connection to Orchard Gardens park directly north of the site.

**Waivers from Development Standards:**

1. Landscape Buffer: Required: 15' wide buffer along street frontage on property, Proposed: 15' wide for approx. 25% of street frontage (excluding driveways), 13' wide for approx. 50% of street frontage (excluding driveways), and less than 10' wide for approx. 25% of street frontage (excluding driveways).
  - a. The front yard setback is included as a concession under state density bonus legislation to allow the project to meet the proposed unit density and wrap the parking garage on the first floor with active office workspace areas to meet the development standards for an active street frontage. The reduced front yard setback concession is directly related to it not fully complying with the landscape buffer requirement between the building and the property line.
2. Parking Lot Shading: Required: 50% Shading in Parking Lot and Vehicular Drives, Proposed: 54% Shading of the existing parking lot; Shading compliance for the fire department access road is not physically feasible due to the width and clearance requirements for a fire department access road
  - a. Please refer to L-6 for the existing parking lot shading of 54%.
  - b. Reasons shading compliance for the fire department access road is not physically feasible:
    - i. Fire department access road requires 26' wide clearance up to 13'-6" high. No overhanging tree canopies.
    - ii. Use of driveway is shared with neighboring parcel to the east, therefore trees along the property line is not feasible. In addition to being a vehicular driveway, the driveway is also the primary waste collection access and fire department access road.
    - iii. It is not feasible to plan large trees along the face of the building due to constrained planting areas and conflicts with structural foundations. Planting areas cannot be expanded without impacting the proposed unit density.
  - c. Please refer to L-6 for the existing + eastern access driveway total shading of 34%.
3. Building Separation: Required: 35' Separation; Provided: 32'-9" Separation at Exit Stair that is full 6 stories

- a. The proposed project meets the required separation with buildings on all adjacent parcels.
  - b. The required 35' Separation is provided between the existing eastern Parkview Apartments building (3-stories) and Western façade of the Northern Wing of the new Orchard Gardens building (6-stories) at all but the exit stair. The building separation at the pinch point between the exit stair and Parkview building is 32'-9". Shifting the exit stair to fully comply with the 35' building separation would impact the unit count and proposed density of the site.
  - c. This issue is interrelated with the unlimited Density Bonus and Lot Coverage Concession under state density bonus legislation.
4. Underground Utilities: Transformers. Required to be located underground or in the building per SMC 19.38.090(b)(3); Provided: Above Ground Transformers with Screening Fence and Gate Enclosure. For the following reasons, it is cost prohibitive and spatially not feasible to locate the transformers inside the building or underground:
- a. Please refer to excerpt below from PG&E's recent update regarding underground commercial distribution transformers. As it is technically feasible to install the transformers above ground and the project is not in a flood plain, we do not believe an exception will be allowable.  
*PG&E Update: The revisions to Rules 2, 15, and 16 note that the CPUC and PG&E will no longer accept requests for underground distribution systems that call for equipment to be installed in below-grade structures (i.e. underground commercial distribution (UCD) transformer) where it is "technically feasible" to install the equipment above ground. "Technically feasible" is defined as "enough space is, or can be made, available above ground for the electrical distribution equipment needed for PG&E to serve customers and that other requirements, such as obtaining permits, are met." This essentially means that all new construction shall provide at grade transformer installations, pad-mounted at the exterior of the building, or within the building complying with PG&E requirements.*
  - b. If PG&E were to allow the transformers to be located underground per SMC 19.38.090(b)(3), the space requirements and cost impacts to the project would be prohibitive. Instead of two above ground transformers, the project would require 3 underground transformers. The costs associated with three large underground transformers would impact the financing strategy for this affordable housing project where funding applications are extremely competitive based on cost per unit metrics. The transformers could not be located in the sidewalk as there are existing gas and sewer mains running under the sidewalk. The transformers could not be located underground in the access driveway as PG&E could not accept this condition. The three underground transformers could potentially fit underground in the landscape area between the sidewalk and new building but would impact existing street trees and limit the area for landscape.
  - c. Locating the two transformers inside of the building is cost and space prohibitive. Each transformer room would need to be 2-hr rated and approximately 21' x 15' in size. This would impact the parking and office space layouts to the point of being infeasible for the project.



5. Landscaping: The R-4 zone requires 375 s. f. of other landscaped area to be provided per unit.
  - a. Please refer to the existing conditions landscape area calculations on sheet A2.3 and the updated proposed landscape area calculations on sheets A3.3 and A3.4. In terms of area (approx. 31,500 SF) and percentage of site (42%), the proposed landscape area is much higher than the 20% required minimum and the existing landscape area on the site today. The existing landscape area/unit calculation does not meet the City's 375 SF/unit minimum. While significantly increasing the amount of landscape area on the site, the proposed site does not meet the area/unit minimum due to the increased density of the site.