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File #: 24-0572, Version: 1

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### REPORT TO THE ZONING ADMINISTRATOR

#### SUBJECT

##### **Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT** to demolish an existing one-story commercial building and construct a new 999 square feet one-story office building and 4,967 square feet two-story office building with podium parking. The project requests a deviation to allow 20-foot front yard setback, where 70 feet minimum is required.

**Location:** 1689 South Wolfe Road (APN: 309-51-028)

**File #:** 2022-7340

**Zoning:** C-1/PD (Neighborhood Business with a Planned Development combining district)

**Applicant / Owner:** Joseph Bellomo Architects (applicant)/PSR Development Inc. (owners)

**Environmental Review:** A Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

**Project Planner:** Mary Jeyaprakash, 408-730-7449, mjeyaprakash@sunnyvale.ca.gov

#### BACKGROUND

##### Description of Proposed Project

The project site is a 0.36-acre property currently developed with a 3,300 square feet one-story retail building. Surrounding properties include commercial uses to the south, residential uses to the north and west, and City of Sunnyvale owned well site to the east.

The proposed project includes demolition of the existing retail building and construction of a one-story office building (Building 1) along Martin Avenue and a two-story office building with podium parking (Building 2) facing South Wolfe Road. Landscaping, lighting, surface parking, and right-of-way upgrades are also proposed.

A Special Development Permit (SDP) is required in C-1/P-D zoning to consider site and architectural modifications to the site, including deviation for front setback for Building 1 from Martin Avenue.

See Attachment 1 for the vicinity map and Attachment 2 for the Project Data Table.

##### Previous Actions on the Site

The existing building was constructed in 1971. There were no other building permits issued over the years. There were also no significant Planning approvals related to the proposed use and no open Neighborhood Preservation complaints at this site.

##### ENVIRONMENTAL REVIEW

A Class 3 Categorical Exemption for small structures relieves this project from the provisions of the

California Environmental Quality Act (CEQA). In urbanized area, Class 3(c) Categorical Exemption allows for the construction of up to four commercial buildings not exceeding 10,000 square feet floor area, in sites zoned for such use (CEQA Guidelines Section 15303). The proposal is to construct two commercial buildings of 5,967 square feet total floor area in a commercially zoned site. The project fits this Categorical Exemption because the proposal is within the allowable thresholds.

## **DISCUSSION**

### **Proposed Use**

The applicant proposes to construct Building 1, which is a one-story office building along Martin Avenue, and Building 2, which is a two-story office building with podium parking facing South Wolfe Road. Building 1 includes a 999-square foot office space, and Building 2 includes a 3,223-square foot covered parking and 400 square feet amenity areas on the first floor, and 4,967 square feet office space on the second floor.

The property is currently developed with a retail building on the southeast portion of the site. A liquor store is in active use. Part of the building was used by a dry-cleaning shop and this shop is no longer in use since 2020. The northwest portion of the site (closer to Martin Avenue) is undeveloped and serves as parking for the retail use.

The applicant proposes to use the new buildings for real estate and accounting offices. The project site is zoned C-1 (Neighborhood Business) which allows the proposed office uses per Sunnyvale Municipal Code (SMC) Section 19.20.030. While ground floor dependent office less than 1,000 square feet, and office not located on the ground floor are permitted uses, financial institutions, medical offices, and ground floor dependent office greater than 1,000 square feet are allowed through Miscellaneous Plan Permit. Limiting Building 1 to 999 square feet and locating office spaces of Building 2 on the second floor meets the thresholds for permitted uses. Also, the proposed office use is neither objectionable nor intense compared to the existing retail use. Therefore, staff finds the proposed use appropriate for the site. See Attachment 6 for the project description letter from the applicant.

### **Site Layout**

The project site is irregularly shaped with a 3,450 square feet rectangular area along Martin Avenue, 11,000 square feet rectangular area along South Wolfe Road, and a 1,230 square feet middle section.

There is no public access from Martin Avenue into the project site. The concrete masonry wall along Martin Avenue will remain. The property has an access easement on the southeast corner of South Wolfe Road. This easement facilitates shared access to the subject site and to the adjacent gas station site. The project will not alter this access easement. Building 1 is located close to Martin Avenue and it is oriented towards Homestead Road. Building 2 is located closer and oriented towards South Wolfe Road, which is the longer and prominent street frontage. The main entrance to the site is from South Wolfe Road and there is no entrance to Building 1 from Martin Avenue. The site will have a combination of surface parking areas (located closer to the South Wolfe Road) and covered parking spaces (located under Building 2). See Attachment 5 for Site and Architectural Plans.

The project includes standard offsite improvements along Martin Ave and South Wolfe Road. The improvements include installation of new sidewalks with tree well, curb & gutter, driveway approaches, sidewalk transitions, utility connections, meters/vaults, signage, and striping. See Attachment 4 for Standard Requirements and Recommended Conditions of Approval.

### **Lot Coverage and Floor Area Ratio**

The standard Lot Coverage limit is 35% and the total proposal is 28% (with six (6)% for Building 1 and 22% for Building 2). There is no standard Floor Area Ratio (FAR) limit. The proposal is at 31% FAR (with 6% for Building 1 and 25% for Building 2).

### **Architecture and Building Height**

The maximum height allowed is 40 feet. The proposed buildings will be within the maximum allowed height. Building 1 (one-story) will be 13.5 feet and Building 2 (two-story) will be 25.5 feet in heights.

The proposed architectural style is “modern” which typically has simplicity of form inspired by function with basic and sustainable building design and materials. The project promotes sustainable building design with use of natural light, ventilation, and innovative building materials.

Key characteristics of modern architectural style and sustainable design features of the building are as follows,

- A combination of vertical and horizontal glass fins as solar shading devices to shade the openings and to reduce glare and heat;
- Smooth cement plaster exterior finish with integral color;
- Podium parking to reduce development footprint, heat island effect, separation between parking area and office spaces, consequently offering sound mitigation and fire protection;
- Concrete driveway made of recycled concrete mix to provide superior solar reflective index;
- Photovoltaic solar panels on roof to generate renewable energy;
- Cool roof to reduce heat absorption and reflect sunlight and thereby, reducing cooling load; and
- Environment friendly and non-reflective aluminum composite material cladding for façade treatment to provide fire resistance over steel frame construction;

### **Solar Shading**

The project will not shade existing neighboring buildings. The adjacent single-family home to the north is two-story, and the proposed two-story office building is over 100 feet away. The solar analysis is included in the Site and Architectural plans on Attachment 5.

### **Parking**

The standard for vehicular parking for office use is 16 parking spaces (3.3 spaces per 1,000 square feet of gross floor area) and the project proposes 17 parking spaces. The project proposes five (5) covered and 12 surface parking spaces. Electric vehicle charging spaces would be provided per the Municipal Code requirement. The standard for bicycle parking is one (1) parking space (5% of the required vehicular parking spaces). The project proposes two (2) secured bicycle parking spaces.

### **Parking Lot Shading**

The project exceeds parking lot shading requirement by providing 52.5% of parking lot areas shaded within 15 years of tree plantings, where a minimum of 50% is required. Five (5) parking spaces are located underneath Building 2 and shading is provided with tree planting.

### **Setbacks:**

The required minimum setbacks for Building 1 along Martin Avenue are 70 feet in the front (west), 0 feet on the side (south), 15 feet on the other side (north), and 10 feet in the rear (east). The required minimum setbacks for Building 2 along South Wolfe Road are 70 feet in the front (east), 0 feet on the side (south), 18 feet on the other side (north), and 0 feet in the rear (west). The project requests a deviation to allow 20-foot front yard setback from Martin Avenue, where 70 feet minimum is required. The project meets all other setback requirements. See Attachment 2 for proposed setbacks in the Project Data Table.

The applicant requests relief from the front yard setback requirement for Building 1 based on the following reasons:

- The site along Martin Avenue is narrow with approximately 75 feet width. Adherence to the front setback requirement (minimum 70 feet) will limit the ability to develop. Staff notes that the overall buildable area of the site is already limited by multiple easements, including Pacific Gas and Electric utility easements along South Wolfe Road, Martin Avenue, and along the southwest and northeast property lines.
- The front yard along Martin Avenue acts functionally as a side yard with the building oriented towards Homestead Road and no public access from Marin Avenue.
- The proposed 20-foot front setback along Martin Avenue aligns with the existing front setback of the adjacent single-family home to the north.

A deviation from the front setback requirement can be considered as part of the SDP, if the overall project complies with the goals and policies of the General Plan (see Attachment 3 for Recommended Findings). The proposal meets the intent of the requirement by aligning with the neighboring building. Staff supports the requested deviation due to the site constraints and finds no negative impacts associated with the requested deviation.

### **Landscaping and Tree Preservation**

The project exceeds minimum landscaping requirements by providing landscaping for 39% of the site, where a minimum of 20% is required. Landscaping includes a combination of groundcover, shrubs, trees, and vines. The project also meets water-efficient requirements by demonstrating compliance with water budget allowances.

The site has no protected trees. There is one non-protected Eucalyptus tree on-site which will be retained and protected during construction. The project proposes eight (8) new trees and five (5) of them will be Chinese Pistache trees providing parking lot shading. The project includes 10-foot landscaping buffer along the north and east sides of Building 1 to provide perimeter planting. The project also includes 15-foot landscape strip in front of Building 2 to create a buffer between the sidewalk and the parking areas, to enhance pedestrian experience. Staff finds that the project complies with the City's landscape requirements.

The project proposes to maintain the existing masonry wall that runs along the north property line adjacent to the single-family home (seven and one-half feet in height). The proposal meets the standard which requires a masonry wall minimum six feet in height for one-story nonresidential uses that abuts a residential use. The project also proposes new concrete masonry wall (six feet in height) along the west and south property lines abutting other nonresidential uses. Staff finds that the project

provides adequate screening to maintain the privacy of residential uses and to provide buffer between nonresidential uses.

**Solid Waste:**

Solid Waste and Recycling pickup service would occur on Martin Avenue side of the project. Bins would be moved out onto Martin Avenue for curb side pickup through a pedestrian gate along the masonry wall along Martin Avenue. The applicant would be solely responsible for maintenance and operation of all solid waste on-site.

**NEIGHBORHOOD IMPACTS/COMPATIBILITY:**

Staff finds that the proposed use of the site is compatible with the neighborhood. The proposed office buildings are located substantially away from the adjacent two-story single-family home to the north. Building 1 is one-story and over 20 feet away and Building 2 is two-story and over 100 feet away from the two-story home. Building 1 will provide transition for the single-family home from the two-story office building, and thereby respecting the neighboring uses. The proposed office use is also less intensive compared to the existing retail use, reducing traffic and parking impacts to the neighborhood. Sustainable design features of the project, extensive landscaping and tree planting, and reduced impervious surface, adds positively to the project and to the environment.

Construction of the project will comply with general construction hours and will be subject to a Construction Management Plan, which will help to reduce disturbances to neighboring residents and businesses. The shared driveway access along Wolfe Road will be maintained and generally kept clear during the course of construction.

Staff finds that the proposed project contributes positively to the Wolfe Road streetscape, respects the existing residential neighborhood to the west, and is consistent with economic goals of the General Plan. See Attachment 3 for Recommended Findings.

**PUBLIC CONTACT**

67 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. No letters or calls were received from the public by staff.

**Community Outreach Meeting:** The applicant held an outreach meeting on March 21, 2024, at 6 p.m. Two members of the public including the adjacent property owner attended the meeting and were generally supportive of the project. They requested better cleanup of the sidewalk along Martin Ave (see Attachment 4 - COA EP-23) and inquired about screening along the north property line adjacent to the residential property (see Attachment 4 - COA BP-20).

**ALTERNATIVES**

1. Approve the Special Development Permit with recommended Findings in Attachment 3 and recommended Conditions in Attachment 4.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

**RECOMMENDATION**

Recommendation

Alternative 1. Approve the Special Development Permit with the recommended Findings in Attachment 3 and the recommended Conditions in Attachment 4.

Staff

Prepared by: Mary Jeyaprakash, Senior Planner

Approved by: Momo Ishijima, Senior Planner

**ATTACHMENTS**

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. Project Description Letter from Applicant
7. Special Development Permit Justification Form