



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 21-1007, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to redevelop an existing affordable housing development for a total of 123 affordable units. The proposal consists of demolition of a 32-unit apartment building, construction of 93 residential units in a new six-story building, rehabilitation of the existing 30-unit apartment building and installation of related site improvements located on a 1.72-acre site.

Location: 245 W Weddell Avenue (APN: 110-12-093)

File #: 2020-7620

Zoning: High Density Residential (R-4)/Planned Development (PD) Combining District.

Applicant / Owner: First Community Housing / Parkview Apartment Association.

Environmental Review: The project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required pursuant to CEQA Guidelines Section 15183 and Public Resources Code Section 21083.3.

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

REPORT IN BRIEF

General Plan: High Density Residential

Existing Site Conditions: Two and three story apartment buildings with mature landscaping.

Surrounding Land Uses

North: Orchard Garden Park and John W. Christian Greenbelt

South: W. Weddell Drive and Highway (HWY) 101

East: Two-story apartment buildings and commercial service uses

West: Comfort Inn Hotel and 8-unit apartment building.

Issues: Parking, architecture, building setbacks, lot coverage, landscaping/open space, height and solar shading.

Staff Recommendation: Alternative 1: Make the required Findings to approve the CEQA determination that the project is consistent with the City's General Plan and no additional environmental review is required as noted in the checklist in Attachment 5, Approve the Special Development Permit based on Recommended Findings in Attachment 3 and subject to the Recommended Conditions of Approval in Attachment 4.

BACKGROUND

Description of Proposed Project

The project site is approximately 1.72 acres in size and is currently developed as an apartment complex consisting of the Parkview Apartments with 30 residential units in two three-story buildings located on the western portion of the site and the Sunburst Apartment building that provides 32 residential units in two two-story structures located on the eastern portion of the site. The applicant

proposes a Special Development Permit application to allow the following:

- Demolition of Sunburst apartment buildings and associated improvements.
- Construction of a new six-story apartment building with parking, lobby, and offices on the ground level, 93 residential units consisting of studios, 1, 2, and 3 bedroom units on the second through the sixth floors, and amenity spaces that includes a community room and outdoor courtyard on the second floor and a roof deck, community garden and meeting room on the sixth floor.
- Installation of associated site improvements include removal and replacement of existing landscaping and trees, upgrades to existing trash enclosure, installation of a new transformer and screening enclosure, bicycle parking and parking lot improvements.
- Rehabilitation of an existing 30-unit apartment building consisting exterior façade improvements.

The Orchard Gardens redevelopment will provide 123 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 the following:

- Maximum 30% AMI - 47 units comprised of:
 - 1 - Single Room Occupancy;
 - 27 - one bedrooms units;
 - 15 - two bedrooms units; and
 - 4 - three bedrooms units.
- Maximum 40% AMI -15 units:
 - One-bedroom units for individuals with intellectual/developmental disabilities.
- Maximum 50% AMI with 26 units comprised of:
 - 22 one-bedroom units; and
 - 4 three-bedroom units.
- Maximum of 60% AMI with 33 units comprised of:
 - 15 one-bedroom units;
 - 12 two-bedroom units; and
 - 6 three-bedroom units.
- Managers two-bedroom unit.
- Maintenance Supervisor two-bedroom unit.

Previous Actions on the Site

The Sunburst Apartments were built in 1961 while the Parkview Apartments were constructed in 1998. A variance was issued in July 1998 for a reduced rear setback to accommodate a carport structure and laundry room addition. Other miscellaneous building permits have been issued throughout the life of the buildings.

EXISTING POLICY

Key goals and policies from the General Plan that pertain to the proposed project are provided in Attachment 3. The Citywide Design Guidelines provide recommendations for site planning, architecture, and design. Consistency with the General Plan and Design Guidelines also described in Attachment 3.

Applicable Design Guidelines: The City's Design Guidelines provide recommendations for site layout, architecture, and design. These guidelines are referenced in the discussion and analysis below as well as in Attachment 3.

ENVIRONMENTAL REVIEW

The project is consistent with the City's General Plan and no additional environmental review is required pursuant to CEQA Guidelines Section 15183 and Public Resources Code Section 21083.3. Under Section 15183 of the CEQA Guidelines, projects that are consistent with the development density established by existing zoning or general plan policies for which an environmental impact report (EIR) was certified do not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The consistency checklist prepared for the project (Attachment 5) demonstrates that all the project's significant impacts were either studied in the EIR that was adopted for the City's Land Use and Transportation Element (LUTE) or can be substantially mitigated by uniformly applied development policies or standards. Technical studies are provided in Attachment 6 and the LUTE Mitigation and Monitoring Reporting Program in Attachment 7. The LUTE EIR is available on the City's website at <https://sunnyvale.ca.gov/government/codes/plan.htm>

DISCUSSION

Present Site Conditions

The project site is located mid-block on W. Weddell Drive between N. Mathilda Avenue and Borregas Avenue. Currently, the site contains four apartment buildings that provide 62 units, surface parking for its residents and guests, ancillary structures, and mature landscaping. The site is bounded by a hotel and an 8-unit apartment building to the west, Orchard Garden Park and the John W. Christian greenbelt as well as single family homes to the north, 44-unit two-story apartment complex to the east, and W. Weddell Drive to the south. Weddell Drive runs parallel to Hwy 101 and the Hwy 101 northbound off-ramp. There is an existing sound wall along the project site's freeway frontage. The site is currently served by a public sidewalk and Class 3 bike route along the project frontage.

Special Development Permit

A Special Development Permit is required for site and architectural review on development projects that have the Planned Development Combining District. An SDP allows for consideration of deviations from specified zoning standards in exchange for superior design, environmental preservation, or public benefit.

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

State Density Bonus Law

The project utilizes the State Density Bonus. Assembly Bill (AB) 1763 which provides no maximum control on density for 100% affordable housing projects within one-half mile of a major transit stop.

The proposed project will be 100% affordable and is located one-half mile from the Moffett Park VTA Light Rail Station. The project results in a density of 72 dwelling unit to the acre.

Density Bonus Concessions and Waivers

The State Density Bonus law allows up to four concessions and unlimited waivers. The applicant is requesting the below concessions and waivers as allowed by the State Density Bonus regulations:

Concessions: The California State Density Bonus Law allows the project up to four concessions. Per Govt. Code 65915 (k), a concession is defined to include a reduction of development standards that exceed the minimum building code requirements, as well as other regulatory concessions proposed by project sponsor, that result in identifiable and actual cost reductions to provide for affordable housing costs. These concessions are not discretionary deviations and include the following:

- Front Yard Setback - The project is proposing a reduced front setback ranging from 10 feet to 17 feet setback along the street frontage to maximize usable, active program space along the street frontage where a minimum of 20 feet is required for the first floor and a minimum of 36 feet for each story above two stories.
- Lot Coverage - The existing Parkview Apartment footprint and the new Orchard Gardens footprint yields a 45% lot coverage, which is 5% over the allowable lot coverage for the site.
- Solar Shading - Under the provisions of the State Density Bonus Law, the building is allowed to be 7-Stories and 88' High. With this allowable height and story bonus, the new Orchard Gardens building is 3 to 4 stories taller than the adjacent Parkview buildings to the west and the adjacent two-story apartment complex to the east. The new building exceeds the allowable 10% shading requirement on adjacent roofs.
- Usable Open Space - The Project provides 228 square feet per unit of usable open where the minimum requirement is 380 square feet per unit.

Waivers: The project is also requesting five waivers. The California State Density Bonus Law also allows for waivers from development standards. Per Govt. Code 65915 (e)(1), waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section. The project includes the following waivers (see Attachment 10 for applicant's letter):

- Front landscaping buffer - The proposed landscaping buffer varies from 10 to 15 feet where the minimum requirement is 15 feet.
- Landscaping - The Project provides 256 square feet of total landscaping per unit where the requirement is 375 square feet of total landscaping to be provided per unit.
- Undergrounding Utilities and Screening - The Project proposes an above ground transformer and associated enclosure that is located between the building and street. The Zoning code requires utilities to be undergrounded and prohibits mechanical equipment between the face of the building and street.
- Parking Lot Shading - The minimum requirement is 50% shading in the parking lot and drivable surfaces. As proposed, the Project achieves 54% parking lot shading for the existing parking lot, however, shading compliance for the east driveway and fire department access road is not physically feasible due to the width and clearance requirements for a fire department access road.
- Distance between Buildings - The required 35-foot 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) except at the exit stair. The building separation at the pinch point between the exit stairs on the left elevation and Parkview building is 32 feet

9 inches.

Tenant Relocation

Tenants in the demolished housing are entitled to receive relocation benefits under the Density Bonus Law (Gov. Code Section 65915) and the Housing Crisis Act of 2019 (“SB 330”) (Gov. Code Section 66300). Existing tenants also have a right of first refusal to live in new units in the Project at affordable rent. The applicant’s Tenant Relocation Plan is attached as Attachment 11. Compliance with tenant relocation requirements are required in Condition PS-2.

Architecture

The architectural style of the proposed building is considered to be modern with simple and rectangular forms. Building articulation is provided through inset windows, wall offsets, vertical and horizontal design elements, texture and variation achieved with color blocking and material changes, as well as accent walls that are painted art murals. The front façade consists of storefront glazing and exposed concrete wall panels at the base of the building with entry elements consisting of metal canopy and signage over the main entrance. The ground floor storefront window system provides views into common areas inside the building and activation at the street level. Attachment 5 further describes the applicant’s design intent. Staff finds that the project is well-designed and is compatible with the character of the neighborhood. Additionally, the applicant will be making modifications to the existing units to better tie the architecture together between the two buildings.

Site Layout and Circulation

The project site is semi-rectangular in shape due to the curvature of Weddell Drive. Access to the site is provided by three two-way driveways along Weddell Drive. Vehicle access to the new surface podium parking garage is provided by the east driveway. The east driveway also serves as the Fire Apparatus Access Road and trash servicing route. The east driveway will require a new shared driveway easement with the adjacent neighbor. Condition No. BP-34 states that the easement will need to be recorded and fully executed prior to building occupancy. The site provides private walkways and is served by an existing public sidewalk on Weddell. Pedestrian walkways allow direct access from the building to the public sidewalk along Weddell Drive and in between the existing Parkview Apartments and the proposed new residential building.

The location of the existing Parkview Apartment buildings and adjacent parking lot located on the western portion of the site will remain the same as the existing conditions. The existing trash enclosure that currently serves the Parkview Apartments will be upgraded as part of this project. The existing trash enclosure will be upgraded to comply with servicing requirements and a new enclosure and gate will be installed for better screening.

The proposed new residential building will be setback between 10-17 feet from the front property line, with approximately 32 feet between the Parkview apartment building and 34 feet from the rear property line. The new residential building is buffered by 26 feet wide fire apparatus road that wraps around the building. The rear setback is programmed as a passive open space area with a seating area near the existing gate connection to the Orchard Garden park. The passive open spaces consist of meandering strips of grass pavers, groundcover paving and gravel with trees and various shrubs along outside edges. Due to the required width for fire access, landscaping strips are proposed along the building and property edges to help soften and frame views of the building.

The proposed building siting is consistent with Citywide Design Guidelines by being close to the

street frontage, activating the pedestrian street level with landscaping, storefront glazing, and entry elements, utilizing decorative pervious pavers at each of the driveway entrance and main pedestrian walkway, and concealing parking within the building and away from the street view. Bicycling is encouraged through Class I and II bicycle parking provided by bike storage rooms located within the proposed new building as well as a bike rack located in the existing central pedestrian paseo.

Development Standards

Except for the permitted State Density Bonus Concessions and Waivers, the project complies with the remaining applicable development standards. The Project Data Table in Attachment 2 summarizes the project's compliance with Sunnyvale Municipal Code development standards. Therefore, no deviations are requested through the SDP.

Setbacks: The proposed new building complies with building setbacks except the front setback. The reduced front setback along the street frontage allows the project to maximize density and affordable units as well as accommodate usable, active program space along the street frontage. This concession allows for office, meeting rooms and breakrooms to line the street frontage, which helps to create an active street frontage at ground level.

Distance between Buildings: SMC 19.48.030 requires a building separation of 35 feet between the existing eastern Parkview Apartments building (3-stories) and Western façade of the Northern Wing of the new Orchard Gardens building (6-stories). The building separation at the pinch point between the exit stair and Parkview building is 32 feet 9 inches. Shifting the exit stair to fully comply with the 35-foot building separation would impact the unit count and proposed density of the site. This is a common requested with other development projects. The reduced building-to-building setbacks allow more design flexibility on challenging lots and therefore, staff finds that the requested waiver is reasonable for the site and will not result in significant visual impacts.

Lot Coverage: The maximum lot coverage is 40%. The applicant is requesting a concession to allow 45% lot coverage. The additional footprint for the Orchard Gardens building allows the project to meet parking requirements and provide adequate building and support services offices for the anticipated new community. Although the project exceeds the lot coverage standard by 5%, it still provides adequate areas for landscaping and indoor/outdoor amenity space, which includes outdoor courtyard, community room, meeting space and community garden that can be enjoyed by the residents.

Building Height/Stories: The zoning of the project site allows heights up to four stories and 55 feet from the street curb elevation. The State Density Bonus allows seven stories or 88 feet. The proposed building would be six stories tall with an overall height of 82 feet measured from the street curb elevation to the top of the elevator roof on W. Weddell Drive. However, the overall building mass is measured at 75 feet in height. The additional height is needed to maximize density, provide open space amenities and to accommodate support services and program space for residents.

Per SMC 19.32.030, towers, spires, chimneys, machinery penthouses not exceeding twenty-five percent of the roof area on which the penthouse is located, and similar architectural and utility structures, including equipment screening, and necessary mechanical appurtenances, may exceed the maximum building height in any zoning district by a maximum of twenty-five feet or 80 feet for this project. The penthouse area for the stairs and elevator as well as the rooftop equipment area accounts for 20% of the roof areas and are within the height exception allowed by the zoning code

except for the elevator tower, which measures 82 feet in height. Furthermore, elevators are required for residential buildings that are four stories or more per SMC 19.38.060.

Although the proposed building is three and four stories taller than the adjacent apartments buildings, it incorporates a unique architectural design that will complement the neighboring residential development. The building consists of articulated façade, varied roof lines and incorporates architectural design elements, color and material variation to help create visual interest and break up and minimize some of the bulk and massing. The building has been sited and designed with the intent to attenuate noise and reduce visual impacts from Hwy 101.

Parking: The project is eligible for the following State Density Bonus parking incentives:

State Density Bonus Law (AB 2162)

Per AB 2162 exempts supportive housing units from parking requirements. The project proposes 62 supportive units. No parking is required for these units.

State Density Bonus Law (1763)

Per AB 1763, if a development includes the maximum percentage of low-income or very low-income units, located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, the city shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds ratios specified in Government Code Section 65915 (p)(1). The project proposes 31 new non-supportive housing units and provides the required 33 parking spaces based on State Density Bonus Parking requirements as summarized below:

- 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

Parking Requirement for Existing Units

The 30-unit Parkview Apartment is parked based on the SMC 19.46.060 requirements for multi-family dwellings, which requires 1 per unit for assigned spaces and 0.5 for one-bedroom units and 1 space for two and three-bedroom units for unassigned parking spaces. A total of 57 spaces are required.

Parking for the residential development will be provided with the 31 existing parking spaces that are being maintained in front of the Parkview Apartments and the proposed parking garage located on the ground level of the new residential building. The proposed garage will provide a total of 59 spaces consisting of 11 standard stalls, 3 accessible spaces, and 45 automated stackers. The project complies with State Density Bonus parking requirements and are summarized in the Table 1 below:

Table 1: Parking Summary

Parking Area	# of Spaces Required
Existing Parkview Apartments	57
Proposed Orchard Garden Apartments	33
Total Required	90

Existing Parking Spaces	New Parking Spaces	31	59
Total Provided		90	

A parking management plan is required for the management of assigned and unassigned spaces within the development. The onsite manager will be responsible for implementing and enforcing the plan. All parking spaces within the new parking garage will be assigned to residential units. Access to the parking garage will be restricted to residents by bi-folding garage door gates with remote control devices assigned to residents. 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 guest parking spaces. This parking lot is not restricted by a gate and is a complete loop for vehicles to drive in and out.

Tree Preservation: Project proposes to remove a total of 11 trees. Five trees are deemed protected per Sunnyvale Municipal Code (SMC) Chapter 19.94. A total of 36 new trees are proposed for installation. New trees consist of Western Redbud, Crape Myrtle, Brisbane Box and Chinese Pistache trees that are 24 inch box in size. Trees that meet the size requirement for protection are required to be replaced per the City’s Tree Replacement Policy. The City’s Tree Replacement Policy require a minimum of one 24 inch box or three 15-gallon trees for tree sizes removed between 12 inch to 18 inch diameter; one 36 inch box or two 24 inch box trees for tree sizes removed between 19 inch to 24 inch diameter; and one 48 inch or two 36 inch box or four 24 inch box trees for tree sizes removed over 24 inch diameter. The tree replacement standards require a minimum of six 24 inch box trees, the project proposes (36) 24 inch box trees and therefore complies with the city’s tree replacement standards.

Landscaping: Per SMC Chapter 19.37, the project is required to provide the following:

- Minimum of 20% of total landscaped area
- Minimum of 20% of the parking lot to be landscaped
- Minimum of 375 square feet of other landscaped area per unit.
- A fifteen-foot wide landscaped frontage strip is required for all properties except for single-family properties that have a frontage on a public street.

The project generally complies by providing a total of 42% or 31,581 square feet of landscaping for the lot area. The project meets the parking lot landscaping requirements and provides 23% or 3,568 square feet. The applicant is requesting a waiver for the other landscaped areas per unit. The R-4 zone requires 375 square feet of other landscaped area to be provided per unit. Although the project significantly adds landscaping to the site, the project would not meet the standard due to increased density that allowed with the State Density Bonus provisions. The waiver would accommodate the proposed affordable units which benefit the City’s rental housing stock.

A 15 foot wide landscaping buffer is required along the project street frontage. The project provides 15 feet for approximately 25% of street frontage, 13 feet for approximately 50% of street frontage and 10 feet wide for 25% of street frontage. The reduced front landscaping buffer is due to the reduced front setback needed to achieve 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.

Parking Lot Shading: SMC 19.46.120 require trees to be planted and maintained throughout the

parking lot to ensure that at least 50% of the parking area will be shaded within fifteen years of tree establishment. Up to 25% of the 50% parking lot shading requirement (12½% of the total parking lot area) may be met with installation of solar energy systems rather than trees. The project proposes 34% parking lot shading for the project site. However, the project provides 54% shading for the existing parking lot. The only area that cannot meet shading requirements is the Fire Department Access Road located on the east edge of the project site. Shading compliance for the fire department access road is not physically feasible due to following constraints:

1. Fire Department access requires a 26 foot horizontal and 13 foot 6 inch vertical clearance.
2. The driveway is shared with neighboring parcel to the east and trees along the property line is not feasible.
3. Planting large trees along the face of the building would conflict with structural foundations. Planting areas cannot be expanded without impacting the proposed unit density.

Solar Shading: The City's Municipal Code limits shading caused by proposed buildings to a maximum of ten percent of the roof area of nearby properties during the hours of 9:00 AM to 3:00 PM during the solar cycle. The applicant is requesting a concession under the provisions of the State Density Bonus Law which allow the building to be 7 stories and 88 feet high. With this allowable height and story bonus, the new Orchard Gardens building is 3 to 4 stories taller than the adjacent Parkview buildings to the west and the adjacent apartment complex to the east. The new building exceeds the allowable 10% shading requirement on adjacent roofs due to the added height allowed under the State Density Bonus Law. The yearly average of shading on the adjacent apartment complex is approximately 20% during the 3:00 PM while the yearly average of shading on the Parkview Apartments is approximately 16% during 9:00 AM. The Parkview Apartments is on the same parcel and under the same ownership as the proposed project.

Usable Open Space and Amenities: The Zoning Code requires 380 square feet of usable open space per unit, and the proposal is for 228 square feet per dwelling unit. The request to reduce this standard is not unreasonable for the following reasons:

- The project meets the total required site landscaping area. Passive open space is provided on the ground level in both the Parkview landscaped paseo and the rear yard of the new residential building.
- The project provides active community spaces that includes: a roof deck with community garden, protected courtyard with gathering areas, seating, and planting areas, a community room with kitchen facility and private balconies. These amenity spaces are located within the building that provide opportunities for recreation and social interaction.
- The main community room is approximately 1,000 square feet and exceeds the 225 square foot requirement specified in the SMC 19.38.045 by over 850 square feet.
- Orchard Garden Park and John W. Christian Green Belt is located immediately behind the project site and within one half mile away from Seven Seas Park.

Solid Waste and Recycling Access: The new residential building provides two waste collection rooms near the garage entrances on the right side of the building. Each floor will also have a trash room. The location of the trash room complies with development standards and shall not be more than 150 feet away from a residential unit. The trash collection rooms will be internal to the building and will not be visible from adjoining streets or properties. In terms of standard operations, Building Management Staff will move dumpsters and bins to staging location directly outside Waste Collection Rooms on trash collection days. Staging location is on the Eastern driveway access road with a

hammer head turn around at the northeast corner of the site to allow the collection trucks to turn around onsite. Building Management Staff will bring cardboard and food scrap bins down the elevator to a designated staging area in the expanded Parkview trash enclosure for Garbage or Recycle collection. Once the trash and recycling bins and dumpsters have been serviced, the Property Management Staff return the bins and dumpster to the waste collection room.

Green Building: A minimum of 90 points on the GreenPoint Rated checklist or equivalent is required for new multi-family residential construction. Per SMC 19.39.030, wherever the LEED or GreenPoint Rate systems include a minimum energy or other performance requirement, the applicant may choose to meet the minimum performance requirements with an alternative equivalent method approved by the Director of Community Development. The Orchard Gardens project is pursuing LEED Platinum certification under the LEED Multi-Family rating system. Platinum certification requires the minimum achievement of at least 80 points out of the total available of 110 points (or 72%).

PG&E Transformer and Screening: Per SMC 19.38.090, all utilities and communication services associated with new development, redevelopment, subdivision or change in use shall be placed underground. The applicant is requesting a waiver to allow the new transformers to be above ground. Undergrounding or locating the transformers within the building would be cost prohibitive and spatially not feasible. The applicant explored alternatives however, 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. Although the three transformers could potentially fit underground in the landscape area between the sidewalk and new building, it would conflict with existing street trees and further reduce the landscaping along the frontage. The proposed screening provides a means to soften its appearance while minimizing additional expenses for the project.

Transportation Demand Management (TDM): The SMC requires all new multi-family residential uses to participate in a TDM program. A minimum of 9 points is required from the menu of strategies in the City's TDM program. The project attains 16 points (Attachment 7 - Sheet G0.01).

FISCAL IMPACT

The project is subject to payment of a transportation impact fee (TIF) and school impact fees to the Sunnyvale School District. Other standard fees and taxes apply. Affordable rental development is exempt from park in lieu and rental housing mitigation fee requirements.

The project will not impact the City's General Fund. In February 2020, the City Council conditionally awarded First Community Housing a \$7.5 million Housing Mitigation Fund loan to improve and expand affordable housing opportunities in Sunnyvale. The competitive funding was allocated for the rehabilitation and expansion of the Orchard Garden's community, which is an existing affordable housing development located at 245 W. Weddell Drive. In accordance with these funds, the City will deed restrict the site to be affordable for no less than 55 years and serve extremely low-income to low-income households, while providing critical on-site services. First Community Housing is in the process of applying, through the County of Santa Clara, for Measure A funding as well, which is funding made available through an affordable housing bond that voters approved in 2016 to house lower income and formerly homeless individuals.

PUBLIC CONTACT

Neighborhood Outreach Meeting

An outreach meeting was held on June 3, 2021 and hosted virtually on Zoom. Property owners and residents within 1,000 feet of the site and neighborhood associations were notified. Approximately 45 people attended the meeting and expressed general support for the project and the need for supportive housing as well as relayed concerns related to parking, traffic congestion, public transportation options, noise, safety and security, how to get on the list for units, and timing for approval of the project.

Planning Commission Study Session

A study session was held with the Planning Commission on June 23, 2021. At the study session, Commissioners were in general support of the architecture, design elements and most of the requested concessions and waivers. The Planning Commission wanted the following comments to be further addressed:

- Clarification on street frontage perspective and definition of entry way. The applicant has provided additional storefront glazing, entry canopy and signage to help define and activate the ground level.
- Deviations need to be clearly outlined in the report. The applicant has provided a letter that outlines requested concessions and waivers, which are also discussed in staff report. Overall, the applicant is using State Density Bonus law waivers and concessions for any project deviations.
- Upsize trees along the rear property line. The applicant replaced the 15 gallon trees with 24 inch box Brisbane Box trees.
- Clarify exterior balconies comply with noise standards. The project provided a noise study. The project demonstrates compliance with the City's noise standards.
- Clarify connection to Orchard Garden Park and greenbelt. There is an existing gate between the project site and the Orchard Garden park. The project will maintain the existing gate access. As conditioned, the applicant shall maintain access and work with the adjacent neighbor to obtain an easement or private agreement to maintain permanent access.
- Clarification on solar shading. The applicant provided Sheet A-9.3 to provide additional clarification and context to show shading impacts on neighboring properties.

As of the date of staff report preparation, staff has received no comments from the public.

Notice of Public Hearings

- Published in the Sun newspaper
- Posted at the site
- 2,354 notices were mailed to property owners and tenants within 1,000 feet of the project as shown in Attachment 2
- Notices were sent to the Morse Park Neighborhood Association, Sunnyvale West Neighborhood Association, and Heritage District Neighborhood Associations

Staff Report

- Posted on the City of Sunnyvale's web site

Agenda

- Posted on the City's official notice bulletin board
- Posted on the City's website

CONCLUSION

Staff was able to make the required Findings for the Special Development Permit shown in Attachment 3. The project contributes towards the City's affordable housing goals and fulfills the High Density Residential envisioned by the General Plan. The project's location is within a pedestrian and transit-oriented neighborhood with walkable access to major transit centers, public park space, Moffett Park employment centers, and other commercial services. The Citywide Design Guidelines have generally been met, and the architecture will create a unique visual element to the area and the City. The requested concessions and waivers are reasonable considering the significant gain in affordable rental housing and will not adversely impact neighboring properties. The project incorporates environmental mitigation measures that create an environment suitable for residential development in accordance with the General Plan.

ALTERNATIVES

1. Make the findings required to approve the CEQA determination that the project is consistent with the City's General Plan and no additional environmental review is required as noted in the checklist in Attachment 5 and approve the Special Development Permit based on the Findings in Attachment 3, and Recommended Conditions of Approval in Attachment 4.
2. Make the findings required to approve the CEQA determination that the project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required as noted in the checklist in Attachment 5 and approve the Special Development Permit based on the Findings in Attachment 3, and modified Conditions of Approval.
3. Do not make the required findings and direct staff where changes should be made.
4. Deny the project.

STAFF RECOMMENDATION

Alternative 1: Make the findings required to approve the California Environmental Quality Act (CEQA) determination that the project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required as noted in the checklist in Attachment 5, and approve the Special Development Permit based on the Findings in Attachment 3, and Recommended Conditions of Approval in Attachment 4.

Prepared by: Cindy Hom, Associate Planner

Reviewed by: Shaunn Mendrin, Principal Planner

Approved by: Andrew Miner, Assistant Community Development Director

ATTACHMENTS

1. Vicinity and Noticing Radius Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. CEQA Consistency Checklist with the Land Use and Transportation Element (LUTE) EIR
6. Technical Studies
7. LUTE Mitigation and Monitoring Reporting Program
8. Site and Architectural Plans

- 9. Project Description Letter
- 10. State Density Bonus Concession Letter
- 11. Tenant Relocation Plan