



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0424, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7052

Location: 707 Kifer Road (APN: 205-44-023)

Applicant / Owner: David Whitney Architects, Inc. (applicant) / Walton San Gabriel Owner VI, LLC (owner)

Proposed Project:

USE PERMIT to allow a 10-foot tall perimeter fence at an industrial campus.

Reason for Permit: A Use Permit is required to allow front yard fences to exceed 6 feet in height and rear yard fences to exceed 8 feet in height.

Project Planner: Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov

Issues: Visual impacts

Recommendation: Approve with conditions

PROJECT DESCRIPTION

	<u>Existing</u>	<u>Proposed</u>
Zoning District:	M-S	Same
Gross Floor Area:	304,904 sq. ft.	Same
Parking:	985	911
Fence Height:	8 ft.	8-10 ft.

Previous Planning Projects related to Subject Application: The site was redeveloped into office/research and development (R&D) buildings in the 1970s. Additional buildings were added to the site in the late 1990s. In 2013, a Use Permit and Vesting Tentative Map (2013-7103) were approved to allow for condominium ownership of each building, with a common lot to allow for shared parking, access, and landscaping. Subsequent staff-level permits have been approved for minor site modifications.	Yes
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	No

Background: Sunnyvale Municipal Code (SMC) 19.48.025 requires a Use Permit to allow front yard fences to exceed 6 feet in height and rear yard fences to exceed 8 feet in height. The subject site is approximately 12.4 acres and contains seven office/R&D buildings and one parking structure. The

site is bound by Central Expressway to the north, Wolfe Road to the east, Kifer Road to the south, and Sunnyvale East Channel to the west. San Gabriel Drive bisects the campus.

The prospective tenant of the first three buildings closest to Kifer Road requests to fence off the back parking lot of the buildings for security purposes (see Attachment 4). Portions of the proposed 10-foot tall fence are interior to the site (beyond the face of a building and not located on a property line) and are not subject to the fence height limits contained in SMC 19.48.025. The applicant proposes to replace a portion of the existing 8-foot tall fence along the Sunnyvale East Channel (rear yard) with a 10-foot tall fence in the same location. The 10-foot tall fence would also extend along the Kifer frontage (front yard). With the exception of fences and minor parking lot modifications, no other site, landscaping, or building modifications are proposed as part of this permit.

Fence Design: The proposed fence along the Sunnyvale East Channel would utilize the same materials as existing, with chain link and redwood slats. Creeping vine or ivy is proposed to be planted on the subject property adjacent to the fence line, which will help soften the visual mass of the fence to the residents across the channel to the west.

The proposed fence along Kifer Road will be set back approximately 15 feet from the front property line and 26 feet from the face of curb. The Kifer fence design includes horizontal metal panels as the primary material with horizontal wood panels along the sliding driveway gate. The remaining interior fences and driveway gates will match. Staff recommends that the area between the face of curb along Kifer Road and the fence be landscaped with drought-tolerant groundcover, shrubs, and at least one 15-gallon tree.

Parking and Circulation: The site currently contains a total of 985 parking spaces that are shared between the seven office/R&D buildings. SMC 19.46.100 requires a minimum of 610 spaces and a maximum of 1,220 spaces. The applicant proposes to remove 74 parking spaces behind the three buildings. The purpose is to accommodate security fencing, provide vehicular access between the parking lots, and to remove parking spaces located directly in front of existing roll-up doors. The project would result in 911 total parking spaces for the site (301 parking spaces over the minimum parking required). Therefore, sufficient parking would remain on-site.

While the intent of the condominium plan approved in 2013 was to allow for shared parking and access between the buildings, parking management is the responsibility of the Condo Association. A Parking Management Plan has been created (see Attachment 5) to demonstrate sufficient allocation of parking for each building. Per the map, each building is provided with 2.2 to 4.3 parking spaces per 1,000 square feet of building floor area (2 parking spaces per 1,000 square feet of building floor area minimum is required). Therefore, there is sufficient allocation of parking spaces for the buildings. Staff recommends the CC&Rs (covenants, conditions, and restrictions) for the site be modified to include provisions of the Parking Management Plan.

Vehicular access into the secured parking lot area will be through two driveways along San Gabriel Drive, via employee key cards. Driveway access along Kifer Road will be restricted to a one-way exit only. The Department of Public Safety requires 20-foot minimum driveway widths (one-way drive aisles) and Knox boxes to be installed to allow for emergency access. Proper signage for vehicular

circulation and Knox box details will be provided as part of the building permit submittal.

Santa Clara Valley Water District: Staff has consulted with the Santa Clara Valley Water District (SCVWD), property owner for the Sunnyvale East Channel. SCVWD does not have concerns regarding the fence height or material proposed. An encroachment permit is required from SCVWD to review fence location and potential access through the SCVWD right-of-way during construction of the fence.

Public Contact: 148 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.

Staff received an email from a resident living just across the Sunnyvale East Channel within the Victory Village neighborhood (see Attachment 6). Concerns were raised regarding noise and up-lighting associated with the tenant improvements currently being constructed within the buildings. The resident also expressed concerns regarding noise emitted by the leaf blowers. Staff has informed the contractor of these concerns, with a reminder about the permitted construction hours and requirement to prevent light spillover. Staff does not anticipate that the proposed security fencing will result in noise or light spillover impacts. The proposed project does not involve a change of use, new permanent lighting, or outdoor activity.

Environmental Determination: A Categorical Exemption Class 1 (minor alterations to existing structure) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit the following findings must be made:

1. The proposed use attains the objectives of the purposes of the General Plan of the City of Sunnyvale.

City of Sunnyvale General Plan - Community Character

Goal CC-2. Create an attractive street environment which will compliment private and public properties and be comfortable for residents and visitors.

Citywide Design Guidelines

Guideline 5.C1. Fences and walls should be compatible in style and material with the main structures on a site and integrated into landscape design.

Guideline 5.C2. To avoid the monotony of long solid walls and fences around the perimeter of projects, variation in height, texture, and color is recommended.

Guideline 5.C6. Chain link and barbed wire fences are not allowed in or adjacent to residential areas. In non-residential areas chain link fences are acceptable on school grounds and within parks. Wherever chain link or cyclone fences are used, landscaping should be provided to screen the fence. For non-industrial uses in industrial areas such as retail uses, cyclone or chain link

fences are strongly discouraged.

Staff finds that the proposed fence location, height, and design meet the policies and guidelines listed above. The proposed fence will be set back substantially from Kifer Road and will not create a walled-off appearance along the existing streetscape. The mix of fence materials along Kifer Road is architecturally compatible with the existing buildings on-site and help to relate to wood fences found in the neighborhood. The proposed chain link with redwood slats would replace the existing fence in the same location, with new creeping vine or ivy planted to help screen the fence. Visual impacts to the Victory Village neighborhood across the Sunnyvale East Channel are minimal as the existing fence materials are maintained.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

Staff finds that visual impacts are minimal. The existing Kifer Road streetscape includes 6 to 10-foot tall fences and shrubs up against the sidewalk. The proposed fence will be set back substantially further than other fences along Kifer Road. The supplemental landscaping to be planted between the face of curb and the fence will help to soften the visual mass. In addition, the proposed creeping vine to be planted along the chain link fence will help to soften the view of the fence from the subject property and along the Sunnyvale East Channel.

ALTERNATIVES

1. Approve the Use Permit with recommended Conditions in Attachment 2.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment 2.

Prepared by: Noren Caliva-Lepe, Associate Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Map
2. Standard Requirements and Recommended Conditions of Approval
3. Site and Architectural Plans
4. Applicant's Use Permit Justifications
5. Parking Management Plan
6. Letter from Resident