



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0531, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2014-7900

Location: 625-627 E. Taylor Ave. (APNs: 205-29-006 and 205-29-007)

Proposed Project: Related applications on a 0.9-acre site:

SPECIAL DEVELOPMENT PERMIT for 20 townhome-style condominiums and site improvements, including a request to deviate from side yard and distance between buildings requirements; and

VESTING TENTATIVE MAP to create one common lot and 20 condominiums.

Applicant / Owner: 627 Taylor LLC

Environmental Review: Mitigated Negative Declaration

Project Planner: Rosemarie Zulueta, (408) 730-7437, rzulueta@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Industrial to Residential Medium Density

Zoning: M-S/ITRR3/PD (Industrial and Service/Industrial to Residential Medium Density/Planned Development)

Existing Site Conditions: Industrial, Commercial and Residential (metal fabrication/artist workshop, office and caretaker unit)

Surrounding Land Uses

North: Under Construction Multi-family Residential (very high density)

South: Under Construction Multi-family Residential (medium density)

East: Multi-family Residential (medium density)

West: Multi-family Residential (medium to high density)

Issues: Side yard setback and distance between buildings

Staff Recommendation: Alternative 1: Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map, based on the findings in Attachment 3 and with the recommended conditions of approval in Attachment 4.

BACKGROUND

Description of Proposed Project

The project includes the full demolition of the existing buildings, removal of all existing trees and construction of 20 townhome-style condominium units with site improvements on the two-lot project site. The new units will be grouped into four three-story buildings (see Attachment 6); two buildings

(Buildings 1 and 2) comprising eight townhome units each (Units 1-8 and 13-20) and two buildings (Buildings 3 and 4) comprising two units each (Units 9-12). The project includes the following applications.

- **Special Development Permit**

A Special Development Permit (SDP) is required for site and architectural review on project sites with the PD designation. A SDP also allows for consideration of deviations from specified development standards in exchange for superior design, environmental preservation or public benefit. The applicant is requesting deviations from the requirements for side setbacks and distance between buildings. The findings required in order to grant a SDP and deviations are discussed in Attachment 3.

- **Vesting Tentative Map**

The Tentative Map is required prior to a Final Map for the creation of 20 condominiums for individual ownership and one common lot. The Tentative Map shows the location of the proposed lot lines, public and private streets and other improvements (see Attachment 6). A Vesting Tentative Map vests the developer's right to build the project for the life of the map and secures the approved project against future Sunnyvale Municipal Code (SMC) amendments that might otherwise affect the project. The Vesting Tentative Map is valid only in conjunction with the approved site plan and conditions of approval. The Tentative Map conditions of approval are listed in Attachment 4. The Final Map is approved by the Director of Public Works and must be in substantial conformance to the Vesting Tentative Map.

See Attachment 1 for the vicinity and noticing radius map and Attachment 2 for the project data table. A project description provided by the applicant is in Attachment 5.

Previous Actions on the Site

There have been no previous development applications on the site. The office buildings at 625 E. Taylor Avenue were built in the late 1960s and the industrial building at 627 E. Taylor Avenue was built in the early 1970s. A caretaker/residential unit was permitted in 2006 at 625 E. Taylor Avenue.

EXISTING POLICY

General Plan Goals and Policies: Key goals and policies from the Land Use and Transportation Chapter of the General Plan and Citywide Design Guidelines that pertain to the proposed project are provided in Attachment 3.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act (CEQA) provisions and City guidelines (see Attachment 7). An Initial Study has determined that the potential environmental impacts of the proposed project will be reduced to less than significant with implementation of the recommended mitigation measures pertaining to soil remediation, soil vapor intrusion and disturbance of cultural resources. The Mitigation Measures have been incorporated as conditions of approval (see Attachment 4).

DISCUSSION

Present Site Conditions

The 0.9-acre project site is located on the north side of E. Taylor Avenue near the corner of N. Fair Oaks Avenue. The project site is within the Fair Oaks Junction Sense of Place Plan area. The Fair Oaks Junction Sense of Place Plan area is one of several areas in the City of Sunnyvale that were in zoned in 1993 to transition from Industrial to Residential (ITR) uses. It is generally bound by Wolfe Road to the north, N. Fair Oaks Avenue to the west, Arques Avenue to the south and Britton Avenue to the east. Several properties have already transitioned to residential uses (townhomes) at a medium density, ranging between 19 and 22 dwelling units per acre. Four sites within this ITR area are currently under construction, including a 117-unit affordable rental housing development directly adjacent to the project site to the north. Limited retail uses and a City park (Fair Oaks Park) are located within the vicinity.

The project site is currently developed with industrial (metal fabrication/artist workshop) and commercial uses with related accessory structures. There is a permitted residential caretaker unit at 625 E. Taylor Avenue. The project site has minimal existing landscaping.

Site Design and Architecture

The applicant has worked with staff through several iterations to arrive at a site layout that is compatible with surrounding developments and meets all circulation, landscaping and usable open space requirements. The four buildings will be arranged around a parking area and central driveway off of E. Taylor Avenue that serves as the only vehicular access to the project. Each unit will have two-car garages. The common lot will include landscaped areas, walkways along the perimeter of the site and parking areas, a community garden/picnic area, uncovered/unassigned parking and driveway/circulation areas.

The proposed architecture is contemporary in style with a mix of materials including stucco, lap siding, metal and stone. The applicant has continually worked with staff to refine the colors and exterior materials, reduce massing and unify the overall architectural style of the buildings and accessory structures throughout the development. The architecture incorporates rhythmic variations in wall planes and heights that serve to break up the massing of the three-story buildings and help to define each unit. Recessed windows and balconies are included to help create depth. The proposed architecture is a result of the changes made by the applicant to address the feedback received from the Planning Commission during the Study Session held in February 2015.

Development Standards

The project generally complies with the applicable development standards in the SMC, such as density, lot coverage, parking, landscaping and solar access. The project data table in Attachment 2 summarizes the project's compliance. The applicant has requested deviations from the required side yard setbacks and distance between buildings.

Setbacks and Distance Between Buildings

The project includes a request for deviations from the side yard setback and building separation requirements for Buildings 3 and 4. Buildings 3 and 4 meet the requirements on the ground floor, but not at the cantilevered portions of the second and third floors. The two buildings are separated by a community garden/picnic area and two parking spaces.

Deviations from these requirements are not uncommon for townhome projects. These cantilevered bump-outs serve to provide a standard kitchen/dining area and sizable bedrooms. They help break

up the massing of the 3-story buildings and are consistent with the architectural style. The bump-outs are 13 feet in length and are also placed adjacent to the parking spaces, and not along the community garden/picnic area. The usable open space maintains a full vertical clearance of 26 feet.

The front units facing E. Taylor Avenue include cantilevered balconies that encroach four feet into the required front yard average setback and two feet into the required side yard setback. The Zoning Code allows cantilevered balconies to encroach a maximum of 6 feet into the front yard setback and a maximum of three feet into the side yard setback. No deviation is required for these front unit balconies.

Usable Open Space

The project exceeds the minimum usable open space requirement with the 474 square feet of area per unit proposed where 400 square feet per unit is required. A community garden/picnic area is included for future residents, which is consistent with the common usable open space areas found in other townhome developments within the vicinity. Each unit also includes a private entrance patio and balconies. These spaces are in addition to the required open space and are not counted towards usable open space because they do not meet the minimum dimensions required in the Zoning Code.

Landscaping/Tree Preservation

The project exceeds the minimum landscaped area requirement with the 451 square feet of area per unit proposed where 425 square feet per unit is required. The project would also result in less impervious surface area than currently on the site. The preliminary storm water management plan and preliminary landscaping plan show permeable decorative paving at the driveway entrance and hammerhead intersection, as well as permeable asphalt paving for all circulation areas.

All nine existing trees on the site are proposed for removal to make way for site improvements, including landscaping, walkways, storm water management measures and utilities. An arborist's report prepared for the site stated that the trees are in poor to fair condition. The existing trees do not contribute to screening between properties or to the aesthetics of the site. Six of the nine trees proposed for removal meet the definition of a "protected tree" under SMC 19.94. The project includes a preliminary landscaping plan that includes at least 62 trees to be planted on the site. Staff has included recommended conditions of approval (BP-9) in Attachment 4 to require any protected trees approved for removal be replaced with either a 24- or 36-inch box specimen tree, depending on the diameter of the protected tree removed, in accordance with current administrative policy. At least 10 percent of all new trees will be required to be planted at 24-inch box or larger. These conditions will help ensure the newly planted trees provide immediate landscape effect.

Parking

Each unit is provided two covered spaces in an enclosed garage. The garage areas are 450 square feet or more to accommodate the storage of solid waste and recycling carts and bicycle parking. Ten unassigned spaces are provided for the development. Staff recommends condition of approval GC-6 in Attachment 4 that will require any modification or addition to be subject to any development standards or permitting procedures in place at that time. This would include any conversion that would result in additional bedrooms unless additional unassigned spaces can be provided per the Zoning Code.

Trash and Recycling

Individual trash and recycling carts and pick-up service is proposed for the development (see Attachment 6). Staging for carts will be located directly in front of the unit garages. The hammerhead site layout provides sufficient turnaround for collection service trucks. Environmental Services and Public Works staff have determined that the preliminary plan satisfies established guidelines for trash and recycling collection in townhome developments.

Below Market Rate Housing

The project complies with the 12.5% below market rate (BMR) requirement, by committing to providing two BMR units within the development and paying the in-lieu fee for the fractional requirement of 0.5 units.

PUBLIC CONTACT

Notice of Public Hearings

- Published in the *Sun* newspaper
- Posted on the site
- 1451 notices were mailed to property owners and residents within 1,000 feet of the project site
- Notices were emailed to the SNAIL, San Miguel and Lowlanders Neighborhood Associations

Staff Report

- Posted on the City's Web site
- Provided at the Reference Section of the City's Public Library
- Made available at the City's One-Stop Permit Center

Agenda

- Posted on the City's official notice bulletin board
- Posted on the City's Web site

Outreach Meeting

The applicant conducted a community outreach meeting on February 19, 2015 at Fair Oaks Park. Notices were sent to property owners and residents within 1,000 feet of the project site. There were no attendees at the community outreach meeting.

Planning Commission Study Session

A Planning Commission study session was held for this project on February 23, 2015. The Commissioners noted concerns regarding the architecture. While several Commissioners expressed that the proposed contemporary architecture may be a welcome addition to the transitioning neighborhood, they suggested including more variations in textures, colors and volumes to avoid looking too "cookie cutter" and to further enhance the contemporary style. The Commissioners suggested exploring the use of stone and stated that special attention should be paid to the Taylor Avenue (front) and driveway/garage elevations since these facades will be most visible from the public street. The applicant has responded to this feedback by incorporating stone throughout the development and reconfiguring the volumes to further define each unit.

Public Inquiries

Two members of the public contacted staff after they received the public hearing notice. Both persons expressed general concerns about the amount of development underway in the City. Several projects are currently under construction in the Fair Oaks Junction Sense of Place Plan area.

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with the attached conditions.
2. Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with modified conditions.
3. Adopt the Mitigated Negative Declaration and deny the Special Development Permit and Vesting Tentative Map.
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1: Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map, based on the findings in Attachment 3 and with the recommended conditions of approval in Attachment 4.

Staff can make the required findings for a Special Development Permit, including allowing a decrease in the building separation and side yard setback requirements; the project is well designed and provides 12.5% additional usable open space over the minimum requirement.

Prepared by: Rosemarie Zulueta, Associate Planner

Reviewed by: Trudi Ryan, Planning Officer

ATTACHMENTS

1. Vicinity and Noticing Radius Map
2. Project Data Table
3. Findings for Approval
4. Recommended Conditions of Approval
5. Applicant's Project Description
6. Project Plans dated June 8, 2015
7. Negative Declaration