



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 16-0607, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2016-7157

Location: 1025 The Dalles (APN 320-11-010)

Applicant / Owner: John Miller Architects / St. Luke Lutheran Church of Sunnyvale

Proposed Project:

USE PERMIT to allow the construction of a meeting room on an elevated platform at an existing church site.

Reason for Permit: A Use Permit is required to add meeting space to an existing religious facility.

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

Issues: Potential construction and structural impacts to a 60-foot tall blue oak tree that is utilized for the youth outpost treehouse.

Recommendation: Approve with conditions.

PROJECT DESCRIPTION

Background

Previous Planning Projects related to Subject Application: • Use Permit No. 2012-7479 - Approval for a 1,920 square afterschool learning center on 8/21/12. • Use Permit No. 2004-0705 - Denial to construct a 65' tall wireless telecommunication monopole facility on 1/11/05. • Use Permit No. 1986-0219 - Approval for expansion of the preschool and office space on 3/19/86. • Use Permit No. 1983-0249 - Approval for a private school and daycare Use on 8/9/83. • Original Site and Architectural approval for church building was granted on 9/28/59. • Subsequent approvals include multiple Miscellaneous Plan Permits for tree removals, signage and minor site improvements.	Yes
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	No

Use Description

St. Luke Lutheran Church is requesting a Use Permit to allow for a youth outpost, consisting of a 321 square foot meeting room and approximately 859 square feet of associated decking and ramps constructed around a 93-year old blue oak tree. The tree and proposed meeting room is located in between Kurtz Hall and the north parking lot (See site plan in Attachment 3). The purpose of the youth outpost is to provide recreation space for the youth and a focal point for the family-oriented St.

Luke community. The building and structure will be used primarily for the Sunday school classes as well as small group meetings that would anticipate five (5) to twenty (20) people. The youth outpost would be available for use seven days a week, between the hours of 8:00 AM to 10:00 PM.

The project proposes the following improvements:

- Construction of a new 321 square foot meeting designed with a built-up butterfly roof and fiber cement lap siding walls with openings for glass window and sliding door.
- A 859 square foot raised wood deck and railing that includes an upper and lower platform connected by series of ramps, a wooden stairway located off the main sidewalk and two slides located on the north and west side of the building.
- Installation of wall lights that will be mounted on the sides of the proposed youth outpost building. Proposed lights will include light shields to ensure there is no light spillage. All new lighting will be on timers and motion sensed to discourage after hours activities.
- Renovation of the north parking lot.

Site Description

The subject site is an existing 4.04-acre church located at the northwest corner of the intersection at Wright Avenue and The Dalles. The site is currently developed with multiple buildings, 134 surface parking spaces, and landscaped open spaces. The Sunnyvale General Plan designates this site as a Residential Low Density (RLO) School and is zoned as Public Facilities (P-F). The project site is surrounded by residential uses on all sides.

Compliance with Development Standards

The below table demonstrates consistency with applicable zoning standards for the P-F Zoning District:

Table 1: Development Standards

Development Standards	Existing	Proposed	Complies
Lot Area (none)	191,525	No change	Yes
Building Square Footage (none)	16,421	16,742	Yes
Lot Coverage (max 40%)	8.6%	9.1%	Yes
Floor Area Ratio (max	8.6%	8.7%	Yes
Youth Outpost Height (max 30-feet, 2-stories)	N/A	17-feet and 1-inch	Yes

Youth Outpost Setbacks • Front Setback (Min. 20') • Left Side Yard Setback (Min. 9') • Right Side Yard Setback (Min. 4') • Rear Yard Setback (Min. 20')	N/A	267' 224' 115'-10" 253'	Yes
Parking (min. 148 spaces required based on all the uses)	157	157	Yes
Landscaping/Open Space • 10% of Lot Area • Landscape Buffer (Min. 10')	55% 10' and 20'	54% No Change	Yes Yes

Discussion

Blue Oak Tree

The project proposes a youth outpost building and associated deck that would be constructed around the circumference of a 93-year old blue oak tree. The blue oak is considered a native tree and is characterized as a relatively short tree with an open canopy. The canopy is typically rounded with many crooked branches. The tree grows to average height of 30 feet. However, in deep, moist soil it can grow up to 60 feet. Blue oaks are known to have an extensive root system that can grow to depths of 80 feet to reach ground water which allows it to adapt to drought and dry climates.

The applicant submitted an arborist report, prepared by Urban Tree Management Company, dated 9/14/15, to evaluate the existing health of the tree and provide recommendations for the care of the tree during and after construction. Based on the report, the tree is in good health and has a fair structure. The tree measures 60-feet wide and tall. Currently the tree has several old cables to help prevent major limb failures and has a moderately dense canopy. Based on the circumference of the tree, the Sunnyvale Municipal Code deems the tree as a protected tree.

To ensure the overall health of the blue oak, the arborist recommends the following:

- Installation of three (3) additional cables to prevent limb failure and stabilize the existing tree structure.
- Aerate all of the soil under tree.
- All bare soils are covered with 10-inches of chipped tree trimming, keeping the root collar free of debris.
- The root collar is excavated and left open.
- All bare soils under the tree are irrigated to a soil depth of 24-inches once a month during the dry season, in perpetuity.

- The foliage of the tree is treated for insect and fungal pathogens as they arise.
- Adhere to engineering recommendations specified in the report to prevent damage to the living root system.

Although the above recommendations provide safeguards to preserve the tree, there are still unknown risks that can potentially compromise the tree. The project would require careful preparation and thoughtful placement of the foundation piers. Based on staff's past experience with construction projects that involve large, established tree(s), there is still a potential for the tree to be damaged or compromised during construction or become constrained over time which leads to their decline.

Based on the very detailed and specific construction parameters that were recommended by the applicant's arborist, staff was uncertain if the youth outpost could be constructed within the specific parameters. To address this concern, the applicant met with their project team, which consisted of their arborist, architect, structural engineer, and contractor, to further explore the site and determine the feasibility of its safe construction.

As such, they conducted exploratory borings at the proposed pier locations to identify potential conflicts with root system and determine whether the proposed locations will not be impacted any roots. After further review, the arborist recommended to increase the distance between the eave of the building and tree trunk to provide a minimum 6-foot separation and a 4-inch gap between the decking, which has been incorporated into the project.

Planning staff and the City Arborist also met on-site with the applicant's project team to go over the plans, verify field conditions, and consult further with the arborist, architect/engineer and contractor. It was determined the tree is likely able to tolerate the proposed structure and its construction. Staff recommends the following conditions (included as Condition of Approval DC-4 to DC-11):

1. The Permittee shall perform the following in conjunction with the construction activity:
 - a. Installation of three (3) additional cables to prevent limb failure and stabilize the existing tree structure as determined by the Arborist.
 - b. Aerate all of the soil under tree.
 - c. All bare soils are covered with 10-inches of chipped tree trimming, keeping the root collar free of debris.
 - d. The root collar is excavated and left open.
 - e. All bare soils under the tree are irrigated to a soil depth of 24-inches once a month during the dry season, in perpetuity.
 - f. The foliage of the tree is treated for insect and fungal pathogens as they arise.
2. The engineer shall visit the site, learn where the main buttress roots of the tree are expected to be, and plan to not place piers in these locations. The engineer shall give preliminary instructions on the pier locations, the top 24-inch of the soil shall be carefully hand dug to determine if there are any significant roots at the pier locations. All roots must be preserved in this discovery process. If roots 2-inches in diameter are discovered, the pier must be moved to avoid such roots as determined by the arborist.

3. Once it is determined that the piers can be drilled, a track driven drilling rig must be employed to drill the piers. If the drilling occurs during the winter months, steel plates must be placed over the mulch in order to minimize soil compaction and distribute weight load of the equipment or machinery. Driving repeatedly over the root system is unacceptable. Branches must be avoided by the drilling rig.
4. Arborist shall be present during post exploration and pier digging process.
5. Prior to Building Permit issuance, the Permittee shall submit a construction staging plan that identifies a special zone where supplies, materials and machinery are to be stored as well as the designated pathway for construction workers are to utilize during construction to minimize soil compaction that is reviewed and approved by City staff. No stage shall be allowed within the limits of the tree canopy.
6. Drainage system for the youth outpost building and deck shall be designed so that the water is allowed to flow back under the tree to the maximum extent feasible.
7. Design platform around the tree trunk to be expandable to accommodate future growth of the tree.
8. Trenching for electrical power shall not encroach within the limits of the tree canopy.

Landscaping

Based on staff's site visit, the site was found in non-compliance with the following conditions:

1. Landscape Buffer - Plant shrubs/tree (water conservation species) in the north parking lot to provide a minimum of six-foot high hedge-like screening along the north and west property ones.

Based on the site visit, a row of accent trees and very low shrubs were planted along the north property line which does not provide the 6-foot hedge condition specified in this condition. The planting in this area needs to be augmented to meet the intent of this condition. Staff recommends as a condition of approval, that the Permittee submit a landscaping plan to demonstrate compliance with this condition (included as Condition of Approval DC-12)

Neighborhood Impacts / Compatibility

On April 9, 2016, the applicant held a community outreach meeting with adjacent neighbors to obtain input and concerns. Additionally, the applicant provided a mock up to demonstrate the heights of the various points of the roof line to allow adjacent neighbors opportunity to gage the proposed height and/or privacy concerns. No objections were raised by any of the neighbors that participated.

Public Contact: 100 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. Two comments were received from the public by staff.

Environmental Determination: A Categorical exemption from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines: Section 15303 (New Construction or Conversion of Small Structures (e) and 15304 (Minor Alterations to Land) (b) relieves this project from CEQA provisions. The project is exempt from further environmental review because the project entails minor land alterations to allow for the construction of a 1,180 (321 square foot meeting room and 859 square

foot associated deck) youth outpost.

FINDINGS

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

1. Attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized plan of the city of Sunnyvale; or

The project is consistent with below General Plan Policy:

Land Use and Transportation - Policy LT-4.3: Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the City.

Analysis: The project provides for creative and fun youth retreat area that caters to the youth congregation and provides additional meeting space for St Luke Lutheran Church. The treehouse is constructed around a 93-year old blue oak tree and serves as a focal point for the church community. The project adds to the positive image by creating a landmark that gives the neighborhood a unique identity and encourages community pride and unity.

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

Analysis: As conditioned the proposed use and design are compatible with adjacent neighbors and minimize negative impacts to property, improvements, public safety, health and general welfare. The building incorporates building forms, traditional materials and colors that are in keeping with the residential character of the neighborhood. Implementation of the conditions related to the construction of the structure shall provide sufficient safeguards to ensure the health of the tree is preserved and maintained in perpetuity.

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: Cindy Hom, Assistant Planner

Approved by: Ryan Kuchenig, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Maps

2. Recommended Conditions of Approval
3. Project Plans
4. Letter from the Applicant
5. Arborist Report
6. Comment Letter