



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 16-0966, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2016-7439

Location: 1122 Aster Ave. (APNs: 213-01-014 and 213-65-001 through 213-65-10)

Zoning: M-S/ITR/R-3/PD (Industrial and Service/Industrial to Residential/Medium Density Residential/Planned Development)

Proposed Project: Related applications on a 1.66-acre site:

SPECIAL DEVELOPMENT PERMIT: To allow demolition of existing buildings and construction of 34 three-story townhomes and associated site improvements;

VESTING TENTATIVE MAP to subdivide the site into 34 townhome lots and one common area lot.

Applicant / Owner: Classic Communities / Franz and Kathaleen Mortensen et al (multiple owners)

Environmental Review: Mitigated Negative Declaration

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

REPORT IN BRIEF

General Plan: Industrial to Residential Medium Density (ITR-R3)

Existing Site Conditions: The site is developed with two single-story concrete tilt up industrial condominium buildings, surface parking and mature landscaping throughout the site.

Surrounding Land Uses

North: Building material supply yard (Calstone and Peninsula Building Material Supply)

South: Two-story multi-family residential buildings (Aster Park Apartments)

East: Two and three-story multi-family residential buildings

West: Two-story multi-family residential buildings (Evelyn Garden Apartments)

Issues: Privacy, Setbacks, and Construction Noise.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the Special Development Permit with deviations for average front yard setback and distance between buildings and the Vesting Tentative Map with the attached conditions.

BACKGROUND

Previous Actions on the Site

The original site and architectural approval for the two single-story concrete tilt up industrial buildings and various site improvements was granted by City Council on July 26, 1977. Subsequent approvals are summarized in the Table 1 below:

Table 1: Permit History

| Date | Permit | Description | Approval Body |
|---------|---------------------------|---|---------------------|
| 9/22/86 | Tentative Map | One-lot subdivision for condominium purposes | Planning Commission |
| 2/8/84 | Miscellaneous Plan Permit | Master sign program and landscaping modifications | Staff |
| 3/16/05 | Miscellaneous Plan Permit | Conduct auto sales within a condo unit | Staff |
| 3/8/12 | Miscellaneous Plan Permit | Operate 1000 sq. ft. Winery facility | Staff |

Project Background

A Planning Commission study session was held on August 8, 2016 and two site layout options were presented. Option 1 had the side elevation of the residential buildings facing Aster Avenue. This option would allow the continuation of the same orientation that is exhibited by existing townhomes located to the east. The majority of the Planning Commissioners expressed a preference for Option 2 which had the front elevation of the residential buildings facing Aster Avenue. The Planning Commission felt this layout provided better connectivity and sense of community, and better conformed to the draft Lawrence Station Area Plan (LSAP). The applicant submitted modified plans with the site layout redesigned to address Planning Commission's preference.

The project site was not included in the LSAP area because it was an industrial condominium project with multiple owners. The Peninsula Building Materials/Calstone property across Aster is in the LSAP area and is planned for residential or mixed-use with a maximum density of 54 units per acre. The proposed application was reviewed in conjunction with the draft LSAP and the current proposal is consistent with the design elements.

Location and Context

The project site is a 1.66-acre site located mid-block on Aster Avenue, between East Evelyn Avenue to the west and Willow Avenue to the east. The subject site is within the Industrial-to-Residential (ITR) zoning district. Several properties have already transitioned to residential uses, including medium density (approximately 22 to 24 dwelling units per acre) townhome developments to the east and south of the project site. The site is bounded by the El Camino Storm Drain Channel, a Santa Clara Valley Water District (SCVWD) facility along the south property line. The Lawrence Caltrain Station is located approximately 1/4 a mile east of the site.

Description of Proposed Project

The proposed project entails the demolition of two existing industrial buildings and removal of existing trees on the project site and within the public right-of-way to allow for a 34-unit residential subdivision consisting of three-story townhomes within eight buildings. Each townhome unit will contain 3 to 4 bedrooms, 2.5 to 3.5 bathrooms and a two-car garage with floor areas that range between 2,090 to 2,292 square feet in size.

The project includes various site improvements including: new private streets, on-site trash facilities, new landscaping throughout the development, an on-site amenity area consisting of BBQ and seating area. The project will include frontage improvements such as a new public sidewalk and street trees. The project will also propose a 12 ½-foot wide public access easement dedication that will provide for a future multi-use trail along the west property that will connect to the future El Camino Storm Drain Channel trail. The easement is consistent with the LSAP plan to connect the area north of the tracks with any future trail system utilizing the channel (though not currently planned, the easement provides that opportunity in the future).

See Attachment 1 for the vicinity and noticing radius map and Attachment 2 for the project data table.

Requested Permits

Special Development Permit

The applicant requests approval of a Special Development Permit (SDP) for site and architectural review. The SDP also is used to consider approval of preliminary landscaping and stormwater management plans. An SDP is the project review process for sites with a Planned Development (PD) combining district. In this case the site is located in a MS/ITR/R-3/PD Zoning District. An SDP also allows for consideration of deviations from specified development standards (siting, bulk, and parking) in exchange for superior design, environmental preservation or public benefit. The applicant is requesting a deviation from Sunnyvale Municipal Code (SMC) Section 19.34.030, which requires a 20-foot average front and rear yard setback, and Section 19.48.030, which requires a 26-foot distance between three-story buildings.

Vesting Tentative Map

The Vesting Tentative Map is required for the subdivision of the 1.66-acre site into 34 residential lots and one common area lot for landscaping, parking and open space. The map establishes new lot boundaries, dedication of a 12 ½-foot wide public access easement for a future multi-use trail, and installation of new utilities and public improvements. Staff recommends a condition that requires future residents receive full disclosure of the public access easement and future improvements associated with the implementation the future multi-use trail (See Condition No. TM-13 and TM14 found in Attachment 4). The proposed Tentative Map is shown on Sheet TM1 of the project plans provided in Attachment 6.

The Tentative Map is required prior to recording a Final Map. 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.

EXISTING POLICY

General Plan Goals and Policies: Key goals and policies from the Land Use and Transportation Chapter of the General Plan which pertain to the proposed project are provided and analyzed in the Recommended Findings (Attachment 3).

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act (CEQA) provisions and City guidelines. An Initial Study has determined that the proposed project would not experience or create any significant environmental impacts with implementation of the recommended mitigation measures (See Attachment). Environmental issues that required mitigation include biological/tree preservation, historic and cultural resources, noise impacts, air quality as well as hazards and hazardous materials. The environmental assessment of the project is provided in Attachment 5 and required CEQA findings in Attachment 3.

DISCUSSION

Site Circulation and Access

The Citywide Design Guidelines (CDG) encourages projects site with convenient access for pedestrians, bicycles and automobiles. The project site is accessible from Aster Avenue, an existing east-west street that begins one block south where it intersects with Willow Avenue and terminates at the junction at Evelyn Avenue to the west. Vehicle access to the project site is provided by two driveway entrances located off Aster Avenue that consist of decorative stamped asphalt. The internal circulation consists of three private streets and a network of pedestrian walkways and paseos that connect each building to the public sidewalk on Aster Avenue.

The proposed decorative crosswalks are generally consistent with CDG 3.A5 which encourages walkways to be clearly delineated with contrasting color and pavement pattern, and be raised slightly to form a speed table. However, staff recommends as a condition of approval, the decorative paving shall consist of colored, stamped concrete or decorative pavers which would be consistent with the City's design guidelines to utilize high quality materials.

Site Layout

The following Citywide Design Guidelines (CDG) was considered in analysis of the site design:

- **CDG 1-A1:** Design projects to be compatible with their surrounding development in intensity, setbacks, building forms, material, color and landscaping unless there are specific planning goals to change the character of the area.
- **CDG 1-A4:** Project perimeter landscaping shall be integrated with the landscaping of adjacent development for streetscape continuity.
- **CDG 1.A6.** Preserve natural site features such as mature trees, creeks, views, etc. and incorporate into the site design of the new project.

The project consists of eight buildings that offer four architectural styles and three building plan types (3-plex, 5-plex, and 7-plex). Building 1, 4, 5, 6, 7, and 8 are oriented east/west and are perpendicular to the SCVWD channel. Building 2 and 3 have a north/south orientation which enabled the front elevations to face Aster Avenue to provide the desired sense of community and connectivity as encouraged by the Planning Commission at the study session and consistent with the LSAP guidelines.

The project will also provide public frontage improvements that include a new detached 6-foot wide

sidewalk with 4-foot wide park-strip and installation of new 24-inch box street trees.

The proposed residential buildings and landscaping are clustered around the private streets and along the perimeter of the project site area. The private streets are configured in an “H” shape with two roads (Street A and C) that extend from the east and west driveway entrances and one spine road (Street B) that runs north and south in the middle section of the parcel. On-site parking is provided on the south side of Street B, between Building 2 and 3, and two parking spaces at both the southwest and southeast corner of the parcel, by Buildings 1 and 8.

A common open space area is provided at the southwest corner where a grove of Coast Redwood trees are to be preserved and incorporated into the amenity area for the development which includes a BBQ pit, seating area, and benches. Considering this is the only private open space area provided for the development, Staff recommends the following conditions to further enhance this amenity area:

- Replace pedestal BBQ grill with a built in BBQ grill that utilizes a decorative stone base and decorative counter top such as stained concrete or other durable material.
- Include a decorative metal arbor or trellis feature over the table seating area.
- All metal outdoor furniture and fixtures for the private open space shall utilize a powder coated finish for durability. Final selection for all outdoor furniture such as benches, trash receptacles, table, chairs and site lighting shall be to the approval of the Community Development Director.

Architectural Design

The site and architectural plans are provided in Attachment 6. The following Sunnyvale Citywide Design Guidelines were used to evaluate this project.

- **CDG 2.C1.** Maintain diversity and individuality in style but be compatible with the character of the neighborhood.
- **CDG 2.C3:** Develop a comprehensive architectural theme for multi-building complexes. Unify various site components through the use of similar design, materials, and color.
- **CDG 2.C5:** Buildings shall have three distinct components: base; middle; and top. Define each component by horizontal and vertical articulation.
- **CDG 2.C9:** Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and height, arcades, porticos, trellises, porches, balconies, dormers, windows, opening, etc.
- **CDG 2.C10:** Repeat design and decorative building elements in all elevations and the roof, not just the front façade.

The project provides four different architectural styles that include Craftsman, American Cottage, Farmhouse, and English Tudor. As proposed, the different architectural styles provide variety in terms of architectural design elements, texturing, and color scheme. Materials include composition shingle roofs, multiple siding types that are representative of the contrasting but complementary design styles, including horizontal lap, shingle, board and batten and stucco. The homes are detailed with masonry wainscoting, knee brace brackets, corbels, extensive window trim, decorative shutters, pot shelves and multiple garage door types. The buildings are designed with varying wall and roof planes that help to distinguish the units. A range of colors also help accent the architectural style and

add visual interest.

Staff is recommending the following conditions to ensure high quality design:

- Wrap front porch condition shown on enhanced street side elevation on Building 1 to extend along portions of the front elevation. This would allow the end unit to have an entry element on the front elevation and provide design continuity with the entries on the other units within the building. Although this would result in a front setback deviation, the modification would add to the architecture and would be consistent with the City's Design Guidelines.
- Extend the height of the brick veneer to the height of the 1st floor wall plate and enhancing the brick veneer around the door for Building 5 to provide a more prominent base and add to the architectural interest at the pedestrian level.
- Extend the roof line above the first floor to allow a greater projection and depth for the front porch entry feature on the front elevation as well as add projecting window sills for the second and third floor windows for Building 6.
- All windows shall be recessed from the exterior building façade two inches to reduce uniformity, add depth and shadow as well as provide texturing to the buildings.
- Staff also has a concern that the proposed English Tudor architecture would not be in the same design character as the Craftsman, Cottage, and Farmhouse that have more traditional forms and design elements. Generally, the Tudor architectural style has a strong focus on ornamentation such as the half-timber frames, pitched gable roofs, and heavy materials, which makes these buildings stand out and appear out of context. Staff considers the three architectural styles as varied and cohesive and recommends use of one of the other architectural styles in place of the English Tudor architecture for Buildings 5 and 8 (see Condition PS-3 found in Attachment 4).

Floor Plan

The project proposes four plan types that consist of three or four bedrooms, living areas, and two-car garages. Each unit ranges between 2,090 square feet to 2,292 square feet in size. Floor plans are provided in the Attachment 6.

Development Standards

The project complies with most of the applicable development standards in the SMC, such as density, lot coverage, floor area ratio, height, parking, landscaping, and solar access. The applicant is requesting several deviations for setback and distance between building which are discussed further in the below sections. The project data table in Attachment 2 summarizes the project's compliance with applicable development standards.

Density

The project complies with density requirements for the MS/ITR/R-3-PD Zoning District which allows 24 units to the acre. A maximum of 40 units can be considered with the current zoning of the property. General Plan Policy HE-4.3 requires new developments to build to at least 75% of the maximum density, or 30 units minimum for the site. Therefore, the proposal for 34 residential units meets the policy on minimum number of units.

Lot Coverage

Lot coverage is used to gauge the visual bulk and mass of a project. The project would result in 34% lot coverage, where 40% maximum is permitted. Therefore, the proposed lot coverage complies with the code requirement.

Setbacks

As proposed, the project complies with the setbacks requirements by providing 12-foot minimum side yard setbacks. Deviations are request for the front and rear. As mentioned above, staff recommends a condition of approval to modify the front setback for Building 1 with a reduced front setback of 13.5-feet. The reduced setback would allow for a wrapped porch condition for the end unit, adjacent to the Aster street frontage. This modification allows for front elevation detailing that is consistent with the City's Design Guidelines that encourage front entry elements.

The applicant is also requesting for a reduced rear setback of 12-feet where 20-feet is required. The reduced setback will not result in a privacy issue considering it abuts the SCVWD creek channel which serves as a permanent, natural buffer. The nearest residential building to the south is located approximately 132-feet away. Therefore, staff finds that the requested deviation is reasonable and allows for a harmonious development.

Development Near Streams

The project site is adjacent to a SCVWD drainage channel and falls under the requirements of the Guidelines and Standards for land use near streams. The applicant verified with the SCVWD and received confirmation the proposed bank stability requirements and setbacks are met and therefore consistent with SMC 19.81.050 and the Guidelines and Standards for Land Uses New Streams. A condition of approval requires that the final project meet setback requirements to the satisfaction of SCVWD guidelines or that the project be engineered to protect the channel for collapse and erosion.

Distance between Buildings

SMC 19.48.030 requires a building separation of 26 feet between three-story buildings. The proposed project will require a deviation from this standard for one area of the development. The deviation occurs at Building 2 and 3 which are the two central buildings located along the Aster Avenue frontage. The proposed distance between the two buildings is 15-feet, 4-inches. Deviations from this requirement are not uncommon for townhome projects. Reduced building-to-building setbacks allow for a compact, urban form and helps centralize the mass of the buildings towards the center of the site. Therefore, staff finds that the requested deviation is reasonable for the site and will not result in significant visual impacts.

Building Height

The maximum building height for townhomes using R-3 Zoning District standards is 35 feet and three stories. The City's Green Building Program allows the project to increase the maximum height of the project by five feet above the maximum allowed if the project attains 110 Build-it-Green points. As such, the applicant has proposed a maximum building height of 40-feet. The townhome project (2006-0069) located to the immediate east was approved with a height limit of approximately 40-feet.

Solar Shadow

The Municipal Code and the Citywide Design Guidelines state that buildings and additions shall not shade more than 10% of structures or open space areas on adjacent properties in a year for proper

solar access. The applicant has provided a shadow analysis that indicates that in the a.m. of December 21 (shortest day of the year and worse case) there would a shadow on 8.5% of the roof of the adjacent structure. The impact improves throughout the day as indicated in the aerial of the p.m. shadow condition. The proposed 8.5% maximum shadow impact is well within the allowable 10% threshold for shading and is therefore in conformance with City requirements.

Parking

The project proposes 34 units consisting of 3-bedroom and 4-bedrooms. The Sunnyvale Municipal (SMC 19.46.060) requires two assigned spaces per unit and 0.5 unassigned spaces for 3-bedroom units and 0.65 unassigned spaces for 4-bedroom units. The project complies with the above requirement as summarized in Table 3 below:

Table 3: Parking Summary

| Bedroom Count | No of Units | Parking Ratio (Assigned + Unassigned spaces) | No. of Required Spaces |
|--|-------------|---|------------------------|
| 3-bedroom | 21 | 2.5 | 52.5 |
| 4-bedroom | 13 | 2.65 | 34.5 |
| Total | 34 | | 87 |
| Garage spaces (Assigned) Uncovered spaces (Unassigned) Total provided: | | | 68 |
| | | | 19 |
| | | | 87 |

In terms of bicycle parking, the SMC requires multi-family development with five or more units to provide one bicycle parking space for every four units, but no fewer than four spaces. All required bicycle parking shall be secured. The enclosed two car garages will meet SMC requirements for secured bicycle parking. The applicant is also providing two bicycle racks in two locations that provide nine (9) unsecured bicycle parking.

Landscaping and Open Space

As demonstrated in the Open Space Exhibit (Sheet C7) found in Attachment 6, the project exceeds the minimum landscaped area requirement by providing a total of 24,650 square feet of landscaping (34% of the site), where 14,497 square feet is required (20% of the site).

The project provides approximately 14,188 square feet of usable open space area which includes landscaped paseos and an outdoor gathering area. As proposed, the project provides 725 square feet per unit where a minimum of 400 square feet is required.

The landscaping proposal includes the installation of 84 new colorful ornamental and shade trees ranging from 15 gallon to 36-inch box tree and various shrubs and groundcover that provides a cohesive and harmonious planting theme. The project has been designed to comply with water-efficient landscaping requirements by using 80% low water or no water plantings and less than 25% turf.

Tree Disposition and Preservation

A Tree Inventory Report was prepared by Michael L. Bench and, the City Arborist and applicant's development team met at the project site on August 24, 2016. A total of fifty-three (53) trees are identified, including forty (40) trees on the project site, nine (9) street trees, and four (4) trees on adjacent private properties. Of the forty (40) trees on the project site, thirty-five (35) of the trees are considered to be "protected" under Sunnyvale Municipal Code Chapter 19.94 (a protected tree is defined as having a trunk size of at least 38 inches in circumference, as measured 4 ½ feet from the ground). The applicant proposes to remove thirty (30) of the thirty-five (35) protected trees on the project site, including fourteen (14) trees due to poor health and sixteen (16) trees due to conflicts with the planned location of new buildings and infrastructure. Protected trees for removal primarily consist of Canary Island Pine, Chinese Elm and Camphor trees, which are generally located in the middle of the site. The most prominent trees on the property are a grove of Coast Redwood trees located in the southwest corner of the site. The applicant proposes to save these trees and incorporate them into the common open space for the development in response to staff's request and as recommended by the Planning Commission study session.

Protected trees for removal are subject to the City's Tree Replacement Standards, which requires planting of replacement trees or payment of an in-lieu fee. The applicant's preliminary landscaping plan includes eighty-four (84) replacement trees that range in size from 15-gallon to 36-gallon trees. The proposed replacement trees are in accordance with the City's Tree Replacement Standards.

There nine (9) street trees to be removed which includes: five (5) Canary Island Pine, three (3) Carob, and one (1) Deodar Cedar. Although the Canary Island Pine and Carob trees are generally in good health; they are not recommended to be saved due to their close proximity to the face of curb and extensive root system. The City Arborist is concerned that these trees would be in conflict with the required improvements and would not survive the proposed earthwork associated with the installation of new infrastructure for the proposed project. Per the City's standard requirements, new street trees will be planted along the project frontage. The City Arborist has requested that the Deodar Cedar street tree along the east property line be saved, which is noted for preservation on the applicant's preliminary landscaping plan. Staff recommends as a condition of approval that the City Arborist to be present during exploratory boring of trees to determine ability to preserve trees.

Trash and Recycling Facilities

The applicant proposes to install two (2) 207 square foot trash enclosures constructed with stucco walls, painted corrugated metal gates, and composition shingle roof that would match and complement the residential buildings. As demonstrated in the Trash and Open Space Exhibit (Sheet C7) of the project plans, the trash enclosures comply with the general requirements for recycling and solid waste facilities (SMC 19.38.30) in that the proposed trash enclosures are located within 150-feet of all residential units, provide adequate vehicle access clearance, sizing and servicing capacity, and are located on the interior of the site and away from the public street. Although they are sited next to residential buildings, they are adequately buffered with landscaping.

Stormwater Management

The applicant has submitted a preliminary stormwater management plan with the project application. The plan indicates the use of landscaped bioretention areas located within the front setback along Aster Avenue (east side of project and corner). A preliminary Stormwater Management Plan has been submitted as required, which shows proposed drainage patterns and conceptual treatment techniques to minimize surface runoff and pollution. Low Impact Development (LID) measures are

proposed throughout the site and include bioretention areas which, to the extent feasible, retain water onsite and allow treated overflow in the storm drain system.

Water-Efficient Landscaping

The applicant has provided a preliminary water-efficient landscape plan to meet City standards. The applicant has developed a planting palette that uses predominately low water use plants and has used minimal turf areas. A preliminary water budget has also been provided. A condition of approval will require a final plan prior to issuance of building permits.

Residential Transportation Demand Management Plan

Based on the proposed density, a minimum of 4 points from the adopted TDM Strategies is required. The project location (less than a half-mile from a major transit stop and less than a quarter-mile from a shopping center with at least three tenants) totals 8 points. Therefore, the project meets the requirements.

Green Building Program

For new residential projects, the requirement is to use the GreenPoint Rated Checklist which includes CALGreen to achieve a minimum of 80 points. At the time of building permit review, and again at the time of final project inspection/occupancy a certified Green Point Rater is required to provide a letter that states the project is designed to achieve the minimum points required.

The applicant's preliminary GreenPoint Rated checklist indicates 111 targeted points. As a Green Building Program incentive, if the project voluntarily achieves 110 points with verification, a multi-family project may increase lot coverage by 5%, receive a 5% density bonus or increase the height of the project by 5 feet. The applicant is utilizing the height incentive for additional height.

Below Market Rate Housing

The project complies with the 12.5% below market rate (BMR) requirement by providing the required four (4) BMR units and paying an in-lieu fee for the fractional unit.

FISCAL IMPACT

The project is subject to payment of park in-lieu fees to the City and school impact fees to the Sunnyvale School District and Santa Clara Unified School District. Other standard fees and taxes apply.

PUBLIC CONTACT

- Public Hearing Notice
- Published in the *Sun* newspaper
- Posted on the site
- 1,462 notices were mailed to property owners and residents within 1,000 ft. of the project site

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

During the Planning Commission study session held on August 8, 2106, the following comments were provided to the applicant for consideration:

- The project provided an appropriate density for the area
- Preserve trees where feasible
- Explore ways to avoid setback deviations
- Consider additional architectural enhancements
- Appreciation for the inclusion of a public access easement to the future creek trail

The applicant held a community outreach meeting the evening of September 19, 2016 at the Sunnyvale Community Center at which five people attended. General comments and concerns from the public included the following:

- Proposal would add housing in an area already dense with housing and jeopardize quality of life.
- Potential for overflow parking in adjacent residential neighborhoods.
- Visual impacts and privacy not adequately addressed for the building proposed on the west side.
- Increase crowding for public schools and parks that would service the proposed residential development.

Staff and the applicant have evaluated the public comments received with comments below:

- The proposed density and housing is consistent with the General Plan and Zoning in that the project provides housing opportunities in Sunnyvale, helps the City meet its regional fair-share housing obligations as well as improve the job to housing balance.
- As proposed, the project provides the required number of parking spaces and therefore, staff does not anticipate overflow parking to occur in adjacent neighborhood. HOAs, Property Manager and Neighborhood Preservation have the ability to monitor and enforce parking regulations.
- The applicant has implemented the modifications to the project to address visual and privacy issues. The applicant moved Building 8 further back to provide a greater setback and proposes 36-inch box trees to provide landscaping screening. As conditioned, the final color selection shall be to the approval of the Community Development Director to ensure the colors are compatible and complement the surrounding buildings.
- The project is subject to a school impact fee and park in-lieu fee that address the concern related the increase demand on the school and park system.

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and approve the Special Development Permit with deviations for setbacks and distance between buildings and Vesting Tentative Map based on the findings in Attachment 3 and recommended conditions of approval in Attachment 4.
2. Adopt the Mitigated Negative Declaration and approve the Special Development Permit with deviations for setback and distance between buildings and Vesting Tentative Map based on the findings in Attachment 3 and with modified conditions.

3. Adopt the Mitigated Negative Declaration based on the recommended CEQA findings in Attachment 3 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 with deviations for setbacks and distance between buildings and Vesting Tentative Map based on the recommended findings in Attachment 3 and recommended conditions of approval in Attachment 4.

Prepared by: Cindy Hom, Assistant Planner

Reviewed by: Noren Caliva-Lepe

Reviewed by: Gerri Caruso, Principal Planner

Approved by: Andrew Miner, Acting Planning Officer

ATTACHMENTS

1. Vicinity and Noticing Radius Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Initial Study/Mitigated Negative Declaration
6. Project Plans
7. Comment Letters