



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

---

File #: 17-0689, Version: 1

---

### REPORT TO CITY COUNCIL

#### SUBJECT

**Proposed Project:** Related Rezoning and Special Development Permit applications for a 2.05 acre site on E. El Camino Real and Poplar Avenue

**REZONE:** Introduction of an Ordinance to rezone the property at 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR (Low Density Residential/Precise Plan for El Camino Real) to C-2/ECR (Highway Business Commercial/Precise Plan for El Camino Real); and

**SPECIAL DEVELOPMENT PERMIT:** Construct 108 residential units (rental apartment complex) on a 2.05-acre site, where 20% of units will be affordable to very low income households. The complex will consist of one five-story building facing El Camino Real (four stories above ground floor amenities and parking plus one underground level of parking) and one three-story building facing Poplar Avenue. The project includes deviation requests from the required minimum distance between buildings on the same lot, maximum building height, parking requirements and maximum lot coverage. The project site is composed of a former mobile home park (Conversion Impact Report certified and closure approved in January 2016) and a duplex property.

**VESTING TENTATIVE PARCEL MAP:** Combine two lots into one lot.

**File #:** 2016-7293

**Location:** 1008 E. El Camino Real (APN 313-03-011) and 1314-1320 Poplar Ave. (APN 313-03-013)

**Applicant / Owner:** St. Anton Communities / Sunnyvale Park LLC; Alhambra Apartments LP

**Environmental Review:** Mitigated Negative Declaration

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

#### SUMMARY OF PLANNING COMMISSION ACTION

The Planning Commission considered this item on June 26, 2017.

The Planning Commission voted 7-0 to recommend that City Council: Make the findings required by the California Environmental Quality Act (CEQA) in Attachment 4 to the report and adopt the Revised Mitigated Negative Declaration in Attachment 6 to the report; introduce the ordinance in Attachment 11 to the report to rezone 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR to C-2/ECR; and approve the Special Development Permit and Vesting Tentative Parcel Map with the recommended conditions of approval set forth by the Planning Commission and as modified by the staff recommended conditions of approval (see Attachment 5).

The Planning Commission supported the project goal of adding housing to the site, and appreciated efforts to reduce the project impact to the adjoining neighbors, but agreed with staff that the front elevation design (along El Camino Real) requires softening and the side elevations requires enhancing. The Planning Commission listed several design considerations and clarifications to incorporate into the conditions of approval (see Attachment 13 for the Planning Commission public hearing minutes). Staff has updated the recommended conditions of approval in Attachment 5 to

incorporate the Planning Commission recommendation. Conditions of Approval GC-6, PS-1, BP-10, BP-19 and EP-23 were updated and annotated to reflect the Planning Commission action.

Staff agrees with the Planning Commission modifications, except for the following items:

- *Add a park strip along the El Camino Real frontage, as feasible (EP-23).*

A park strip along El Camino Real does not meet the current City standard for El Camino Real as established by the Director of the Department of Public Works. Updated sidewalk standards for El Camino Real will be reconsidered as part of the El Camino Real Corridor Plan effort. Staff recommends retaining original text of condition of approval EP-23, which requires a 12-foot sidewalk with 4-foot by 5-foot tree wells.

- *Require that the 22 affordable units remain restricted to very low income households if there is a future conversion to condominiums (GC-6).*

The City's inclusionary housing requirement is to provide 12.5 percent affordable units in ownership housing projects. The City cannot legally require a higher percentage of affordable units if there is a future conversion to condominiums, although the applicant may provide a higher amount voluntarily. Staff recommends retaining the original text of condition of approval GC-6.

Because the applicant is providing the affordable rental units voluntarily with this project, the City can instead require the units remain rental and affordable to very low income households for 55 years. Staff further recommends adding a condition (GC-16) to ensure the 22 units remain rental and affordable for 55 years.

- *Add a requirement to ensure ingress and egress are primarily on El Camino Real (BP-19 g.).*

The Planning Commission heard the concerns of a neighbor about increased traffic on Poplar Avenue and potential conflicts with Peterson Middle school traffic. The traffic impact analysis prepared for the project assumed that both the El Camino Real access and Poplar could be used. Requiring all or most of the traffic to use El Camino Real could affect two intersections on El Camino Real (Henderson Avenue and Poplar Avenue) in terms of U-turns and to access the site. Fire safety regulations requires an additional vehicle access when there are more than 100 units. Staff recommends excluding this Planning Commission recommended condition.

The Planning Commission supported the proposed residential use and noted that the community benefits the project would outweigh the remaining design issues, and therefore recommended approval of the project. Although the project would not provide additional retail, Commissioners noted that enhancements to the design of the pedestrian plaza at the project frontage would help activate the street and be a great addition to a streetscape. Commissioners also noted that the proposed deviations are reasonable and that the project provides an improved buffer between the busy street of El Camino Real and the neighborhood, especially with the addition of the perimeter buffer wall and screening trees.

Staff received several letters from the public after the Planning Commission report was finalized. These letters are provided in Attachment 14 to the report.

## **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

Staff followed standard noticing procedures for Planning applications as noted in the June 26, 2017 Planning Commission report (see Attachment 1).

## **ALTERNATIVES**

### **CEQA**

1. Make the findings required by CEQA in Attachment 4 and adopt the Revised Mitigated Negative Declaration in Attachment 6.
2. Do not adopt the Revised Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

### **REZONING**

3. Introduce the ordinance in Attachment 11 to rezone 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR to C-2/ECR.
4. Do not introduce an ordinance to rezone 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR to C-2/ECR.

### **SPECIAL DEVELOPMENT PERMIT AND VESTING TENTATIVE MAP**

5. Approve the Special Development Permit and Vesting Tentative Parcel Map with the recommended conditions of approval set forth by the Planning Commission in Attachment 5.
6. Approve the Special Development Permit and Vesting Tentative Parcel Map with the recommended conditions of approval set forth by the Planning Commission in Attachment 5 and as modified by the staff recommended conditions of approval in Attachment 5.
7. Approve the Special Development Permit and Vesting Tentative Parcel Map with modified conditions of approval.
8. Deny the Special Development Permit and Vesting Tentative Parcel Map.

## **STAFF RECOMMENDATION**

Alternatives 1, 3 and 6: 1) Make the findings required by the California Environmental Quality Act (CEQA) in Attachment 4 to the report and adopt the Revised Mitigated Negative Declaration in Attachment 6 to the report; 3) Introduce the ordinance in Attachment 11 to the report to rezone 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR to C-2/ECR; and 6) Approve the Special Development Permit and Vesting Tentative Parcel Map with the recommended conditions of approval set forth by the Planning Commission in Attachment 5 to the report and as modified by the staff recommended conditions of approval in Attachment 5 to the report.

Staff has worked extensively with the applicant to design a project that can meet City goals and policies on the provision of affordable housing, and address community concerns regarding building form/massing, privacy and parking. As discussed in the Planning Commission staff report, the additional housing (including affordable units) is a positive contribution to the city's tight housing market, and will be an asset. But the project design somewhat overwhelms the street and can be redesigned to soften the look and feel for pedestrians and vehicles passing by. The recommended conditions of approval in Attachment 5 include requirements for additional design changes, and the applicant is continuing to work with staff to address the concerns expressed by the Planning

Commission, including improving the pedestrian realm, softening the front elevation and enhancing the side elevations of the main building.

The applicant has provided initial design concepts for addressing the front elevation, and it appears the applicant is going the right direction to address the issues. Final design plans were not available for staff review and comment, and staff recommends maintaining the condition of approval requiring the applicant to receive approval on the final design by the Director of Community Development at some point after the Council hearing (see Attachment 5, Condition of Approval PS-1).

The project would provide 20 percent of the units restricted to very-low income households voluntarily, where 11 percent is typically provided in projects utilizing the state density bonus law. Additional housing directly adjacent to existing businesses on El Camino Real could also contribute to the economic vitality of the corridor.

Prepared by: Rosemarie Zulueta, Acting Principal Planner

Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Director, Community Development Department

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Walter C. Rossmann, Assistant City Manager for Deanna J. Santana, City Manager

## **ATTACHMENTS**

1. Report to Planning Commission 17-0185, June 26, 2017 (without attachments)
2. Vicinity and Noticing Map
3. Project Data Table
4. Recommended Findings
5. Standard Requirements and Recommended Conditions of Approval (**updated and annotated per the Planning Commission action on June 26, 2017**)
6. Initial Study-Mitigated Negative Declaration (Revised)
7. Applicant's Project Description
8. Site and Architectural Plans
9. Multifamily Transportation Demand Management Program
10. Letters from the Public
11. Draft Rezoning Ordinance
12. Letters from Other Agencies

## **Additional Attachments for Report to Council**

13. Excerpt of Minutes of the Planning Commission Meeting of June 26, 2017
14. Additional Letters from the Public