



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 20-0863, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

SUBJECT

Proposed Project:

USE PERMIT to allow a restaurant use (AMD café), and

VARIANCE: for a trellis to encroach into the front-yard setback.

Location: 1 AMD Place (APN:205-22-024)

File #: 2020-7017

Zoning: R-3/P-D

Applicant / Owner: Irvine Company / 1090 East Duane Avenue LLC (applicant/owner)

Environmental Review: Class 1 Categorical Exemption (existing facilities) relieves this project from the California Environmental Quality Act (CEQA) provisions.

Project Planner: Margaret Netto, 408-730-7628, mnetto@sunnyvale.ca.gov

BACKGROUND

The project is located at the former AMD office campus. On April 23, 2019, City Council approved Special Development Permit (SDP) (#2016-8035) to allow the construction of 1,051 residential units, including 944 units in three to five-story apartment buildings, and 107 units in three-story townhome style buildings. Public improvements included the dedication of a 6.5-acre public park, extension of Indian Wells Avenue to the east to connect with the Duane Avenue/Stewart Drive intersection and associated public improvements. The site is currently under construction.

The project was erroneously noticed as a Use Permit to allow a restaurant use and a Variance to allow the trellis to encroach into the front-yard setback. Since the AMD residential development was approved with an SDP, the proposed project would be an amendment to that permit. The scope of the project noticed remains the same.

Description of Proposed Project

The proposed project includes the construction of a 3,158-square foot Café located on the ground level of the northwest corner of Block 2 residential building of the AMD development. The Café is envisioned as an amenity to serve the apartment residents and the public. The Café would include a market providing a grab and go type service with fresh food, the sale of basic grocery items and beer and wine. The project proposes indoor and outdoor seating areas. The outdoor space would be enclosed by a 3-foot tall stucco wall with a 11-foot tall trellis extending over the dining area. This would result in a 5-foot front-yard setback where 20-feet is required. This project requires a Special Development Permit from Sunnyvale Municipal Code (SMC) Section 19.18.030 to allow restaurant use and a deviation from SMC Section 19.34.040 for the trellis to encroach into the front-yard setback. See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Project Data Table of the project.

Previous Actions on the Site

As noted above, City Council approved the Rezone, Special Development Permit and Vesting Tentative Map #2016-8035 that allowed the residential use.

ENVIRONMENTAL REVIEW

A Class 1 Categorical Exemption (existing facilities) relieves this project from the California Environmental Quality Act (CEQA) provisions.

DISCUSSION

Proposed Use

The proposed use is for a Café within a 3,158 square foot ground level space with indoor and outdoor seating. The Café proposes to serve coffee and smoothies, fresh food, sell grocery items, and serve beer and wine (see Project Description- Attachment 6). The Café also includes a kitchen, storage, and restrooms.

Hours of Operation. The hours of operation planned for the Café are as follows:

Monday-Friday: 6:30 AM to 9:00 PM

Saturday-Sunday: 8:00 AM to 9:00 PM

Employees. The total number of employees would vary depending on demand. It is estimated that at low volume times one to two employees would manage the market and increase to three to four employees.

Parking. Vehicular parking stalls for the Café would be located within the parking garage near the leasing office in the Block 1 building. Café parking stalls would be shared with the leasing office parking stalls. The Block 1 parking garage provides 29 parking spaces to be used for the leasing office, Café and guests. The leasing office requires 12 parking stalls (3.3 stalls per 1,000 feet), 14 stalls for the Café including 3 stalls for the Café employees for a total of 14 spaces. Since the use is similar to retail than a restaurant, the retail rate was applied. For a retail use, SMC Section 19.46.100 requires a ratio of 4 stalls per 1,000 square feet and requires at least 5 percent of the total number of vehicle spaces for bicycle parking. The ratio results in 11 parking spaces and two bike parking spaces which are provided (see Overall Site Plan in Attachment 5 for more details). Since the Café is within proximity to the park and the residential development, most patrons are expected to walk to the Café. The bike parking is located on the south side of the Café near the loading zone. The loading zone for food and beverage deliveries is proposed just south of the Café, adjacent to the Block 2 vehicular garage entry.

Site Layout and Architecture

The site is approximately 34.7 acres located on the former AMD office campus bounded by Stewart Drive on the south, Duane Avenue on the north, and the intersection of Duane Avenue/Stewart Drive on the east. The project is located on the south side of Indian Wells Avenue across the street from the proposed 6.5-acre public park. The Café space is proposed on the northwest corner of Residential Block Building 2. This space was intended to be residential serving use under the original SDP approval. No residential units were removed for the Café,

Floor Plan. There are three entrances to the Café from the north, south and west frontage. The floor plan is comprised of a market, dining area and a kitchen. The market area consists of a counter area

in the middle of the room to serve beer, wine and coffee. Goods for sale are in the refrigerators or shelves along the walls behind the counter. Thirty-seven indoor seats and twenty-eight outdoor seats are provided for a total of sixty-five. The indoor dining area provides fixed tables with some booth seating. The outdoor patio area would be connected by four evenly spaced double doors. The outdoor area would be under the new trellis and bordered by a low wall. The Café kitchen, storage and bathrooms are located behind the dining area adjacent to the community room (see Floor Plan in Attachment 5 for more detail).

Architecture.

The primary trellis structure would be made of metal painted a dark bronze color and the overhead decorative metal panels would be painted medium bronze to match the building architecture with outdoor lighting (see materials in Attachment 5). The trellis is 49 percent open, so it does not count as floor area or lot coverage. The low wall is made of stucco with a decorative cap. The applicant has submitted a perspective drawing in Attachment 5.

Development Standards

A deviation would be required for the trellis to be in the required front-yard setback. The front setback requirement is 20-feet and the trellis is proposed to be at 5-feet from the front property line. The trellis is located outside of the vision triangle therefore, it is not detrimental to the neighborhood. Moreover, the trellis does not result in any loss of trees or landscaping, does not exceed lot coverage, or generate floor area. Staff finds that the requested front yard deviation is reasonable due to the unique location of the lot, negligible visual impacts to the adjacent neighbors, and consistency with similarly approved setback deviations in similar neighborhood serving retail. See Attachment 3 for required SDP findings.

The proposed Café complies with the R-3 development standards in terms of setbacks, height, landscaping, floor area ratio and lot coverage. Staff finds that the proposed Café meets the required SDP Permit findings, as the use meets the General Plan policies that encourage a mix of uses that serve neighboring residential properties, complies with all development standards, and does not result in negative impacts to neighbors. See Attachment 3 for required SDP findings.

NEIGHBORHOOD IMPACTS/COMPATIBILITY:

The proposed Café is intended to serve the residential development and the surrounding neighborhood. The Café is adjacent to the 6.5-acre public park providing an added amenity to the community. The project is not expected to have a detrimental visual impact on the surrounding properties and would be consistent with the building architecture and the trellis would be landscaped to create a visually soft appearance from street view.

PUBLIC CONTACT

1032 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. No letters or calls were received from the public by staff.

ALTERNATIVES

1. Approve the Special Development Permit with recommended Conditions in Attachment 4.
2. Approve the Special Development Permit with modifications.

3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment 4.

Prepared by: Margaret Netto, Senior Planner

Approved by: Momo Ishijima, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. Project Description
7. Applicant's Justification