

Attachment G



April 17, 2013

City of Sunnyvale Planning Commission

Gustav Larson
Maria Dohadwala
Bo Chang
Glenn Hendricks
Arcadi Kolchak
Russell Melton
Ken Olevson

City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088

RE: Planning Application for 457 & 475 East Evelyn Avenue

Dear Honorable Chair and Commission Members,

Prometheus Real Estate Group respectfully and formally submits this Project Description Letter and associated materials for the project proposal located at 457 & 475 East Evelyn Avenue which is part of Block 23 of the Downtown Specific Plan. This project application is consistent with the guidelines of the Downtown Specific Plan by proposing a 117 unit residential development. It will allow two single-story, outdated office buildings to convert to much needed rental housing within walking distance of the Sunnyvale Train Station and Transit Center as well as the Sunnyvale Downtown, and is consistent with the uses of numerous neighboring properties within the Downtown Specific Plan. We believe that this request is fully consistent with Sunnyvale's vision and goals of providing housing opportunities near transit and the downtown as this 2.3 acre site sits just two blocks from the Sunnyvale Train Station and Historic Murphy Street. This proposal supports LT-3.4a which states, "locate higher-density housing with easy access to transportation corridors, rail transit stations, bus transit corridor stops, commercial services and jobs."

The surrounding properties and the majority of the neighborhood have converted to higher-density residential in line with the surrounding residential neighborhood and General Plan goal LT-4.4a, which "requires infill development to compliment the character of the residential neighborhood." The current use is no longer in keeping with the surrounding residential uses. We believe this project will continue to complete the residential transformation of the neighborhood and locate higher intensity land uses and developments so that they have easy access to transit services (LT-1.7a). This project will also promote the use of public transit by intensifying land use and activities near transit cores as defined by Downtown Specific Plan Goal C.3.

The proposed residential development at 457 & 475 East Evelyn Avenue will be four stories (per Block 23 of the DSP) of residential units over an underground parking garage (per Block 23 of the DSP) and comprised of one-bedroom, two-bedroom, and three-bedroom units. Per Sunnyvale architecture standards, and similar to the surrounding developments, direct entrances in the form of stoops to street-level residential units will connect the building to Evelyn Avenue. Many of the existing street trees are

proposed to be kept, adding further connection to the neighboring properties. The building form varies throughout the elevation, providing significant articulation and a connection to the recently approved project across Evelyn Avenue. This connection in form and materials allows the building to act as a gateway. The materials proposed are similar to those found throughout the neighborhood.

There will be three courtyards throughout the building each with a different focus. The western most courtyard will be for passive use and include a water feature, planting, and seating options. The central courtyard is intended to be an active use space and include a swimming pool and spa. A community room will make up the western edge of this courtyard and the northern edge will be bounded partially by the gym. Both spaces will open on to the pool area courtyard. A BBQ area with seating will complement the rest of the activities in this central courtyard. The eastern courtyard will consist of seating and socializing spaces defined by areas of planting. All of the project amenities associated with this project will be shared with the recently approved project at 394 East Evelyn Avenue (2012-7460).

A roof deck is also proposed for this project which will allow for additional open space for the residents of the project. The previously approved project at 394 East Evelyn (Hotel Sunnyvale site) included a roof deck. Prometheus Real Estate Group believes the location of the roof deck is better situated at this site as it is across Evelyn Avenue and further away from the existing neighborhood. The Emergency Vehicle Access (EVA), along the sides and back of the project, has been designed in such a way to maximize its pedestrian use, providing further open space to the residents, through the use of textured paving materials and specifically located plants. Prometheus Real Estate Group has worked with the Sunnyvale Fire Department to ensure this design meets all requirements.

Block 23 of the Downtown Specific Plan has an associated density of 36 units per acre. This 2.31 acre site will produce 83 units. In order to reach the proposed 117 units, the project intends to implement the California State Density Bonus Law and the City of Sunnyvale Green Building Density Bonus. By providing 11%, or nine (9) 'very low' income units, the project can attain the 35% State Density Bonus which calculates to thirty (30) additional units. The City of Sunnyvale's 5% Green Building Density Bonus allows and additional four (4) units. (As confirmed by City of Sunnyvale Planning Staff in 3/20/2013 E-mail.)

The purpose of the State Density Bonus Law (DBL) is to encourage cities to offer bonuses and incentives to housing developers that will "contribute significantly to the economic feasibility of lower income housing in proposed housing developments." (Gov. Code § 65917.) The State Density Bonus Law has four distinct primary components: (1) Density Bonuses; (2) Incentives/Concessions; (3) Development Standard Waivers; and (4) Parking Standards. Although interrelated, each component serves a different purpose and is governed by unique standards.

Regarding the first component of the Stated Density Bonus Law, Section 65915(b)(1) of the State Density Bonus Law provides that requests for a density bonus *must* be granted "when an applicant for a housing development seeks and agrees to construct a housing development" that meets one or more of the statute's thresholds. In this case, this project is providing at least 11% of its units for very low income households, entitling this project to a 35% density bonus in addition to the City's independent 5% Green Bonus.

Regarding the second component of the State Density Bonus Law, similar to the density bonus calculations, the number of Incentives and Concessions to which a project applicant is entitled depends upon the percentage of very low, low-, or moderate-income units provided. The project applicant may receive two incentives for projects that include at least 10% for very low income households, as is the case here. (§ 65915(d)(2)(B).) This Project Application is requesting the following as one of its two Incentives/Concessions:

1) Reduced Storage – The request is to reduce the storage requirement for the above mentioned projects to from 300 cubic feet required by Section 19.38.040. of the Sunnyvale Municipal Code to 150 cubic feet for one-bedroom units, 200 cubic feet for two-bedroom units, and 250 cubic feet for three-bedroom units. The reduction in storage space is requested for several reasons. The reduction provides more natural light and larger windows as well as additional architectural variation among of the exterior portions of the building. The sizes mentioned above are also reflective of what is standard usable storage space.

The following summarizes the third component of the State Density Bonus Law, Development Standard Waivers. In addition to, and separate from, requests for incentives, a density bonus applicant may request a waiver or reduction of development standards that would have the effect of physically precluding the construction of the project at the densities or with the incentives permitted under the statute. (§ 65915(e)(1).) The definition of a “development standard” includes a site or construction condition, including, without limitation, local height, setback, floor area ratio, onsite open space, and parking area ratio requirements that would otherwise apply to residential development pursuant to ordinances, general plan elements, specific plans, charters, or other local condition, law, policy, resolution, or regulation. (§ 65915(o)(1).) A request for a development standard waiver neither reduces nor increases the number of incentives to which the developer is otherwise entitled. (§ 65915(e)(2).) Furthermore, there is no limit on the number of waivers that may be issued. The proposed Development Standards Waivers for this project are similar to what was approved at the Hotel Sunnyvale site (2012-7460) across the street at the March 19, 2013 City Council meeting. They are as follows:

- 1) The Lot Coverage of the proposed project will be 49% instead of 45% per the standards of Block 23 of the DSP.
- 2) The average Building Height of the proposed project will be 45'. Portions of the building will be 60' (Similar to the approved project across Evelyn, 2012-7460). Block 23 of the DSP has a Building Height of 50'.

The fourth component of the State Density Bonus Law concerns the project parking ratio. In addition to the incentives allowed under Section 65915(d), an applicant may request that the city not require a vehicular parking ratio for a density bonus project that exceeds the following: 1 onsite space for 0-1 bedroom; 2 onsite spaces for 2-3 bedrooms; and 2.5 onsite spaces for four or more bedrooms. (§ 65915(p)(1).) This project proposes a parking ratio per the guidelines of the State Density Bonus Law mentioned above which is also similar to the recently approved project across the street at 394 East Evelyn Avenue (2012-7460).

As a brief introduction to our firm, Prometheus owns and/or manages over 18,000 apartment homes on the west coast and is the largest private owner of apartments in the Bay Area. We own over 11,000 of these apartments and the vast majority are located in the Silicon Valley. Prometheus Real Estate Group built its first project in Sunnyvale back in 1968, a 216 unit apartment community called Shadowbrook Apartments. Kensington Apartments on Fair Oaks was developed by Prometheus in the 1980's. Prometheus still owns and manages both of these properties. This is consistent with Prometheus' philosophy of developing and managing apartment communities over the very long term. Both projects are managed by our award winning management team. Prometheus prizes both properties and their residents and is in the process of spending millions of dollars to again refurbish Shadowbrook for the benefit of its residents and the Sunnyvale community.

We appreciate your consideration of this request. Please contact myself should you have any questions regarding our proposed plans or our firm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jon Moss", with a stylized flourish extending to the right.

Jon Moss
Executive Vice President & Partner
Prometheus Real Estate Group
1900 South Norfolk Street, Ste. 150
San Mateo, CA 94403

CC:

Hanson Hom
Trudi Ryan
Ryan Kuchenig

Attachment H

March 6, 2013

To: Planning Commission Members:

From: Jeanine Stanek, Sunnyvale Resident, Sunnyvale Historical Society
Archivist

Re: 2012-7460 Ryan/Sunnyvale Hotel Project at Evelyn and Bayview

Johathan Stone, Development Manager, Prometheus Real Estate Group, contacted the Sunnyvale Historical Society to provide with historic information about the Sunnyvale/Ryan Hotel to assist in preparation for a commemorative plaque. The Society was delighted to work with Mr. Stone and very pleased that Prometheus is interested in including something of the past in the new development. We have viewed several designs for such a historic plaque and returned our comments to Mr. Stone.

It is our hope that inclusion of a commemorative plaque will be a part of the approved project. While it may be necessary to remove and replace a 100+ year-old building, it is encouraging that the developer values the history of early Sunnyvale and will commemorate that in some way.

We will be glad to continue to work with Prometheus regarding the content of the commemorative plaque.

(I am sending this as a representative of the Sunnyvale Historical Society, not in my role as a member of the Heritage Preservation Commission.)



Santa Clara County Housing Action

ATTACHMENT H
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The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing

February 19, 2013

Sunnyvale Planning Commission
456 W. Olive
Sunnyvale, CA 94086

Dear Members of the Sunnyvale Planning Commission,

On behalf of the Housing Action Coalition, I am writing to express support for two development proposals by Prometheus at the corner of Evelyn and Bayview.

By way of reference, the Housing Action Coalition includes more than 100 organizations and individuals. Its goal is the production of well-built, appropriately-located homes that are affordable to families and workers in Silicon Valley. Organizations participating in the HAC represent business, labor, environmental organizations and many more.

Sunnyvale has done a great job proactively planning for housing in order to meet the community's housing needs. In this case, Prometheus is proposing to redevelop two parcels near Sunnyvale's up and coming downtown. Given the proximity to transit as well as a plethora of retail and services, this is a wonderful location upon which to intensify. Residents of this area will be fortunate to benefit from a blossoming downtown while having access via transit to the jobs along the Peninsula. And, Prometheus has proven itself to be a quality developer and property manager.

The Coalition is also pleased with the affordability component of this proposal. The Palmer decision and the elimination of redevelopment has left many cities without the tools to provide affordable homes. In this case, we support the use of the State Density Bonus law to add affordable homes to the housing stock of Sunnyvale. We commend the City for making this a priority, thinking creatively and ensuring that affordability is achieved in a way that is palatable to the private sector.

We encourage your support of this proposal and thank you for your consideration of our comments.

Sincerely,

Margaret Bard
Housing Action Coalition
Co-Chair

January 8, 2013

422 E Evelyn Avenue, Unit 101
Sunnyvale, CA 94086

To the City of Sunnyvale Planning/Building Department,

On Wednesday Sept 19, 2012 both Jackie Nicoli and I of the Sterling Place Home Owners Association attended the Prometheus Real Estate open house invitation for: "457 and 475 East Evelyn Avenue and 388 East Evelyn Avenue Re-Development Proposal". At the open house, Prometheus Development Manager Jonathan Stone shared preliminary build plans for the planned apartments at the proposed location.

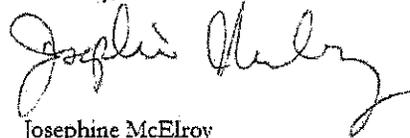
Both Jackie and I were excited to see the initial plans for apartment development, which would be located directly across the street from our place of residence. However during the open house, we shared concerns regarding the placement of the entrance/exit to the underground parking for the 457/475 East Evelyn Avenue apartments. According to the plans, the entrance/exit would be placed directly across 422 E. Evelyn Ave (See Figure 1 on page 2 of this letter). This may impact our residences in two ways:

1. Headlights shining on units directly across the street when cars enter/exit (note that this is the only entrance/exit to the underground parking).
2. Overall traffic congestion at that location - The entrance/exit for Sterling Place is also nearby and could create a greater traffic hazard.

According to the plans shared, one possible solution is to place the entrance/exit location at the intersection of Evelyn and S Bayview Avenue, less than a block away. This seems like a more natural place to put an entrance/exit and may help ease the flow of traffic.

We are excited to see Prometheus further develop the Sunnyvale community. We hope you will consider and address our concerns.

Sincerely,



Josephine McElroy
Sunnyvale residence and
Sterling Place HOA board member

January 8, 2013

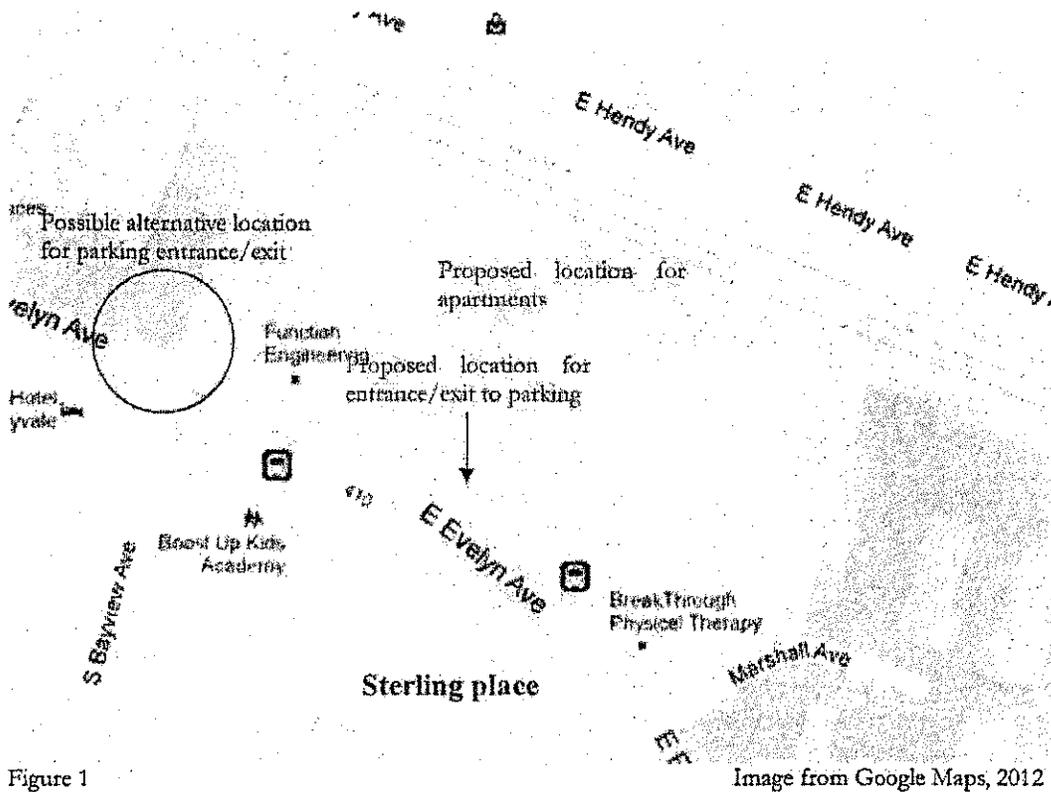


Figure 1

Image from Google Maps, 2012

On Wed, Feb 13, 2013 at 8:46 AM, Council AnswerPoint <council@sunnyvale.ca.gov> wrote:

----- Forwarded message -----

From: **Thomas J. Carrig** <tcarrig@sunnyvale.ca.us>

Date: Wed, Feb 13, 2013 at 7:37 AM

Subject: Re: [hdnataik] Building E.Evelyn @ S.Bayview

To: enloe@sunnyvale.ca.us

Cc: council@ci.sunnyvale.ca.us

, Council City <council@ci.sunnyvale.ca.us>

Hi Enloe,

The plan for the 400 apts. you speak of was a zoning misappropriation.

The zoning for the area was established and then compromised. Planning for the area is zone for one thing and then build the next biggest zoning ordinance. Planning is a stupid name for compromising what was planned.

We started with 38 miles of parking in the Downtown Specific Plan and it just keeps getting more gridlocked.

Have you traveled from Maude to El Camino on Mathilda between 5 - 7 PM ?

Please answer the questions if you can.

What infrastructure are you planning? Stop lights, School, Water, sewage overloads, Environmental impacts, Traffic, etc.

What Municipal codes and zoning codes have you compromised?

The answer to these questions is Smart Growth. The stupid growth is not answering them and making everyone pay for them because they become a problem. Nobody is planning, they are reactionary. There is no vision.

Tommy

This seems like smart growth to me. High rise apartments facing a 4 lane throughway and 2.5 blocks from the train and bus transit center - what could be better?

67 units is not a big deal. We're building over 400 apts right now on Washington by the old post office. If you want a vibrant downtown then people need to live there so they can walk to transit, shopping, and dining.

Enloe

October 15, 2012

City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088

Dear Mayor Spitaleri and Members of the City Council:

As the owner of Boost Up Kids Academy in Sunnyvale, I support the proposal by Prometheus Real Estate Group to re-develop the Sunnyvale Hotel and the property located across the street at 457 & 475 East Evelyn Avenue to construct 225 new apartment homes. As a business owner in the Sunnyvale Downtown, I encourage this type of re-development as it will provide further support to the businesses of Downtown Sunnyvale and Sunnyvale as a whole.

I understand that this development meets all of the applicable zoning requirements such as density, setbacks and parking. I believe it will also provide more affordable housing opportunities for the employees of many Sunnyvale businesses. It will also provide needed housing for the many technology based jobs that continue to be created in Sunnyvale.

Aside from the obvious economic benefits this development would provide to the city, I believe that creating housing near mass transit and retail is an excellent example of smart transit oriented development.

I encourage the City of Sunnyvale to approve this green, sustainable, pedestrian friendly, transit-oriented development.

Sincerely,



Bhawna Patkar
Boost Up Kids Academy
404 E Evelyn Avenue
Sunnyvale, California 94086



General Plan Ammendments: Project file 2012-7462, 2012-7460

RL95060@aol.com

Fri, Mar 8, 2013 at 1:03 PM

To: rkuchenig@sunnyvale.ca.gov

Mr. Kuchenig, Thank you for the opportunity to comment on the Proposed Amendment and projects.

I am an owner of 295-297 Hendy Ave., along with my 101 year-old Aunt Hilda DeMello and my brother, Michael Petite.

I grew up in Sunnyvale, and my family members were Sunnyvale residents as far back as the time when my grandfather worked at Hendy Iron Works, and my great grandmother, grandmother, mother and aunts worked at Libby's fruit cannery. My aunt Hilda and my mother Alice worked at Del Monte "seed house" which has been preserved as a cherished landmark, so my concerns regarding these projects go beyond economic considerations, instead, they go to the desire to maintain the safe, unhurried, small-town atmosphere that has made Sunnyvale such a special place to live and work.

I realize that I can't stop "progress", on the other hand, I am obliged to do my part to influence it for the memory of the people who loved this town and those of us who still call it home.

The proposal to allow 48 dwellings per acre is clearly too dense for Sunnyvale. The effect on downtown and surrounding neighborhoods would negatively alter the very qualities that make Sunnyvale an attractive place to live. This is not downtown San Francisco nor downtown San Jose. Approving the project as proposed would be a huge step in making it so, and that would be a blow to the people of Sunnyvale.

Traffic is a problem. The report on traffic does not adequately consider the impact on travel to and from the central expressway and along Hendy Avenue past 295-297 where members of my family, in their 90's still live.

Streetscape standards along Hendy, opposite the Caltrain Station should be included to mitigate the increased activity posed by the project.

The density should be reduced substantially, by 50%.

Most importantly, the size and quality of the units should be such that they foster a stable, high-quality "home" atmosphere, not big-city short-term rentals.

Sincerely, Ronald F Lang



Re: [hdnata] Re: Prometheus projects

Chuck Nolan
To: planning@ci.sunnyvale.ca.us,

Fri, Mar 8, 2013 at 11:31 AM

G'Day All,

While riding bicycles may be both good for your health, if you don't get run down, and good for the environment, if you ignore the pollution caused by the traffic backups, these bicycle lanes are a significant contributor to traffic congestion on Evelyn and the resulting pollution from waiting vehicles. The signal timing is tragic as well.

While emotional issues may support further deterioration of our transit system in a coercive attempt to force people from their personal cars, as with most attempts to force change the results are tragic. Leadership is sadly lacking, because a well thought out system including complete bicycle transit routes has never been well thought out. Bicycle lanes disrupt traffic and create congestion, but do not provide complete safe paths from residential areas to places of employment. While some may also consider bicycles for shopping, most find that they are not able to safely move the volume and weight of purchased items from the shopping areas to the residential areas.

For a city that was designed around individual personal vehicles, it is not possible to add the isolated bicycle paths that would be required to make this kind of transit safe for the majority.

I do concur with some of the concerns that volume is underestimated, as several major companies have cut back on their work from home policies, forcing more employees to drive to work during peak traffic times, rather than being able to start from home and then hit the road after a delay of several hours.

While Evelyn is already a tragic example of poor and emotional planning, Mathilda seems to be next in line for additional capacity deterioration, resulting in more stalled vehicles adding to both airborne and thermal pollution.

Regretfully,
Chuck

From: Thomas J. Carri
To: SoBernardo@aol.com
Cc: planning@ci.sunnyvale.ca.us;
Sent: Fri, March 8, 2013 8:17:37 AM
Subject: [hdnata] Re: Prometheus projects

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Hi Eleanor,

I wasn't planning on going to the meeting.

You might want to ask if they are planning on putting a traffic light there and who will be paying for it and how much it will cost.

If they are not planning for a traffic light should they be referred to as the non-planners?

Tommy

On Mar 7, 2013, at 9:00 PM,

Dear Planning Commission Members:

Over the weekend, I will be working on an organized comment on the traffic impact analysis for these projects, but you may not have time to review what I have prepared if I submit this on Monday.

1. I was saying just this morning (REALLY-- in front of a witness) that I believe in the work of traffic engineers. But the numbers for the people coming in these buildings and going out during peak hours is unbelievably low. I lived with my then boyfriend, Chuck Hansen, at the California Apartments near Showers in Mountain View for several years, so I think I have experience in this kind of place. We are to accept that with 158 apartments, the total number of people going into the building per peak hour is 41 in and 29 out. If you accept this, let me know what you are smoking, I want to get some of it too. For recreational use. The number of people per apartment is probably an average of 1.7 (we were 2.0)(and we all know of stories with a greater number than that). So I ask you, with a population of 158 times 1.7 or roughly 270, how many people are coming in and going out again per peak evening hour. I do not know if these numbers are just too old, or not applicable to this size project or what, but they are totally implausible.

2. It appears that the traffic going west is thought of as salmon going into the Pacific Ocean to disappear until they are seen again. We need to have as clear or clearer analysis of the traffic going west of Bayview as going anywhere else. The current traffic in the vicinity of Evelyn and Francis at peak hours is horrendous. The traffic on Evelyn backs up to Hollenbeck.

How much of the traffic goes on to Mathilda? Although Mathilda tends to be crowded at evening peak hour (I know -- I used it this evening to get to Trader Joe's from the CalTrain Station), it is a preferred option considering the other alternatives (1) Hollenbeck -- a narrow street between Evelyn and Olive. (2) Mary (right or left) Left not bad -- very wide. Right -- well now, how will that affect the proposed traffic calming and bike lanes, and (3) Bernardo. In many ways the narrowest street of all. I have been taking Bernardo to get to Jazzercise and before recently, the Caltrain station. This is the one street that I do try to stay at the speed limit and be careful. I am scared driving Bernardo between Olive and Evelyn --

just one person stepping out between two parked cars -- seriously hurt someone.

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I need to know how this traffic will impact me in the Caltra other areas west of that.

There are other problems as well. We need to have the increase in traffic volumes clearly shown. Level of service is not sensitive enough as a measure.

Eleanor Hansen

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Kira Od, SCULPTOR
475 Central Avenue
Sunnyvale, CA 94086
WEB: www.kiraod.com
E-MAIL: kiraod@kiraod.com
PHONE: (408) 245-1294

07 June, 2013

Dear Mr. Kuchenig,

I have been following Prometheus' Evelyn Avenue plans because for I live on Central Avenue (at Olive) and will be affected by this development when new residents transit through on their way to grocery stores on El Camino or to Ellis Elementary School. I cannot attend next week's Planning Commission meeting, but would like to say how I feel about this project.

Our neighborhood is growing. There are newborn babies in almost every house that touches mine. We have an ever-increasing population and this does not seem to be about to change. Sunnyvale cannot stay the way it was 10, 20, or 30 years ago. Homes in my neighborhood routinely sell for \$700K or more. That's not only radically different from how things used to be, it's out of reach for most people – people our City needs. **Working people need somewhere affordable to live, close to public transit, shopping, and amenities.**

One of the public meetings I attended regarding the Prometheus project was held near the PSOA. I found the Prometheus people there to be respectful and serious about neighborhood concerns; not what I expected. I introduced myself as a sculptor and gave them my business card. Several months later they asked me to design an historical plaque for the Hotel Sunnyvale site and as you know, I briefly presented sketches for such a plaque at a City Council meeting a few months ago. I was surprised by Council's disregard for both Staff's and the Planning Commission's recommendations at that meeting, and I say this as a Sunnyvale citizen, regardless of whether I actually end up sculpting this plaque or not. I am not writing this letter for Prometheus; I am writing it because I care about my neighborhood.

Here are my *personal thoughts* about Prometheus:

- 1) They are a class-act: honest and professional. They engender respect.
- 2) They are cooperative and creative. In the meetings I've attended, Prometheus has taken every single citizen's, Planner's, Councilmember's or Staff's concern seriously. Both their patience and willingness to adapt is impressive.
- 3) All indications are that Prometheus is absolutely sincere about planning for the future **as members of our neighborhood**. They treat people's concerns with respect because they will have to live with them.

Prometheus has made almost every change I know of that Staff, the Planning Commission, and City Council has asked them to. They have given citizens' concerns serious consideration as well. I consistently see Prometheus doing what they can both to meet and exceed almost everyone's needs and expectations, and would welcome them as neighbors.

I live in and care about this neighborhood, and I believe that the best place to add the type of housing Prometheus proposes is where they are requesting to do so: one block from public transit and three blocks from shopping and restaurants. I want both young and old to have an affordable place to live where they can easily walk both to transit and downtown. I am disappointed that Council insisted that Prometheus downsize their plans for the north side of Evelyn because the reduced density will probably translate into higher rents, and I view that as inconsistent with adding apartments in this location. I hope they don't do this again.

In sum, even though I would be impacted by this development, I believe it will benefit our City in too many ways to deny it. I therefore hope that Staff and the Planning Commission both endorse Prometheus' current plan.

Sincerely,



--Kira Od

Request 27287 Status Open
Assigned To RKuchenig Priority Contact Regular WebForm
From Jason Buberel Receive Date 07-01-13 10:19 am
To AP Planning <planning@ci.sunnyvale.ca.us> Reply Needed Yes
Subject Supporting the Prometheus Development Project Close Date t.b.d.

Message To the attention of: Ryan Kutchenig As a 14 year resident of this neighborhood - 416 Central Ave, 94086-6332 - I wanted to voice my support for the Prometheus Group development plan for Evelyn and Bayview. The economic vitality of our Murphy St downtown area needs higher density housing to support it. The proximity to rapid transit is also an important benefit. Of all the things that Silicon Valley needs, more housing is very high on that list. Please consider my fully in support of the plan to redevelop this under-utilized area. Regards, Jason L. Buberel 416 Central Ave Sunnyvale, CA 94086-6332

Actions

Action Reassign
Date 07-02-13 2:21 pm
From Deborah Gorman - Planning
To Ryan Kuchenig - Planning
Subject Web Request - Reassign 27287 from: Deborah Gorman to: RKuchenig, subject: Supporting the Prometheus
Message Regarding Prometheus...

Ratings

Attachment I

Chair Larsson said the presentations and discussions of Agenda Item 3 (Project 2012-7990), Item 4 (Project 2012-7460) and Item 5 (Project 2012-7462) would be heard together as they are related projects. (The motions were provided separately for the three projects.)

3. **File #:** 2012-7990
Proposed Project: Discussion and Possible Action on: General Plan and Downtown Specific Plan (DSP) Amendments for property along the north side of Evelyn Avenue from Mathilda Avenue to just east of Marshall Avenue; and, introducing ordinances for related zoning code amendments and related property rezoning:
- Repeal the Southern Pacific Corridor Site Specific Plan Areas 3, 4, and 5;
 - Expand the DSP boundaries to include up to 9 parcels and establish new DSP Blocks;
 - Amend General Plan land use designations from Commercial General Business and Commercial Central Business to a variety of DSP and General Plan land uses including Transit Center, Mixed Use, and Residential Medium Density up to Residential Very High Density Residential (up to 65 dwelling units per acre);
 - Establish land use, density and development standards for properties annexed into the DSP, including Transit Center, Mixed Use and Residential;
 - Establish streetscape standards for Evelyn Avenue; and,
 - Rezone properties in accordance with Downtown Specific Plan or General Plan designation.
- Applicant/Owner:** Prometheus Real Estate Group / Evelyn Ave. Associates
Environmental Review: Mitigated Negative Declarations
Staff Contact: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnvyale.ca.gov
Notes: *Continued from February 25, 2013. Scheduled to be considered by City Council on March 19, 2013.*

Comm. Melton, Comm. Chang, Comm. Kolchak and Chair Larsson disclosed that they had spoken to, or met with the applicant at different times regarding the projects.

Ryan Kuchenig, Associate Planner, presented the staff report for project 2012-7990. He said supplemental information related to all three projects has been provided on the dais including a memo from staff with a letter from the applicant and emails and letters from interested parties.

Mr. Kuchenig presented the staff report for project 2012-7460 providing several modifications and recommended modifications to the conditions of approval including: modifying condition GC-9 allowing 67 apartment units based on revised calculations; modifying condition BP-23.b revising number of the guest parking spaces to a minimum of 12 and maximum of 35; and reducing the required storage per unit from 300 cubic feet to 200 cubic feet for the one-bedroom

apartments only. Mr. Kuchenig said that staff cannot offer expedited permit review as the applicant requested in the letter on the dais.

Mr. Kuchenig presented the staff report for 2012-7462. He said staff is recommending modifying condition BP-23.b that a minimum of 28 spaces to a maximum of 84 spaces be required for guest parking.

Chair Larsson asked about the California Density Bonus Law. **Kathryn Berry**, Senior Assistant City Attorney, provided a summary of the California Density Bonus Law.

Vice Chair Dohadwala referred to the Mitigated Negative Declaration (MND) for all three reports and discussed with staff the project descriptions.

Comm. Olevson discussed with staff the proposed changes to the zoning commenting that he approaches zoning changes with great caution. He discussed with staff the amending of the downtown boundaries, streetscape requirements, the current process for changing zoning, and what standards the proposed sites would be subject to. Comm. Olevson referred to page 7 of the report for project 2012-7990 and discussed different sites listed and conformance or compatibility with the zoning. Comm. Olevson commented that in this case the request is to change the zoning for a prospective project, with staff saying it was a directive from Council.

Comm. Melton said that the MND applies to all three projects this evening commenting that depending on which project, that he read the MND from a different view point. He discussed the MND with staff with Ms. Berry saying that the MND could be adopted by City Council, yet Council might not approve a related project. Staff confirmed that if Council does not adopt the MND that Council would not be able to take action on anything related that follows. Comm. Melton asked about the noise component of the MND. Comm. Melton asked about the Balanced Growth Profile in Attachment I of project 2012-7990. **Hanson Hom**, Director of Community Development, provided a summary of the Balanced Growth Profile confirming that it is a long term balancing tool for the City.

Comm. Hendricks outlined the policy piece of the projects with staff confirming that he provided a good summary of the policy specific proposals. Comm. Hendricks discussed the mixed use component with staff and added that the area should be both an on-boarding area for Caltrain and a destination location. He discussed with staff whether the proposed policy changes are where we want to be down the road or do we want to preserve some of the zoning, possibly the office zoning. Mr. Hom commented that staff recommends the flexibility of mixed use zoning, however the Commission could recommend to keep the area zoned for office. Comm. Hendricks asked why the City is not looking at the north side of the tracks also. Mr. Hom said that the areas included in tonight's projects make a logical boundary for the Downtown Specific Plan (DSP).

Comm. Olevson referred to page 15 of report 2012-7990 and asked staff if the increased taxes would support the needs for services that new residential would require. Mr. Kuchenig said no comprehensive analysis has been completed. Comm. Olevson asked about the CEQA (California Environmental Quality Act) analysis. Staff discussed the CEQA analysis and also the density bonuses and how they were calculated. Comm. Olevson asked about park service for the new residents. Mr. Hom discussed the park fees and that City Council would soon be discussing the prioritization of the use of park fees. Mr. Hom discussed some of the potential park upgrades planned for the City.

Comm. Melton asked staff about the noise requirements in the MND and the concern about an alternate methodology being suggested by a consultant as the consultant indicated the noise standards were very stringent. Staff discussed the City noise requirements adding that there are

even stricter standards required by the State in Title 24. Comm. Melton expressed concern about residents not being able to open their windows due to noise.

Comm. Hendricks referred to the MND, page 16 regarding the deficiency in parking standards and the State Density Bonus Law and discussed the parking with staff. Staff said that the applicant does not need to provide stackers. Ms. Berry discussed parking incentives, concessions, State law requirements of developers, and parking calculations.

Vice Chair Dohadwala discussed with staff the definitions of high density, and previous development projects as examples of high density and whether State Density Bonuses were used.

Chair Larsson discussed with staff the project data tables for projects 2012-7460 and 2012-7462 commenting that "stars" are used to indicate deviations from municipal code requirements. Chair Larsson suggested that it would be helpful to use different symbols on the data tables for different deviations such as concessions or waivers. Chair Larsson discussed with staff concerns expressed by neighbors about cut through traffic to the proposed sites. Chair Larsson discussed crosswalks with staff saying there are no crosswalks across Evelyn Ave. and said crosswalks would help create a more pedestrian friendly environment. Staff confirmed that there are no crosswalks currently required in the proposals.

Chair Larsson opened the public hearing.

Jon Moss, with Prometheus Real Estate Group, said he agrees with the staff report and the conclusion. Mr. Moss provided a background of Prometheus Real Estate Group and said their long term strategy for projects and management. Mr. Moss discussed the reasoning for selecting this location, and the value of higher density housing close to transportation corridors. He discussed the green building aspect of the project and that the proposed projects are consistent with other sites in the area. He commented that the success that downtown retail environment only improves with residential and would improve the downtown area. Mr. Moss discussed that the City would be receiving a significant increase in park fees for these projects versus what was required of nearby properties due to changes in park fee calculations. Mr. Moss discussed specific aspects and features of the projects. Mr. Moss discussed design changes that have been made since the August 2012 study session and other changes made to the proposal based on neighborhood and outreach meetings. Mr. Moss discussed the affordable housing units and that they would be built within the new projects. He discussed the outreach they have had and mentioned various groups that are in support of the projects. He mentioned that several of the residents in the Sterling Place development across the street are concerned about headlights shining on their homes as cars come out of garage saying that they are willing to do what needs to be done to mitigate this concern. Mr. Moss discussed traffic and that there are no significant adverse impacts as a result of the projects. Mr. Moss discussed a Historical Plaque to be included on the side of the hotel building that they are volunteering to provide and that they would provide three options for staff and Council's feedback. Mr. Moss discussed parking stackers. **Chek Tang**, architect with Studio T-SQ., Inc. discussed substantial changes made to the plans since the study session. He said that this is a unique opportunity to provide a gateway into the downtown area. He discussed the architecture and said that a goal was to create a pedestrian walkable area with a variety in the massing. He said they tried to be sensitive to the adjacent property.

Comm. Hendricks discussed with Mr. Moss the request to expedite permit review. Comm. Hendricks asked about the recreation facilities in the vicinity across Evelyn Ave. and whether they would be open to including a crosswalk with lights. Comm. Hendricks confirmed with the applicant and staff that both agree on the calculations for the number of units. Comm. Hendricks discussed with the applicant the height of both projects and that they are asking for deviations

on height. Comm. Hendricks discussed the request from the applicant to decrease the size of the storage units. Comm. Hendricks discussed noise mitigation related to building design and materials; that interior noise levels would be measured with the windows closed; and that the developer would provide proper ventilation for closed windows. Comm. Hendricks discussed the setbacks with Mr. Tang.

Comm. Kolchak asked staff about a corner vision triangle deviation.

Comm. Melton asked about the relocation program table in Attachment I of project 2012-7460, expressing concern that it was approved in 2007 and does not seem to be adjusted for inflation. Mr. Hom confirmed that the table in Attachment I is still current and that residents from about six units would be affected by the project.

Comm. Hendricks discussed with staff the vision triangle and that the DSP allows more flexibility.

Chair Larsson discussed with Mr. Moss that the affordable housing units would be located on the proposed project sites.

Josie MacElroy, a neighbor residing in Sterling Place which is across the street from the proposed sites, said the applicant has been good to communicate with her. She said she is concerned about the driveway location across the street from her home, the effect on traffic and the headlights of vehicles coming out of the driveway shining on her home and several other units. She said she would like the driveways to be located elsewhere. She said in general she is excited to see the additional units. She said mitigation for headlights has been discussed however it will not eliminate the problem and she is concerned it will impact the value of their homes.

Madhavi Dalmia, a neighbor residing in Sterling Place, said she thinks this is a good project, however she has concerns. She asked what benefit will this development be to the current residents of Sunnyvale? She said she is concerned about an increase in traffic congestion with these developments combined with other nearby approved complexes that will eventually be occupied. She said she is also concerned about street parking and extra strain on infrastructure and urged the Commission to not recommend approval at this time until impacts can be further studied.

Mark Sabin, a Sunnyvale resident, commented about jobs, the average salaries of jobs in this area, and the housing costs in Sunnyvale. He said a person with a job in the average salary range cannot afford the average price of a home in Sunnyvale which puts more pressure on the rental units. He spoke in favor of these projects and said they would help meet a critical need by increasing rental housing stock for this community. He said it is also good that these projects are close to public transit.

Jackie Nicoli, a neighbor residing at Sterling Place said her biggest concern is the ingress and egress of the driveway for the project across the street and that she would like to see the driveway at the ends of the project rather than in the middle. She said she agrees with Ms. MacElroy that this project will impact their homes.

Bena Chang with the Silicon Valley Leadership Group, spoke in support of the project saying there is a need for housing in the area. She said she is supportive of the developer using the State Density Bonus and said it is a great way of ensuring affordable housing.

Suchit Jhunjunwala, a Sunnyvale resident, expressed his concern of the effect of the projects on the Caltrain commute. He said he rides Caltrain every day and usually stands on the train.

He said there are other apartments in the area that are still under construction that will also probably increase ridership. He said he would like to see more train cars added. Comm. Melton discussed with Mr. Jhunjhunwala that maybe the City needs to reach out to Caltrain and see if more trains cars could be added. Chair Larsson asked staff if the City is engaged with Caltrain and could ask about increasing capacity. Mr. Hom discussed the City's communication to Caltrain which includes information about development and said that hopefully with electrification the distance between trains can be reduced.

Edward Jones, a Sunnyvale resident, said he noticed that the City has approved a lot of permits to build condominiums and apartments, commenting that nothing has been built for entertainment for kids. He said he would like to see movie theaters again and a focus on entertainment for kids. He also commented that no one is talking to anyone about development on the other side of the train tracks to see what we think and that area is just as close to the transit. Chair Larsson confirmed with Mr. Jones that when he says "kids" he is talking about teenagers.

Chair Larsson asked staff about movie theatres. Mr. Hom said that a multi-screen theater and other entertainment has been approved for the downtown area however with the Towncenter project stalled in legal issues no building has occurred yet.

Kristin Munday, a property owner west of the hotel site, asked about information on prioritizing park fees. She said that she has been in touch with the applicant with questions about the project and that they have been very accommodating.

Mr. Moss responded to some of the comments from members of the public discussing the driveway location, vehicle headlight mitigation measures, Caltrain ridership increase capacity issues, and infrastructures in place for the project.

Comm. Melton asked the applicant further about the details regarding vehicle headlights on the Sterling Place residences. **Jonathan Stone**, with Prometheus, commented that part of the concern is the varying angles of the light as vehicles come up out of the parking area further discussing mitigation options. Comm. Melton asked the applicant, hypothetically, about doubling the relocation plan numbers. Mr. Moss said they had not thought about that. Comm. Melton discussed the height of the projects with the applicant. Comm. Melton asked about noise and the MND expressing his concerns about the noise for these projects with the applicant saying that they are required to conform to the City's acoustical requirements. Mr. Hom clarified that the Housing Element was adopted as part of the consolidation of the General Plan, and that the noise and air quality requirements in the Housing Element could possibly be from 20 years ago.

Comm. Olevson asked about the spacing of the trees on the project with the landscape architect, **Zach Tanner**, saying that trees should be, on the average, 30 feet apart. Comm. Olevson asked the applicant who pays to keep the apartment's ventilation running all the time if the residents are to keep the windows closed. Mr. Moss said the tenant would pay for this, which would be disclosed at the time of the lease.

Comm. Hendricks asked about possibly removing three paragraphs from the MND regarding noise. Ms. Berry said that the MND is a disclosure document, and removing paragraphs would be not be disclosing so staff would have concern about any removal. Staff said, bottom line, the must meet the restrictions on noise. Ms. Berry commented that noise contours for City are higher around the train station, as it is difficult to mitigate piercing noise.

Comm. Melton commented about rewriting the noise page and that it will need to be clear to potential residents that windows will need to be closed at all times.

Vice Chair Dohadwala asked further about noise. She commented anyone renting near a train station should expect higher exterior and interior noise and may not want to rent there if the noise is a concern for them. Mr. Moss added that newer construction materials can help reduce noise levels.

Comm. Hendricks confirmed with the applicant and staff the unit counts. Staff said that condition GC-9 for project 2012-7460 should be modified to be 67 units. Comm. Hendricks confirmed with staff the numbers for guest parking with staff saying that condition BP-23.b on 2012-7460 should be modified to be a minimum of 12 spaces to a maximum of 35 spaces; and on project 2012-7462 the numbers should be a minimum of 28 spaces to a maximum of 84 spaces. Comm. Hendricks asked whether a condition could be added requiring a crosswalk with flashing lights on Evelyn Ave. assuming the Traffic staff approves. Mr. Hom said Planning staff would need to confer with traffic staff. Mr. Moss said he would like to know the cost of the crosswalks; however, they are willing to study it.

Vice Chair Dohadwala addressed some of concerns from the members of the public including traffic congestion in the downtown, and increased ridership on Caltrain. Vice Chair Dohadwala commented that the goal of much of the policy for the downtown area is to develop higher density housing and office space. Mr. Hom commented that the way this development benefits the City, is that state requires communities to plan for a certain number of housing units in their Housing element and tonight's projects work towards that housing effort. Staff said for more information regarding the downtown efforts; please see the dedicated webpage on the City website at Downtown.InSunnyvale.com

Comm. Olevson commented about the parking requirements confirming with staff that State law trumps our City parking requirements.

Chair Larsson asked about the driveway issue with Mr. Stone commenting that Public Works staff determined that have the driveway in the center would be best. Chair Larsson discussed the use of parking stackers with Mr. Moss.

Comm. Hendricks asked further about adding a condition to reconsider the location of the driveway with Mr. Moss saying he would prefer to implement mitigation measure for the headlight concerns as this issue has been reviewed extensively with staff. Staff said they are fairly confident that the Traffic Division would say to leave the location of the driveway as proposed.

Chair Larsson closed the public hearing.

Comm. Melton asked staff about providing a condition regarding headlight mitigation with staff suggesting options and saying the condition could be worded to include that the applicant be required to work with City staff and the neighbors on a mitigation measure.

Chair Larsson commented that tonight's motions would be provided to Council as a recommendation next week. Chair Larsson discussed with staff the affordable housing units.

Comm. Hendricks moved on Project 2012-7990 for Alternative 1:

1. **Adopt the Mitigated Negative Declaration (Attachment J) and amend the General Plan and Downtown Specific Plan, amend the zoning code and rezone properties with the following actions:**

- A) Adopt a Resolution to Repeal the Southern Pacific Corridor Site Specific Plan Areas 3, 4, and 5 (Attachment K).
- B) Adopt a Resolution to amend the General Plan and Downtown Specific Plan (Attachment L) to:
 - a. Expand the DSP boundaries to include eight additional parcels and change the General Plan land use designations from Commercial General Business and Commercial Central Business to a variety of DSP land uses including Transit Center, Mixed Use, and Residential up to 48 dwelling units per acre;
 - b. Change the General Plan land use designation of 470 Marshall from Commercial General Business to Medium Density Residential;
 - c. Establish new DSP Blocks 21, 22 and 23 with requirements specifying land use, density and development standards; and,
 - d. Establish streetscape standards for Evelyn Avenue between Sunnyvale Avenue and Marshall Avenue.
- C) Adopt a Resolution to amend the General Plan for 470 Marshall Avenue from Commercial General Business to Residential Medium Density (Attachment M).
- D) Introduce an ordinance to amend Title 19 (Zoning) of the Sunnyvale Municipal Code to establish new zoning districts for the Downtown Specific Plan (DSP) and include related development standards consistent with amendments to the Downtown Specific Plan (Attachment N).
- E) Introduce an ordinance to rezone eight properties on the north side of Evelyn in accordance with Downtown Specific Plan designations (Attachment O).
- F) Introduce an ordinance to rezone 470 Marshall from Commercial Service (C-4) to Medium Density Residential/Planning Development (R-3/PD) (Attachment P).
- G) Authorize staff to revise the DSP document maps and text administratively to reflect the amendments.

Comm. Olevson seconded the motion.

Comm. Hendricks said being able to try and have additional density near the downtown and the railroad is a good direction to go. He said unfortunately the original proposal with the higher density darkened the project and the density levels had to become more consistent with the area. He said he thinks this proposal is a good direction, and though he would like to preserve some of the office space that he would defer to wisdom and go with the mixed use. He commented that he would have liked to have seen the properties to the north of the train use space in context with public transit.

Comm. Olevson said he would be supporting the motion. He said he approaches changing zoning with great trepidation, however it makes sense to include these sites in the DSP. He said he thinks the proposals make good sense for Sunnyvale.

Comm. Melton said he would be supporting the motion and he thinks logical arguments have been provided. He said he echoes Comm. Olevson's concerns about rezoning. He thanked the members of the public who came to speak. He said he still has concerns about the noise portion of the MND and said that he advised that it be looked at. He said he agrees with Vice Chair Dohadwala that residents choosing to live by a train station can expect noise.

Vice Chair Dohadwala said she would be supporting the motion and confers with staff's findings. She said she wanted to better understand densities on the parcels. She said she agrees with Comm. Olevson's statement that the parcels being added look like they belong in the DSP.

Comm. Kolchak said he would be supporting the motion and echoes some of Comm. Hendricks' comments.

Chair Larsson said he would be supporting the motion and that this development would help make this Caltrain station more of a destination station, especially when more entertainment finally happens in the Downtown. He said this is a good location for more housing and making this development more residential helps protect the existing neighborhood (single family residential).

ACTION: Comm. Hendricks made a motion on 2012-7990 for Alternative 1 to recommend to City Council to adopt the Mitigated Negative Declaration (Attachment J) and amend the General Plan and Downtown Specific Plan, amend the zoning code and rezone properties with the following actions:

- A) Adopt a Resolution to Repeal the Southern Pacific Corridor Site Specific Plan Areas 3, 4, and 5 (Attachment K).
- B) Adopt a Resolution to amend the General Plan and Downtown Specific Plan (Attachment L) to:
 - a. Expand the DSP boundaries to include eight additional parcels and change the General Plan land use designations from Commercial General Business and Commercial Central Business to a variety of DSP land uses including Transit Center, Mixed Use, and Residential up to 48 dwelling units per acre;
 - b. Change the General Plan land use designation of 470 Marshall from Commercial General Business to Medium Density Residential;
 - c. Establish new DSP Blocks 21, 22 and 23 with requirements specifying land use, density and development standards; and,
 - d. Establish streetscape standards for Evelyn Avenue between Sunnyvale Avenue and Marshall Avenue.
- C) Adopt a Resolution to amend the General Plan for 470 Marshall Avenue from Commercial General Business to Residential Medium Density (Attachment M).
- D) Introduce an ordinance to amend Title 19 (Zoning) of the Sunnyvale Municipal Code to establish new zoning districts for the Downtown Specific Plan (DSP) and include related development standards consistent with amendments to the Downtown Specific Plan (Attachment N).
- E) Introduce an ordinance to rezone eight properties on the north side of Evelyn in accordance with Downtown Specific Plan designations (Attachment O).
- F) Introduce an ordinance to rezone 470 Marshall from Commercial Service (C-4) to Medium Density Residential/Planning Development (R-3/PD) (Attachment P).
- G) Authorize staff to revise the DSP document maps and text administratively to reflect the amendments.

Comm. Olevson seconded. Motion carried 7-0.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the March 19, 2013 City Council meeting.

4. **File #:** 2012-7460
Location: 388 – 394 E. Evelyn Avenue & 151-153 S. Bayview Avenue (APNs: 209-05-019, 020, 021, & 022):
Proposed Project: Special Development Permit to allow a 67-unit apartment building.
Applicant/Owner: Vesting Tentative Map to merge four lots into one lot. Prometheus Real Estate Group / Des Nolan
Environmental Review: Mitigated Negative Declarations
Staff Contact: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov
Notes: *Continued from February 25, 2013. Scheduled to be considered by City Council on March 19, 2013.*

Comm. Melton moved for Alternative 2 on project 2012-7460 to adopt the Mitigated Negative Declaration and approve the Special Development Permit, and Vesting Tentative Map with modified conditions: to modify the relocation bonus in Attachment I doubling the numbers across the board. The motion died for lack of a second.

Comm. Hendricks moved for Alternative 2 on project 2012-7460 to adopt the Mitigated Negative Declaration and approve the Special Development Permit, and Vesting Tentative Map with modified conditions: to modify condition BP-23.b that “a minimum of 12 spaces to a maximum of 35 spaces be required for guest parking”; to modify condition GC-9 that the Total Unit Count be 67 units. **Comm. Chang** seconded the motion and offered a Friendly Amendment that the motion include that the applicant provide to City Council for consideration which of the three designs of the proposed historical plaque be included on the hotel. The Friendly Amendment was acceptable to the maker of the motion. **Comm. Kolchak** offered a Friendly Amendment regarding the possibility of adding a crosswalk as discussed, with staff offering the following wording: That a condition be added that, “The applicant is required to work with staff to evaluate a pedestrian crossing on Evelyn Ave. between Sunnyvale Ave. and Fair Oaks Ave. and that the applicant be required to contribute a fair share of a crosswalk improvement that has been identified by staff to be effective.” The Friendly Amendment was acceptable to the maker and the seconder.

Comm. Hendricks said overall, this is a good project and a nice entryway for the downtown on Evelyn. He said the architecture was covered at length in the previous study session. He said these will be quality units and integrate well with the concept of the downtown, and the train station.

Comm. Chang said he could make the findings. He said this will be a nice gateway to downtown, and thanked the applicant for including the historical plaque on the hotel.

Chair Larsson confirmed with staff the four modifications in the motion and asked if there was anything missed from the discussion. Mr. Kuchenig said staff had suggested a modification to the conditions regarding the lockable storage units.

Comm. Melton said he would support the motion. He said this is a good quality project and that he could make the findings for the Special Development Permit and cannot make the findings for the Tentative Map which is what is desired. He said it would be interesting to see the parking stackers as a possible way how to handle parking in the future.

Comm. Olevson said he thinks this is going to be a great project. He said it makes a nice transition from the downtown to the area with lesser density homes.

Comm. Kolchak said he would be supporting the motion. He said this is a quality project with nice architecture. He said he highly recommends the applicant work with staff to include the crosswalk as a safety measure for the public.

Comm. Hendricks said he could make the findings for the Special Development Permit, and cannot make the findings for the Tentative Map piece (which is what is desired). He requested that the applicant make sure the lettering on the historical plaque is easy to read. He confirmed with staff that the applicant is not required to provide the parking stackers.

Vice Chair Dohadwala said she would be supporting the motion. She said she can make findings, that this is a good project, and a good addition and entryway to the downtown.

Chair Larsson said he would be supporting the motion. He said this is a great project with quality architecture and that this was a complex project. Chair Larsson commended those involved, thanked the applicant for their outreach to the public, and thanked the members of the public for their input and for staying for the long meeting.

ACTION: Comm. Hendricks made a motion on 2012-7460 for Alternative 2 to recommend to City Council: to modify condition BP-23.b that "a minimum of 12 spaces to a maximum of 35 spaces be required for guest parking"; to modify condition GC-9 that the Total Unit Count be 67 units; that the motion include that the applicant provide to City Council for consideration which of the three designs of the proposed historical plaque be included on the hotel; and that a condition be added that, "The applicant is required to work with staff to evaluate a pedestrian crossing on Evelyn Ave. between Sunnyvale Ave. and Fair Oaks Ave. and that the applicant be required to contribute a fair share of a crosswalk improvement that has been identified by staff to be effective." Comm. Chang seconded. Motion carried 7-0.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the March 19, 2013 City Council meeting.

5. **File #:** 2012-7462
Location: 457 - 475 E. Evelyn Avenue (APNs: 209-04-053 & 054):
Proposed Project: Special Development Permit to allow a 158-unit apartment building.
Vesting Tentative Map to merge two lots into one lot.
Applicant/Owner: Prometheus Real Estate Group / Evelyn Ave. Associates
Environmental Review: Mitigated Negative Declarations
Staff Contact: Ryan Kuchenig, (408) 730-7431,
rkuchenig@sunnyvale.ca.gov
Notes: *Continued from February 25, 2013. Scheduled to be considered by City Council on March 19, 2013.*

Comm. Melton moved for Alternative 2 to adopt the Mitigated Negative Declaration and approve the Special Development Permit, and Vesting Tentative Maps proposed with modified conditions: to modify the conditions to include measures that mitigate impacts of headlights from the center driveway to the adjacent property (Sterling Place). **Hanson Hom**, Director of Community Development, suggested that whatever measures are agreed upon that the language should include that the measures be installed prior to approval of occupancy. **Comm. Hendricks** seconded the motion and offered two Friendly Amendments: to modify condition BP-23.b that "a minimum of 28 spaces to a maximum of 84 spaces be required for guest parking"; and that a condition with the same language regarding a crosswalk from project 2012-7460 be added that, "The applicant is required to work with staff to evaluate a pedestrian crossing on Evelyn Ave. between Sunnyvale Ave. and Fair Oaks Ave. and that the applicant be required to contribute a fair share of a crosswalk improvement that has been identified by staff to be effective." The Friendly Amendments were acceptable to the maker of the motion. **Comm. Chang** offered a Friendly Amendment that a condition be added that a 200 cubic foot lockable storage unit be required for each one bedroom unit (rather than the 300 required). The Friendly Amendment was acceptable to the maker and the seconder of the motion.

Comm. Melton said that this is a high quality project and thanked the efforts of all involved including the members of the public in attendance. He said he could make the findings for the Special Development Permit and not make the findings for the Tentative Map which is the desired outcome.

Comm. Hendricks said he would be supporting the motion. He said overall this is a good project. He said he thinks this project started with a bad cloud over it due to the super high density efforts; however this is better with the affordable housing units on the site. He said he hopes the concerns with the headlights are eliminated rather than just mitigated.

Comm. Olevson said he would be supporting the motion. He said he especially likes that the project adds another gateway in the City. He said initially he was against the height and density being proposed, however after the discussion, he said he can support the project.

Comm. Kolchak said he would be supporting the motion. He said he appreciates tonight's discussion, that he hopes the neighbor's concerns about the headlights are well-mitigated, and that he thinks this is a nice gateway project.

Chair Larsson said he echoes the comments of **Comm. Hendricks** about the affordable housing units and said that he is glad this in a transit oriented area.

ACTION: Comm. Melton made a motion on 2012-7462 for Alternative 2 to recommend to City Council to adopt the Mitigated Negative Declaration and approve the Special Development Permit, and Vesting Tentative Maps proposed with modified conditions: to modify the conditions to include measures that mitigate impacts of headlights from the center driveway to the neighboring property (Sterling Place) and that the measures be installed prior to approval of occupancy; to modify condition BP-23.b that "a minimum of 28 spaces to a maximum of 84 spaces be required for guest parking"; that a condition (with the same language regarding a crosswalk from project 2012-7460) be added that, "The applicant is required to work with staff to evaluate a pedestrian crossing on Evelyn Ave. between Sunnyvale Ave. and Fair Oaks Ave. and that the applicant be required to contribute a fair share of a crosswalk improvement that has been identified by staff to be effective"; and that a condition be added that a 200 cubic foot lockable storage unit be required for each one bedroom unit. Comm. Hendricks seconded. Motion carried 7-0.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the March 19, 2013 City Council meeting.