



CITY OF SUNNYVALE REPORT ADMINISTRATIVE HEARING

October 28, 2009

File Number: 2009-0746

Permit Type: Special Development Permit

Location: 380 South Mathilda Avenue (near W. Iowa Ave.) (APN: 209-34-002)

Applicant/Owner: Commercial Mechanical Services / Gladys Rose Enterprises LP et al

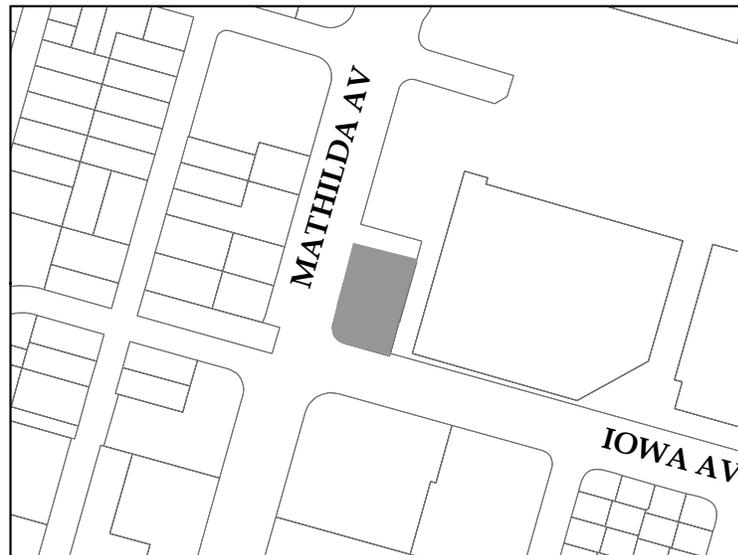
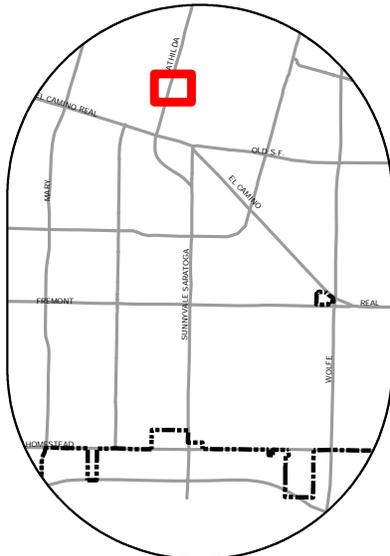
Staff Contact: Shaunn Mendrin, Senior Planner, (408) 730-7429

Project Description: Special Development Permit to allow mechanical equipment and an enclosure between the face of the building and street

Reason for Permit: A Special Development Permit is required to allow relief from Zoning Code Section 19.48.100 which does not allow the location of mechanical equipment between the building and the street.

Issues: Aesthetics

Recommendation: Approve with Conditions



500

Feet

PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Downtown Specific Plan	No Change
Zoning District:	Downtown Specific Plan, Block 18	No Change
Total Sq. Ft. on Site:	6,120	No Change
Tenant Sq. Ft.:	6,120	No Change
Parking:	17	No Change
Landscaped Area	3,226 Sq. Ft.	2,978 Sq. Ft.

<p>Previous Planning Projects related to Subject Application:</p> <ul style="list-style-type: none"> • 1961-0011 Rezone to allow the construction of a Bank • 1971-0038 Use Permit for parking layout and design • 1977-0032 Variance for corner vision triangle and reduced front setback on Booker for a one story addition to the bank • 1977-0033 Use Permit to allow modification to the drive up tellers • 1990-0380 Sign Permit to allow modifications to the existing ground sign. 	Yes
<p>Deviations from Standard Zoning Requirements:</p> <p>The applicant is requesting a deviation from Zoning Code Section 19.48.100 to allow new mechanical equipment to be located within an existing landscaping bed between the building and street.</p>	Yes

Special Development Permit: The current heating and cooling system is located in the basement of the structure with an air exchange vent located in the planter bed in the center of the parking lot. The building needs to increase the size of the heating and cooling system due to the glazing and lack of insulation of the existing structure. Locating above ground mechanical equipment at the project site is difficult due to the number of street frontages and high visibility of the site.

The project applicant has indicated that basement can not accommodate air exchange needed and the roofs can not accommodate the weight of new system. The proposed location is in the existing landscape bed located in the center of the parking lot where the current system vents. The existing vent tunnel will provide access for the heating and cooling system into the building. The new equipment will be screened with a split face brick wall, similar to that

found on the ground sign and building. The screening wall will be approximately 5' tall, which will extend 1' further than the proposed equipment. Additional landscaping will be installed around the proposed enclosure and it will include climbing vines for the brick wall, shrubs and three 15-gallon medium sized multi-trunked trees, which has been included in a condition of approval. The project also includes the addition of a new trash enclosure located on the east side of the property. Landscaping will also be required around the trash enclosure.

Public Contact: 16 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters were received.

Environmental Determination: A Categorical Exemption Class 1 (minor changes in use) relieves this project from CEQA provisions.

FINDINGS

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

1. The proposed deviation ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

The subject property is surrounded by public streets on three sides making the site highly visible. The proposed location for the mechanical equipment utilizes an existing access tunnel resulting in minimal site disturbance. The equipment will be screened by a masonry wall that is compatible with the existing structure and landscaping will be provided to further reduce the appearance of the enclosure.

Staff was able to make the findings as the design meets the guidelines described above.

The project is expected to have no impacts on surrounding properties.

ALTERNATIVES:

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

Reviewed by:

Steve Lynch

Senior Planner

Prepared By: Shaunn Mendrin, Senior Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Letter from the Applicant
- D. Photo simulation

Standard Requirements

The following is a list of standard requirements. This list is intended to assist the applicant and public in understanding basic related requirements, and is not intended as an exhaustive list. These requirements cannot be waived or modified.

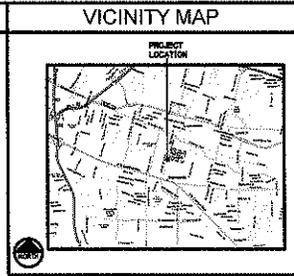
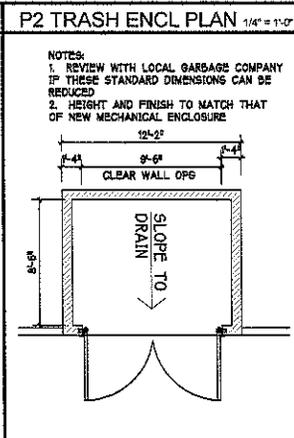
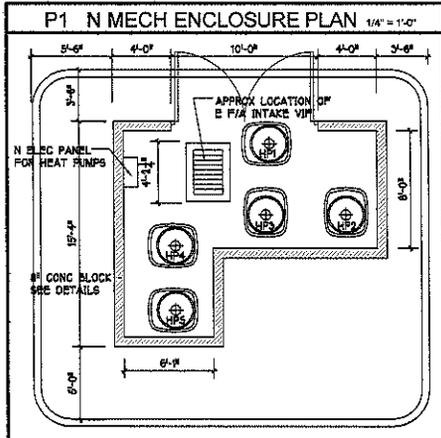
- A. **Permit Expiration:** The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- B. **Permit Lapse if not Exercised:** The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development.
- C. **Building Permits:** Obtain Building Permits for interior improvements as required by the Building Safety Division.
- D. **Comply with Previous Permit:** Comply with all requirements of previously approved Special Development Permit File Number 2009-0746.
- E. **Signs:** All new signs shall be in conformance with Sunnyvale Municipal Code and any existing Master Sign Program.
- F. **Clean Site:** All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.

Recommended Conditions of Approval

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

- 1. **Execute Permit Document:** Execute a Special Development Permit document prior to issuance of the building permit.
- 2. **Landscaping:** The following landscape elements are required for the mechanical enclosure and trash enclosure and shall be landscape prior to final inspection:
 - a. The planter bed surrounding the mechanical equipment enclosure shall include shrubs and ground cover, climbing vines for the mechanical equipment enclosure and 3 15-gallon multi-trunked medium size species of trees.
 - b. The trash enclosure shall include plantings for a 5 foot perimeter and shall include shrubs and climbing vines

- The required landscaping shall be installed to the satisfaction of the Community Development Director.
3. **Project Conformance:** Project shall be in conformance with the plans approved at the public hearing(s). This includes the split face enclosures for the proposed mechanical equipment and trash enclosure and associated landscaping as required in Condition of Approval #2. Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.
 4. **Conditions of Approval on Plans:** The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
 5. **Landscape Plans:** Landscape and irrigation plans shall be submitted to the Director of Community Development subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The landscape plan shall include the following elements:
 - a. Shrubs and ground cover for the planter bed;
 - b. Climbing vines for the mechanical equipment enclosure; and
 - c. Three 15 gallon multi-trunked medium size species of trees.
 6. **New Solid Waste/Recycling Enclosure:** The required solid waste and recycling enclosure shall:
 - a. Match the design, materials and color of the main building.
 - b. Be of masonry construction
 - c. All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.

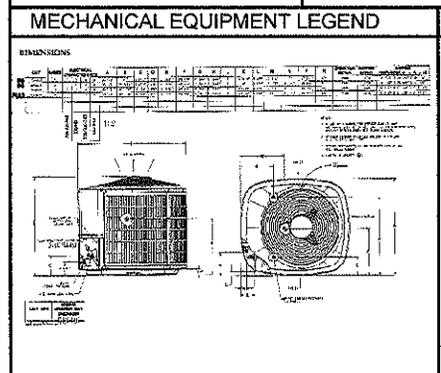
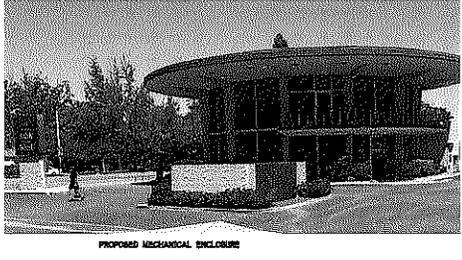
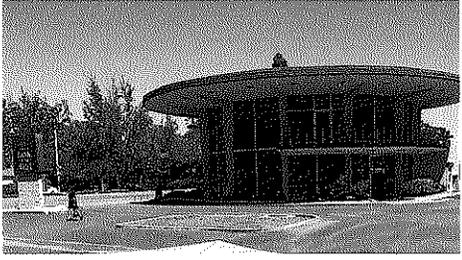
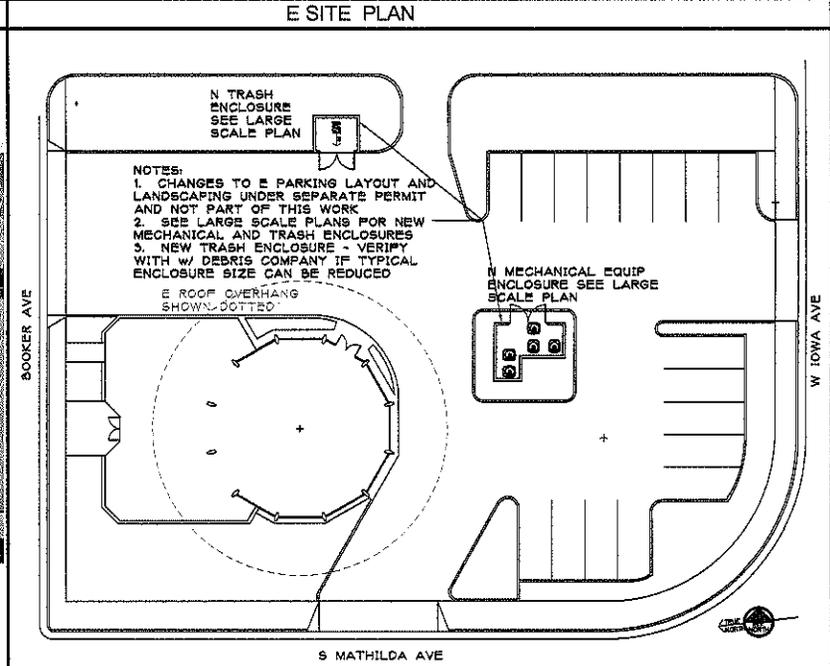
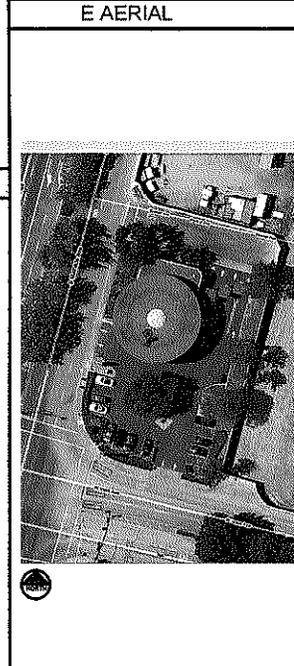
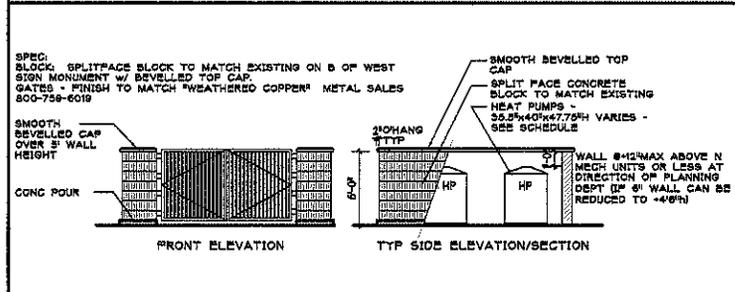


BANK OF THE WEST

380 S MATHILDA AVE., SUNNYVALE, CA.

MECHANICAL UNIT REPLACEMENT WITH NEW TRASH AND MECH EQUIPMENT ENCLOSURES

D1 ENCLOSURE ELEVATION/SECTION 1/4" = 1'-0"



PROJECT DIRECTORY

PROPERTY MANAGER	BANK OF THE WEST 2001 CALINDO REAL, SANTA ANA, CA PHONE: 408-384-4348 CONTACT: TONY AYALA
MECHANICAL CONTRACTOR	CM SERVICE 840 EMMETT STREET SAN CARLOS, CA PHONE: 800-930-8440 FAX: 650-610-8480 CONTACT: SERGIO BOWEN
ARCHITECT	LEWIS ARCHITECTURE 840 EMMETT AVENUE SUITE 6 SUNNYVALE, CA 94085 PHONE: 650-753-9548 FAX: 650-491-8700 CONTACT: STEVE LEWIS
STRUCTURAL ENGINEER	SENO ENGINEERING INC 23000 ZENODRIVE WAY SUITE 190 IRVINE, CA, CA PHONE: 949-475-7900 FAX: 949-475-7825 CONTACT: PETER BUNN

SCOPE OF WORK

- REPLACE EXISTING MECHANICAL SYSTEM W/ NEW
- NEW EXTERIOR ENCLOSURES FOR MECHANICAL EQUIPMENT AND TRASH CONTAINER. CHARGES TO E PARKING AND LANDSCAPING UNDER SEPARATE PERMIT BY OTHER.
- NO CHANGE TO EXISTING BUILDING OCCUPANCY AND EXTERIOR

DRAWING INDEX

ARCHITECTURAL	ADD: PROJECT DIRECTORY / SCOPE OF WORK / SITE PLAN / ENCLOSURE PLANS AND DETAILS / PHOTO VISUALS
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PROJECT DATA

JURISDICTION	CITY OF SUNNYVALE
BUILDING CODES	2007 CALIFORNIA IBC WITH LOCAL AMENDMENTS
OCCUPANCY GROUP	B
CONSTRUCTION TYPE	1-4H UNFINISHED
NO. OF STORIES	ONE STORY WITH BASEMENT AND PARTIAL MEZZANINE
EXISTING AREAS UNCHANGED	NOTE: NO CHANGE TO EXISTING BUILDING OCCUPANCY OR ACCESS

LEWIS ARCHITECTURE

CLIENT
 ON SERVICE
 861 BING STREET
 SAN CARLOS, CA

PROJECT
 BANK OF THE WEST
 380 S Mathilda Avenue
 Sunnyvale, CA.

SHEET
 PROJECT DIRECTORY
 SCOPE OF WORK
 SITE PLANS AND DETAILS
 ENCLOSURE PLANS
 SITE PHOTOGRAPH

080806
 SCALE AS NOTED
 8.10.08
 CHECKED BY: SFL
 REVISIONS
 9/22/08 ISSUED FOR SPECIAL DEVELOPMENT PERMIT

01 of 7
A0.01
 SHEET 2 OF 1

840 EMMETT AVENUE SUITE 66 BELMONT, CALIFORNIA 94002
 T: 650-753-9548 F: 650-491-8700 LEWISARCHITECT@GOL.COM



USE PERMIT/SPECIAL DEVELOPMENT PERMIT JUSTIFICATIONS

ATTACHMENT C
Page 1 of 1

One of the two following findings must be made in order to approve a Use Permit or Special Development Permit application.

The Sunnyvale Municipal code states that at least one of the following two justifications must be met before granting the Use Permit or Special Development Permit. Please provide us information on how your project meets at least one of the following criteria.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project ...

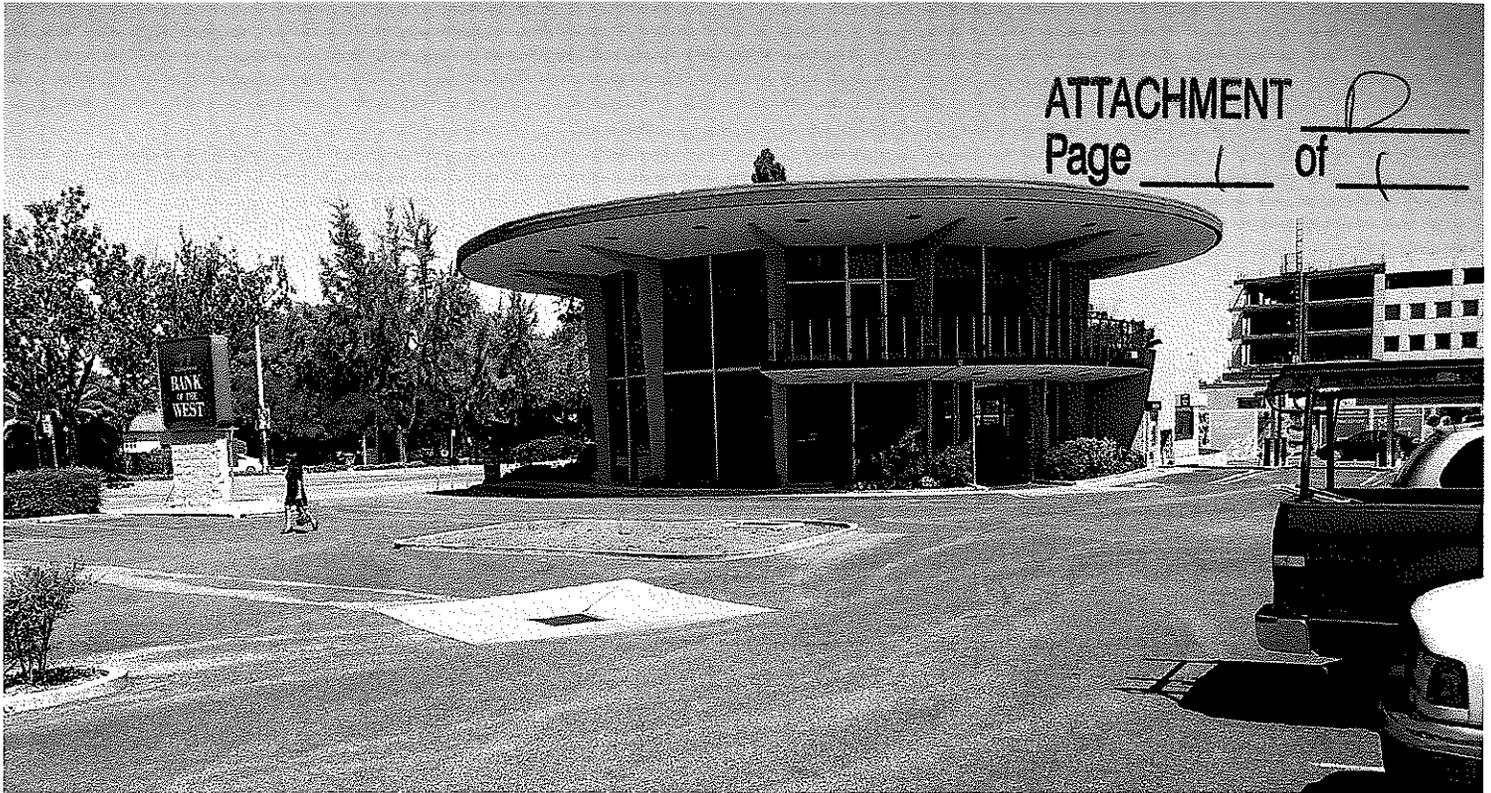
OR

3. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as ...**a special development permit to install the HVAC heat pump split system equipment in the (E) landscape bed due to the (E) lot configuration and street frontages. New landscaping materials will blend in with and grow onto the new proposed enclosure.**

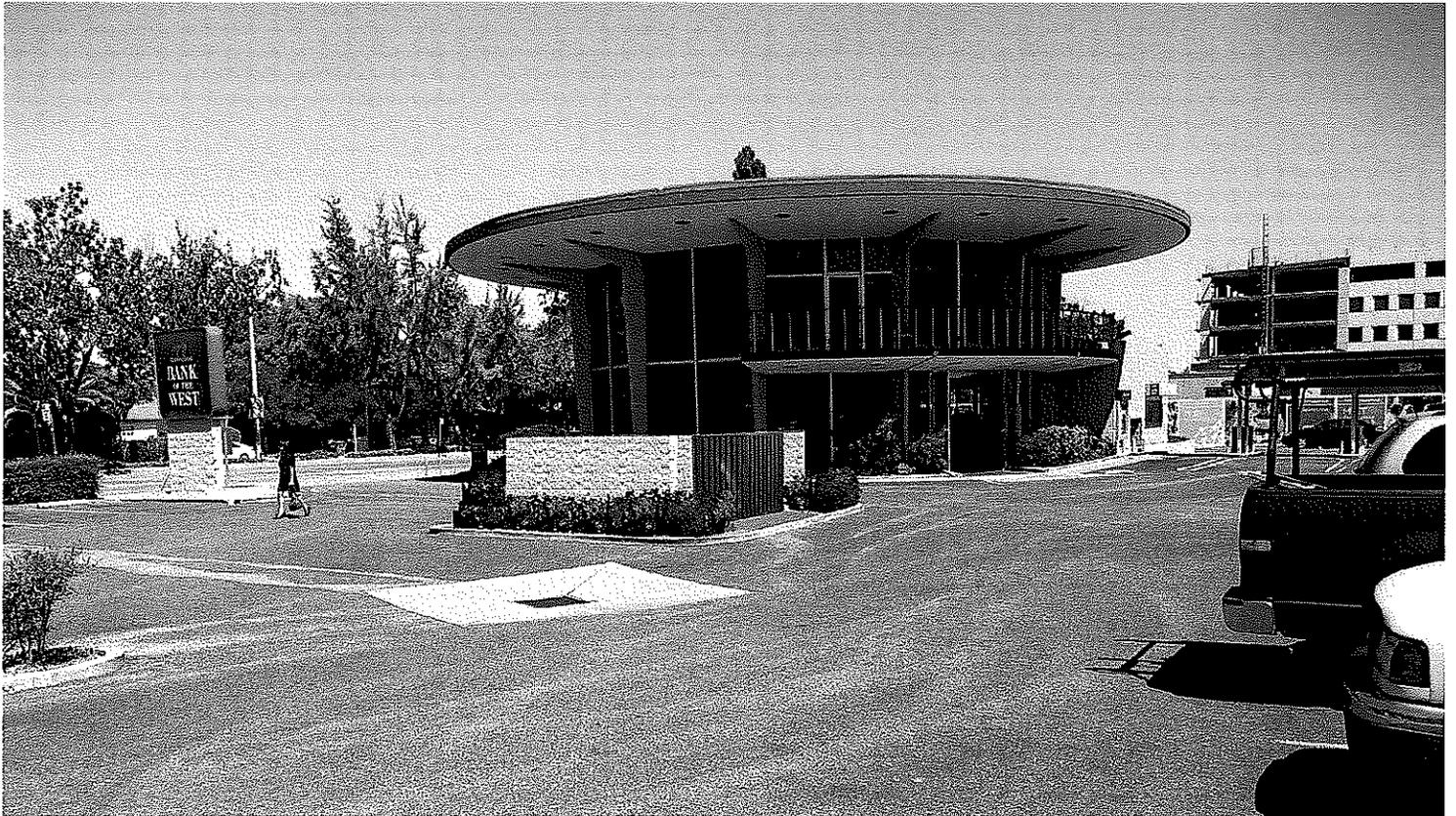
If you need assistance in answering either of these justifications, contact the Planning Division staff at the One-Stop Permit Center.

One-Stop Permit Center - City Hall - 456 W. Olive Avenue - (408) 730-7444
Planners and Building Division staff are available 8:00 a.m. to noon and 1:00 to 5:00 p.m.
www.SunnyvalePlanning.com / www.SunnyvaleBuilding.com

Rev. 7/07 (white)



EXISTING VIEW FROM W IOWA AVENUE



PROPOSED MECHANICAL ENCLOSURE

PROJECT

BANK OF THE WEST
380 S MATHILDA AVE
SUNNYVALE, CA.



BANK OF THE WEST