

**PLANNING COMMISSION MINUTES OF NOVEMBER 10, 2008**

**2008-0761 – Arbor Terrace Apartments** [Applicant] **EQR-Connor LLC** [Owner]: Application for a Special Development Permit to allow the conversion of an existing laundry room to a new studio apartment. The property is located at **555 East El Camino Real** (S. Fair Oaks Ave.) in an R-4/ECR (High Density Residential/Precise Plan for El Camino Real) Zoning District. (APN: 211-01-041) SB (*Continued from October 13, 2008*)

**Gerri Caruso**, Principal Planner, presented the staff report. She said staff recommends approval of the project subject to the conditions listed in the staff report.

**Comm. Klein** commented that the report says that landscaping can be removed to give the appropriate required parking spaces. He asked staff what the final landscaping numbers would be if part of the landscaping was removed. Ms. Caruso said she would look the numbers up. Comm. Klein asked staff about storage stating he does not see any storage for the proposed unit. Ms. Caruso said there is a requirement that a limited amount of storage be provided per unit and she does not know if the storage amount is in the interior of the existing units. Comm. Klein asked how the storage requirement is being met with the proposed unit. Ms. Caruso said she does not think that condition was considered by staff and would need to be added at this time. Ms. Caruso commented that the proposed unit may be the only unit on site that would meet the storage requirement as the other units may pre-date the requirement.

**Comm. Hungerford** asked staff about the recommended condition of approval (COA) regarding the number of washer and dryer units commenting that the Commission does not usually address items like the number of washers and dryers. Staff said that the approval of the application would result in the removal of the laundry room and staff wanted to maintain the numbers that were existing by relocating the machines. Ms. Caruso said the numbers of washers and dryers pertain to the livability of the site. Comm. Hungerford asked if the numbers of washers and dryers were part of the original COAs. Ms. Caruso said there is not a standard so staff went with the existing number. **Trudi Ryan**, Planning Officer, said that staff would consider washers and dryers a land use issue to provide convenient services on site adding that Sunnyvale does not have very many self-service laundries.

**Comm. McKenna** asked staff whether the lights and ventilation are adequate for the proposed unit as it only has one window and one door. Ms. Caruso said that the building division would make sure the health and safety issues were met. Comm. McKenna commented that she was happy that staff conditioned the

number of washers and dryers to remain the same. She said, with this condition, the residents would not have to sacrifice the loss of washers and dryers while the developer benefited from the addition of the studio apartment.

**Comm. Hungerford** added that he agrees that the condition for the washers and dryers is good "quid pro quo". He said he just wanted to make sure this was enforceable.

**Chair Rowe** said the bathroom appears to be wheel chair accessible and asked if the landlord could look for a tenant that needs the accessibility. Ms. Ryan said that she does not know if the landlord could look for a specific tenant adding that most bathrooms now need to meet the accessibility standards. Chair Rowe confirmed with staff that the approval of this application would allow the conversion of one of the three laundry rooms at an existing complex into a studio apartment. Ms. Caruso added that the same number of washers and dryers would be available to the residents even though there would now be only two laundry rooms. Ms. Ryan referred to Attachment C, page 1 and explained the location of the three existing laundry rooms and which one is proposed to be redeveloped into a studio apartment.

**Chair Rowe opened the public hearing.**

**Andrew Atwood**, Construction Manager for Equity Residential and Arbor Terrace Apartments, represented the owner. He said the original proposal was to include the additional washers and dryers in the remaining two laundry rooms, so relocating the washers and dryers as a requirement is not a problem. Mr. Atwood said the bathroom is designed to code for handicapped accessibility, and the lighting, windows and ventilation all meet code requirements. He said that fair housing laws prohibit specifically looking for someone with accessibility needs. He said he found the conditions to be a little expensive, but reasonable and that he hopes the Commission will approve the application.

**Chair Rowe closed the public hearing.**

**Comm. Klein** asked staff what the required square footage for lockable storage would be for an apartment. Ms. Ryan said the requirement for an apartment would be 300 cubic feet. Comm. Klein asked if staff had determined how much landscaping is being lost with the addition of four parking spaces. Ms. Ryan said four parking spaces would remove about 600-625 square feet of landscaping. Ms. Ryan referred to page 5 of the staff report which indicates that even with the loss of landscaping for the parking spaces that the site exceeds the landscaping requirement.

**Comm. Sulser moved for Alternative 1, to approve the Special Development Permit with attached conditions. Vice Chair Chang seconded the motion.**

**Comm. Sulser** said he is generally in support of this project. He said Sunnyvale seems to have a lack of studio apartments. He said he feels this project brings this site further into compliance with the development standards and zoning and that he likes that the same number of washers and dryers will still be available to residents.

**Vice Chair Chang** said he thinks this redevelopment and the maintenance of the number of washers and dryers is very good as long as the project meets the open space, landscaping and storage requirements.

**Comm. Klein** offered a **Friendly Amendment** to add a condition that the applicant works with staff and the Director of Community Development to find a location for a 300 cubic foot lockable storage as required by the City. The Friendly Amendment was acceptable to the maker and seconder of the motion.

**ACTION:** Comm. Sulser made a motion on 2008-0761 to approve the Special Development Permit with modified conditions; to add a condition that the applicant work with staff and the Director of Community Development to find a location for a 300 cubic foot lockable storage as required by the City. Vice Chair Chang seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This action is final unless appealed to the City Council no later than November 25, 2008.