



## Agenda Report

21-910

Agenda Date: 11/3/2021

### REPORT TO DEVELOPMENT REVIEW HEARING

#### SUBJECT

Action on Architectural Review of a new 9,310 square-foot, single-story retail building including 12 outdoor seats at 4565 Stevens Creek Boulevard and 40 Woodhams Road

**File No.(s):** PLN2020-14755

**Location:** 4565 Stevens Creek Boulevard and 40 Woodhams Road, a 1.03-acre project site consisting of two parcels located at the northwest corner of Stevens Creek Boulevard and Woodhams Road, APNs: 296-21-029 and 296-21-030, project site is zoned Thoroughfare Commercial (CT).

**Applicant:** Andrew Whiting Architecture

**Owner:** Lisa Wong

**Request:** **Architectural Review** of the demolition of the remaining 6,190 square foot retail building destroyed by fire and a separate 2,660 square foot commercial office building on a 1.029 acre site, for the replacement construction of a new 9,310 square foot, single-story retail commercial building including 12 outdoor seats for China Delight Restaurant and other sitework including landscaping and 54 on site parking stalls.

#### Project Data - see Attachment 2 for full-sized table

	Existing	Proposed
<b>General Plan Designation</b>	Regional Commercial	Same
<b>Zoning District</b>	Thoroughfare Commercial (CT)	Same
<b>Land Use</b>	Commercial	Same
<b>Lot Size</b>	1.029 acres	Same
<b>Commercial Square Footage (sf)</b>	Approximately 8,850 sf (including remnant structure)	9,310 sf
<b>Height</b>	One-story	One-story at approximately 27-feet, 6-inches in overall height
<b>Floor Area Ratio (FAR)</b>	0.20	0.22
<b>Parking</b>	75	54
<b>Bicycle Parking</b>	N/A	6 bicycle parking spaces
<b>Electrical Parking</b>	N/A	4 electric vehicle spaces

#### Points for consideration

1. 500-foot neighborhood notice was distributed for this project review.
2. There are no active City Code enforcement cases for this property.
3. The project site is located in FEMA Flood Zone X, which is considered a moderate to low risk

area.

The project would demolish all existing building, site paving and landscape improvements on two parcels that share common driveway access onto both Stevens Creek Boulevard and Woodhams Road, including remaining building foundation and basement improvements of a former 6,190 square foot building destroyed by fire in 2018. The proposal would construct a new 9,310 square foot, one-story retail commercial building toward the front of the lot at a 16-foot front yard building setback along Stevens Creek Boulevard, and an 11-foot street side yard building setback along Woodhams Road, with two driveways to be constructed on site in close proximity to the existing driveways. Fifty-four on site vehicle parking spaces are proposed in a rear parking lot along with on-site bicycle parking and four on site parking spaces dedicated for electric vehicle parking. The proposal includes outdoor seating for up to 12 seats along Woodhams Road, and also provides a 630 square foot outdoor patio area at the southeast corner of the building which may accommodate potential additional future outdoor seating. The project proposes a complete street treatment along Stevens Creek Boulevard including a new sidewalk separated by a nine foot street planter planted with new street trees and new VTA bus stop improvements including a new bus parking pad, bench and trash receptacle improvements. Larger 36-inch box sized sycamore trees would be planted in the planter strip that separates the sidewalk and the vertical curb along Stevens Creek Boulevard, and 36-inch box size Crape Myrtle Street trees are proposed to be planted behind the sidewalk along Woodhams Road over the proposed outdoor seating area. An 8-foot masonry wall would be constructed along the north property line bordering single family residential properties to the north, and a five-foot landscape planter planted with Carolina Cherry Laurel screening shrubs is also proposed as an additional measure to buffer the rear parking lot from adjoining residential properties to the north.

Overall proposed building height is 27-feet, 6-inches to the upper roof screen parapet, and 20-feet, 6-inches to primary building wall parapet. The proposed building would be clad primarily by cement plaster stucco siding and bronze aluminum-framed storefront glass and would be accented by composite wood siding and decorative wall light fixtures. The application also includes a conceptual sign program with proposed tenant wall signs of a brushed aluminum finish to be mounted along the upper wall parapets of the building.

The design and massing of the proposed development is consistent in scale with adjacent commercial and residential development and the City's Design Guidelines, and staff therefore supports the application subject to the conditions of approval attached at the end of this report.

### **Findings**

- 1) *That any off-street parking area, screening strips and other facilitates and improvements necessary to secure the purpose and intent of this title and the general plan of the City area a part of the proposed development, in that;*
  - The development provides 54 on-site parking spaces and provide adequate circulation for vehicular access.
- 2) *That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard, in that;*
  - The proposed project is Categorically Exempt from CEQA per section 15303 of the CEQA Guidelines and would not generate a significant increase vehicle miles traveled to the project site over the current office and previous retail development destroyed by fire. Further, the project development and use will be subject to conditions of approval designed to prevent and otherwise minimize affects associated with the construction and use of the proposed development on nearby residential and commercial properties.

- 3) *That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by this title and the general plan of the City, in that;*
- The development is a one-story structure that is in scale with current development along Stevens Creek Boulevard and the adjoining single family residential neighborhood to the north.
- 4) *That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injuries to property or improvements in said neighborhood, in that;*
- The development is consistent with the City's overall vision for retail development and uses along the Stevens Creek Boulevard corridor and the site's Community Mixed Use designation.
- 5) *That the proposed development, as set forth in the plans and drawings, are consistent with the set of more detailed policies and criteria for architectural review as approved and updated from time to time by the City Council, which set shall be maintained in the planning division office. The policies and criteria so approved shall be fully effective and operative to the same extent as if written into and made a part of this title, in that;*
- The proposed design and form of the building is consistent with the City's Design Guidelines and General Plan policies.

## **ENVIRONMENTAL REVIEW**

Categorically Exempt per CEQA Section 15303(c) - New Construction or Conversion of Small Structures

## **FISCAL IMPACT**

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

## **PUBLIC CONTACT**

Planning Staff has received comments for this application from Santa Clara Valley Transportation Authority attached to this report, dated May 19, 2021, pertaining to maintenance and upgrades to the bus stop and transit access along the project site frontage which have been incorporated into the project design for this application.

A Community meeting was held by the developer on June 7, 2021 from 6:00 pm to 7:15 pm, at which seven community members participated. The participants questioned the developer on development plan details including the proposed building and trash enclosure setbacks from the north property line, proposed building construction measures to prevent future fires, proposed perimeter eight-foot masonry wall material along the north property line, proposed restaurant operating hours from 11:00 am to 9:00 pm, proposed on-site parking and construction management plan and dust control plans.

On October 21, 2021, a notice of public hearing of this item was posted 500 feet of the project site and mailed to property owners within 500 feet of the project site. At the time of this report preparation, no additional public comments were received.

## **RECOMMENDATION**

Approve construction of a new 9,310 square-foot, single-story retail building including 12 outdoor seats at 4565 Stevens Creek Boulevard and 40 Woodhams Road, subject to conditions.

Prepared by: Jeff Schwilk, Associate Planner, Community Development Department  
Approved by: Gloria Sciara, Development Review Officer, Community Development

**ATTACHMENTS**

1. Development Plans
2. Project Data
3. Correspondence
4. Conditions of Approval