

RECOMMENDED FINDINGS

SPECIAL DEVELOPMENT PERMIT

Key Goals and Policies from the General Plan that relate to this project are:

Land Use and Transportation Element Goal LT-4 – An Attractive Community for Residents and Businesses. In combination with the City’s Community Design Sub-Element, ensure that all areas of the city are attractive and that the city’s image is enhanced by following policies and principles of good urban design while valued elements of the community fabric are preserved.

Land Use and Transportation Element Policy LT-4.4 – Avoid monotony and maintain visual interest in newly developing neighborhoods, and promote appropriate architectural diversity and variety. Encourage appropriate variations in lot sizes, setbacks, orientation of homes, and other site features.

Land Use and Transportation Element Goal LT-7 – Diverse Housing opportunities. Ensure the availability of ownership and rental housing options with a variety of dwelling types, sizes, and densities that contribute positively to the surrounding area and the health of the community.

Land Use and Transportation Element Policy LT-7.3 – Encourage the development of housing options with the goal that the majority of housing is owner-occupied.

Housing Element Policy HE-1.1 – Encourage diversity in the type, size, price and tenure of residential development in Sunnyvale, including single-family homes, townhomes, apartments, mixed-use housing, transit-oriented development, and live-work housing.

Housing Element Policy HE-4.3 – Require new development to build to at least 75 percent of the maximum zoning density, unless an exception is granted by the City Council.

Housing Element Policy HE-6.6 – Encourage use of sustainable and green building design in new and existing housing.

In order to approve the Site Development Permit, the Planning Commission must be able to make at least one of the following findings. The Planning Commission hereby finds:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. ***Finding Met***

The proposed project meets the goals and policies of the General Plan as listed above by providing five ownership housing units in compliance with the planned residential density for the area. The General Plan contains goals and policies to allow for residential uses, and the development of townhomes, apartments, and condominiums in the Medium Density Residential land use designation. The 0.26-acre project site is located within City limits and surrounded by two to three-story multi-family developments and a duplex all around. The proposed development is consistent with the surrounding multi-family developments in the vicinity while retaining the historic home. The proposed design incorporates design elements of the existing home while maintaining integrity of the historic home and still respecting the scale found on the streetscape. The project would provide street improvements, street trees, and street lighting consistent with other recent multi-family residential developments in the vicinity. The high-quality design and materials of the project as well as the preservation of the historic home will enhance the neighborhood aesthetics and contribute positively to the streetscape.

2. Ensure 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. ***Finding Met***

The scale, bulk, and style of the proposed development is similar to the neighboring properties in its vicinity. The new townhome buildings will feature a hipped roof with gabled and clipped-gable roof projections. The buildings will be clad with horizontal Hardie board cladding in an off-white color. Windows will be single-hung wood or aluminum-clad wood true divided lite units. The garage door panels will have a wood grain texture the roof will be clad with asphalt composite shingles in a dark grey color. The building's primary façade will face west onto a wide driveway shared with a neighboring parcel. Individual units and unit entries at the west façade will be articulated through modulations in the façade plane, roofline setbacks, and the use of gabled and clipped-gabled dormers. The north facade of the proposed townhouse building will feature stepped-back volumes that are accentuated by shed-roof profiles at the first- and second-floor levels.

The project design will enhance the streetscape where there are other three-story condominium developments and apartments in the neighborhood. The proposed design utilizes high quality materials and design, which will contribute to the character of the residential neighborhood. The design also respects the historic home and neighborhood, as conditioned, the project will have no adverse visual or privacy impacts on the surrounding uses.

TENTATIVE MAP

The Planning Commission hereby makes the following findings based on the administrative record before it, including the material submitted by the applicant, material prepared by Staff, public comments, and the CEQA Class 32 Categorical Exemption (the “Project”) prepared by the City of Sunnyvale:

A. Government Code Section 66473.5

1. In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan.
2. The subdivision is consistent with the General Plan. The subdivision is consistent with the property’s Medium Density Residential land use designation. The Tentative Map provides for the development of townhomes in an area intended for such uses, and the project would facilitate the creation of homeownership opportunities and associated public right-of-way improvements. The map is consistent with Title 18 of the Sunnyvale Municipal Code and applicable requirements of the Subdivision Map Act.

B. Government Code Section 66474 and Sunnyvale Municipal Code Chapter 18.20

Under the Subdivision Map Act and Chapter 18.20 of the Sunnyvale Municipal Code, if any of the following findings can be made, a tentative map shall be denied:

1. That the subdivision is not consistent with the General Plan, or with any applicable specific plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan or with any applicable specific plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. That the map fails to meet or perform one or more requirements or conditions imposed by the Subdivision Map Act or by the Sunnyvale Municipal Code.

None of the findings (B.1-8) can be made and the Tentative Map should be approved for the reasons outlined below:

1. The subdivision is consistent with the General Plan. The subdivision is consistent with the property's Medium Density Residential land use designation. The Tentative Map provides for the development of townhomes in an area intended for such uses, and the project would facilitate the creation of homeownership opportunities and associated public right-of-way improvements. The map is consistent with Title 18 of the Sunnyvale Municipal Code and applicable requirements of the Subdivision Map Act.
2. The design of the improvements is consistent with the General Plan's goals regarding minimum density, homeownership, diverse housing options, and attractive communities. The Project site is currently an underdeveloped property with one single-family home and would be improved with the preservation of the existing single-family home, construction of townhomes, and associated site upgrades.
3. The site is physically suitable for the proposed development. The 0.26-acre is large enough to accommodate the Project's four new townhomes and preservation of one existing single-family home. Such development is consistent with the General Plan's minimum vision to promote appropriate architectural diversity and variety. The site is in an urban area with existing utilities and infrastructure that can support continued urban use.
4. The site is physically suitable for the proposed density of development. The 0.26-acre is large enough to accommodate the Project's five residential units, with associated landscaping and circulation. As noted above, the proposed density and intensity of development is consistent with the level of density and intensity envisioned by the General Plan for this area. The site is a typical urban site, with existing infrastructure and with good street access, and no unusual topographic conditions, such as a fault line, steep slopes, or rivers, that could make it unsuitable for increased density.
5. The design of the subdivision and proposed improvements would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site is currently developed with a single-family home and is surrounded by urban uses. The site has no value as habitat for sensitive species, is not an important wildlife corridor, and lacks natural water features that could support fish.

6. The design of the subdivision and proposed Project would not cause serious public health problems. The subdivision supports the redevelopment of the site with townhomes. As part of the redevelopment, any potential, historic soil contamination would be remediated pursuant to all relevant safety standards and requirements. Project construction would occur consistent with applicable standards designed to protect public health, including following the basic best management practices from the Bay Area Air Quality Management District and ensuring construction equipment has the most efficient diesel engines. Project buildings would be more energy and water efficient than the existing buildings, and meet all applicable Building Codes, including structural and fire codes, designed to protect the public.
7. The design of the subdivision and type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The subdivision and Project would not conflict with any easements acquired by the public at large.
8. The proposed vesting tentative subdivision map meets all the applicable requirements in the Subdivision Map Act and the Sunnyvale Municipal Code.

A. Government Code Section 66412.

1. Section 66412.3 requires each local agency to consider the effect of ordinances and actions adopted pursuant to this division on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.
2. The subdivision is consistent with Section 66412.3 of the Subdivision Map Act and balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources. There is one single-family home on the Project site, which will be preserved as part of the Project. The Project would construct four new townhomes that would serve the population and the City and help the City meet its Regional Housing Needs Assessment. The Project sponsor will be required to comply with the C.3 permit, construct water and energy efficient buildings, comply with all Project conditions, and pay applicable development impact fees, which ensures that the Project would not adversely affect City public services.

B. Government Code Section 66473.1

1. Section 66473.1 requires the design of a subdivision for which a tentative map is required pursuant to provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.
2. The tentative map and improvements are subject to Title 24 of the California Building Code, which requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Project would include solar panels, the energy from which could be used to heat or cool the buildings. The Project also includes trees that will provide shade and reduce the need for cooling.

Based on the above information, the Planning Commission finds that the Tentative Map meets the requirements of the Subdivision Map Act.