

RECOMMENDED FINDINGS

Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element Policy LT-11.1 - *Provide existing businesses with opportunities to grow in Sunnyvale and provide opportunities to expand into new technologies.*

Land Use and Transportation Element Policy LT-11.3 - *Promote business opportunities and business retention in Sunnyvale.*

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

The additional outdoor equipment areas proposed on the project site is to house an emergency generator and to support the large cleanroom facility, which will house numerous R&D and manufacturing tools to design a very robust MEP and utility delivery support systems for the existing semiconductor manufacturer. The additional equipment areas would help the semiconductor manufacturer to remain in Sunnyvale while exploring additional R&D and manufacturing opportunities.

2. 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. **Finding met.**

The applicant proposes to screen most of its existing and outdoor equipment area with metal panels and louvers, in addition to new gates further screening outdoor equipment. The metal panels and louvers are proposed to be paint them with a similar color to the building to mitigate the visual impacts and make the appearance more consistent with the existing building. The proposed screening and coverings to outdoor equipment areas mitigate overall visual and acoustic impacts. The project site is also surrounded by similar industrial uses that the proposed additional outdoor equipment area will not have a negative impact on the surrounding community.

Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. **Finding met.**

The proposed project includes additional outdoor equipment area, including a replaced trash enclosure with coverings as well as the new level to the existing equipment area 2E. These outdoor equipment areas with coverings and screening increased the lot coverage to 46% where 45% is permitted. The Variance would support the existing semiconductor manufacturer to continue conducting their business and would allow the subject lot to enjoy the same privileges that other neighborhood properties currently enjoy.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. **Finding met.**

The project site is surrounded by industrial and small office buildings. The existing semiconductor manufacturer already has outdoor equipment areas where they have stored various equipment and tools to conduct their businesses. The coverings and screening that are triggering Variance would mitigate overall visual and acoustical impacts from the additional equipment area. Therefore, granting Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. **Finding met.**

Approval of the fence will enable the property owner to enjoy a similar privilege as other neighboring properties which have similar outdoor equipment areas.