

RECOMMENDED FINDINGS
2014-7423
1071 Noriega Ave.

Rezone

In order to approve a Rezoning request, the City Council is required by SMC 19.92.080 to make a finding that “the amendment, as proposed, changed or modified, is deemed to be in the public interest.” The proposed Rezoning is consistent with this finding because it is consistent with the General Plan land use designation and density, while also assisting the City in meeting its housing goals by providing ownership housing.

Special Development Permit

Goals and Policies that relate to this project are:

- **Policy LT-2.1** Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values.
- **Policy LT-3.2** Encourage the development of ownership housing to maintain a majority of housing in the city for ownership choice.
- **Policy LT-4.1** Protect the integrity of the City’s neighborhoods; whether residential, industrial or commercial.
- **Policy LT-4.2** Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.
- **Policy LT-4.4** Preserve and enhance the high quality character of residential neighborhoods.
- **Policy CC-1.3** Ensure that new development is compatible with the character of special districts and residential neighborhoods.
- **Policy CC-2.1** Maintain and provide attractive landscaping in the public right-of-way to identify the different types of roadways and districts, make motorists more comfortable and improve the enjoyment of residential neighborhoods.
- **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.

In order to approve the Special Development Permit, the decision maker must be able to make at least one

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 10 ownership housing units in compliance with the planned residential density for the area. Although the project would result in a net loss of one

unit, it still attains the objectives of the General Plan by providing home ownership opportunities. The high quality architectural design and materials of the proposed townhomes will enhance the neighborhood aesthetics and contribute positively to the streetscape and character.

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 project complies with most development standards and is compatible with the mixed character of the neighborhood, which consists of both single-family and multi-family housing. The proposed townhomes have been designed to reduce privacy and visual impacts to adjacent properties through the placement of windows and by providing increased setbacks from shared property lines, particularly at the third story of the buildings.

Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied.

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General 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 Municipal Code.

Staff was not able to make any of the following findings and recommends approval of the Tentative Map.