



VARIANCE JUSTIFICATIONS

All three of the following findings must be made in order to approve a Variance application.

The Sunnyvale Municipal code states that all three of the following justifications must be met before granting the Variance. Please provide us information on how your project meets **all** of the following criteria.

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 of privileges enjoyed by other properties in the vicinity and within the same zoning district.

AND

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.

AND

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.

If you need assistance in answering any of these justifications, contact the Planning Division staff at the One-Stop Permit Center.



Variance Justifications

Project: Hampton Inn and Suites Hotel
861 E El Camino Real

1. A Variance for Solar access is being requested for the project in order to utilize the property owner's right to develop a hotel (which is a permitted use that is encouraged by the El Camino Real Precise Plan). The hotel size and program is comparable to other hotels in the region. No additional variances or exceptions to required site dimensional criteria are proposed for the project.

The project site is approximately 1.5 acres in size and is narrow. The property is a 'through lot', which has two frontages: one on El Camino Real, and the other on South Wolfe Road. As such, vehicle access is provided at both public streets, to the east and to the west. We request a variance for Solar Access because of the following:

- a. The narrow dimension of the property is in the north-south direction. We have sited the building as far south on the property as possible to minimize the impact of a shadow cast on the property to the north which is a recreational miniature Golf facility.
- b. Given the value of the property and the competitive set in the Sunnyvale and adjacent markets, it is unfeasible to develop a hotel that is 1-2 stories shorter in order to meet the Solar Access criteria without imposing a hardship on the property.
- c. The project team has worked closely with staff over the period of 18 months to create a project best suited for the project site which includes stepping elevations down at both street frontages, creating interesting massing, and a unique pedestrian environment at the El Camino frontage. The various parapet heights along the hotel's north-facing elevation are all lower than the maximum height allowed for the site.

2. The proposed hotel shades an existing one-story building which is located on the south property line (our north property line) of the Golf facility for about 3 hours in the afternoon on the winter solstice. Its impact on the building should be minimal for the remainder of the year. In the event of future development on the Golf site, a 3 or 4 story building built to the proper setbacks currently allowed by the zoning code will not be encumbered by a shadow from the proposed hotel on the winter solstice. Additionally, new trees proposed for the hotel site to make it compliant with the City's required 50% minimum canopy coverage will shade the adjacent Golf facility site to a higher degree at maturity.

3. The Variance requested for Solar Access is only to allow development of a hotel that is reasonably designed and programmed for our narrow site in the Eastern Node of El Camino Real. The written goals and objectives of the Precise Plan for this area encourage development projects of this height, mass, and scale. We expect our project to be consistent with adjacent new development over time.

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