

## RECOMMENDED FINDINGS

**The project is categorical exempt from further environmental review pursuant to Section 15332, Class 32 (Infill Development Project) of the California Environmental Quality Act (CEQA):**

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The Planning Commission hereby makes the following findings:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as applicable zoning designations and regulations.

Staff Analysis:

The proposed project implements the City of Sunnyvale's General Plan by providing new 18-unit residential townhome development on a site zoned and designated as Medium Density Residential (R-3) which allows for residential development at a density of 18-24 units to the acre. Townhomes, apartments, and condominiums are typical within this residential designation.

The project proposes an 18-unit townhome development with a residential density of 22 units to the acre. The project generally complies with the development standards for the R-3 zoning district but requires deviations for reduced setbacks, minimum distance between buildings and trash servicing requirements which can be allowed through the Special Development Permit process. The requested deviations and proposed Planned Development (PD) Overlay would not result in a project that is inconsistent with the R-3 zoning district. The proposed multi-family development is considered compatible with the surrounding residential uses and neighborhood.

2. The proposed development occurs within the city limits, on a project site that is no more than 5 acres and surrounded by urban uses.

Staff Analysis:

The project site is within the City limits and is located on a 0.82-acre site consisting of three parcels. The project site is within a developed, urban area of Sunnyvale and is surrounded by other residential buildings consisting of single-family homes, duplexes, and multi-family residential buildings.

3. The project site has no value as habitat for endangered, rare, or threatened species.

Staff Analysis:

The project site is within an urbanized area of Sunnyvale and is developed with existing improvements and buildings. The project site is not an active habitat for known special status biological resources or wildlife. According to the City of Sunnyvale Land Use and Transportation Element (LUTE) Draft Environmental Impact Report (EIR) Biological Resources section, there are no special-status species or ecological communities on or surrounding the project site, nor is the project site designated for conservation or protection. The project site has no value as a habitat or special-status species and, therefore, adheres to the criteria of CEQA Guidelines Section 15332(c).

4. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

Staff Analysis:

Standard Requirements and Conditions of Approval are adopted as requirements of an individual project when it is approved by the City and are designed to avoid or substantially reduce a project's environmental effects with respect to the following.

Traffic – The project is anticipated to generate less than 100 peak hour trips and therefore will not result in a significant impact to traffic.

Noise - An Environmental Noise Study for the project was prepared by Charles M. Salter Associates Inc., in February 2020. The study provides site-specific analysis of existing noise conditions and the extent of project noise impacts. The assessment concludes the project operation would not result in a significant increase and the site will continue to meet Sunnyvale noise standards. The project would generate temporary noise during construction. With implementation of LUTE standard conditions, potential construction noise impact would be reduced to less than significant level.

Air Quality - The proposed 18-unit residential development is below the screening criteria for Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes and therefore no further analysis is needed. The project would be consistent with land use and zoning designations and proposes to remove 15 residential units and construct 18 townhome units which is within the residential density analyzed in the LUTE EIR. Standard conditions required in the LUTE EIR require construction projects to implement BAAQMD's basic construction mitigation measures. Therefore, the findings of the certified LUTE EIR concerning consistency with air quality plans remain valid and no further analysis is required.

Water Quality - Stormwater management is required by the Federal Government through the National Pollutant Discharge Elimination System (NPDES) program. The City of Sunnyvale complies with the NPDES requirement through participation in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Projects are subject to Sunnyvale Municipal Code (SMC) Section 12.60. Compliance with these existing stormwater regulations and the City's Standard Requirements and Conditions of Approval would ensure that the project would not result in significant effects relating to water quality, consistent with the requirement of the Class 32 exemption under CEQA Guidelines Section 153332(d).

5. The site can be adequately served by all required utilities and public services.

The project site is already served by all required utilities, such as water, sewer and solid waste. Public services are also adequately provided, such as police and fire. All required utilities and public services will continue to be provided after completion of the proposed project.

## **Special Development Permit**

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In order to approve the Special Development Permit, the Planning Commission must be able to make at least one of the following findings:

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

Key goals, objectives, and policies from the General Plan are listed below:

### **General Plan**

#### **Distinguished City Image**

*Policy CC-1.3 – Ensure that new development is compatible with the character of special districts and residential neighborhoods.*

#### **Adequate Housing**

- *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.*

#### **Adequate Housing Sites**

- *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.*

#### **Sustainable Neighborhoods**

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

#### **Complete Streets that Balance all Transportation Modes**

- *Policy LT-3.22c – Minimize driveway curb cuts and require coordinated access.*
- *Policy LT-3.22a – Provide clear, safe, and convenient links between all modes of travel, including access to transit stations/stops and connections between work, home, commercial uses, and public/quasi-public uses.*
- *Policy LT-3.22b – Encourage the incorporation of features that enhance street public spaces, such as street trees, public socialization spaces, and sidewalks separated from the curb.*

#### **Protected, Maintained, and Enhanced Residential Neighborhoods**

- *Policy LT-6.1 – Improve and preserve the character and cohesiveness of existing residential neighborhoods.*

Diverse Housing Opportunities

- *Policy LT-7.2 – Determine the appropriate residential density for a site by evaluating the site planning opportunities and proximity of services (such as transportation, open space, jobs, and supporting commercial and public uses).*
- *Policy LT-7.5 – Consider the impacts of all land use decisions on housing affordability and on the housing needs of special needs groups within Sunnyvale.*

Balanced Economic Base

- *Policy LT-12.3 – Support a variety of land and building ownership forms, including business condominiums, planned developments, and more traditional single-owner developments.*

Healthy City

- *Policy 69, Action 2 – Enhance connectivity by removing barriers and improving travel times between streets, trails, transit stops, and other pedestrian thoroughfares.*
- *Policy 69, Action 4 – Promote separation of streets and sidewalks with planter strips and widened sidewalks, especially on streets with no parking lane.*

Open Space, Parks, and Wetlands

- *Policy LT-9.1a – Define a minimum open space standard for residential uses, mixed-use developments, business developments, and Village Centers.*

The project site is located on northwest corner of the intersection at N. Fair Oaks and Columbia Avenue. The proposed project meets the goals and policies of the General Plan as listed above by providing 18 ownership housing units in compliance with the planned residential density for the area. The site is within close proximity of transit, commercial, and employment areas. The project would provide street improvements, street trees, bicycle parking, and street lighting consistent with other recent multi-family residential developments in the vicinity. The high-quality design and materials of the project and site landscaping will enhance the neighborhood aesthetics and contribute positively to the streetscape.

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 generally complies with the development standards for the R-3 zoning district but requires deviations for reduced setbacks, minimum distance between buildings and trash servicing requirements which can be allowed through the Special Development Permit process. The requested deviations and proposed PD Overlay would not result in a project that is inconsistent with the R-3 zoning district. The proposed multi-family development is considered compatible with the surrounding residential uses and neighborhood character. The project design incorporates contemporary style architectural elements such as

- Articulated rhythm of vertical or horizontal massing, window patterns, and roof elements;
- Integration of front porch elements to make entries identifiable.
- Wall plane changes, 3-inch recessed projecting decks, balconies and awnings and color block on the building façade to help break up the massing and add texture and movement on the buildings;
- Use of decorative elements metal awnings and railings, wood siding, stucco walls and substantial roof cornice that help articulate the buildings.

The project design will enhance the streetscape where there are mix of single-family and multi-family buildings.

### **Vesting Tentative Map**

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