



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project: General Plan Amendment Initiation request to study changing the General Plan from Public Facility (P-F) to Medium Density Residential.

File #: 2018-7040

Location: 1050 West Remington Drive (APN: 202-26-007)

Zoning: P-F

Applicant / Owner: Catalyst Development Partners (applicant) / Church of Christ of Sunnyvale (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

BACKGROUND

A study was conducted in 2007 (RTC No. 2007-0271) to consider whether to preserve properties with place of assembly uses by rezoning those properties to the Public Facility (PF) zoning district if they met specific size, location and site specific considerations. The City Council study and rezoning ordinance was adopted on September 28, 2007 with the aim of preserving locational opportunities for place of assembly uses on sites that are compatible with their neighborhood. Council approved the staff recommendation and rezoned eleven residentially-zoned properties, all 1.5 acres or greater in size (including the subject property) to Public Facilities zoning district. As part of the adoption of the Land Use and Transportation Chapter of the General Plan in 2017, the General Plan land use map designation for these sites was changed to Public Facility. Refer to Attachment 7 for the rezoning study Report to Council and Attachment 8 for the rezoning ordinance.

PROCESS

General Plan Amendment Initiation (GPI) requests are heard on a quarterly basis through a recommendation from the Planning Commission and then action by the City Council. The process for considering a General Plan amendment begins with a written request from a property owner or applicant. If City Council approves the GPI, a formal application for a General Plan Amendment (GPA) can be filed by the property owner/applicant. While staff is processing the GPA application, the applicant may also file a project application and related items as applicable for concurrent processing. However, the City Council would need to approve the GPA and related rezoning before the project could be scheduled for a Planning Commission hearing.

Staff received a GPI request from the applicant on January 17, 2018 requesting to change the General Plan designation for a corner lot (at Remington and Lime), currently used by Sunnyvale Church of Christ, from Public Facility (P-F) to Medium Density Residential (RMED) to allow residential development at a maximum of 24 dwelling units per acre. The applicant indicates that the

site is 1.41 acres, however the city and county records suggest the site is 1.61 acres. For purposes of discussion about the GPI, the applicant has submitted a site plan that shows conceptually how 30 three-story townhomes could be designed at a density of 21 dwelling units per acre (if the site is 1.41 acres). Refer to Attachment 2 for the applicant's letter and Attachment 3 for the conceptual site plan. Attachment 11 is a letter from the applicant's engineer concluding that the property acreage is approximately 1.41 acres.

The City Council is scheduled to consider this item on May 8, 2018.

EXISTING POLICY

The General Plan is the primary policy plan that guides the physical development of the City. When used together with a larger body of City Council policies, it provides direction for decision-making on City services and resources. The recently adopted Land Use and Transportation Chapter within the General Plan created an integrated set of policies to guide land use, development, and transportation choices with a horizon year of 2035.

COMMUNITY VISION CHAPTER

Goal I. Long-Range Planning- To engage in long-range physical, fiscal and economic development planning so as to create and sustain an outstanding quality of life in a community with appropriate balances between jobs and residences, development and supporting infrastructure, and the demand for services and the fiscal ability to provide them.

LAND USE AND TRANSPORTATION CHAPTER

Goal LT-1: Coordinated Regional and Local Planning- Protect the quality of life, the natural environment, and property investment, preserve home rule, secure fair share of funding, and provide leadership in the region.

***POLICY LT-1.3:** Contribute to a healthy jobs-to-housing ratio in the region by considering jobs, housing, transportation, and quality of life as inseparable when making planning decisions that affect any of these components.*

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

***POLICY LT-7.3:** Encourage the development of housing options with the goal that the majority of housing is owner-occupied.*

Goal LT-11: Supportive Economic Development Environment- Facilitate an economic development environment that supports a wide variety of businesses and promotes a strong economy within existing environmental, social, fiscal, and land use constraints.

***POLICY LT-11.2:** Support a full spectrum of conveniently located commercial, mixed-use, public, and quasi-public uses that add to the positive image of the community.*

Goal LT-14: Special and Unique Land Uses to Create a Diverse and Complete Community- Provide land use and design guidance so that special and unique areas and land uses can fulfill their distinctive purposes and provide a diverse and complete community fabric.

***POLICY LT-14.9:** Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions, schools, hospitals,*

large medical clinics) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure they do not have a negative effect on the surrounding area.

POLICY LT-14.11: Maintain and promote conveniently located public and quasi-public uses and services that enhance neighborhood cohesiveness and provide social and recreational opportunities.

ENVIRONMENTAL REVIEW

The decision to initiate a General Plan Amendment study does not require environmental review under the California Environmental Quality Act (CEQA) because the mere initiation of a study does not constitute a project under CEQA pursuant to CEQA Guidelines Section 15378 (a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. If initiated, the proposed GPA and associated Rezoning (RZ) would be subject to the provisions of CEQA.

DISCUSSION

The applicant's request is to amend the General Plan from Public Facilities to Medium Density Residential. The City Council may approve a General Plan Amendment upon finding that the amendment, as proposed, changed, or modified is deemed to be in the public interest.

The subject site is bounded by West Remington Avenue to the north, Lime Drive to the west and Rockefeller Drive to the south and currently operates as a religious use. It is immediately bordered to the east by the Parkwood Apartments, an 80-unit multi-family residential complex. The surrounding land uses are summarized in the Table 1 below:

Direction	Existing Uses	Zoning	General Plan Designation
North (across Remington)	Single-Family houses	R-0	Low Density Residential (RLO)
North (across Remington)	Sunnyvale Middle School	P-F	Public Facilities (PF)
South (across Rockefeller)	De Anza Park & Stratford School	P-F	Public Facilities (PF)
West (across Lime)	Single-Family houses	R-1	Low Density Residential (RLO)
East (adjacent)	Multi-Family housing	R-3	Medium Density Residential (RMED)

Requested General Plan Amendment Initiation

The applicant states that the existing church is no longer a viable use because of continued decline in attendance and congregation membership. The church (property owner) is considering merging with another congregation in a different location. The applicant considers medium density residential as the best use of the property because the proposed density and use would be consistent with properties to the east in the same block. The project would have limited traffic impact, while also generating additional housing for the City. Refer to Attachment 2 for the applicant's GPI request letter.

The applicant has indicated a desire to pursue a residential development at R-3 density, which will

allow up to 24 dwelling units per acre. A conceptual project proposal was submitted with the GPI application to illustrate the request (Attachment 3).

Options to Consider

Based on the existing land use patterns and General Plan goals and policies, there are several GPI study options, including maintaining the Public Facilities zoning designation, study conversion to medium density residential (an R-3 zoning designation) as proposed by the applicant, or study alternatives such as low-density designations (R-0 & R-1 zoning) or a low-medium density residential designation (R-1.7/PD, R-1.5 and R-2 zoning) for the subject property.

Residential - Overview

A land use change to residential would meet the goals of the applicant and provide additional housing opportunities in the City. The General Plan identifies the job to housing ratio as an important strategy for achieving a Complete Sunnyvale by continuing to allow for economic growth, while allowing residential growth to 'catch up' to jobs growth. A Complete Community is referenced in the Community Vision Chapter of the General Plan as a place to live, work, and play; it is further described in the Citywide Vision Goals:

A complete community provides its residents not only employment opportunities to realize income, but also leisure activities to stimulate the mind, body and spirit.

Medium Density Residential

Townhomes, apartments, and condominiums are typical within the Medium Density Residential General Plan designation. Medium density neighborhoods and developments are appropriate along arterials and residential collector streets, and may also be located near industrial or commercial areas. If the site is found suitable for residential use, the R-3 zoning designation can be considered with a potential of 33-38 dwelling units (depending on the actual size of the property). The subject site is bordered on the east by properties with Residential Medium Density (see Attachment 5 and 6).

Low-Medium Density Residential

The Low-Medium density is also a reasonable transition between the Medium density residential on the east and the Low density residential area to the north and west. There are three zoning districts under the Low-medium density residential general plan designation: R-1.5, R-1.7/PD, and R-2. The Low-Medium Residential General Plan designation supports small lot single-family, duplex, and smaller multi-family neighborhoods, designed around parks or schools, and located along neighborhood streets or residential collector streets. The R-2 district is often thought of as a duplex district but can also result in small lot single-family homes, and lower density townhouse developments.

The following densities and number of dwelling units would be allowed for each Low-Medium zoning designation. The range of units reflects the two different numbers for lot size (1.41 acres and 1.61 acres).

Zoning District	Max. Units/Acre	Units Allowed
R-1.5	10	14-16
R-1.7/PD	14	19-22
R-2	12	16-19

Low Density Residential

This designation primarily preserves existing single-family neighborhoods designed around parks or schools and located along neighborhood streets or residential collector streets. The corresponding zoning districts are R-0 and R-1. The area north and west of the subject site have the Low Density Residential General Plan designation and are zoned R-0 and R-1, respectfully. If the property land use designation was Low Density Residential, a maximum of 9 units would be allowed.

Maintain Public Facilities Designation

The General Plan currently designates the site as Public Facilities which provides for public and quasi-public services such as parks, schools, places of assembly, child-care facilities, civic facilities, and public works facilities. Public facility uses are crucial to the education, recreation, and operation of the community. The General Plan identifies preserving adequate land area for these spaces as a high priority and states that a change of a public facility designation to another nonpublic designation should only be considered when adequate facilities or resources are available to serve the community.

The Zoning Code defines:

“Places of assembly-community serving” means permanent headquarters and meeting facilities for civic, social and fraternal organizations (not including lodging), political organizations and other membership organizations. This category includes religious uses and facilities operated for worship; promotion of religious activities, including houses of worship and education and training; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the primary use. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other related operations (such as recreational camps) are classified according to their respective activities. SMC Section 19.12.170

The subject property is located between low density and medium density zoning districts that comprise a residential neighborhood. While a religious use may no longer be economically feasible in this location, it does not preclude other assembly uses such as another church, community serving use or a child care facility to be on the property. The City has conducted several studies in past years and confirmed the need for adequate sites for Place of Assembly uses and has determined that they are desirable and compatible uses with residential neighborhoods.

Child care and pre-school uses are also appropriate uses in the PF zone (see Attachment 10 for list of uses permitted, conditionally permitted or not permitted in the PF zoning district), and within the past year, staff has received preliminary review and formal applications for child care and pre-school facilities on sites less compatible for that use, such as on El Camino Real, in the middle of a single-family residential area, and near industrial uses. There is clearly an interest in the community for more of these facilities, and the subject site could be a well-located site for that use. A child care/pre-school use requires a Use Permit to operate in the PF zoning district.

Guidelines for Commercial Child Care Centers

The City has also undertaken number of steps to encourage and promote child care facilities in Sunnyvale including amending various sections of the Sunnyvale Municipal Code (SMC) in 2015. The Guidelines for Commercial Child Care Centers, which was also adopted by the City Council in

2015, identify the Public Facilities district as the most compatible areas for child care since it is reserved for the use and occupancy of educational buildings and facilities and other uses compatible with the public character of the district (Attachment 9). In addition, as noted earlier, there are specific General Plan policies that support the preservation and continuation of the public and quasi-public uses on this site.

Property Size

The applicant estimated the subject property as 1.41 acres in size; however, City and County records suggest it is 1.61 acres. A review of the site dimensions in the Assessor's parcel map and the letter from the applicant's engineer (Attachment 11) suggests that the site is approximately 1.41 acres, which is less than the 2007 1.5-acre threshold used in qualifying residentially zoned sites to be rezoned to PF. The letter is an opinion and not a final surveyor's calculation of lot area; staff concludes that the site is probably less than 1.5 acres.

FISCAL IMPACT

There are no fiscal impacts associated with initiating a General Plan Amendment study. All fees and costs for the development processing, related special studies and CEQA analysis would be covered by the applicant.

PUBLIC CONTACT

Notice of Public Hearing

- Published in the Sun newspaper
- Posted on the site
- 130 notices mailed to property owners and residents within 300 feet of the project site

See Attachment 1 for a map of the vicinity and mailing area.

Staff Report

- Posted on the City's website
- Provided at the Reference Section of the City's Public Library

Agenda

- Posted on the City's official notice bulletin board
- Posted on the City's website

Public Contact: Staff received one comment from the public in opposition to the initiation request (see Attachment 2).

ALTERNATIVE

Recommend to City Council:

- 1) Initiate the GPA study to analyze changing the land use designation from Public Facilities to Medium Density Residential, as requested by the applicant
- 2) Initiate the GPA study to analyze changing the land use designation from Public Facilities to a range of Low-Medium Density to Medium Density Residential, conditioned on the applicant providing evidence, at the time of a General Plan Amendment application, that the site is less than 1.5 acres.

- 3) Deny request to initiate a General Plan Amendment (GPA) study and retain the land use designation for the subject property as Public Facilities.

STAFF RECOMMENDATION

Recommend to City Council, Alternative 2: Initiate the GPA study to analyze changing the land use designation from Public Facilities to a range of Low-Medium Density to Medium Density Residential, conditioned on the applicant providing evidence, at the time of a General Plan Amendment application, that the site is less than 1.5 acres.

The decisions of which properties to rezone in 2007 were based on the parcel size information in the City and County records. Had the data shown that the site was less than 1.5 acres, it is likely that rezoning would not have occurred. If indeed the property is smaller, it would seem appropriate to re-examine it for potential residential use. Although the prior zoning was R-3 and General Plan designation was Medium Density Residential, staff recommends that the next lower category of Low-Medium residential also be studied to assure compatibility with the lower density uses in the neighborhood is considered. A survey of the property indicating the size is less than 1.5 acres would need to be provided by the applicant for staff to accept a General Plan Amendment application.

The above staff recommendation on the GPI is conditional, such that if the size is equal or larger than 1.5 acres, the GPI would be automatically rescinded and staff would not accept the application. Although the City has policies supporting both residential uses and Places of Assembly uses in the community, recent City studies as well as follow up rezoning and General Plan designation actions demonstrate the City's strong commitment to community-serving uses like churches and child care centers in residential areas.

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Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. *Not used, reserved for Report to City Council*
2. Applicant's GPI request Letter
3. Applicant's Conceptual Site Plan
4. Vicinity and Noticing Map
5. General Plan Map of site and vicinity
6. Zoning Map of site and vicinity
7. Report to City Council - September 11, 2007
8. Ordinance 2846-07 dated September 28, 2007
9. Guidelines for Commercial Child Care Centers adopted August 2015
10. Use Table for PF zoning district
11. MacKay & Soms (Engineers), Acreage Review letter
12. Letters from the Public

