

## **Use Permit Findings**

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In order to approve the PPSP Use Permit the following findings must be made:

1. The use is consistent with the Peery Park Specific Plan. [Finding met]

Restaurants with alcoholic beverage service are conditionally permitted use in the PPSP and therefore consistent with the PPSP.

2. The use is consistent with the certified Environmental Impact Report (EIR) prepared for the Peery Park Specific Plan. [Finding met]

The project is categorically exempt from environmental review pursuant to CEQA Guidelines Class 1, Section 15301 (Existing Facilities). The project entails converting existing restaurant space to allow for expanded bar area for an existing full service restaurant.

3. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. The following General Plan policies were considered for the review of the project:

Goal D: An Attractive Community for Residents and Businesses - In combination with the City's Community Design Sub-Element, ensure that all areas of the city are attractive and that the city's image is enhanced by following policies and principles of good urban design while valued elements of the community fabric are preserved.

- Policy 50: Encourage nodes of interest and activity, public open spaces, well-planned development, mixed-use projects, signature commercial uses, and buildings and other desirable uses, locations, and physical attractions.
  - Action 4: Promote distinctive commercial uses.

Goal I: 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 75: Support a full spectrum of conveniently located commercial, mixed-use, public, and quasi-public uses that add to the positive image of the community.
- Policy 76: Promote business opportunities and business retention in Sunnyvale.
  - Action 1: Encourage conveniently located retail, restaurant, and other supportive land uses near business areas.

The project is consistent with the General Plan in terms of land use and implements the above policies by providing a convenient full-service dining establishment that complements the hotel use and caters to business and residents as well. The project facilitates economic pursuits and employment opportunities.

4. The proposed use meets all of the development standards in the Peery Park Development Code and Sunnyvale Municipal Code. [Finding met]

The project does not propose any building or site modifications and maintains existing setbacks, height, lot coverage, and floor area ratio standards. As condition, the site will be brought into further conformance with parking requirements.

5. The use is consistent with applicable Peery Park Specific Plan and City-adopted design guidelines. [Finding met]

The project is consistent with the one of the Peery Park Specific Plan guiding principles which encourages complementary uses, diverse job opportunities and businesses. The project provides a complementary use to the nearby hotels and employment centers.

6. The location, size and design and operating characteristics of the proposed use are compatibility with the site and building character and environmental conditions of existing and future land uses in the vicinity. [Finding met]

The existing building has operated as a restaurant since 1979. The project is to allow for an expanded bar area and modifications to the conditions of approval and parking management plan to allow for valet parking. The proposed hours of operations are typical for a full-service restaurant establishment and would complement surrounding land uses.

7. The use and recommended conditions will adequately mitigate any noise, traffic, parking, or other impacts that would interfere with adjacent properties. [Finding met]

As conditioned, the project will not be detrimental or injurious to property, improvements, public health, safety and general welfare. The project will be subject to a six and twelve-month review to ensure compliance with conditions of approval and that no negative impacts to the surrounding properties. Although there are no exterior changes proposed, the existing improvements still provide for an aesthetic and harmonious development.

8. Any special structures or building modifications necessary to contain the proposed use would require a Peery Park plan review permit and would not impair the architectural integrity and character of the sub district in which it is to be located. [Finding met]

The project does not propose any building or site modifications that require a Peery Park plan review and therefore will not impair the architectural integrity and character of the Innovative Edge Sub-District.