



Project Description Letter to City of Sunnyvale  
Proposed Zoning Change of 521 E. Weddell Dr. for Day-Care/Preschool

Based on our assessment of the growing residential community around Sunnyvale International Church, (previously New Hope Int'l Church) the addition of the Seven Seas City Park on Morse Rd., and the newly approved housing development on Fair Oaks Park, we recognize the need for proximity and accessibility for young families to a day care/preschool facility that can add to the community growth and service.

Additionally, we would offer a Mother's Day Out program to assist mothers with the need to leave their young ones in a safe environment for a few hours, while attending appointments, grocery shopping, or personal care.

Sunnyvale International Church is requesting a zoning change for their building at 521 East Weddell Dr. for the use of a Multi-Lingual Community Day Care/Preschool facility.

The Sunnyvale International Day Care/ Preschool **operating hours** would be:

Monday – Friday from 7:00am to 6:30pm.

The capacity of students would be... 36 (Preschoolers ages 2 to 5 years old)

**Child Care Center Ratios:**

2 years old is 6 kids to 1 teacher

3 years old to 5 years old is 12 kids to 1 teacher

**The staff would be comprised of 7:**

1 Full time Preschool director

1 Full time Assistant director/Preschool teacher with 12 Preschoolers ages 3-5

1 Full time teacher with 12 Preschoolers ages 3-5

2 Full time Preschool teachers with 12 Preschoolers age 2

1 Part time Preschool teacher

1 Custodian/teacher's helper

The 40,000 square foot building at the corner of East Weddell Dr. and Morse is currently being used on Wednesday nights for family discipleship education, including children, youth and adults. The programs begin at 7:00pm and end around 8:30pm.

Sunday AM services and Christian education. Sunday PM prayer gatherings and fellowship.

We do not anticipate the need for any physical changes to our existing facility, or additional building projects, as we already use the facilities for our children's educational programs, and have complied with all Fire and Building code inspections and requirements to date.

Thank you for your consideration.

521 East Weddell Drive

Sunnyvale, California 94089

☎ 408.470.4200 📠 408.470.4210

www.sunnyvaleic.com



890 Broadway Avenue  
Redwood City, CA 94063  
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## PROJECT DESCRIPTION LETTER

539 E. WEDDELL DR. SUNNYVALE 94063

*Letter indicating the proposed use, hours of operation, list of tenants, number of employees, and previous use.*

**Project:** Summit Public School: Summit Denali

**Proposed Site:** 539 E. Weddell Drive, Sunnyvale 94063

**City Zoning:**

Current Zoning: M-S

Proposed Zoning: P-F

**Project Description Overview:**

Summit Public Schools (SPS) plans to lease an existing 19,402 square foot building and temporarily locate (2) 960 sf classroom portables to operate a charter school (grades 6 – 9) with an innovative blended learning program in the fall of 2016. SPS' target group is the diverse population of families in the local community with particular focus on underserved students along the Highway 101 corridor. The long term plan is to solely serve the middle school population (Grades 6-8) of 300 students. The school will operate its first academic calendar year (16-17) with 400 students. Summit is currently seeking a site that can serve as its future High School.

The existing building will require interior tenant improvements to accommodate the school program. No expansion of the existing building footprint is needed. As noted we are proposing (2) temporary 960 sf classrooms portables, after the (16-17) academic calendar year the portables will be removed from the site. Summit will be the sole tenant of the leased property. The property was previously used as a Church.





890 Broadway Avenue  
Redwood City, CA 94063  
[www.summitps.org](http://www.summitps.org)  
[info@summitps.org](mailto:info@summitps.org)

**Proposed Occupant Load:**

Students:

- Year (2016-2017): 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> grade – 400 students
- Year (2017-2018): 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> grade – 300 students
- Ongoing Operation: 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> grade – 300 students

Staff:

- Year (2016-2017): -25 Full Time Staff
- Year (2017-2018): -20 Full Time Staff
- Ongoing Operation: 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> grade -20 Full Time Staff

**Hours of Operation:** 7 am – 5 pm Monday - Friday

**Daily Schedule:** Start Time - Group 1 (75% of students): 8 am  
Start Time - Group 2 (25% of students): 9 am

Dismissal Time - Group 1 (75% of students): 3 pm  
Dismissal Time – Group 2 (25% of students): 4 pm



## Monday & Tuesday

Time	Class
8:15 - 10:35	Mentor Group PLT & Checkins <b>Tuesday:</b> Community from 8:15 to 9am
10:35 - 10:55	Break
10:55 - 11:40	PLT/PE
11:45 - 12:30	PLT/PE
12:30 - 1:10	Lunch
1:10 - 1:40	Summit Reads/Solves
1:45 - 3:15	Project Time

## Wednesday - Friday

Time	Class
8:15 - 8:25	Mentor Time
8:30 - 10:00	Project Time
10:05 - 10:35	Summit Reads/Solves
10:35 - 10:55	Break
10:55 - 11:40	PLT/PE
11:45 - 12:30	PLT/PE
12:30 - 1:10	Lunch
1:10 - 1:40	Summit Reads/Solves
1:45 - 3:15	Project Time

## Use Permit / Special Development Permit Justifications

One of the two following findings must be made in order to approve a Use Permit or Special Development Permit application.

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The Sunnyvale Municipal code states that at least one the following two justifications must be met before granting the Use Permit or Special Development Permit. Please provide us information on how your project meets at least one of the following criteria.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project....

The General Plan explicitly identifies quality education as one of the goals for the Sunnyvale community:

*VII. Quality Education: To support and work cooperatively with the educational institutions which serve Sunnyvale so as to provide the opportunity for a quality education for all youth, and life-long learning for all residents. Excellent public education is an essential ingredient to a high quality of life. For many families with young children, the quality of the schools is a primary determinant of where they will chose to live. Although the City of Sunnyvale does not have jurisdictional authority over public education, it can help maintain a quality educational system by working closely with the school districts that serve the City. It can share facilities with the schools (as is now the case with school playfields), help schools build community partnerships, provide safe places for youth to gather for positive activity outside of school hours, and provide excellent public library services.*

A nationally recognized Summit Public School in the Sunnyvale community will support this commitment to quality education. Summit Public School: Denali will provide a high quality college prep education to all students attending our grade 6-8 school in Sunnyvale. We have currently have 320 students enrolled who represents a diverse population in the north Santa Clara County area. In line with our goal of a diverse, heterogeneous school community, our outreach efforts have specifically targeted underserved families along the 101 corridor where several of the existing public schools are low performing. Our proposed site at 539 E Weddell Dr. is located in the Lake Wood Elementary school attendance area where 66% of the students qualify for free or reduced price lunch. This location makes a high performing school accessible to these families.

As we grow the school to include grades 9-12 (at a separate location), students in the east side of Sunnyvale will have a closer high performing option, located in their local community. We will offer an innovative school model based on current research on effective educational practices and a tuition free choice to families in the local community.

The General Plan also describes the desire to celebrate diversity and provide opportunity for all residents to participate in community life:

*V. Diverse Population: To celebrate the diversity of the population and to provide equal opportunity for all residents to participate fully in community life. Sunnyvale's knowledge-based economy has attracted a diverse population in which individuals are judged more on their personal abilities and traits than upon their ethnicity, national origin, age or lifestyle. Despite this acceptance of diversity, there are few opportunities to celebrate our differences or learn more about each other's culture. Some groups in the community participate more fully in civic affairs than others, and wield more influence on public decision-making. Sunnyvale can create opportunities which will draw all residents to participate fully in the life of the community.*

The proposed use will reach a part of Sunnyvale's diverse community that is underserved (parts of the Lakewood neighborhood and along the 101 corridor). Providing these families with the opportunity for a high quality education which focuses on building self-directed learners in a diverse small school environment will result in higher levels of education and likely more active involvement in the community among this underserved group.

The project is also in line with Sunnyvale's Land Use Transportation Policy and Goals:

*Policy LT4.14 Support the provisions of a full spectrum of public and quasi-public services (e.g. parks, day care, group living recreation centers, that are appropriately located in residential, commercial and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.*

*Goal LT4.14c. Encourage multiple uses of some facilities (e.g. religious institutions schools, social organizations, day care) within the capacity of the land and roadway system.*

Summit Public Schools conducted an exhaustive search for a facility in the Mountain View & Sunnyvale area (see the attached search report). The site at 539 Weddell is the only site that meets our restrictive site search criteria:

- Located within our target geographic area (near the 101 corridor and in an elementary school attendance area that complies with SB 740)
- Rent costs that are feasible within our state per student allocation (charter schools must fund facilities out of their instructional budget whereas district schools fund facilities through bond measures)
- Owner willing to lease to a school
- In compliance with legal requirements around nearness to freeways and airports

We determined that the Weddell site is an ideal fit for our educational mission, program needs and significant financial constraints. We believe that our small school model and innovative program is compatible with the current uses in the neighborhood. With a major intersection a few blocks away, impact on traffic will be minimal and the school will be easily accessible to nearby low income families as well as families in the broader Sunnyvale community. The neighborhood appears to be experiencing a gradual shift away from industrial uses as there are now two private universities located within a block from the site and several neighborhood buildings have been converted to office use.

**OR**

2. The proposed use ensures that the general appearance of proposed structures, or 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 as .....

The proposed use of the property to which the application refers, does not involve changes to the general appearance of the existing structure and will not impair the orderly development of adjacent properties or the existing uses being made of adjacent properties.

Summit Public Schools intends to lease the property and is not considering a purchase. Thus, the use is temporary and will likely revert back to assembly in the future. The existing building has a relatively small footprint at less than 20,000 sf. and therefore the use has a low impact on the surrounding neighborhood.

The adjacency to Residential zoning will serve as a much needed school option as the existing sites are redeveloped to residential use and demand for school capacity increases.



May 6, 2016

Sunnyvale City Council & Planning Commission  
456 W. Olive Ave.  
P.O. Box 3707  
Sunnyvale, CA 94088-3707

Honorable Members of the City of Sunnyvale City Council and Planning Commission:

Summit Public Schools submits the following position paper in support of approval of a Conditional Use Permit (CUP) petition for the property identified as 539 E. Weddell Drive (APN 110-14-158) permitting the opening of a Public Charter School.

Should you have any questions, please do not hesitate to contact us. We also reiterate our previous invitations to meet with us and to visit Summit Public School: Denali.

Sincerely,

Kevin Bock  
Executive Director  
Summit Public School: Denali

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## Introduction & Summary

### Who We Are

Summit Public Schools, a leading nonprofit charter management organization serving diverse communities in the San Francisco Bay Area and Washington State, operates ten schools enrolling 2,500 students. Summit's mission is to ensure that every student has the opportunity to not only attend, but succeed in, a four-year college or university. Its schools consistently rank among the best in California and the nation. To date, 99 percent of Summit students have been accepted to one or more four-year colleges, and its graduates are completing college at double the national average.

Summit Public School: Denali is a public charter school operated by Summit Public Schools. Summit Denali is non-sectarian and tuition-free. We welcome everyone to attend and there are no admissions requirements. Where there are more applications than space available, a lottery is held.

Summit Denali has been an asset to the Sunnyvale community for almost three years now. The school currently serves over 300 students in grades 6 - 8, and will grow to serve grades 6-12 by adding one grade per year. On the most recent state assessment, Summit Denali's 7<sup>th</sup> grade class outperformed all comparable public school options in English Language Arts and nearly all in math. Parents and students are demanding schools like Summit Denali: so far, over 400 students have applied for just 100 spots in next year's incoming class.

Charter schools are public schools established by the Charter Schools Act of 1992. The intent of the legislature in creating the Act was to allow parents, teachers and the community to create new schools to improve student learning and to encourage the use of new and innovative teaching methods. Recently called the "Schools of the Future" by US News & World Report, this is exactly what Summit Public Schools is doing.

### Our Vision for the Site on Weddell Drive

Summit Public Schools has been working with the City staff since 2012 to identify potential locations for Summit Public School: Denali, so when the opportunity on Weddell Drive arose, we immediately worked to secure it. We were thrilled when the City Planning Staff advised us that this site was in a community that was transitioning to non-industrial uses, and when they then went on to express their support for school use in that area. The City has expressed clearly its desire for Summit Denali, to exit the site on Mercury Drive; securing the site on Weddell Drive puts Summit Denali closer to such an exit. We are requesting that the City to move through the approvals process swiftly in order to ensure that students can utilize the site this fall.

In the site at 539 E. Weddell Drive, we hope to create a space that is inspiring, flexible, and can support up to 400 learners in the first year, and 300 in subsequent years. Summit schools have historically received significant local and national recognition, and across our schools, we annually host thousands of educators and leaders, who want to find out more about our personalized learning model. At Weddell Drive, we intend to create a learning environment that is an exemplar of cutting edge educational practices and space design that will be a source of pride for the City of Sunnyvale and its residents.

Summit Public Schools is committed to being a good neighbor. By offering "office hours" - an opportunity for students to get additional faculty support or get work done in a safe and quiet space - to students before and after school, students have constant on-site supervision before school and afterschool until they are picked up by a parent/guardian. Out of respect for our neighbors' interest in the Seven Seas Park, Summit Public

Schools: Denali does not intend to use the Seven Seas Park for physical education or other school-related activities. Instead, all physical education activities will take place inside the school building or on the half-court basketball court that we intend to create on site. Other Summit school campuses have comparable outdoor spaces, and we have successfully provided a physical education that promotes student health and wellbeing across those campuses. Extracurricular activities and sports are generally provided in partnership with local athletics organizations on their sites, and we already have such partnerships in place in Sunnyvale.

### **Summit Public Schools Meets the Objective Criteria to be Granted a Use Permit**

Summit meets all the objective criteria in the city ordinance to be granted a use permit. A detailed explanation of how Summit meets the criteria is provided in the section beginning on Page 5, and an overview is provided here.

- The use serves the public good. Public schools, like government or quasi government uses, are exempt or given deference based on the direct correlation between the use sought and the benefit to the public good created by the use.
- Summit's use is consistent with the character of the area and/or the actual uses of the surrounding properties.
- All environmental impact studies relating to noise and air quality have concluded that there is no negative impact created by Summit's use at the Weddell property.
- An independent traffic consultant retained by the City concluded that the proposed Summit use does not have a negative effect on traffic in the area. This report does not consider the general societal problem of traffic in general but instead determines the difference in traffic created by Summit's proposed use versus its former use
- Summit has agreed to make all the safety upgrades to the surrounding area based on the recommendations made by the City and the Traffic Consultant and therefore has mitigated any safety issues to both pedestrians and vehicular traffic in the area.
- Summit also has a strong history of using a variety of techniques to ensure that traffic always flows smoothly on and around our campuses, including: encouraging and even helping to facilitate carpooling and use of public transit, careful staff and volunteer management of traffic flow, and staggered start times. The site is also within close proximity (less than 1 mile) to four different VTA bus lines and the VTA Fair Oaks light rail stop.
- There will be approximately 39 on site parking stalls provided, which is approximately one space for every 500 square feet of building. This substantially exceeds the required parking needs by ordinance.

## Evidence that the Use Permit Request Meets Criteria for Approval

The Use Permit requested by Summit Public Schools meets the criteria for approval of a Use Permit as defined in Title 19. Zoning; Article 6 Discretionary Permits and Procedures; Chapter 19.88. Use Permits.

### A. The Use Permit for Summit Public Schools should be approved as the public interest is served:

- 1. Providing access to quality public education is at the core of any city's obligation to its citizens.** Summit Public School: Denali is a high-performing school in the Sunnyvale community. Summit Denali's 7<sup>th</sup> grade class outperformed all comparable public school options in English Language Arts and nearly all in math. Additionally, Summit's track record is strong. Last year, 99% of graduating seniors across the Summit organization received acceptance to at least one four-year college or university. Summit schools have been named among the most challenging in America by the Washington Post and among the best in America by U.S. News & World Report. Recently, U.S. News & World Report visited Summit Public School: Denali and called Summit Public Schools the schools of the future.
- 2. Schools and churches provide critical stability to a neighborhood.** It is a well-recognized fact that stability of a neighborhood is paramount to maintaining its viability as well as promoting economic growth. Stability engenders pride in the neighborhood which leads to residents maintaining their properties at a high level. This has a direct effect on retaining higher home values and decreasing security issues (as vested neighbors in stable areas have a tendency to watch out for their neighbors more than in neighborhoods that are less stable or decaying). Two of the uses which provide the most stability to a neighborhood are good schools and religious institutions. According to the National Center for Education Statistics, the average lifespan for a public school located in or adjacent to neighborhood is over fifty years and according to Ministry magazine, the average lifespan for a 501c3 church with a permanent pastoral staff is approximately 60 years in one location. In comparison, according to a Bureau of Labor Statistics report (a division of the Department of Labor) on the lifespan of small business establishments in America shows that approximately 44% of those small business establishments close after only four years of operation (only 65% survive beyond two years). The risk tends to be relevant to industry type and the report found that part of the top ten toughest, "cut throat" retail industry types included clothing stores, restaurants, and food stores. Clearly, the more a location turns over, the more likely a higher risk or undesirable retail establishment may take its place, which would have a negative effect on the stability of the neighborhood.
- 3. Churches and schools provide positive benefits to a neighborhood.** Churches and schools provide direct economic benefit to the local retail establishments. These uses typically encourage patronage from local businesses to enhance their connection to the community they serve. The proximity of churches and good schools to nearby neighborhood housing is consistently cited amongst the top five reasons buyers will choose the home they buy, even if means the buyer will have to pay a premium for that location. Beyond the direct economic benefits created by churches and schools these uses also provide very important social benefits to the neighborhood. Several researchers have identified that the social benefits of churches and schools in a neighborhood include: providing help to poor and vulnerable individuals, improving marriage relationships, decreasing violent crimes in the area, and promoting charitable contributions and volunteering. Finally, churches and schools promote civic engagement. Along with increasing educational skills churches and schools encourage and promote civic engagement. One study of school students and church congregants in six different communities found that ninety one percent of the students and congregants provide at least one social service to the community. This kind of community investment and contribution cannot be said about any other kind of uses.
- 4. Good schools in a neighborhood increase property values.** The correlation between school quality and neighborhood choice and home values is well documented. The 2015 National Association of Realtor Home Buyer and Seller Generational Trends study found that the quality of

the neighborhood school was the sixth most important factor influencing the neighborhood choice of home buyers around the country, but for buyers aged 35 to 49, the neighborhood school was the fourth most important factor. Home buyers without children are less focused on schools, but even in that group over 50% of home buyers would rather buy in a good neighborhood district to protect resale value. A Redfin brokerage report in 2013 found that homes in neighborhoods with top-rated schools cost \$50 more per square foot than homes in communities with average-ranked schools.

**B. The Summit Public Schools Use Permit should be approved as it attains the objective and purpose of the general plan:**

1. Although the General Plan Amendment and Rezoning are still pending, there appears to be general agreement that the four properties included in the request are no longer consistent with the current uses of the properties and the character of the surrounding properties. All of the subject properties have held a General Plan designation of Industrial since the first General Plan was adopted in 1955. The majority of the area has since been changing from Industrial to Residential. In 1990, the City purchased the Seven Seas property for the specific purpose of creating a park on the property. The last major parcel bordering Weddell drive and Fair Oaks has recently been converted in the General Plan to residential and rezoned to multi-family. A multi-family development is presently under construction. Since 1992 the 521 E. Weddell property has been operated as a church. In 2006 use permits were granted to both 531 E. Weddell and 539 E. Weddell as churches. All of those properties are currently designated in the General Plan as Industrial and zoned MS-POA. Those classifications are no longer appropriate for those uses or the changing nature of the neighborhood to residential. The current petition in front of the Planning commission calls for the properties to be designated in the General Plan as School or Commercial and rezoned as either Public facility or Commercial (C-1). Should either action be approved, public schools would become a permitted use under the newly adopted General Plan (with the issuance of a Use Permit) and therefore the Use Permit should be approved.

**C. The Summit Public School Use Permit should be approved as the use to be made of the property to which the application refers, does not impair either orderly development of, or the existing uses being made of, adjacent properties:**

1. The use by Summit Public Schools meets all required empirical tests for approval. During the Use Permit application process the property has been required to provide the following: Environmental Air Quality Assessment report conducted by Illingworth and Rodkin, Inc. dated December 2, 2015; Environmental Noise Assessment report conducted by Illingworth and Rodkin, Inc. dated December 2, 2015; Aeronautics review report conducted by the California Department of Transportation, Division of Aeronautics on behalf of the California Department of Education for the site at 539 E. Weddell Drive, Sunnyvale, dated December 2, 2015. All of the above reports concluded that there was no impact created by the schools use and no impact to the students and staff based on the proximity to US highway 101.
2. The Planning Department engaged the services of Kimley Horn to prepare and submit a Transportation Impact analysis for the use by Summit Public Schools of the 539 E. Weddell Drive location. **The final report based on the traffic analysis and evaluation of the site plan submitted by Summit Public Schools at 539 E. Weddell Drive, showed there are no significant impacts as a result of the proposed project.** The report recommended certain school safety improvements to the building site and surrounding area be completed by Summit as a condition to the Use Permit approval and **Summit Public Schools has agreed to timely make all the recommended improvements contained in the report.**
3. Summit Public Schools held a Community Meeting on January 24, 2016 to listen to questions and concerns from the public regarding our proposed use of the 539 E. Weddell Drive as a Public School. The notice for this meeting was timely delivered to all residents within 1000 feet of the proposed development. Over 50 people attended the meeting, and although there were some concerns raised over traffic issues occurring in the surrounding area due to recent development

projects added to the community or under construction, the majority of those in attendance (based on a vote of hands called by one of the neighbors challenging the school's use) supported Summit Public Schools' application for a use permit at 539 E Weddell Drive. Other detractors of Summit's use raised an emotional and unsubstantiated fear of having a school near them which, in their opinion, would cause an increase of juvenile delinquent nuisance crimes to the residents of the area. In contrast, facts described in section "A" above show that schools are a positive addition to a neighborhood and that Summit schools in particular have a reputation for successfully preparing all of their their students to be successful in college and thoughtful, contributing members of society.

4. It has been alleged that the traffic added to the already overburdened roadways in Sunnyvale by the Summit Public Schools' use should be used as a reason to deny the Use Permit requested herein. Although Summit Public Schools acknowledges that the greater Bay Area has been experiencing growth that has impacted driving conditions, the Summit Public Schools project should be reviewed as a stand-alone project and cannot be held accountable for the larger social problem of traffic. However, the argument that the Summit school should somehow be seen as the tipping point to restrict or stop worthwhile community development in Sunnyvale or at 539 E. Weddell specifically, is simply specious and unfounded by the facts. First and foremost, the extensive traffic impact assessment, conducted by an independent third party and which before a final report was issued, the City reviewed and required further investigation or expanded the scope of review, concluded that our use will not create a significant impact on the surrounding roadways. This report and the resulting safety improvements which will be implemented by Summit Public Schools should carry the day. Second, the fact that the Seven Seas Park has been eliminated from the rolls of development, which if that were not the case, could have been developed into many more multi-family units certainly offsets the use by Summit and the traffic created by development in the Weddell/Fair Oaks area. Last, it has been argued that you should wait to see how the impact of the new multi-family development on Weddell, currently under construction, affects the traffic before adding the Summit School. This argument also has no merit as the City cannot and should not stop development based on speculated effect. The City must decide each request on whether it meets the general plan, zoning and use restrictions of the ordinance and not on a speculated effect that is contrary to the expert reports prepared in each case.
5. It has been argued that the use by Summit will negatively impact the potential tax revenues which could be generated from the four properties subject to the General Plan/Zoning change and specifically by the school use by Summit at 539 E. Weddell Drive. On its face it cannot be argued that the four properties, if not a park, churches or a school could not generate tax revenue for the City. However, upon a more in depth review of the matter, one can conclude that argument has no real merit. Certainly the park, as the largest property of the four, has the largest impact. It was purchased by the City in 1990 and taken off the tax rolls then. However, the park serves as an amenity which helps keep up the value of the surrounding area and therefore in the long run ensures a tax base for the City on the surrounding properties. As for the churches and the school, the properties have been off the tax rolls since 1992 (521 E. Weddell, Catholic Arch Diocese) and 2006 (531 E. Weddell and 539 E. Weddell) respectively. Again, the same argument of the collateral benefits to the tax base these uses create for the area far outweigh the loss in property tax for the individual parcels. Last, the reality that these parcels have been off the tax rolls for ten years or more should persuade anyone that City has not been looking to these parcels for tax purposes for a long while and therefore it is disingenuous to now argue a prospective loss of taxes argument related to the Summit Public Schools use when these properties have been off the rolls for some time now.

In conclusion, for the reasons stated above, the Use Permit request to operate 539 E. Weddell Drive as a Summit Public Schools facility meets all the requirements in the City Ordinance for approval and therefore should be granted without further conditions.

We have attached the ordinance which details the criteria for approving a Use Permit for your reference on Page 10.



Summit Public Schools is a **nonprofit charter school network** with ten successful schools in the Bay Area and Washington State. Summit schools are **tuition-free & public with no entrance requirements.**

Summit's mission is to **prepare every student for success in a four-year college**, and to be thoughtful, contributing members of society.

### About Summit Public Schools

YEAR FLAGSHIP SCHOOL OPENED

**2003**

NUMBER OF STUDENTS ENROLLED

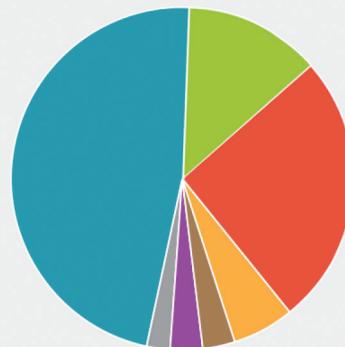
**2,500**

GRADES SERVED

**6-12**

### Summit serves a **diverse student population** that reflects its local communities

- 44% Hispanic
- 20% White
- 11% Asian
- 9% Other
- 7% Two Or More Races
- 6% African American
- 3% Filipino

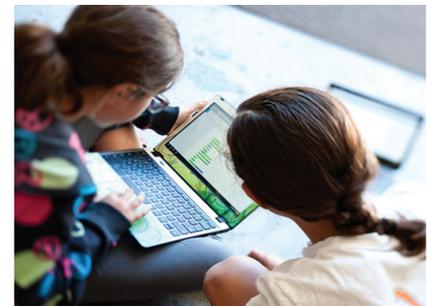


**2,500** Students

**42%** Free and Reduced Lunch

**10%** Special Education

**12%** English Language Learners



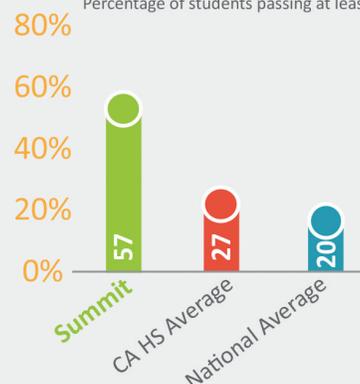
### Summit prepares **every student** for college, equipping them with **powerful and enduring skills** needed to succeed

#### Four-Year College Readiness



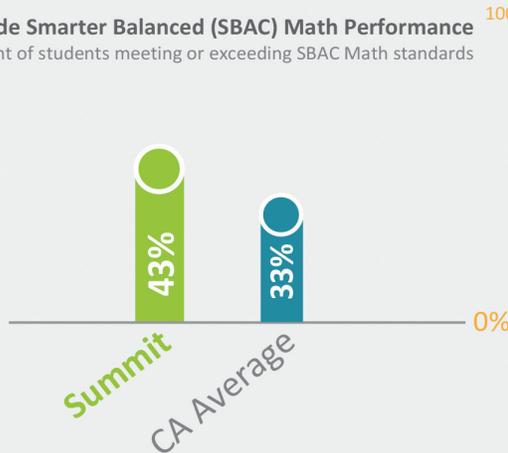
#### Advanced Placement Performance

Percentage of students passing at least one AP exam

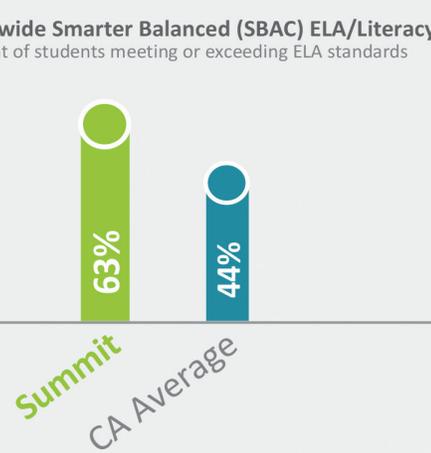


## Summit schools are among the highest performing in California

Statewide Smarter Balanced (SBAC) Math Performance  
Percent of students meeting or exceeding SBAC Math standards



Statewide Smarter Balanced (SBAC) ELA/Literacy Performance  
Percent of students meeting or exceeding ELA standards



In 2015, Fast Company named Summit Public Schools a top 10 most innovative organization in education.

Our two flagship schools, Summit Prep and Everest, are named among US News & World Report's Best High Schools of 2015. They rank in the top 20 of all California high schools.

99% of Summit graduates have been accepted into at least one 4-year college.

Through our Basecamp program, we are partnering with 19 district and charter schools across America, giving nearly 2,300 students access to our Personalized Learning Plan (PLP) tool and resources.

Summit graduates outperform the national average for college completion



Summit's Class of 2015 were accepted into over 200 universities, including Stanford, Duke, Georgetown, Cornell, Tulane, New York, Cal Poly, San Jose State, and many University of California and California State University campuses.

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## Ordinance Detailing Criteria for Approving a Use Permit

### 19.88.010. Purpose.

A use permit is intended to allow the establishment of those uses which have unique characteristics or special form such that their effect on the surrounding environment must be evaluated for a particular location. The permit application process allows for review of the location, design, configuration of improvements and potential impact on the surrounding area. The provisions of this chapter identify and prescribe specific procedures and requirements for the filing, processing and consideration of a use permit. These provisions shall be used in conjunction with the general requirements and procedures identified in Chapter 19.98 including requirements and procedures for applications, fees, notification, appeals, conditions of approval, modifications, expiration, extensions, revocation and infractions. (Ord. 2623-99 § 1; prior zoning code § 19.52.010).

### 19.88.020. Authority and types of permits.

Authority for action on a use permit shall be vested as follows:

- (a) Minor use permit determined by the director of community development for:
  - (1) Projects, structures or activities determined to pose no significant land use consequences;
  - (2) Those uses determined to be categorically exempt pursuant to the terms of the California Environmental Quality Act;
  - (3) Unenclosed accessory uses when otherwise required under Title 19.
- (b) Major use permit determined by the planning commission for:
  - (1) All applications for a use permit other than those determined to be minor permits or for minor permits that are determined by the director of community development to require more extensive community participation;
  - (2) Floor area ratio which would otherwise meet the maximum of thirty-five percent except that floor area occupied by showers and/or dressing rooms provided for use by bicycle commuters increases the total floor area ratio over forty percent. This FAR bonus over thirty-five percent shall only be allowed for bicycle related facilities;
  - (3) Operation of a large family child care home in a single-family dwelling in any non-residential zoning district, or in a two-family or multi-family dwelling or in a mobile home;
  - (4) Large family child care homes requesting a waiver from the 300 feet distance requirement. (Ord. 3004-13 § 8; Ord. 2906-09 § 15; Ord. 2848-07 § 6; Ord. 2745-04 § 8; Ord. 2689-01 § 1; Ord. 2623-99 § 1; prior zoning code § 19.52.021).

### 19.88.040. Actions.

- (a) The director of community development, after holding at least one public hearing, may:
  - (1) Approve the use permit as requested or as changed, modified or conditioned by the director of community development if the director finds that the use or project as approved meets at least one of the required findings.
  - (2) Deny the use permit if the director finds that the use or project would not meet either of the required findings.

(b) After receiving either an application for a use permit, or an appeal from the action of the director of community development on a requested use permit, and following at least one public hearing, the planning commission by the affirmative vote of a majority of its voting members may:

(1) Approve the use permit as requested or as changed, modified or conditioned by the planning commission if the commission finds that the use or project as approved meets at least one of the required findings.

(2) Deny the use permit if the commission finds that the use or project would not meet either of the required findings.

(c) After receiving an appeal or recommendation from an action of the planning commission on a requested use permit and following at least one public hearing, the city council by the affirmative vote of a majority of its voting members may:

(1) Approve the use permit as requested or as changed, modified or conditioned by the city council if the council finds that the use or project as approved meets at least one of the required findings.

(2) Deny the use permit if the council finds that the use or project would not meet either of the required findings. (Ord. 2745-04 § 9; Ord. 2623-99 § 1; prior zoning code §§ 19.52.030, 19.52.030(b), 19.52.060, 19.52.090).

**19.88.050. Findings.**

The director, planning commission or city council may approve any use permit upon such conditions, in addition to those expressly provided in other applicable provisions of this code, as it finds desirable in the public interest, upon finding that the permit will either:

(a) Attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized plan of the city of Sunnyvale; or

(b) Ensure 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. (Ord. 2920-10 § 3; Ord. 2623-99 § 1; prior zoning code § 19.52.030(a), (b)).