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PUBLIC HEARINGS/GENERAL BUSINESS**2** File #: 2013-7542

Location: 420 S. Pastoria Avenue (APN: 165-04-002)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to allow use of an existing one-story building for a preschool/childcare facility for up to 188 students.

Applicant / Owner: Teresa Lai / Distel LP et al**Environmental Review:** Negative Declaration**Staff Contact:** Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Momoko Ishijima, Associate Planner, presented the staff report, and noted that the applicant has requested a modification to Condition of Approval (COA) AT-2 to add 30 minutes to the pickup time which would extend the ending hours of operation to 6:30 p.m.

Vice Chair Melton disclosed that he met with the project applicant the week prior to the Planning Commission meeting.

Comm. Hendricks asked for clarification on the required separate action. **Trudi Ryan**, Planning Officer, said the Planning Commission does not have authority to take any action on the relinquishment of the mutual easements between properties, and said that is something on which the

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City Council would make a decision.

Comm. Durham noted that there are no bike lanes on Pastoria and asked if staff has a plan regarding the situation with increased traffic, to which Ms. Ryan responded that while there has been considerable discussion, there is no final plan for a bike lane.

Comm. Olevson commented on the traffic study and does not think there is enough time to drop off and check in 188 students between 7:30 and 9:00 a.m., and pick up and sign out children in the evening. He said he thinks this will have a major impact to the public street and nearby lighted signal. Ms. Ryan said the traffic consultant is present to answer questions, and noted that sometimes there are multiple children per parent and that should be factored in. **Jason Nesdahl**, Traffic Consultant with Hatch Mott MacDonald, explained trip generation and projected trips for the school. He said staff arrives before the students and the school staggers start times so they are not all arriving simultaneously. Comm. Olevson confirmed with Mr. Nesdahl that the analysis included the amount of time needed to walk a child in and out of the school.

Comm. Larsson confirmed with Ms. Ryan that staff supports the modification to COA AT-2 to add 30 minutes to the pickup time, extending the ending hours of operation to 6:30 p.m.

Vice Chair Melton discussed with Ms. Ryan the consideration of making the flow of traffic behind the property one way.

Comm. Hendricks and Ms. Ryan discussed the difference in licensing requirements for preschools and elementary schools to have drop-off loops to pick up and drop off children.

Vice Chair Melton opened the public hearing.

Janice Yeh, Architect for the project, presented illustrations while giving background information on the school. She said there is a proposed four foot fence in front of the building for screening purposes, and that employee shifts start at 7:45 a.m. and end at different times depending on which class they teach.

Comm. Olevson commented on the Parking Management Plan (PMP) and asked if there is enough staff to accommodate the number of anticipated students. Ms. Yeh said classes have staggered start times and that students in preschool do not have to be in class at a specific time as with school-aged children. Comm. Olevson noted that children can begin showing up at 7:30 a.m. but staff does not arrive until 7:45 a.m. Ms. Yeh said there is a mistake in the time teachers arrive, and that no one shows up at 7:30 a.m. Comm. Olevson confirmed with Ms. Yeh that the actual drop off time will extend beyond 9:00 a.m. Ms. Ryan added that 7:30 a.m. is the start of the hours of operation and not necessarily when students or teachers would begin arriving.

Comm. Durham and Ms. Yeh discussed the potential for varied student arrival times to create arrival overages that cascade from one class start time into the next and discussed plans for the school to encourage parents to walk or roll their children to school. Comm. Durham said he lives near a Montessori school and thinks they are great but noted that traffic can become bad nearby.

Vice Chair Melton confirmed with Ms. Yeh that she had not encountered asbestos or lead-based paint in the building and that when the previous tenant renovated the building, they removed the

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asbestos. In response to Vice Chair Melton's inquiry, Ms. Yeh explained that the request for the extension of operating hours is to allow parents a grace period to pick up their children without violating conditions.

Comm. Durham and Ms. Ryan discussed fence heights and related permits, and Ms. Ryan explained that the Commission could require a taller fence. Ms. Yeh said the school is flexible on the fence height.

Robert Ruiz, a Sunnyvale resident, said he likes the project but objects to its proposed location, and asked the Commission to deny the project application.

Theresa Gadbois, a Sunnyvale resident, cited overburdened traffic as her reason for opposition to the location of the school, but said she is not opposed to the project itself.

Richard Duarte, a Sunnyvale resident, said increased traffic is the main problem with this project. He said we need the daycare but suggested a different location.

Dr. Christina Chow, a former school teacher, said she supports the project, which provides a great bilingual and bicultural education and that if there was a Sunnyvale campus she would walk or stroll with her children to school rather than drive.

Stephen Deng, a Mountain View resident, said he sends his son to a Little Tree campus in Campbell and that if there was a campus in Sunnyvale it would be great and would reduce his travel time.

Jackie Funk, the Director of Little Tree Campbell campus, said the Campbell campus does not have a traffic issue because of staggered start times, and said she supports the project.

Comm. Chang, confirmed with Ms. Funk that between 24 and 48 children play outside at any one time.

John Cordes, a Sunnyvale resident, commented on the traffic plan and suggested parking lot A have an exit-only driveway and suggested that upon exiting, drivers can make only a right-hand turn.

Eleanor Hansen, a Sunnyvale resident, said the traffic analysis appears incomplete and commented that it would have been nice if the applicant met with the neighbors to discuss some of the aforementioned public concerns.

Lilian Seow, a Sunnyvale resident, said she sends her daughter to the Little Tree campus in Cupertino and is very excited for a new campus in Sunnyvale. She said sign-in/out logs demonstrate the staggered pick-up and drop-off times.

Jonathan Wu, a Sunnyvale resident and parent of a Little Tree student, said he supports the project and that traffic is not a concern to everyone.

Ms. Yeh clarified the rationale behind the Parking Management Plan (PMP) and said they are open to suggestions. She said they waited for public feedback on the project from Ms. Ishijima, but that none was heard and no community meeting was scheduled.

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Comm. Hendricks asked Ms. Yeh if she had an estimate of how many students would come from Sunnyvale, to which Ms. Yeh replied that, as with other Little Tree schools, 60% of students live in the city in which the campus is located and the remaining students are dropped off by parents who work nearby. Comm. Hendricks confirmed with Ms. Ryan that it is out of the Commission's purview to determine the minimum number of students enrolling who must reside in Sunnyvale. Ms. Ryan suggested looking at whether this type of facility benefits the community.

Comm. Durham confirmed with Ms. Yeh that making exit directions right-turn only had not been considered, and confirmed that the school will discourage parents from using library parking to drop off their children. Ms. Ryan noted that negotiations over mutual access between property owners had not yet commenced.

Vice Chair Melton closed the public hearing.

Comm. Hendricks discussed with Mr. Nesdahl the peak hour impacts to the intersections in the Traffic Impact Analysis (TIA) and confirmed that the largest projected number of trips would be spread out over an hour, not simultaneously.

Comm. Larsson compared with Ms. Ryan projected differences in the number of peak hour trips for the daycare versus general office use. Comm. Larsson noted that the number of parking spaces provided will allow parents more time to drop off and pick up their children. In response to Comm. Larsson's inquiry regarding hours of operation, Ms. Ryan explained that the Planning Commission can determine the hours of the main programs in session and can make modifications to the conditions, including the review of the PMP after a period of time. Comm. Larsson and Ms. Ryan discussed the necessity of requesting a deviation for the trash enclosure.

Comm. Durham asked Mr. Nesdahl if consideration was given to making the driveways right-turn only out of the property. Mr. Nesdahl said this would create other problems, like circulation into the neighborhood and he would not recommend it.

Comm. Olevson moved to deny the application. The motion failed for lack of a second.

Comm. Larsson moved Alternative 2 to adopt the Negative Declaration and approve the Special Development Permit with the modified condition to change Condition of Approval AT-2 to extend the hours of operation to 6:30 p.m. Comm. Hendricks seconded and offered the friendly amendments to allow the applicant to build the front yard fence as high as six feet, and staff review of the Parking Management Plan after six months, which Comm. Larsson accepted.

Comm. Larsson thanked the members of the public for speaking and said it is helpful to get comments from neighbors and parents using schools similar to Little Tree. He said there is a real need for childcare in Sunnyvale, and that even those who spoke about traffic concerns acknowledged that we need daycare. He noted that if this location is not a daycare it will most likely be used as office space, governmental or other, and that traffic could be increased or decreased depending on many factors but would generally be in the ballpark. Comm. Larsson said the addition of one car in each direction every 29 seconds, or less because pick-up and drop-off times would be extended, is not a large amount of traffic, with which the TIA agreed. He noted that the need for traffic calming was consistently brought up, and reiterated the example of the nearby elementary

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school in the neighborhood by which parents rush to drop off their children, and he said this is a preschool with no set start time so there is less of the sense of urgency to get there by a specific time, which reduces the amount of rushing or bad driving like that around elementary schools. He said this is something the community needs and said he thinks this is a good location for it as it is quite central, near neighborhoods, and near El Camino Real and Mathilda. He said these are good paths for those located further beyond the neighborhood but who work nearby in Sunnyvale.

Comm. Hendricks thanked the public for their comments, and said he can make the findings. He said the lack of daycare comes up as an issue in response to every City survey which demonstrates a great need and desire for it. He said he can accept the understanding and definition of what is in the traffic analysis, and that traffic plans come out in three ways: how traffic gets to a destination, the ingress and egress queuing as cars come and go from the street to the destination, and circulation within the parking lot itself. He said the applicant will work out the plan within the parking lot and that if it does not work they will continue to work on it as it mostly affects them, and added that staff will also be able to look at the queuing in and out. He said one thing not talked about it that this is close to a park to which kids can hold hands and walk together. He said the location is central in the city for people to get to and hopes that more people who live in Sunnyvale will take advantage of the facility.

Comm. Chang said he will be supporting the motion and can make the findings. He said daycare is a service that is much needed in our city and that this is not the first time the Commission has seen an application for daycare. He said the Commission has seen so many throughout the year and there is always the concern of traffic and noise, but that there are conditions of approval that will review traffic and noise and can be managed to deal with the operations of a daycare. He said he is looking forward to seeing the school open.

Comm. Olevson said he will not be supporting the motion and that he is persuaded that traffic study is somewhat flawed by the testimony of those living in area who know firsthand, by the presentation of the traffic engineer and by the applicant, who, when the amount of time is challenged, suddenly changes the drop-off time. He said we are not operating on the record of the presentation in the staff report and the engineering study, and that the Commission is told that those things do not count and to go ahead with the project anyway. He said he is not convinced that it is proper, based on this record and the presentation in writing, that this project should proceed as is.

Comm. Durham thanked the members of the public for speaking and said he is glad the motion has a revision of the plan. He said he is not sure if it will help if the traffic plan does not turn out to be viable, nor how that will be mitigated and that he sees few options to make changes once the school is in place. He said he believes the school is needed in Sunnyvale and was encouraged to support the motion by the fact that the back gate will be opened for those parking in the posterior lot, otherwise people might be found vying for front lot parking, or there may be more overflow in the library parking lot, whether it is discouraged or not. He said generally this is a good plan and he will be giving reluctant support based on the various traffic issues.

Vice Chair Melton said he would be supporting motion, thanked the members of the public who came out to speak and said their input is very important to hear as the Commission goes through thought processes and deliberation. He said if one conducts a poll or looks at surveys occasionally done of residents in Sunnyvale, the need for more daycare is at or near the number one topic. He said this is a hardworking city where people demand quality daycare facilities for their children, and it

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is a policy of the City to support daycare uses within the City. He said he appreciates Comm. Hendricks' friendly amendment of staff review of the Parking Management Plan after a set period of time if the daycare does not iron out the kinks. He said he would have preferred not to extend the hours of operation because in his own experience with his young children, 6 p.m. may have been sufficient, but that is not enough to cause him to change his vote. He said he can make the findings and that he reviewed the noise study, of which the public had concerns, but he is comfortable with the noise coming from the daycare versus the ambient noise coming from the site. He said in regards to Comm. Olevson's comment of not lending support to the project, he respects the viewpoints of all Commissioners and is also somewhat uncomfortable with the data in the traffic plan changing. He commented that if there was a motion to continue the project to a future hearing, he might have supported that as it may have given the applicant and consultant an opportunity to tighten up the facts, but that the staff review function makes him comfortable.

Comm. Hendricks said he had not mentioned the noise component but that the fact that there is only one house close by is another element of his decision.

ACTION: Comm. Larsson moved Alternative 2 to adopt the Negative Declaration and approve the Special Development Permit with modified conditions: change condition of approval AT-2 to extend the hours of operation to 6:30 p.m.; to allow the applicant to build the front yard fence as high as six feet, subject to design approval by the Director of Community Development; and review of the Parking Management Plan by the Director of Community Development after six months. Comm. Hendricks seconded. Motion carried, 5-1 with Comm. Olevson dissenting and Chair Dohadwala absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than December 10, 2013.