

## **RECOMMENDED FINDINGS**

### **Adoption of Mitigated Negative Declaration**

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In order to adopt the Mitigated Negative Declaration, the Planning Commission must make the following findings.

1. The Mitigated Negative Declaration was prepared and circulated for public review in accordance with the requirements of the California Environmental Quality Act.
2. The Planning Commission has read and considered the Mitigated Negative Declaration and finds on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the proposed Project will have a significant effect on the environment.
3. The Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
4. The mitigation measures listed in the Mitigated Negative Declaration have been incorporated as conditions of approval of the Project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects.
5. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Ave., Sunnyvale, CA 94086.

### **Special Development Permit**

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In order to approve the Special Development Permit, the Planning Commission must make one of the following findings.

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

The project is consistent with the General Plan Policies and Goals in that the proposed project will locate a quasi-public service (preschool/child care center) within High Density Residential/Mixed Use Zoning district. The proposed preschool would be neighborhood serving given the proximity to residential use and nearby employment center. The project also promotes business retention and opportunity. The project would be a third Sunnyvale preschool facility for Tulip Kids. The proposed preschool is consistent with the intended residential character of the neighborhood. As conditioned and with the adopted Mitigated Negative Declaration, potential impacts associated with noise and locating sensitive receptors near industrial uses are anticipated to be less than significant. The General Plan Goals and Policies that relate to this project are:

**Goal LT-4 Quality Neighborhoods and Districts** - Preserve and enhance the quality character of Sunnyvale's industrial, commercial, and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

- **Policy LT-2.1:** Recognize that the City is composed of residential, industrial, and commercial neighborhood, each with its own character, and allow change consistent with reinforcing positive neighborhood values.
- **Policy LT-4.3:** Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the city.
- **Policy LT-4.13.b** – Support convenient neighborhood commercial services that reduce automobile dependency and contribute positively to the neighborhood character.
- **Policy LT-4.14:** Preserve and enhance the high quality character of residential neighborhoods. Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

**Goal LT-5 Effective, Safe, Pleasant and Convenient Transportation** - Attain a transportation system that is effective, safe, pleasant and convenient.

- **Policy LT-6.2:** Promote business opportunities and business retention in Sunnyvale.
- **Policy LT-7.2:** Encourage land uses that generate revenue, while preserving a balance with other city needs, such as housing.

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 made]

Minor interior and site modifications are proposed to allow for the construction of a new preschool facility with an outdoor play area within a 4,894 square commercial space. There are no exterior façade changes to the building. The project provides for an aesthetic and harmonious development. As conditioned, the project is required to provide a high quality design for the proposed fencing that utilize material to match and complement the building and also maintain visibility of the commercial portion mixed use building. The project will not be detrimental or injurious to property, improvement,

public health, safety and general welfare with implementation of conditions of approval that require standard procedures drop-off and pick-up operations, enhanced signage for crosswalks, and emergency action plan.