

**RECOMMENDED FINDINGS 2017-7092**  
**Use Permit**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR  
PROJECTS IN THE LAWRENCE STATION AREA PLAN**

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The Zoning Administrator hereby makes the following findings:

1. The Zoning Administrator has independently reviewed the programmatic Final Environmental Impact Report for the Peery Park Specific Plan, State Clearinghouse #2013082030, certified on December 6, 2016 ("Program EIR").
2. The Lawrence Station Area Plan ("LSAP") anticipates construction of an additional 1.2 million square feet of office and R&D, 16,600 square feet of retail development, and 2,323 residential units within the 319-acre LSAP Neighborhood through 2035.
3. In addition to serving as the environmental document for the approval of the LSAP, the Program EIR was intended by the City to serve as the basis for compliance with CEQA for future discretionary actions to implement the LSAP, in accordance with Public Resources Code Section 21094 and Section 15168 of the CEQA Guidelines.
4. The Program EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildout anticipated by the LSAP. In addition, the Program EIR identified significant and unavoidable impacts with regard to construction air quality, cumulative air quality, and traffic operations.
5. On December 6, 2016, the City Council made Findings, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the Program EIR and adopted the LSAP.
6. The City has analyzed the proposed Project pursuant to Public Resources Code Section 21094(c) and Section 15168(c)(2) of the CEQA Guidelines to determine if the Project may cause significant effects on the environment that were not examined in the Program EIR and whether the Project is within the scope of the Program EIR.
7. The Zoning Administrator finds that the Project will not result in environmental effects that were not adequately examined in Program EIR. As demonstrated by the City's analysis of the Project, the Project will incrementally contribute to, but will not increase the severity of, significant environmental impacts previously identified in the Program EIR.
8. For the reasons discussed in Section ENVIRONMENTAL REVIEW of the Administrative Hearing Staff Report for the proposed Project dated 3/30/2017, the Zoning Administrator finds that the proposed Project is consistent with the LSAP.

9. In accordance with Public Resources Code Section 21094(b) and Section 15168(c)(2) of the CEQA Guidelines, none of the conditions or circumstances that would require preparation of subsequent or supplemental environmental review pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 exists in connection with the Project:
  - a) The Project does not include any substantial changes in the PPSP and no substantial changes have occurred with respect to the circumstances under which the Project is to be undertaken consistent with the PPSP, so the Program EIR does not require any revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
  - b) No new information of substantial importance, which was not known and could not have been known at the time that the Program EIR was certified as complete, shows that the Project would cause new or substantially more severe significant environmental impacts as compared against the impacts disclosed in the Program EIR, that mitigation measures or alternatives found infeasible in the Program EIR would, in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the Program EIR would substantially reduce one or more significant environmental impacts found in the Program EIR.
10. All significant effects on the environment due to the implementation of the Project have been eliminated or substantially lessened where feasible through the Program EIR mitigation measures adopted in connection with the City Council's approval of the Program EIR. All Program EIR mitigation measures applicable to the Project are hereby made a condition of the Project's approval.
11. In accordance with Public Resources Code Section 21094(d), the Zoning Administrator finds that any significant and unavoidable impacts of the Project with regard to construction air quality, cumulative air quality, and traffic operations are outweighed by overriding considerations as set forth in the Program EIR and in the Findings adopted by the City Council in connection with the approval of the Program EIR, as incorporated by reference and reaffirmed herein.
12. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the Zoning Administrator, exercising its independent judgment and analysis, finds that the Project is consistent with the LSAP, falls within the environmental parameters analyzed in the Program EIR, and would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the Program EIR, nor would new mitigation be required for the Project.

13. 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.

## **USE PERMIT FINDINGS:**

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The project is consistent with the Vision Statement, Guiding Principles and District Policies of the Lawrence Station Area Plan.

### **Required Findings:**

1. The project design is consistent with the Lawrence Station Area Plan;
2. The use is consistent with the certified Environmental Impact Report prepared for the Lawrence Station Area Plan;
3. The project design is consistent with the General Plan;
4. The project design meets all the development standards in the Lawrence Station Area Plan and Sunnyvale Municipal Code;
5. The project design is consistent with applicable Lawrence Station Area Plan and City-adopted design guidelines, and
6. The location, size, and design characteristics of the project are compatible with the surrounding area.

Although the project is an expansion of an existing self-storage facility, the proposed project helps to achieve the goals and visions contained in the LSAP by implementing a multi-use trail in the form of an easement to be constructed in the future. The need to improve connectivity throughout the plan area and to provide a link between the Calabazas Creek Trail and The Loop are identified in the LSAP and the project will foster the realization of the LSAP goals and policies.

The proposed architectural design is consistent with the guidelines contained the in the LSAP and Citywide Design Guidelines by varying wall planes and materials that break up visual mass, and enhancing entries into the building. In addition, the structure is low profile for a three story building and not visible from the public right-of-way.