

## **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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General Plan Goals and Policies that relate to this project are:

### **Land Use and Transportation Chapter**

**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 3:* Allow for innovative architectural design.

*Action 4:* Promote distinctive commercial uses.

**Goal K: Protected, Maintained, and Enhanced Commercial Areas, Shopping Centers, and Business Districts** – Achieve attractive commercial centers and business districts and buildings that are maintained and allow a full spectrum of businesses that operate unencumbered.

Policy 89: Improve the visual appearance of business areas and districts by applying high standards of architectural design, landscaping, and sign standards for new development and the reuse or remodeling of existing buildings.

Policy 91. Action 2: Promote commercial uses and designs that mitigate a boxy appearance or mass of large buildings (e.g., wall offsets, building articulation, or pedestrian-scale design).

### **Precise Plan for El Camino Real (PPECR)**

**Goal 3.2.2.** To maintain and enhance the retail sales tax revenue generated for the City.

**Goal 3.2.5.** To ensure that properties are developed and operated in such a manner as to minimize their negative impacts upon adjacent residential areas.

**Goal 3.2.7.** To require quality site design, architecture and landscaping which incorporate sustainable design principles.

The design guidelines applicable to this project are:

### **PPECR Design Guidelines**

**4.1.1:** Site buildings to reinforce the El Camino Real streetscape.

**4.2.4:** Provide well designed and articulated building facades.

### **Citywide Design Guidelines**

**CDG 1-A1:** Design projects to be compatible with their surrounding development in intensity, setbacks, building forms, material, color and landscaping unless there are specific planning goals to change the character of the area.

**CDG 1-A6:** Project perimeter landscaping shall be integrated with the landscaping of adjacent development for streetscape continuity.

**CDG 2.C9:** Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and heights, arcades, porticos, trellises, porches, balconies, dormers, windows, and openings, etc.

**CDG 2.10:** Repeat design and decorative building elements in all elevations and the roof, not just in the front façade.

**CDG 2.13:** Define building entries by use of human scale architectural elements such as arches, posts, awnings, etc. Orient main entries towards public streets.

**CDG 3.A1:** Walkways – all projects should have a clear and direct walkway between fronting streets and one or more primary buildings.

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

**1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. (*Finding met.*)**

The project allows for redevelopment of vacant, under-utilized commercial property and encourages economic pursuits, job opportunities, and enhances the image of Sunnyvale.

The project can be accommodated without significant demands on the existing infrastructure and roadway system. The site is located within an area that is well-served by existing VTA bus lines and roadways.

The project will enhance the character of the site, surrounding neighborhood, and community by adding a retail center that would be neighborhood serving. The proposed project utilizes high quality architecture and site design as well as provides adequate landscaping and parking. The proposed building is one-story in height with surface parking and designed with new landscaping along the perimeter of the building and along the edges of the property that adds to the visual character of the streetscape along the El Camino Real frontage.

**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 met.*)**

The proposed project is desirable in that the project's design and architecture conforms with the policies and principles of the Citywide Design Guidelines and the design guidelines in the PPECR.

The proposed project maximizes the use of the triangular shaped lot, placing the building and main entries closer to the public street to encourage more active pedestrian activity, while locating the vehicular circulation and parking areas towards the rear of the site. The proposed architecture includes variations in wall planes, heights and utilizes other design elements, such as a trellis and variations in material, to add interest to the building and provide a clear and active storefront. The proposed architectural projection encroaching into the front yard setback creates a unique identifying entry feature for the building. Staff considers the projection to be a minor deviation and a positive feature of the building architecture that would enhance the El Camino Real streetscape, and can therefore support the deviation.

The single-story building will not generate visual, privacy or reduce solar access impacts. There will be minimal impacts to adjacent neighbors because the project provides substantial setbacks from adjacent residential uses. The perimeter of the property is also buffered with a 10-foot wide landscaped buffer and 6-foot tall perimeter wall.

## **Tentative Map**

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In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied.

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code

**Staff was not able to make any of the findings (B.1-8), and recommends approval of the Vesting Tentative Parcel Map.**