

RECOMMENDED FINDINGS

Adoption of Mitigated Negative Declaration

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

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.

Goal L: Special and Unique Land Uses to Create a Diverse and Complete Community – Provide land uses and design guidance so that special and unique areas and land uses can fulfill their distinctive purposes and provide a diverse and complete community fabric.

Policy 108: Recognize child care and places of assembly as essential services and land uses that support the diverse needs of the community. Avoid locating these sensitive uses near hazardous materials, noise, dust, etc.

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.

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.

CDT 2.C8: Nonresidential buildings on corner lots should demonstrate a strong tie to the public streets. Enhance street corners by special design features such as tower elements, celebrated main entrances, or landscape features. Residential buildings should create a tie to the public streets by proper siting and by landscaping.

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.

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, specific plan, precise plan, or other specialized plan of the City of Sunnyvale; or,**

The proposed project allows for the development of a vacant, under-utilized commercial property and would locate a quasi-public service (child care) within a commercial zoning district. The neighborhood is surrounded by residential uses and neighborhood serving commercial uses. The project would provide a convenient service on a major thoroughfare for neighborhood residents and commuters. No environmental impacts were identified and as conditioned, potential incompatibility with surrounding uses is expected to be less than significant. 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 child care center that would be community 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 Sunnyvale Saratoga Road and East Remington Drive frontages. Deviations from front setback and frontage buffer landscape standards have been requested. The deviations are justified in that the design meets the Citywide Design Guidelines which support a strong tie of non-residential buildings to the corner. The siting of the structure along the frontage also creates a barrier to the play area and parking from the intersection and buffer to the residential uses to the north and east.

- 2. 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.**

The proposed project is desirable in that the project's design and architecture conforms with the policies and principles of the Citywide Design Guidelines. The proposed project uses architecture and high quality site design as well as adequate landscaping and parking. The one-story building is compatible with the surrounding commercial buildings at the intersection of Sunnyvale Saratoga Road and East Remington Drive which are all one-story, and at 30 feet in height are comparable to the immediately adjacent residential developments which are two-story. There will be minimal impacts to adjacent neighbors because the project provides substantial setbacks from adjacent residential uses. The project provides child care services needed in the area.