

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
October 10, 2018**

**Planning Application 2018-7519
1025 The Dalles**

USE PERMIT to allow modification to a previously approved Use Permit (2012-7479 - Condition of Approval AT-1 and AT-7) to allow extended hours of operation (11:30 AM - 6:30 PM during school days and 8:30 AM-6:30 PM when students are on break) and outdoor play areas for the after-school educational enrichment facility, which now is considered a daycare use.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

- GC-2. USE EXPIRATION:
The approved use Permit for the use shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)
- GC-3. PERMIT EXPIRATION:
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)
- GC-4. CONFORMANCE WITH PREVIOUS PLANNING PERMIT:
The subject site and business operations shall comply with all previous conditions of approval and requirements of planning permits issued for the site (includes Use Permit #2012-7479). [COA] [PLANNING]
- GC-5. SIGNS:
All existing/new signs shall be brought into conformance with Title 19 of the Sunnyvale Municipal Code. [COA] [PLANNING]
- GC-6. PARKING:
The site shall maintain the 158 on-site parking spaces at all times – restripe parking stalls to ensure they are visible and grade the parking lot to address that there is an even parking/driving surface
- GC-7. REQUIRED STATE LICENSE(S):
The center/business shall obtain and maintain all required daycare/childcare/heritage school license from California State Department of Education and be in conformance with their requirements at all times.

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.

PS-1. REQUIRED REVISIONS TO PROJECT PROPOSAL/PLANS

- a. The outdoor play area for the daycare center (Sunny Chinese Learning Center) is limited to the 2,875-square foot area enclosed by the existing fence adjacent to the center. Outdoor play shall not occur in other parts of the site outside of the fenced area.
- b. An eight-foot tall masonry wall be installed on the church's north propertyline.

- c. The parking lot shall be re-striped to make the parking stalls visible.
- d. If not currently provided at the site, provide bicycle parking for at least eight bicycles in close vicinity to the daycare.

BP: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

- BP-1. OBTAIN BUILDING PERMITS:
For all work that is proposed/required for the project that would require a Building Permit. [COA] [PLANNING]

- BP-2. LANDSCAPE BUFFER: (USE PERMIT # 2012-7479 CONDITON NOT MET):
Plant shrubs/trees (water conserving species) in North Parking Lot along the propertyline to provide a minimum of six-foot high hedge-like screening along the north property line. [COA] [PLANNING]

PF: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

- PF-1. PARKING LOT REPAIR AND STRIPING:
Parking lot resurfacing and restriping shall occur as per Sunnyvale's parking standards. (SMC 19.46) [COA] [PLANNING]

- PF-2. MASONARY WALL:
Construct an 8-foot tall wall (not a wooden fence) on the north property line of the site. [COA] [PLANNING]

AT: THE FOLLOWING CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

- AT-1. HOURS OF OPERATION:
The hours of operation for the proposed use are limited to:
 - a. Monday to Friday - 11:30 AM - 6:30 PM during school days; and 8:30 AM - 6:30 PM when students are on break from school.
 - b. No operations on weekends (Saturday and Sunday) and holidays.

c. Extended hours, including for temporary events, shall require separate review and approval. [COA] [PLANNING]

AT-2. MAXIMUM NUMBER OF STAFF/STUDENTS:

As previously approved, the Use Permit allows for a maximum of 84 students, and 6 staff members during the operation hours. [COA] [PLANNING]

AT-3. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

AT-4. EXTERIOR EQUIPMENT:

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

AT-5. LANDSCAPE MAINTENANCE:

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees/shrubs shall be allowed to grow to the full genetic height and habit (trees shall not be topped). All landscaping shall be maintained using standard arboriculture practices. [COA] [PLANNING]

AT-6. PARKING LOT MAINTENANCE:

The parking lot shall be maintained in accordance with the approved plans for Use Permit 2012-7479. [COA] [PLANNING]

AT-7. NOISE:

This use will operate to be in conformance with Sunnyvale's Noise standards as noted in SMC 19.42 at all times. The outdoor play shall occur only within the fenced area for a maximum of two hours/day. Any instructions/activities that has the potential to create noise shall occur indoors. During high noise generating activities such as music and singing, the doors and windows shall be kept closed to minimize noise impact on neighboring properties. [COA] [PLANNING]

AT-8. OUTDOOR PLAY AREAS:

The outdoor play areas for the day care center in the trailers at the church site shall be as follows:

a. Outdoor play shall be limited to hours between 9 AM and 6 PM.

- b. Outdoor play area is limited to the 2,750 square feet of fenced area.
- c. As proposed, the outdoor play will occur in a maximum of four batches of 30 minute periods each – for a total maximum t of 2 hours per day.
- d. The outdoor play will occur in groups/batches of 12 children maximum.
- e. A maximum of 2 groups/batches of children (24 children total) can play outdoors at any given time.