



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 16-0492, Version: 1

REPORT TO CITY COUNCIL

SUBJECT

File #: 2015-7530 and 2015-7936

Location: 521 E. Weddell Drive (APN: 110-14-196), 531 E. Weddell Drive (APN: 110-14-186), 539 E. Weddell Drive (APN: 110-14-158), 1010 Morse Avenue (APN: 110-14-202), Hetch Hetchy Right of Way (ROW) (APN: 110-14-202)

Proposed Project:

GENERAL PLAN AMENDMENT: Proposed land use designation change (Alternative 1) from Industrial to School or (Alternative 2) from Industrial to Commercial Neighborhood on three parcels (521, 531, and 539 E. Weddell Drive), and from Industrial-to-Residential/Medium-to-High Density to Park on one parcel (1010 Morse Avenue - Seven Seas Park), and from Industrial to Park on one parcel (Hetch Hetchy ROW);

REZONING from MS-POA (Industrial and Service/Places of Assembly) to PF (Public Facilities) zoning or from MS-POA (Industrial and Service/Places of Assembly) to C1 (Neighborhood Business) on three parcels (521, 531 and 539 E. Weddell Drive), and from MS-ITR-R3-PD (Industrial and Service - Industrial to Residential/Medium Density Residential/Planned Development) to PF (Public Facilities) zoning on one parcel (1010 Morse Avenue - Seven Seas Park), and MS (Industrial and Service) to PF (Public Facilities) zoning on one parcel (Hetch Hetchy ROW);

USE PERMIT for the use of an existing building (539 E. Weddell Drive) for a public charter middle school of up to 400 students.

Applicant / Owner: Sunnyvale International Church and Summit School (applicants) / Sunnyvale International Church (owner - 521 and 539 E. Weddell Drive), First Morning Light Chinese Christian Church (owner - 531 E. Weddell Drive), City of Sunnyvale (owner - 1010 Morse Avenue), and City and County of San Francisco (San Francisco Public Utilities Commission - Hetch Hetchy ROW).

Environmental Review: Negative Declaration

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SUMMARY OF PLANNING COMMISSION ACTION

This item was considered by the Planning Commission at their hearing of May 9, 2016. Ten people spoke on the item. The Report to Planning Commission can be found in **Attachment 17**. Minutes of the Planning Commission hearing are **Attachment 18**. The Planning Commission made a series of motions that resulted in the following recommendations to the City Council:

- a) Adopt the Negative Declaration (7-0)
- b) Amend the General Plan land use designation of Seven Seas Park (on Morse Avenue) to Park
- c) Rezone the Seven Seas site to Public Facilities zoning district (PF) (7-0)
- d) Make no changes to the General Plan or zoning for the SFPUC Hetch Hetchy ROW (5-2)

- e) Direct staff to return with necessary environmental analysis to consider Neighborhood Commercial General Plan land use designation and rezoning to C-1 (Neighborhood Business) for the Weddell properties (5-2)
- f) Deny the Use Permit for a school at 539 E. Weddell Drive (4-3)

ALTERNATIVES

1. *Not used.*
2. Make the required findings and adopt the Negative Declaration.
3. Adopt a resolution amending the General Plan land use designation from Industrial to School for 521, 531 and 539 E. Weddell Drive and from Industrial to Park for 1010 Morse Avenue (Attachment 4) and make no changes to the SFPUC Hetch Hetchy property.
4. Introduce an Ordinance to rezone 521, 531 and 539 E. Weddell Drive from MS-POA to PF and 1010 Morse Avenue from MS-ITR-R3-PD to PF (Attachment 5).
5. Approve the Use Permit subject to the findings in Attachment 3 of this report and recommended Conditions of Approval in Attachment 8 of this report.
6. Approve the Use Permit with modifications.
7. Adopt modifications to staff recommendations.
8. Provide direction on additional environmental review.
9. Deny the requests for General Plan Amendment, Rezoning, and/or Use Permit.
10. Adopt the Planning Commission Recommendation to: a) Make the required findings and adopt the Negative Declaration; b) Adopt a resolution amending the General Plan land use designation from Industrial to Park for 1010 Morse Avenue (modification to Attachment 4); c) Introduce an Ordinance to rezone 1010 Morse Avenue from MS-ITR-R3-PD to PF (modification to Attachment 5); d) make no changes to the SFPUC Hetch Hetchy property; e) Direct staff to return with necessary environmental analysis to consider Neighborhood Commercial General Plan land use designation and rezoning to C-1 (Neighborhood Business); f) Deny the Use Permit for 539 E. Weddell Drive.

STAFF RECOMMENDATION

Alternatives 2, 3, 4, and 5: 2) Make the required findings and adopt the Negative Declaration; 3) Adopt a resolution amending the General Plan land use designation from Industrial to School for 521, 531 and 539 E. Weddell Drive and from Industrial to Park for 1010 Morse Avenue and make no changes to the SFPUC Hetch Hetchy property; 4) Introduce an ordinance to rezone 521, 531 and 539 E. Weddell Drive from MS-POA to PF and 1010 Morse Avenue from MS-ITR-R3-PD to PF; and 5) Approve the Use Permit subject to the findings in Attachment 3 of the report and recommended Conditions of Approval in Attachment 8 of the report.

Staff and the Planning Commission support the General Plan amendment and Rezone to Park and PF for the Seven Seas park site to reflect the long-term intended use of the property.

Staff also supports the General Plan amendment and Rezone to School and PF for the three Weddell properties because that all three sites are not currently used for industrial uses, their current uses are consistent with the proposed land use designation changes and the School/PF designations are compatible with the nearby residential uses. Staff notes that the PF zoning district has the fewest number of uses allowed as a matter of right (compared to either MS or C-1) which provides more discretion over future land uses.

The Planning Commission perspective is that neighborhood commercial uses are desirable close to residential developments; staff questions the likelihood that neighborhood serving retail businesses would locate on these sites. All three sites are owned by places of worship and both owners have indicated their intention of retaining their properties. If the zoning allowed commercial uses, staff is concerned that only freeway-oriented or community serving retail uses would be attracted and that these uses could have a more negative affect on nearby residents in terms of traffic and greenhouse gas emissions.

If the City Council would like to support the Use Permit for the school and would like to explore Neighborhood Commercial land use and zoning designations, the City Council could change the General Plan land use designations for the Weddell Drive sites to School and rezone the sites to PF. Following, the staff would conduct the environmental analysis required under the California Environmental Quality Act in order for the sites to have a Neighborhood Commercial designation in the General Plan and be rezoned to C-1 (Neighborhood Business). The cost for the environmental analysis, estimated at \$30,000-\$40,000, would be funded by the City.

Staff and the Planning Commission support the SFPUC request not to change the General Plan and zoning designations of their site.

Staff was able to make the required Findings for the Use Permit. Recommended Findings and General Plan Goals and Policies are located in Attachment 3.

Prepared by: Momoko Ishijima, Associate Planner
Reviewed by: Andrew Miner, Planning Officer
Reviewed by: Trudi Ryan, Community Development Director
Approved by: Kent Steffens, Assistant City Manager,
for: Deanna J. Santana, City Manager

ATTACHMENTS (provided to Planning Commission)

1. Site and Vicinity Map
2. Project Data Table
3. Recommended Findings
4. General Plan Amendment Resolutions
5. Rezoning Ordinances
6. General Plan Map
7. Zoning Map
8. Recommended Conditions of Approval for Use Permit
9. Negative Declaration
10. Site and Architectural Plans
11. Letters from Neighbors
12. Letters from Applicants
13. Letters from Summit School Students and Family (**updated for City Council hearing**)
14. Planning Commission Meeting Minutes, February 22, 2016
15. Letter from San Francisco Public Utilities Commission
16. Traffic Impact Analysis by Kimley Horn

Additional Attachments-for Report to Council

- 17. Report to Planning Commission May 9, 2016 (without attachments)**
- 18. Planning Commission Minutes of May 9, 2016**
- 19. Air Quality Analysis by Illingworth & Rodkin**
- 20. Noise Analysis by Illingworth & Rodkin**
- 21. Letter from First Morning Light Chinese Church**