

**Council Meeting: July 27, 2010**

SUBJECT: 2010-7150- Rezone Study Extending Place of Assembly Zoning to Properties along Mathilda Avenue in Peery Park

REPORT IN BRIEF

The purpose of this study is to consider the rezoning of certain Industrial and Service (M-S) Zoned sites along Mathilda Avenue in Peery Park to Industrial and Service/Places of Assembly (M-S/POA). This area was once a part of a larger study completed in 2006, to determine whether and where place of assembly uses (places of worship, community centers, recreational centers, etc.) should be allowed in the industrial areas of the City (see Attachment A).

Staff recommends rezoning fewer properties than originally shown in the 2006 study. The recommended rezone would only include three properties that front on Mathilda Avenue between the Trinity Church site and Indio Way. The reason to rezone additional property to the M-S/POA designation is to complete the zoning that began with the Trinity Church rezoning. The area meets all the criteria used in determining appropriate locations for place of assembly (POA) uses, and already includes an additional use that is consistent with the POA zoning, and is actually a legal non-conforming use in the M-S zone (the Supreme Court athletic club).

Staff recommends reducing the number of properties to be rezoned from the 2006 study because there is not an urgent need for additional POA-zoned areas, and Indio Way provides a good boundary line for the zoning district. On July 12, 2010, the Planning Commission voted 4-3 to take no action at this time, and to include the properties when the Peery Park Specific Plan work commences.

BACKGROUND

The 2006 POA study area identified five industrially-zoned areas of the city (Attachment B) for potential POA zoning. That study included the Peery Park sites along Mathilda Avenue between West Maude and Central Expressway. After the 2006 study, work began on rezoning properties to include the POA Combining District. The zoning code was revised to allow place of assembly and recreational uses in the industrial area only on sites zoned M-S/POA.

Environmental review prepared as part of the rezoning in 2007 highlighted a concern that the properties along Mathilda Avenue in the Peery Park area

would require more thorough review than other locations identified in the 2006 study because of the Moffett Air Field flight path. In order to not hold up the rezoning of the remaining properties, the Peery Park sites were removed from the rezoning efforts. All or portions of the other four other locations were rezoned to M-S/POA in 2007 while the Peery Park area was delayed so complete environmental review could be completed.

Soon after the 2007 rezoning, Trinity Church made application to rezone a property in Peery Park to POA, a process that included the initial preparation of an Environmental Impact Report. It was during that process that the environmental consultant determined there was no significant environmental impact from the Moffett Field flight path, and the document was changed to a Mitigated Negative Declaration. The Trinity Church rezone request went forward to the City Council, which voted 5-2 to approve the rezoning and Use Permit. As part of that motion, Council also initiated this rezone study to consider all or part of the properties identified in the 2006 POA study.

EXISTING POLICY

LAND USE AND TRANSPORTATION ELEMENT

GOAL N1: Preserve and enhance the quality character of Sunnyvale's industrial, commercial, and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

Policy N1.1: Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

Action Statement N1.1.1: Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.

Action Statement N1.1.4: Anticipate and avoid whenever practical the incompatibility that can arise between dissimilar uses.

Policy N1.14: Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

Action Statement N1.14.3: Encourage multiple uses of some facilities (e.g. religious institutions, schools, social organizations, day care) within the capacity of the land and the roadway system.

Action Statement N1.14.5: Maintain and promote convenient community centers and services that enhance neighborhood cohesiveness and provide social and recreational opportunities.

DISCUSSION

Location: Mathilda Avenue between Maude & Central Expressway

This area (“Subject Area”) contains a mix of light industrial uses including buildings occupied by R&D offices. Additional uses include restaurants, retail businesses, a church, and a recreational use. There are also properties that have buildings currently underutilized or vacant. The nine properties specifically included in the 2006 POA study consisted of 17.9 acres, extending from Maude Avenue to Central Expressway, and are within 500 feet of Mathilda Avenue (Attachment A). The City originally identified this industrial area as an area with transitional uses and along a major arterial.

The properties are located across Mathilda Avenue from multi-family residential uses and a commercial retail center. There are currently the two places of assembly/recreation located within the subject area are the Supreme Court Athletic Club and Trinity Church. The presence of these uses, as well as the location of the site along a major arterial on the edge of an industrial neighborhood suggested that the area could be appropriate for the POA combining district.

Issues

Some items to consider in deciding whether to expand the POA-zoned areas within the City include:

- The need for more POA-zoned land,
- Appropriateness of the location for POA uses; and
- Compatibility with current land uses and potential future uses of the land in the area.

POA Uses

As defined by the Zoning Code, uses appropriate in the M-S/POA zone include:

“Places of assembly—community serving” means permanent headquarters and meeting facilities for civic, social and fraternal organizations (not including lodging), political organizations and other membership organizations. This category includes religious uses and facilities operated for worship; promotion of religious activities, including houses of worship and education and training; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the primary use. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other related operations (such as recreational camps) are classified according to their respective activities.

“Education—Recreation and Enrichment” means a facility which is used primarily for teaching learned skills to children or adults for purposes of recreation, amusement or enrichment. It includes uses such as karate studios, music and dance studios, arts and crafts studios, and tutoring centers. It does not include licensed day care centers and pre-schools, facilities for primary and high school education, and institutions of higher learning. It also does not include retail uses such as music stores, and recreational and athletic facilities such as fitness centers, bowling alleys, and ice skating rinks, where scheduled classes may be offered, but such classes are ancillary to the primary use.

“Recreational and athletic facility” means a facility offering space and equipment for persons to engage in sports and other forms of physical activity and recreation. It includes uses such as athletic clubs, fitness centers, swim clubs, bowling alleys, miniature golf courses, batting cages, ice skating rinks, roller skating rinks, rock climbing centers, shooting galleries and arcades. It does not include ordinary golf courses or facilities ancillary to another primary permitted use, such as school gyms.

Need for Additional POA-zoned Land

There are currently approximately 146 acres zoned M-S/POA. Less than 13% of those properties include a POA or recreational use. Attachment C gives a broad understanding of how the M-S/POA-zoned properties in the City are used. The purpose of this is to show, in very general terms, the number of existing M-S/POA sites that include POA uses. Although not all M-S/POA-zoned properties may be available for such a use, it appears there is no shortage of these properties in the City.

Appropriate Areas for POA Zoning

The criteria used in 2006 to determine appropriate locations for POA-zoned properties were:

- Proximity to major arterials,
- Location along the edges of industrial neighborhoods,
- Locations near or adjacent to other non-industrial-zoned areas, such as existing residential and/or commercial uses.

The original POA study map is located in Attachment B.

Compatibility with Existing Land Use

One of the greatest concerns with locating Place of Assembly facilities in industrial zones is compatibility with existing uses. Some industrial businesses use materials and/or processes that could be harmful to people, especially those considered “sensitive receptors”, such as children or the elderly. This

concern is one basis for allowing POA uses in industrial areas only in the POA Combining District, and in locating these zoning areas along the fringe of the industrial areas.

The subject locations along Mathilda Avenue in Peery Park were chosen in 2006 because:

- There are limited existing industrial uses in the general area,
- It is on the edge of Peery Park,
- There are existing residential and commercial uses across Mathilda Avenue from the area,
- There are existing POA-type uses already located along Mathilda Avenue in the subject area.

Based on this information, it seems the sites in the subject area fit the criteria used in choosing POA locations. In addition, there is one property in the subject area currently zoned M-S/POA (Trinity Church), and rezoning adjacent sites would create a more logical zoning boundary for the area.

Potential future uses of the land in the area

In 2008, Council ranked a Study Issue titled “Preparation of Peery Park Specific Plan” which was scheduled for completion. Unfortunately, due to fiscal issues, this study has not been able to move forward because of the cost to prepare the Specific Plan and related environmental review. One reason the POA rezone study has been postponed has been to avoid making land use decisions for property that will ultimately be a part of a larger study.

The current zoning and General Plan designations for the properties in this rezone study is for industrial and service uses, similar to other properties in the Peery Park area. There is currently no plan to change that to residential or higher density office or commercial uses. The area north of Maude Avenue along the west side of the Mathilda Avenue is zoned to allow higher density office/industrial uses, from 55%-100% Floor Area Ratio. This designation does not continue south of Maude Avenue to the subject area. The properties across Mathilda are zoned R-4/PD (36 residential units per acre) and C-1/PD, Neighborhood Commercial.

Options

There are several options for zoning in the study area, including:

1. Rezone to M-S/POA the same properties shown in the 2006 study (except the Trinity Church site which is already zoned M-S/POA).
2. Rezone a smaller area than the 2006 study area, including only the three properties along Mathilda Avenue between the Trinity Church site and Indio Way. This would include the Maxim, Kal’s restaurant and Supreme

Court sites. This would provide a contiguous area of properties zoned with the POA designation, including one currently consistent with the POA zoning (the Supreme Court athletic club, which is now a legal non-conforming use in this location). This option would exclude the service station and Wendy's fast food restaurant, which are unlikely to be used for POA uses due to their small size and configuration of buildings on the sites and are more appropriate for commercial retail uses.

3. Rezone additional properties, such as including the four lots between Mathilda Avenue, Indio Way, Soquel Way and Central Expressway.
4. Take no action in rezoning the area at this time and wait until the Specific Plan for Peery Park is prepared to make a decision based on the entire area.

FISCAL IMPACT

Property value affects the assessed valuation and ultimately the City's share of property tax. Predicting the affect of rezoning on property value is difficult as many factors affect a property's value. A property's location and zoning can affect its value. Generally speaking, the more intensive uses (e.g. allowing high FAR office) will result in higher property values and lower intensity uses (e.g. only allowing warehouse) result in lower values. During different cycles of the economy property values can change. During the "dot com boom," industrial properties were highly valued; these same properties may currently have less value, which can attract many places of assembly uses to the industrial zones. The inclusion of the Places of Assembly combining district may help properties retain a little more value during "down" times in the economy. However, it could keep values down as many industries would prefer not to locate close to places of assembly as it could affect operations, insurance, and hazardous material reporting and storage requirements. Also, some POA uses are tax exempt.

As pointed out with the 2006 POA study, these uses often support neighboring commercial activities by attracting segments of the populations to the area which in turn would increase sales to businesses, and increase tax revenue to the City. Conversely, the loss of industrial and commercial uses to certain assembly and recreational uses could result in a loss of property tax and sales tax revenue for the City.

PUBLIC CONTACT

Public Contact was made through posting of the Planning Commission agenda on the City's official-notice bulletin board, the Sunnyvale *Sun* newspaper and on the City's Web site; and the availability of the agenda and report in the Office of the City Clerk. Notice of each affected site was also posted on the property.

Planning staff held a public outreach meeting on April 28, 2010. Notices were sent to property owners and tenants of those sites affected as well as owners of those properties within 500 feet. Notices were also sent to existing assembly uses within the city and commercial brokers active in the area. Three people attended the meeting, and comments ranged from interest in allowing residential uses on the properties fronting Mathilda Avenue between Maude and Central Expressway, interest in understanding what uses are currently allowed, and understanding what types of uses are allowed with the POA Combining District.

On July 12, 2010, the Planning Commission considered this item at their noticed public hearing. On a 4-3 vote they recommended Alternative 3, to take no action at this time, and to include any study of the subject area as part of the Peery Park Specific Plan process.

ENVIRONMENTAL REVIEW

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study review includes the properties shown in the original 2006 study and has determined that the proposed rezoning would not create any significant environmental impacts (see Attachment E, Initial Study).

The site is under the flight path to the Moffett Federal Airfield. Previous environmental review for the Trinity Church Use Permit application revealed that since the closure of Moffett Field as a military airfield, the number of flights was significantly decreased making the area safer for a broader range of uses, including places of assembly.

ALTERNATIVES

1. Approve the POA combining district for 3 properties (6.47 acres as shown in the draft ordinance- Attachment D) by:
 - Adopt the Negative Declaration; and
 - Introduce an ordinance to rezone all properties shown on the exhibit to the draft ordinance.
2. Approve the POA combining district for up to 8 additional properties from the original 2006 study (As shown on map in Attachment B) by:
 - Adopt the Negative Declaration; and
 - Introduce an ordinance to rezone properties as determined by Council.
3. Take no action and do not change the zoning of the property.

RECOMMENDATION

The Planning Commission recommends taking no action at this time (Alternative 3). Although this is a reasonable approach, staff recommends

proceeding with the POA rezoning for the three properties in order to bring zoning consistency to the area and to regularize an existing use in the study area (the Supreme Court athletic club). In addition, due to fiscal concerns, it is uncertain when the Peery Park Specific Plan work will commence. Adding the POA designation to three properties in the area will not significantly impact the future specific plan preparation or considerations.

Staff Recommendation: Alternative 1.

Reviewed by:

Hanson Hom, Director, Community Development
Reviewed by: Trudi Ryan
Prepared by: Andrew Miner, Principal Planner

Approved by:

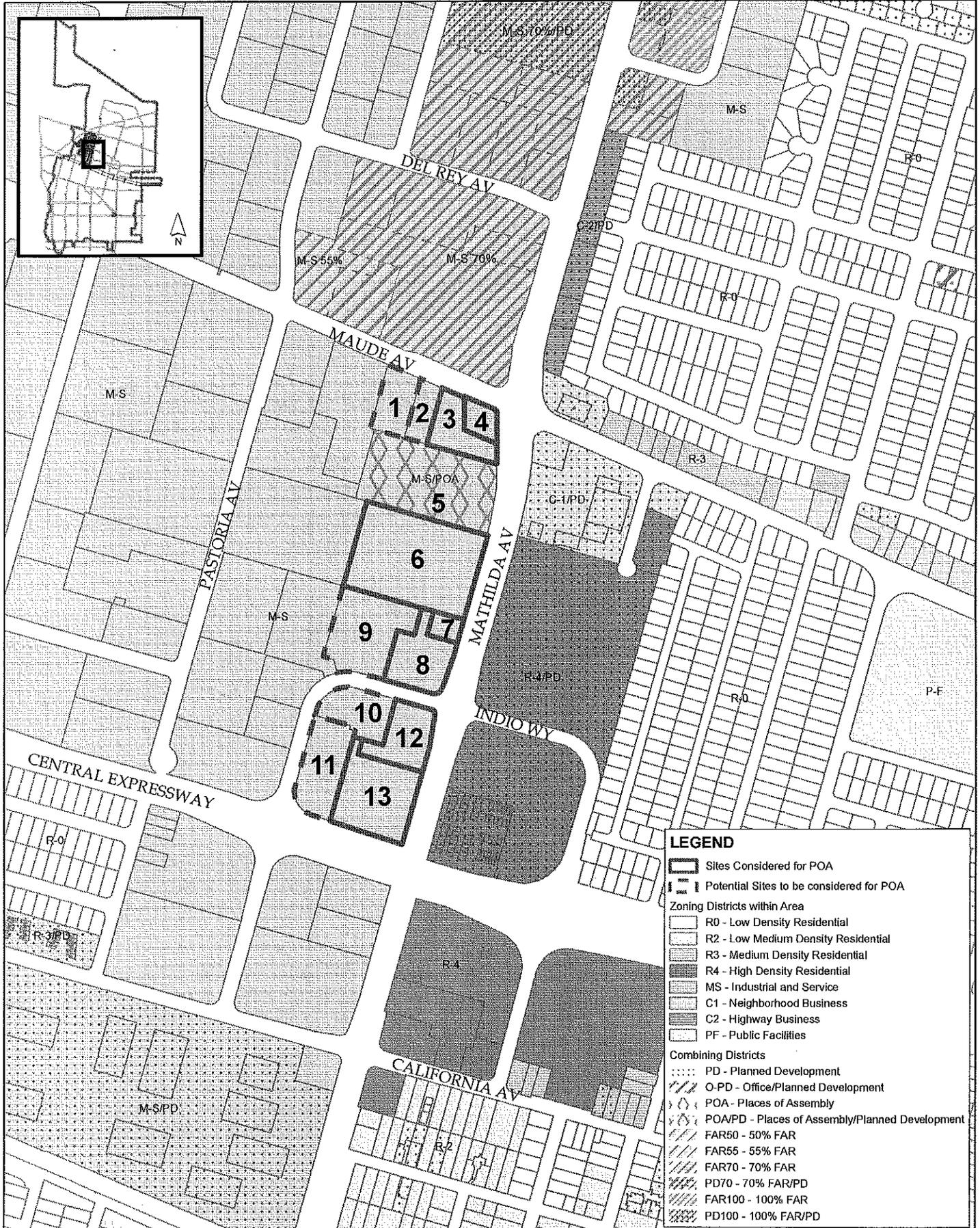
Gary M. Luebbbers
City Manager

Attachments

- A. Map of Subject Area
- B. 2006 Study Area of Possible POA Sites Throughout the City
- C. M-S/POA Sites in City
- D. Draft Ordinance for Rezoning of Property
- E. Negative Declaration
- F. Minutes of Planning Commission meeting of July 12, 2010



CITY OF SUNNYVALE - PEERY PARK
PLACES OF ASSEMBLY (POA) REZONING



No.	Property Address	Business Name	Use	Size (Ac.)	Bldg Size
1	456 W. Maude	Oroweat	Commercial/Warehouse	0.95	10,000
2	438 W. Maude	Specialty Steel Service	Industrial	0.58	10,465
3	485 Mathilda	Wendy's	Fast food restaurant	1.04	2,900
4	499 Mathilda	Chevron	Service Station	0.48	2,200
5	477 Mathilda	Trinity Baptist Church	Place of Assembly	3.90	59,200
6	433 Mathilda	Maxim	R&D office	4.65	95,000
7	425 Mathilda	Kal's BBQ	Restaurant	0.32	2,500
8	415 Mathilda	Supreme Court Gym	Recreation and Athletic facility	1.50	27,000
9	435 Indio	<i>Vacant (was a church)</i>	Industrial	2.37	32,204
10	430 Indio	Vacant	Industrial	1.38	20,350
11	310 Soquel	Pacific Coast Trane	Industrial	1.55	21,250
12	325 Mathilda	PAMF	Clinic	1.45	20,000
13	305 Mathilda	La Boulanger	Commercial/industrial	2.17	33,206
				22.34	

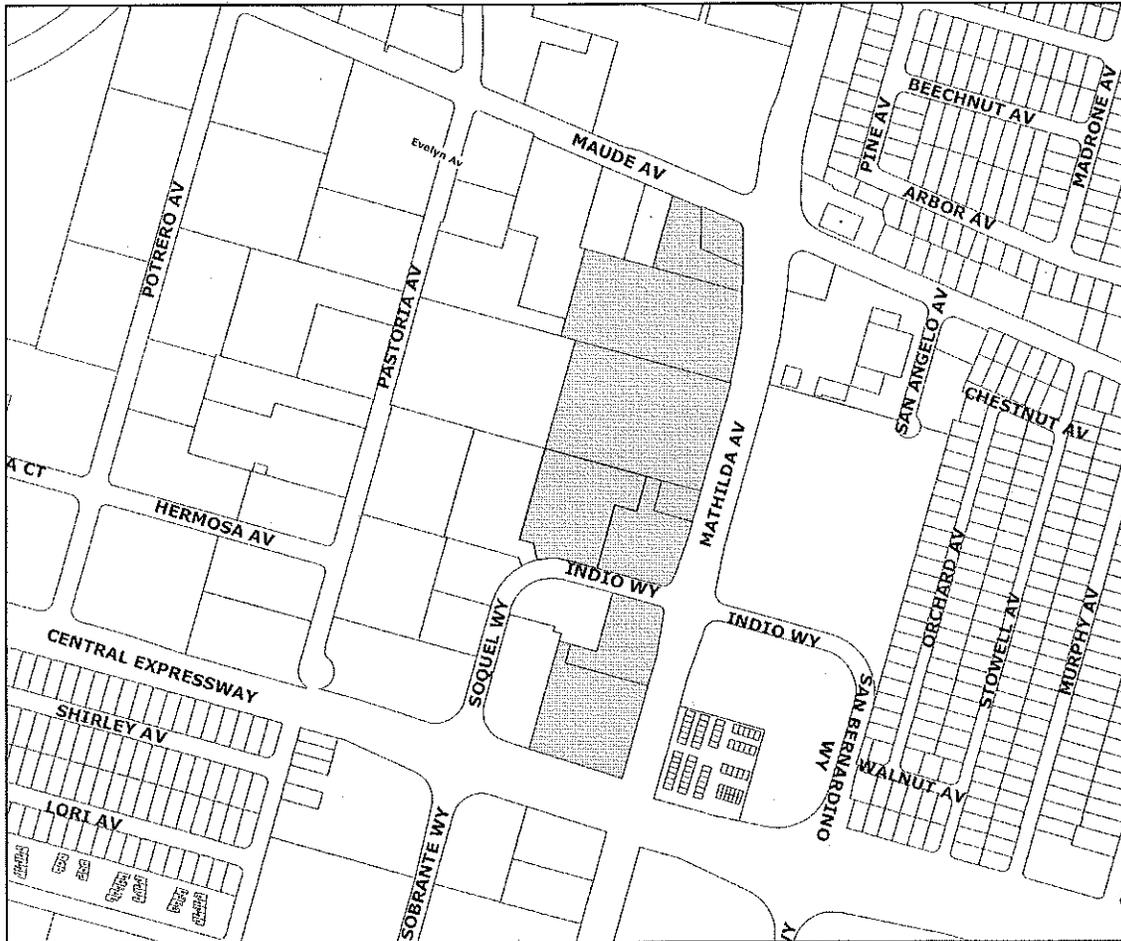
2006 Study Area of Possible POA Sites

1

Shaded area of maps show those areas for possible rezoning to the POA Combining District zone designation:

Map 1: West Side of Mathilda between Maude and Central Expressway

Currently Zoned: M-S, Industrial and Service



This area along the west side of Mathilda Avenue between Maude Avenue and Central Expressway consists of a mix of uses including office (R&D and medical), auto gas station, restaurant, and recreation. Interspersed within these sites are vacant spaces formerly occupied by general and R&D office uses. This area consists of 17.9 acres.

2006 Study Area of Possible POA Sites

2

Shaded area of maps show those areas for possible rezoning to the POA Combining District zone designation:

Map 2: North Side of Weddell Avenue between Borregas Avenue and North Fair Oaks Avenue

Currently Zoned: M-S, Industrial and Service



This area includes Weddell Avenue between Borregas Avenue and North Fair Oaks Avenue and consists of predominantly smaller parcels. The area contains a mix of light manufacturing, auto oriented, motel, and office uses. An existing and proposed church are located along this area towards the east end (this area has been approved for a General Plan Amendment Study for Commercial or Public Facility uses). A few buildings within this area are currently vacant. The total size of this area is 22.3 acres.

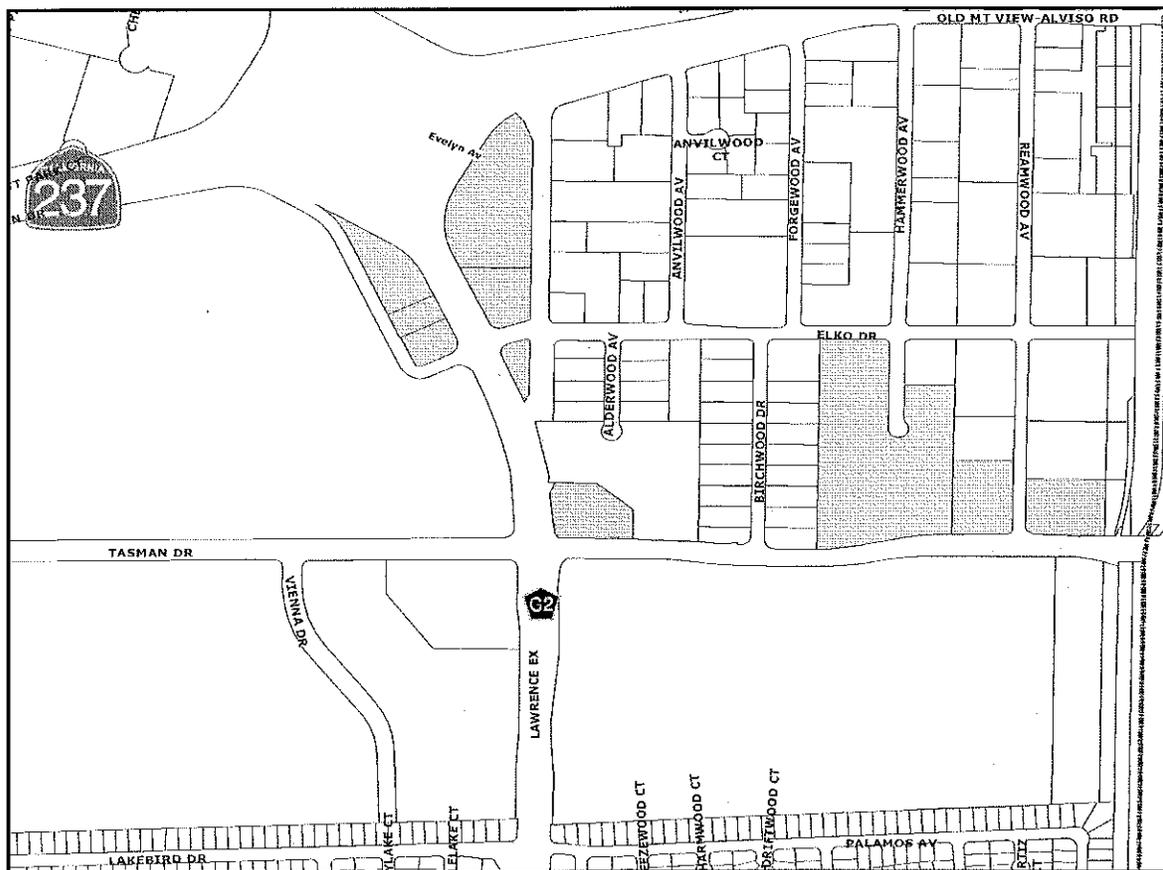
2006 Study Area of Possible POA Sites

Shaded area of maps show those areas for possible rezoning to the POA Combining District zone designation:

Map 3, The Woods:

- **North side of Tasman Drive between the City Limit and Birchwood Drive, and**
- **Lawrence Expressway between Highway 237 and Tasman Drive**

Currently Zoned: M-S, Industrial and Service



The area located near the Woods along Lawrence Expressway and Tasman Drive is currently composed of mostly smaller office, retail and personal service uses. The area also includes a motel use. Areas along Tasman and within the Woods may be preserved for service uses; however; certain locations may be considered more appropriate for places of assembly and recreation uses. The site on Lawrence Station Road, north on Elko Drive, has been approved for a General Plan Amendment Study for mixed use residential. The total size of this area is 26.3 acres.

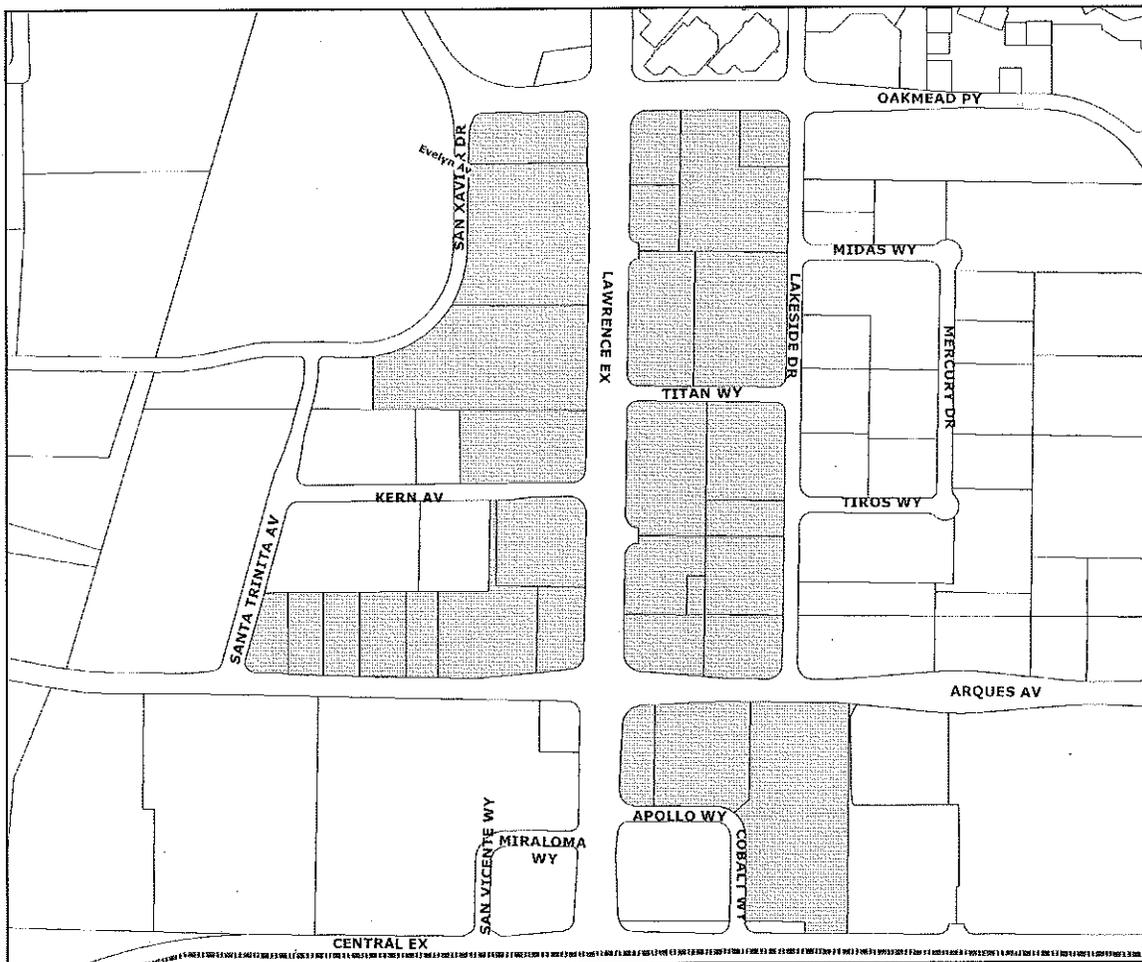
2006 Study Area of Possible POA Sites

Shaded area of maps show those areas for possible rezoning to the POA Combining District zone designation:

Map 4:

- **Lawrence Expressway between Highway 101 and Central Expressway, and**
- **East Arques Avenue between Lawrence and Santa Trinita Avenue**

Currently Zoned: M-S, Industrial and Service



This area along Lawrence Expressway is composed of a wide mix of uses including but not limited to retail, restaurant, bank, motel, office (medical, professional, and R&D), church and daycare uses. The area also includes many vacant buildings and tenant spaces within these locations. This area includes larger properties with buildings that are often occupied by multiple tenants. The total size of this area is 69.9 acres.

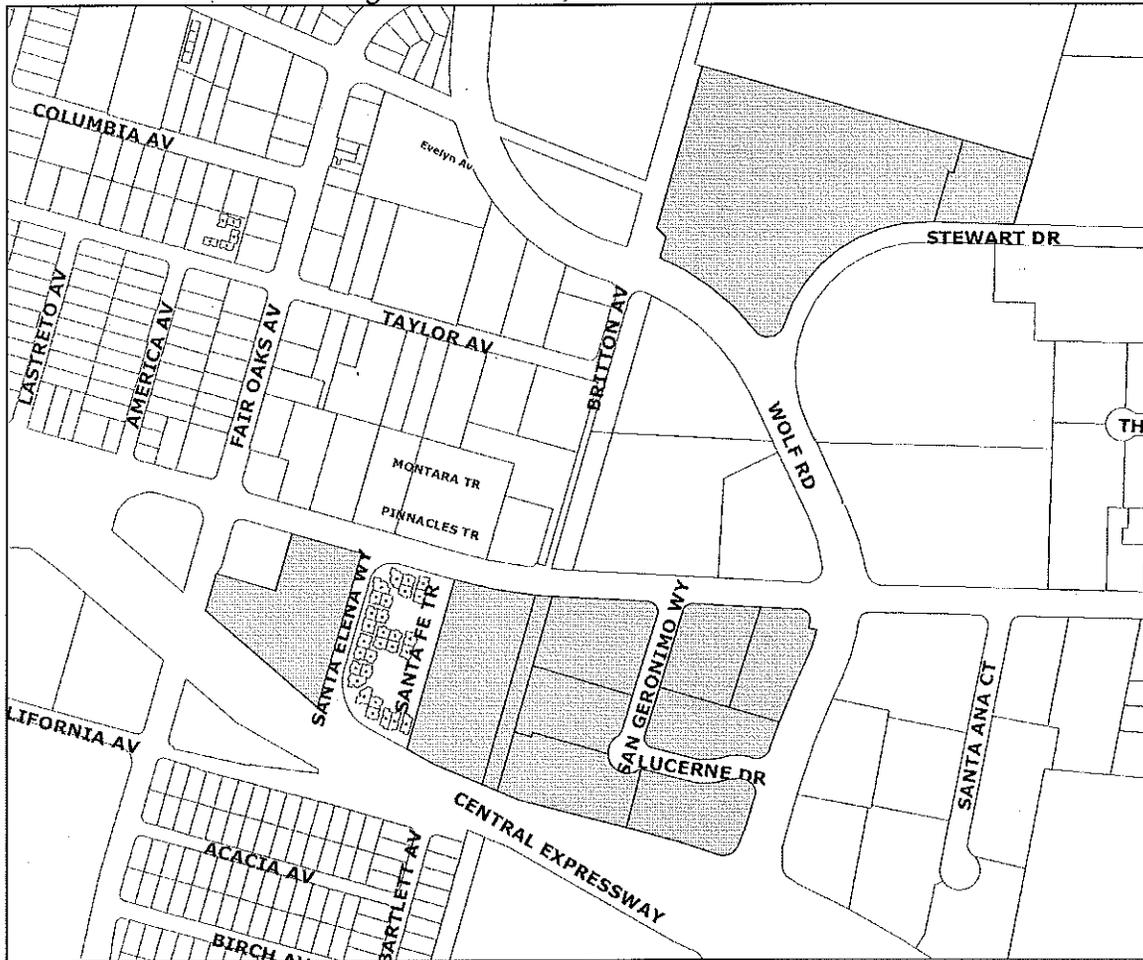
2006 Study Area of Possible POA Sites

5

Shaded area of maps show those areas for possible rezoning to the POA Combining District zone designation:

**Map 5: East Arques Avenue between North Wolfe Avenue
and North Fair Oaks Avenue**

Currently Zoned: M-S, Industrial and Service



The area along East Arques Avenue between North Fair Oaks and East Arques is composed mostly of R & D offices with retail and service oriented uses interspersed throughout. Some churches, community groups and a recreational use have located within this area. Some properties within this vicinity have also transitioned to multi-family residential uses. A number of vacant (previous R& D and general industrial) properties and tenant spaces also appear in this area. A site south of east East Arques next to Santa Fe Terrace has been approved for a General Plan Amendment study for residential uses. The total size of this area is 27.6 acres.

POA Peery Park Study					
Original POA Rezoning 2006-0876 CC Hearing 10/24/06					
Location	Total Area of POA Property (acres)	Currently Used as POA Uses (acres)	% of Total Currently Used for POA Uses	Area Remaining for POA Uses (acres)	% of Total Area Remaining for POA Uses
Map 1- Peery Park	0.0	N/A	N/A	N/A	N/A
Map 2- Weddell/101	22.3	4.9	22.0%	17.4	78.0%
Map 3- Woods *	26.3	2.2	8.4%	24.1	91.6%
Map 4- Lawrence Expy **	69.9	6.5	9.3%	63.4	90.7%
Map 5- Arques	27.6	4.6	16.7%	23.0	83.3%
Totals	146.1	18.2	12.5%	127.9	87.5%
* Includes existing 11.55 ac UPS site					
** Includes 3.54 ac site as POA, but entire property not used for POA					

ATTACHMENT C
Page 1 of 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTIES LOCATED AT 415 NORTH MATHILDA AVENUE, 425 NORTH MATHILDA AVENUE AND 433 NORTH MATHILDA AVENUE (IN PEERY PARK) FROM M-S (INDUSTRIAL & SERVICE) TO M-S/POA (INDUSTRIAL & SERVICE/PLACES OF ASSEMBLY) ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended in order to include certain properties located at 415 North Mathilda Avenue, 425 North Mathilda Avenue and 433 North Mathilda Avenue (in Peery Park) within the M-S/POA (Industrial & Service/Places of assembly) Zoning District, which properties are presently zoned M-S (Industrial & Service) Zoning District. The location of the properties is set forth on the scale drawing attached as Exhibit A.

SECTION 2. CEQA-NEGATIVE DECLARATION. The City Council hereby determines that the Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City, and finds that adoption of the ordinance will have no significant negative impact on the area's resources, cumulative or otherwise.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2010, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

APPROVED:

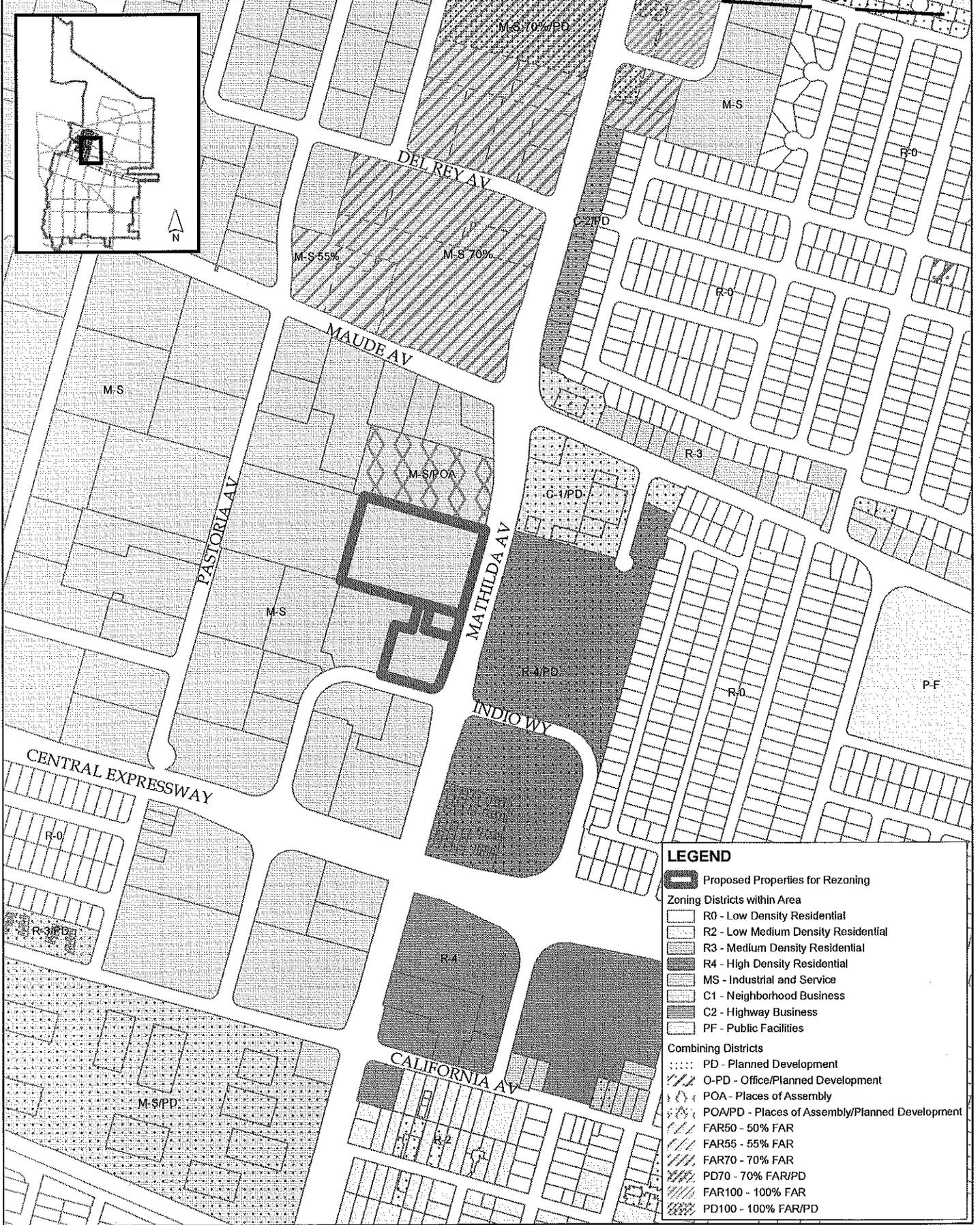
City Clerk
SEAL

Mayor

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney

 CITY OF SUNNYVALE - PEERY PARK
 PLACES OF ASSEMBLY (POA) REZONING



Project Title	Rezone Property to add Place of Assembly Combining District to base zoning of Industrial and Service
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Andrew Miner, Principal Planner
Phone Number	408-730-7707
Project Location	Properties fronting Mathilda Avenue between Central Expressway and W. Maude Avenue
Applicant's Name	City of Sunnyvale
Project Address	433, 425, 415, 325, and 305 Mathilda Avenue Sunnyvale, CA 94085
Zoning	M-S (Industrial & Service)
General Plan	Industrial
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT:

The purpose of this study is to consider the rezoning of certain Industrial and Service (M-S) Zoned sites along Mathilda Avenue in Peery Park to Industrial and Service/Places of Assembly (M-S/POA). Any future request for a Place of Assembly or Recreational use for these properties would require a separate discretionary permit, including specific environmental review for that request.

DETAILED PROJECT DESCRIPTION:

On-site Development: This rezone study is to consider rezoning industrially zoned property to add a combining regulation allowing place of assembly (e.g. places of worship, community centers) to be considered with a Use Permit. This study does not permit on-site development of any such use without a separate Use Permit and environmental review.

Construction Activities and Schedule: None for this study. Future specific requests will require a Use Permit and environmental review.

Surrounding Uses and Setting: There is currently a mix of uses along the west side of Mathilda Avenue, including a church, fast food restaurant, gas station, research and development building, athletic facility and offices. Across Mathilda from the subject study area is a retail shopping center and residential uses.

Off-site Improvements: None for this study. Future specific requests will require a Use Permit and environmental review.

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
6. Earlier Analysis Used. Identify and state where they are available for review.
7. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
8. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
9. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

MANDATORY FINDINGS OF SIGNIFICANCE (see checklist for further information):

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Yes
 No

Mandatory Findings of Significance? Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?

Yes
 No

Mandatory Findings of Significance? Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes
 No

DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Checklist Preparer: Andrew Miner

Date: May 20, 2010

Title: Principal Planner

City of Sunnyvale

Signature:

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Planning						
1.	Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
2.	Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
3.	Aesthetics -Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
4.	Population and Housing - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a way that is inconsistent with the Sunnyvale General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Land Use and Transportation Element of the General Plan, General Plan Map www.sunnyvaleplanning.com Project Description
5.	Population and Housing - Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element, Land Use and Transportation Element and General Plan Map www.sunnyvaleplanning.com Project Description
6.	Population and Housing - Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element www.sunnyvaleplanning.com Project Description
7.	Land Use Planning - Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map www.sunnyvaleplanning.com Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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8. Land Use Planning conflict - With the Sunnyvale General Plan, Zoning Ordinance, San Francisco Bay Conservation and Development Commission (BCDC) area or related specific plan adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Land Use and Transportation Element, Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off
10. For a project located the Moffett Federal Air Field or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Nasa/Ames EIS, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
15. Noise -Exposure of persons to or generation of excessive groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com Project Description
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. Project Description
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
27. Air Quality - Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
28. Air Quality - Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element Project Description
29. Air Quality - Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
30. Air Quality - Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
31. Seismic Safety - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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33. Seismic Safety-Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety-Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if "Less Than Significant" with or without mitigation: The project area is within one mile of an airport land use plan because of the site's proximity to Moffett Federal Air Field. Future proposed projects could have air traffic impacts if heights of buildings result in interference with air traffic. The Federal Aviation Administration (FAA) is responsible for determining whether the project would result in a safety hazard for air traffic. The regulations address potential light, glare, and air emissions that could distract aircraft operators. The proposed study does not result in construction of new buildings. The proposed project (rezone study) would not result in any significant safety hazards for people residing or working in the project area. There would be no impact related to public airport safety.

Responsible Division: Planning Division

Completed by: Andrew Miner

Date: May 20, 2010

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Transportation					
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan, and AASHTO: A Policy on Geometric Design of Highways and Streets.
36. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara County Congestion Management Program and Technical Guidelines (for conducting TIA and LOS thresholds).
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan including the Land Use and Transportation Element
38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City and CA Standard Plans & Standard Specifications
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, VTA Bicycle Technical Guidelines, and VTA Short Range Transit Plan

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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40. Affect the multi-modal performance of hte highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual, and Sunnyvale Neighborhood Traffic Calming Program.
41. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, Pedestrian and Bicycle Opportunities Studies and associated capital projects.
42. Cause a degredation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Transit Operations Performance Report, VTA Short Range Transit Plan, and Valley Transportation Plan for 2035.

Further Discussion if "Less Than Significant" with or without mitigation: None required.

Responsible Division: Planning Division

Completed by: Andrew Miner

Date: May 20, 2010

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Building					
43. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
44. Hydrology and Water Quality - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
45. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual Project Description
47. Geology and Soils -Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Seismic Safety Sub-Element, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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48. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code
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Further Discussion if "Less Than Significant" with or without mitigation: None required.

Responsible Division: Planning Division Completed by: Andrew Miner Date: May 20, 2010

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Engineering					
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
52. Utilities and Service Systems: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Water Resources Sub-Element www.sunnyvaleplanning.com
53. Utilities and Service Systems: Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
54. Utilities and Service Systems: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Solid Waste Management Sub-Element www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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60. Utilities and Service Systems: Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid Waste Management Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

Further Discussion if "Less Than Significant" with or without mitigation: No population growth is expected as a result of this project, and the project will serve the existing population. Additionally, no new infrastructure is required for the proposed re-use of an existing building.

Responsible Division: Planning Division

Completed by: Andrew Miner

Date: May 20, 2010

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety					
62. Public Services Police and Fire protection - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Law Enforcement Sub-Element Sunnyvale Fire Services Sub-Element Safety and Seismic Safety Sub-Element www.sunnyvaleplanning.com
63. Public Services Police and Fire protection - Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Building Code SMC Section 16.52 Fire Code

Further Discussion if "Less Than Significant" with or without mitigation: None required.

Responsible Division: Planning Division

Completed by: Andrew Miner

Date: May 20, 2010

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety – Hazardous Materials					
64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
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Further Discussion if "Less Than Significant" with or without mitigation: According to the City's Hazardous Materials Coordinator, the only company within the immediate area that is currently permitted for hazardous materials is Comparative Biosciences located across the street at 786 Lucerne Drive. However, based on types of materials and quantities (no toxic gases) stored on-site, the City's Hazardous Materials Coordinator has indicated that the company would not pose a significant risk to the proposed church facility.

The applicant has submitted a letter acknowledging that the church is locating within an industrial area that may result in higher levels of noise, traffic, and exposure to hazardous materials that would not normally be encountered in non-industrial areas. In addition, the applicant is working with the City's Hazardous Materials Coordinator and a private consultant to prepare a site safety plan addressing potential risks to employees and patrons of the facility per Sunnyvale Municipal Code Chapter 19.98.020. The site safety plan must be reviewed and approved by the Director of Community Development and Hazardous Materials Coordinator prior to issuance of a building permit, and will be updated annually.

Responsible Division: Planning Division

Completed by: Andrew Miner

Date: May 20, 2010

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Community Services					
69. Public Services Parks? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
70. Recreation - Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
71. Recreation - Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description

Further Discussion if "Less Than Significant" with or without mitigation: None required.

Responsible Division: Planning Division

Completed by: Andrew Miner

Date: May 20, 2010

Note: All references are the most recent version as of the date the Initial Study was prepared:

City of Sunnyvale General Plan:

- A. General Plan Map
- B. Air Quality Sub-Element (1993)
- C. Arts Sub-Element (1995)
- D. Community Design Sub-Element (1990)
- E. Community Engagement Sub-Element (2007)
- F. Fire Services Sub-Element (1995)
- G. Community Vision (2007)
- H. Fiscal Sub-Element (2006)
- I. Heritage Preservation Sub-Element (1995)
- J. Housing & Community Revitalization Sub-Element (2009)
- K. Land Use & Transportation Sub-Element (1997)
Revised 4/28/09 with Allocation of Street Space Policies
- L. Law Enforcement Sub-Element (1995)
- M. Legislative Management Sub-Element (1999)
- N. Library Sub-Element (2003)
- O. Noise Sub-Element (1997)
- P. Open Space and Recreation Sub-Element (2006)
*Updated with Parks of the Future Study 4/28/2009.
Revised 4/24/09.*
- Q. Safety & Seismic Safety Sub-Element (2008)
- R. Socio-Economic Sub-Element (1989)
- S. Solid Waste Management Sub-Element (1996)
- T. Support Services Sub-Element (1988)
- U. Surface Run-off Sub-Element (1993)
- V. Wastewater Management Sub-Element (1996)
- W. Water Resources Sub-Element (2008)

City of Sunnyvale Municipal Code:

- A. Title 8 Health and Sanitation
- B. Title 9 Public Peace, Safety or Welfare
- C. Title 10 Vehicles and Traffic
- D. Title 12 Water and Sewers
- E. Chapter 12.60 Storm Water Management
- F. Title 13 Streets and Sidewalks
- G. Title 16 Buildings and Construction
- H. Chapter 16.52 Fire Code
- I. Chapter 16.54 Building Standards for Buildings Exceeding Seventy-Five Feet in Height
- J. Title 18 Subdivisions
- K. Title 19 Zoning
- L. Chapter 19.28 Downtown Specific Plan District
- M. Chapter 19.29 Moffett Park Specific plan District
- N. Chapter 19.39 Green Building Regulations
- O. Chapter 19.42 Operating Standards
- P. Chapter 19.54 Wireless Telecommunication Facilities

- Q. Chapter 19.81 Streamside Development Review
- R. Chapter 19.96 Heritage Preservation
- S. Title 20 Hazardous Materials

Specific Plans:

- A. Downtown Specific Plan
- B. El Camino Real Precise Plan
- C. Lockheed Site Master Use Permit
- D. Moffett Park Specific Plan
- E. 101 & Lawrence Site Specific Plan
- F. Southern Pacific Corridor Plan
- G. Lakeside Specific Plan
- H. Arques Campus Specific Plan

Environmental Impact Reports:

- A. Futures Study Environmental Impact Report
- B. Lockheed Site Master Use Permit Environmental Impact Report
- C. Tasman Corridor LRT Environmental Impact Study (supplemental)
- D. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- E. Downtown Development Program Environmental Impact Report
- F. Caribbean-Moffett Park Environmental Impact Report
- G. Southern Pacific Corridor Plan Environmental Impact Report
- H. East Sunnyvale ITR General Plan Amendment EIR
- I. Palo Alto Medical Foundation Medical Clinic Project EIR
- J. Luminaire (Lawrence Station Road/Hwy 237 residential) EIR
- K. NASA Ames EIS
- L. Mary Avenue Overpass EIR
- M. Mathilda Avenue Bridge EIR

Maps:

- A. General Plan Map
- B. Zoning Map
- C. City of Sunnyvale Aerial Maps
- D. Flood Insurance Rate Maps (FEMA)
- E. Santa Clara County Assessors Parcel
- F. Utility Maps
- G. Air Installations Compatible Use Zones (AICUZ) Study Map

Note: All references are the most recent version as of the date the Initial Study was prepared:

H. Noise Sub-Element Appendix A 2010 Noise Conditions Map

Lists / Inventories:

- A. Sunnyvale Cultural Resources Inventory List
- B. Heritage Landmark Designation List
- C. Santa Clara County Heritage Resource Inventory
- D. Hazardous Waste & Substances Sites List (State of California)
- E. List of Known Contaminants in Sunnyvale
- F. USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- G. USFWS / CA Dept. F&G Endangered, Threatened and Rare Plants of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEPlants.pdf>

Legislation / Acts / Bills / Resource Agency

Codes and Permits:

- A. Subdivision Map Act
- B. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit
- C. Santa Clara County Valley Water District Groundwater Protection Ordinance
- D. The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
- E. The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- F. The Federal EPA Superfund List
(www.epa.gov/region9/cleanup/california.html)
- G. Section 404 of Clean Water Act

Transportation:

- A. California Department of Transportation Highway Design Manual
- B. California Department of Transportation Traffic Manual
- C. California Department of Transportation Standard Plans & Standard Specifications
- D. Highway Capacity Manual
- E. Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook
- F. Institute of Transportation Engineers - Traffic Engineering Handbook
- G. Institute of Transportation Engineers - Manual of Traffic Engineering Studies

- H. Institute of Transportation Engineers - Transportation Planning Handbook
- I. Institute of Transportation Engineers - Manual of Traffic Signal Design
- J. Institute of Transportation Engineers - Transportation and Land Development
- K. U.S. Dept. of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices for Street and Highways & CA Supplements
- L. California Vehicle Code
- M. Santa Clara County Congestion Management Program and Technical Guidelines
- N. Santa Clara County Transportation Agency Short Range Transit Plan
- O. Santa Clara County Transportation Plan
- P. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- Q. Statewide Integrated Traffic Records System
- R. Sunnyvale Zoning Ordinance – including Titles 10 & 13
- S. City of Sunnyvale General Plan – land Use and Transportation Element
- T. City of Sunnyvale Bicycle Plan
- U. City of Sunnyvale Neighborhood Traffic Calming Program
- V. Valley Transportation Authority Bicycle Technical Guidelines
- W. Valley Transportation Authority Community Design & Transportation – Manual of Best Practices for Integrating Transportation and Land Use
- X. Santa Clara County Sub-Regional Deficiency Plan
- Y. City of Sunnyvale Deficiency Plan
- Z. AASHTO: A Policy on Geometric Design of Highways and Streets

Public Works:

- A. Standard Specifications and Details of the Department of Public Works
- B. Storm Drain Master Plan
- C. Sanitary Sewer Master Plan
- D. Water Master Plan
- E. Solid Waste Management Plan of Santa Clara County
- F. Geotechnical Investigation Reports
- G. Engineering Division Project Files

Note:All references are the most recent version as of the date the Initial Study was prepared:

H. Subdivision and Parcel Map Files

M. Project Green Building Checklist

Miscellaneous Agency Plans:

N. Project LEED Checklist

A. ABAG Projections 2010

B. Bay Area Clean Air Plan

C. BAAQMD CEQA Guidelines

Other:

J. Criteria of the National Register of Historic Places

Building Safety:

A. California Building Code,

B. California Energy Code

C. California Plumbing Code,

D. California Mechanical Code,

E. California Electrical Code

F. California Fire Code

G. Title 16.52 Sunnyvale Municipal Code

H. Title 16.53 Sunnyvale Municipal Code

I. Title 16.54 Sunnyvale Municipal Code

J. Title 19 California Code of Regulations

Guidelines and Best Management Practices

A. Storm Water Quality Best Management Practices Guidelines Manual 2007

B. Sunnyvale Citywide Design Guidelines

C. Sunnyvale Industrial Guidelines

D. Sunnyvale Single-Family Design Techniques

E. Sunnyvale Eichler Guidelines

F. Blueprint for a Clean Bay

G. SCVWD Guidelines and Standards for Land Use Near Streams

H. The United States Secretary of the Interior 's Guidelines for Rehabilitation

I. Criteria of the National Register of Historic Places

Additional Project References:

A. Project Description

B. Sunnyvale Project Environmental Information Form

C. Project Development Plans dated 4/14/10

D. Project Traffic Impact Analysis

E. Project Noise Study

F. Project Air Quality Analysis

G. Field Inspection

H. Project Site Plan dated 4/14/10

I. Project construction schedule

J. Project Draft Storm Water Management Plan

K. Project Tree Inventory

L. Project Tree Preservation Plan

PLANNING COMMISSION MINUTES OF JULY 12, 2010

2010-7150 - Rezone Study Extending Place of Assembly Zoning to Properties along Mathilda Avenue in Peery Park – AM

Andrew Miner, Principal Planner, presented the staff report. He said staff recommends the rezoning of three properties along Mathilda Avenue as shown in the Draft Ordinance in Attachment D.

Comm. Sulser asked staff whether more Place of Assembly (POA) zoned land is necessary in light of the land already rezoned to POA. He discussed with staff the sizes of existing and potential POA parcels and the different types of uses that would be appropriate in a POA zone. He discussed with staff the neighboring Maxim site. Comm. Sulser asked about the staff recommendation and why staff is not recommending parcel number 9 on Indio Way. Mr. Miner discussed various sites being considered as potential POA sites and the concern of compatibility with existing uses. He said the City does not want to affect opportunities for industrial by introducing “sensitive receptors”. Comm. Sulser commented that he is concerned about the irregular border to the POA sites. **Trudi Ryan**, Planning Officer, said staff is looking at protecting the long-term use of the certain parcels and that the recommendation is based on the lots that front Mathilda Avenue.

Comm. Hendricks asked whether nearby Business would face restriction if the City rezones certain parcels POA. Mr. Miner said that the City wants a balance, allowing POA opportunities while not infringing on the industrial purposes. Mr. Miner discussed some of the requirements placed on POAs, including a hazardous safety plan. Ms. Ryan said that the POA rezoning does not change the zoning requirements for industrial, however industrial user's insurance or reporting requirements to State agencies could be affected. Comm. Hendricks said that one of the options staff provided is to take no action until the Peery Park Specific Plan is completed asking staff what that timeframe is for the plan. Mr. Miner said the plan is on hold due to budget constraints. Comm. Hendricks asked if staff sees any major problem with recommending waiting for the Peery Park study to occur. Ms. Ryan said no, that not making any changes at this time is also a valid perspective.

Comm. Larsson referred to Attachment C and discussed with staff the acreage related to POAs. He said it appears POA zoning was introduced near the end of 2006 and asked staff how much of the acreage was already being used for POAs at that time. Staff said that before the POA zoning in 2006, excluding Peery Park, there was originally 14.6 acres of property with that use on in it, and now there is 19.82 acres of property with that use on them, showing the POA zoned areas are being filled up fairly slowly.

Comm. Dohadwala referred to the maps in the report and discussed with staff the POA information availability to the public. Mr. Miner discussed the process for applying for a Use Permit. Ms. Ryan commented that Sunnyvale has approximately 200 acres zoned for POA and this study is to consider adding properties in the Mathilda Avenue area.

Chair Chang opened the public hearing.

Roberta Meneken, a Sunnyvale resident, spoke in opposition of the rezone. She read statements from the report supporting the position of taking no action and asked whether anymore POA zoned areas were needed. She asked the Planning Commission to take no action and do nothing to change the current zoning of the properties on Mathilda between Maude and Central Expressway. She agreed that the City should avoid making any land use decisions for property that will ultimately be part of a Peery Park Specific Plan and said she would like to have the City look for other revenue producing projects to use our tax dollars and time.

Chair Chang closed the public hearing.

Comm. Larsson asked staff if all POA uses are tax exempt. Staff said that just some of the uses are tax exempt.

Comm. Hendricks moved for Alternative 3 to recommend to City Council to take no action and do not change the zoning of the property until the Peery Park Specific Plan is complete. Vice Chair Travis seconded the motion.

Comm. Hendricks said that he does not see the need for adding the POA sites at this time and that there does not seem to be any harm in waiting for the Peery Park Specific Plan to be completed.

Vice Chair Travis said Comm. Hendricks made good points. Vice Chair Travis said that he often thinks that industrial-zoned land gets the short end of the stick and with the current amount of POA zoned land available that he does not see any reason to rush to rezone the additional acres.

Comm. Hungerford said he would be supporting the motion though he has gone back and forth on whether to recommend rezoning. He said considering the report and the public testimony, he thinks it would be better to look at this issue as a whole when the Peery Park Specific Plan is completed.

Comm. Susler said he would not be supporting the motion as he would prefer to move forward with the rezoning as we do not know when the Peery Park study is going to happen. He said he thinks it is appropriate for the proposed area to have

transitional uses. Comm. Sulser said there are not many POAs on the northwest side of Sunnyvale and he is reluctant to leave Trinity Church orphaned.

Comm. Larsson said he was on the fence with this decision and has decided not to support the motion. He said he would prefer to examine the zoning in the context of the entire Peery Park, however he is not sure if it will happen in the near future, there are already two POA properties in the area, and he would like to recommend moving forward with the rezoning.

Chair Chang said this is a challenging decision, as Mathilda Avenue is a main venue for Sunnyvale, and there is already a POA in this area near the industrial uses. He said the City needs to look at every source of opportunity and consider the organizations that want to make Sunnyvale their home. He said he would not be supporting the motion.

ACTION: Comm. Hendricks made a motion on 2010-7150 to recommend to City Council: take no action and do not change the zoning of the property. Vice Chair Travis seconded. Motion carried 4-3, with Chair Chang, Comm. Larsson, and Comm. Sulser dissenting.

APPEAL OPTIONS: This item is scheduled to be considered by City Council at their meeting of July 27, 2010.