



File #: 15-0536, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7253

Location: 1249 Birchwood Drive (APN: 104-29-006)

Applicant / Owner: David Hamilton (applicant) / 1249-1253 Birchwood Drive LLC (owner)

Proposed Project:

USE PERMIT to allow a new auto repair and painting facility within a 12,084-square foot industrial building.

Reason for Permit: A Use Permit is required for an auto repair facility in the M-S (Industrial and Service) Zoning District (SMC 19.22.030)

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Issues: Compatibility and parking.

Recommendation: Approve with conditions

PROJECT DESCRIPTION

The applicant is proposing to use the existing 12,084-square foot industrial building for an auto repair and painting facility. The applicant notes that all repair work will be conducted inside the building.

Previous Planning Projects related to Subject Application:	2003-0350 (MPP) Daycare for dogs
Neighborhood Preservation Complaint	None
Deviations from Standard Zoning Requirements	FAR, Setbacks and Landscaping (legal nonconforming)

Background

The existing building at the project site was constructed in 1962 and has served a variety of industrial uses. A day care facility for dogs was approved on June 11, 2003 (Use Permit 2003-0350).

MAACO Collison Repair and Auto Painting is proposing to relocate from its existing location at 1042 West Evelyn Avenue to the project site at 1249 Birchwood Drive. MAACO has been in operation at the West Evelyn Avenue location since 1978 (Use Permit 3659). On August 12, 2014, the City Council took action to initiate a study for a General Plan Amendment to consider a land use designation change from industrial to medium density residential for the West Evelyn Avenue area between Mary Avenue and Bernardo Avenue where MAACO is currently located. In anticipation of a potential land use designation change the business owner has taken the initiative to relocate to a

property more suited for the use.

Site Plan, Architecture and Landscaping

The project site consists of an existing industrial office building with a zero lot line with the adjacent property to the left/south at 1245 Birchwood Drive. There are no proposed architectural changes to the existing building.

The project site has joint access with both neighboring properties. The one-way driveway with angled parking at the front of the property is shared with the adjacent site to the south. The entrance is on the project site (1249 Birchwood) and egress on 1245 Birchwood Drive. The rear of the property is accessed by a drive aisle shared with the property to the north (1251 Birchwood Drive).

The rear of the property would be modified with the construction of a seven-foot chain link fencing with a 20-foot rolling gate to secure the vehicle parking and storage area. The project also proposes a new solid waste enclosure and restriping for the vehicle parking and storage areas. There is a small landscape area near the front entrance of the building. The applicant does not propose additional landscaping; however, street trees that were removed from the public right-of-way are required to be replaced and a condition of approval has been added to require this (Attachment 3).

Floor Plan

The building consists of 8,954 square feet of area dedicated for auto body work and painting. There would be three roll up doors, four service bays, a paint booth, and internal service bay areas. The reception and office area is near the front entrance on the first floor and additional office and storage area are on the second floor totaling 3,130 square feet.

Parking

The required parking for this property and use is 23 parking spaces (eight parking spaces for the office use and three parking spaces per each of the five service bays). The applicant has provided sufficient parking on site (see Site Plan/Attachment 4). A condition of approval has been included to identify adequate customer and employee parking. Note that the parking along the front property line is located within the public right-of-way. The long-term status of the right-of-way is unknown so this parking was not counted towards the project requirement.

Neighborhood Impacts / Compatibility

The proposed auto repair use will occur inside the building and some auto storage in the rear yard. The applicant proposes to install cameras and lighting for security purposes on the property. The majority of the surrounding uses are industrial, wholesale, or R&D office uses. Staff believes that the project as conditioned is compatible with existing uses in the neighborhood and will not have a detrimental impact on this industrial neighborhood.

Public Contact: 70 notices were sent to surrounding property owners adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. No letters or calls were received from the public by staff.

Environmental Determination: A Categorical Exemption Class 1 (minor alterations to existing structure) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit the following findings must be made:

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

Land Use and Transportation Element

Policy LT-4.3 - Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the City.

Policy LT-4.7- Support the location of convenient retail and commercial services (e.g., restaurants and hotels) in industrial areas to support businesses, their customers and their employees.

Policy LT-7.1 - Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.

The proposed auto repair service use is an established business in Sunnyvale looking to relocate to an industrial area of the City. The surrounding neighborhood is composed of a combination of industrial, wholesale and R&D office uses. There are no residential uses in the immediate vicinity. The project would provide service to the immediate area as well as the community in general. The City has limited areas zoned for commercial service uses making it difficult to retain these uses in the community.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties. (Finding met)

As conditioned, building and site improvements would be completed, including the addition of street trees, parking lot striping and the construction of a solid waste enclosure. The auto repair and painting activity would take place entirely inside the structure and is not expected to impact the surrounding neighborhood.

ALTERNATIVES

1. Approve the Use Permit with recommended Conditions in Attachment 4.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment 4.

Prepared by: Momoko Ishijima, Associate Planner
Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Project Data Table
3. Recommended Conditions of Approval
4. Site and Architectural Plans
5. Project Description Letter