



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-1012, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7808

Location: 510 Lawrence Expressway (APN: 216-44-119)

Applicant / Owner: Arts Educators Group (applicant) / Lawrence Commercial Center LLC (owner)

Proposed Project:

USE PERMIT to allow music therapy and music instruction in an existing building.

Reason for Permit: A Use Permit is required for recreation and enhancement in an MS/POA (Industrial and Service /Place of Assembly) zone.

Project Planner: Jonathan Caldito, (408) 730-7452, Jcaldito@sunnyvale.ca.gov

Issues: Parking, Noise

Recommendation: Approve with Conditions

NOTE: This item was continued from the Zoning Administrator Meeting of October 28, 2015.

PROJECT DESCRIPTION

	Existing	Proposed
General Plan	Industrial	Same
Zoning District	MS/POA(Industrial and Service/ Place of assembly)	Same
Gross Floor Area	50,908 Square feet	Same
Tenant Floor Area	1,285 Square feet	Same
Lot Size	162,043 Square Feet	Same

Previous Planning Projects related to Subject Application:	No
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	No

Description of Use: The proposed education and enrichment use is for a combination of musical therapy/instruction in an existing 1,285 square foot tenant space. The applicant (Arts Educators Group) is currently operating in suite #221 which provides musical therapy/lessons to special needs children. The applicant is proposing an extension into the adjacent suite #224 to increase the space for their current use, but they also want to provide lessons to children without disabilities. Most of the service time as described in their project description letter will be private, one-on-one sessions, for both therapy and instruction. There will occasionally be group therapy sessions and group instruction lessons.

Floor Plan: The applicant (Arts Educators Group) is currently occupying suite #221 with 776 square feet floor area. They are proposing to expand their current use into the adjacent suite #224 which is 509 square feet in size. The proposed floor plan includes five rooms that will be occupied by students and patients for music therapy and instruction.

Parking: The facility is located within a shopping center that is served by a common parking lot. The shopping center has a variety of uses including restaurants, offices and retail businesses. The parking lot has 214 parking spaces and has access to an additional 59 parking spaces through an parking agreement located at the adjacent property at 500 Lawrence Expressway for a total of 273 parking spaces.

The proposed education and enrichment use (4 parking spaces for 1,000 square feet) is expected to generate the need for 6 parking spaces which is similar to the office use parking rate (2-4/1,000 square feet) that was existing at this location prior to the proposed use.

Sunnyvale's Parking standards for Shopping Centers (SMC 19.26.110) requires a minimum of 177 parking spaces (4/1000 square feet) and a maximum of 221 (5/1000 square feet) for the 44,130 square foot shopping center. The shopping center includes a high parking generating restaurant (St. John's Bar and Grill) that generates a high parking demand (about 74 parking spaces) during peak business hours which may have contributed to the need for additional parking spaces located next door. The proposed use is not expected to exacerbate the peak hour parking needs at the shopping and no additional parking spaces are required.

Noise: The tenant space is located right above the St. John's Bar and Grill. To mitigate the potential noise impacts of students and instruments, Architectural Acoustics has prepared an acoustical report to provide recommendations for architectural changes to the existing space (Attachment 4). In addition to the recommendations, the tenant spaces are situated on the end of the 510 building with a bathroom and hallway separating them from the next tenant. With the recommended architectural changes and the location of the tenant spaces, the planning staff does not anticipate the noise from the use to have a major impact on the surrounding tenants and customers in the shopping center. Staff has included a Condition of Approval to require that the doors and windows be closed when music is played to minimize noise impacts on the neighboring businesses.

Public Contact: 69 notices were sent to surrounding property owners and residents 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

The following General Plan Goals are related to this project:

- 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. (Previously LUTE policy N1.7)
- Policy LT-6.1 Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy. (Previously LUTE Policy C4.1)

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.

Staff finds that the proposed use will offer Sunnyvale residents a unique form of treatment and therapy for children with special needs that are not found anywhere else in the city. The proposed use will also cater to children without special needs as the arts educators group will also offer music lessons. The proposed project will also diversify the uses in the city and in the specific shopping center.

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.

Staff finds that the proposed use, as conditioned, will not be detrimental to the tenants or surrounding neighborhood as there will be no exterior changes and the site is located in a shopping center which has a variety of uses and can accommodate the proposed use with minimal conflict with other onsite uses. The shopping center has adequate parking for the existing and the proposed use.

ALTERNATIVES

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

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions of Approval located in Attachment 2.

Prepared by: Jonathan Caldito, Project Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Recommended Conditions of Approval
3. Proposed Site and Floor Plans
4. Letter from the Applicant
5. Acoustical Report