



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 17-0628, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2017-7321

Location: 1220 Vienna Drive, Unit 546 (APN: 110-31-001)

Zoning: Residential Mobile Home (RMH)

Proposed Project: **USE PERMIT** for a Large Family Child Care home (LFCCH) in a mobile home community that is not located within 300 feet of another LFCCH.

Applicant / Owner: Mozaica Preschool and Daycare (applicant) / Plaza Del Rey Owner LLC (owner)

Environmental Review: A statutory exemption relieves this project from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15274 (large family day care homes).

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Mobile Home Park

Existing Site Conditions: Mobile Home

Surrounding Land Uses

North: Mobile Home

South: Mobile Home

East: Mobile Homes across Lawrence Expressway

West: Mobile Home

Issues: Compatibility of use with neighborhood, traffic, parking and noise

Staff Recommendation: Approve with the recommended Conditions of Approval in Attachment 4.

BACKGROUND

Description of Proposed Project

The proposed project is an application for a Use Permit to operate a large family child care home (LFCC) in a mobile home community (Plaza Del Rey). The proposed LFCC is located more than 300 feet from another permitted large family child care home. Per SMC 19.58.020, Large family child care home means a family child care home for 9 to 14 children, including children under the age of 10 years who reside at the home, as defined by Health & Safety Code <<http://qcode.us/codes/othercode.php?state=ca&code=heaampsaf>> Section 1596.78(b), as amended from time to time.

City of Sunnyvale Municipal Code Section 19.58.060 requires that a Use Permit be approved by the Planning Commission for operation of a large family child care home in a permitted single-family dwelling in any nonresidential zoning district or in a two-family dwelling, multi-family dwelling or mobile home.

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project.

Previous Actions on the Site

There is no previous related Planning application for this site.

ENVIRONMENTAL REVIEW

This project is statutorily exempt from CEQA review under Section 15274 of the CEQA Guidelines, which applies to the establishment and operation of large family day care homes as defined in Health & Safety Code Section 1596.78.

DISCUSSION

Use Permit

The applicant currently operates a small family child care at the project site, providing care for six (6) children. Establishment of a small family child care home is exempt from permitting requirements related to location in residential zoning districts. The applicant is now requesting to expand the current operation and establish a large family child care in order to provide care for up to fourteen (14) children. As proposed, the hours of operation would run 8:00 a.m. to 6:00 p.m., Monday through Friday. The applicant expects to hire one full-time employee.

Site Layout

As indicated in the submitted floor plan, the living room, dining room and one bathroom would serve as space utilized for the child care. The 430-square foot rear yard, which is fenced from Lawrence Expressway and neighboring properties on both sides, would function as outdoor recreation space. The applicant proposes to install a new six feet high fence between the existing driveway and the side yard to completely enclose the outdoor play area.

Parking and circulation

There are five unassigned parking lots with 26 parking spaces located within a quarter mile (1/4) distance from the subject property. Proposed hours of operation would span 8:00 a.m. to 6:00 p.m.; however, the children are enrolled on a full-time and part-time schedule and have staggered starting and ending time. The drop-off would take place between 8:00 a.m. and 2:00 p.m., and pick-up would occur from 12:00 p.m. to 6:00 p.m., thereby, reducing potential congestion and competition for parking spaces (Attachment 6). The home owner would park inside the carport.

Noise

Children's outdoor recreation and activities would take place in the rear yard of the proposed large family child care home, with the potential for generation of noise that could impact adjacent properties. However, staff notes that the rear yard is located adjacent to Lawrence Expressway and

the applicant currently operates a small family child care with eight children. The City's Neighborhood Preservation Division (NPD) has not received any complaints related to noise associated with the current small family day care operation at the subject property.

Privacy

Per the schedule of daily activities submitted by the applicant, children would play outside for approximately one and a half hour at 10:30 a.m. and 4:30 p.m. Outdoor activities would be continuously supervised by staff, who would ensure that children respect surrounding residents and refrain from generating excessive noise. Only small play structures would be located in the rear yard, preventing children from peering into adjacent properties. Photos provided by the applicant indicate that fences located along the side and rear yards measure approximately six feet above ground level.

FISCAL IMPACT

No fiscal impacts other than normal fees and taxes are expected.

PUBLIC CONTACT

As of the date of staff report preparation, staff has received no comments from the neighbors.

Notice of Public Hearing :

- Posted on the site
- 68 notices mailed to property owners and residents within 300 feet of the project site
- Posted on the City's official notice bulletin board

Staff Report/Agenda :

- Posted on the City of Sunnyvale's Web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library

A community outreach meeting was conducted by the applicant on June 22, 2017 at the project site. Notices for the outreach meeting were sent out to neighbors within 300 feet of the property. Three persons attended the meeting. Two of the attendees were the applicants of a pending application received by the City for a Large Family Child Care Facility within the same mobile home park.

CONCLUSION

Findings and General Plan Goals: The Staff was able to make the required Findings and demonstrate compliance with General Plan Goals, as demonstrated in Attachment 3. Recommended Conditions of Approval are located in Attachment 4.

ALTERNATIVES

1. Approve the Use Permit with the conditions in Attachment 4.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1: Approve the Use Permit in accordance with the Findings found in Attachment 3 and Conditions of Approval in Attachment 4.

Prepared by: Aastha Vashist, Assistant Planner

Reviewed by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Floor Plans
6. Project description Letter
7. Use Permit Justification
8. Letter of support