



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 19-0639, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project: Related applications on a 2.2-acre site:

USE PERMIT: To allow a child care facility for up to 50 children within an existing church building.

Location: 521 East Weddell Drive (APN: 110-14-196)

File #: 2018-7797

Zoning: Public Facilities (P-F)

Applicant / Owner: Sunnyvale International Church

Environmental Review: Negative Declaration

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

REPORT IN BRIEF

General Plan: Public Facilities

Existing Site Conditions: One-story church building

Surrounding Land Uses

North: Hetch Hetchy right-of-way (ROW) and Seven Seas Park

South: U.S. Highway 101

East: Middle school

West: Industrial building

Issues: Parking and compatibility with surrounding uses.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit with the Conditions of Approval in Attachment 4.

BACKGROUND

The proposed project is to allow the operation of a child care facility within a portion of an existing 34,948-square foot church building. The proposed use will occupy a nearly 4,300 square foot area of the building and a new 1,760 square foot outdoor play area. The program will accommodate up to 50 children (age two years to five years) and includes four full-time employees.

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

The project site has been used as a religious facility (church) since 2007 (2005-0803 and 2010-7807). The church was subsequently granted approval for a General Plan Amendment and Rezone to Public Facilities in 2016 (2015-7530), which offers a broader range of services, including daycare and preschool services at the church, not allowed under the previous designation.

The church also owns the site occupied by Summit School, which is two parcels to the east at 539 East Weddell Drive (2015-7936).

There are no active Neighborhood Preservation complaints for the property.

EXISTING POLICY

General Plan Goals and Policies: Key goals and policies from the Land Use and Transportation Chapter of the General Plan and Citywide Design Guidelines that pertain to the proposed project are provided in Attachment 3.

ENVIRONMENTAL REVIEW

A Negative Declaration has been prepared in compliance with California Environmental Quality Act (CEQA) provisions and City guidelines (see Attachment 5). An Initial Study determined that the proposed use will not have significant environmental impacts.

DISCUSSION

Present Site Conditions

The project site is in the northern part of the City and bordered by the Hetch Hetchy ROW and Seven Seas Park to the north, East Weddell Drive and U.S. Highway 101 to the south, Morse Avenue to the west, and educational and religious uses to the east. The existing site layout consists of a one-story standalone building sited closer to Morse Avenue and surrounded by surface parking on the other three sides. The site is currently utilized by Sunnyvale International Church.

Use

The P-F zoning of the property allows for consideration of a child care center through a Use Permit. The proposed child care center would occupy 4,300 square feet of the building that includes three classrooms, associated administrative offices, fellowship hall and kitchen. The remaining building would be available for use by the existing church.

The child care center would operate 6:00 A.M. to 6:00 P.M., Monday through Friday, during the off-peak hours of the existing church. The maximum capacity for the facility would be for up to 50 children ranging in age from two to five years old and four employees.

The applicant proposes a 1,760-square foot outdoor play area partially shaded by solar fabric supported on wood posts, which is located at the back of the building furthest away from the Weddell street frontage and U.S Highway 101. The play area would be utilized between the hours of 10:30 A.M. to 11:30 A.M. during the morning and 2:30 P.M. to 3:30 P.M. during the afternoons in 30 minute intervals for each classroom. The final design of the outdoor play area, including play structures, will be subject to a separate staff-level permit (see Condition of Approval PS-1 in Attachment 4).

The applicant has provided a project description letter which provides a more detailed description regarding the operation (Attachment 7). The child care provider is committed to working with the neighbors and to follow City guidelines related to child care centers described in Good Neighbor Tips for Child Care Providers (Attachment 9).

Parking

The site currently has 135 parking spaces, out of which seven spaces are proposed to be removed for the outdoor play area. The proposed child care center requires an additional 13 parking spaces,

for a total of 143 parking spaces required for the site. Therefore, the site is deficient by 15 spaces.

Use	Detail	Parking Standard	Required Parking
Proposed Child Care Use	50 Children	0.25 per child	13
Church Use	5,184 square foot primary gathering area	25 spaces per 1,000 square feet of primary gathering areas	130
Required Parking			143

Sunnyvale Municipal Code (SMC) Section 19.46.130 allows for parking adjustments, or consideration of reduced parking rates, to address unusual or specific uses or locational characteristics. In staff's opinion, the project warrants a parking adjustment as the uses on the site have complementary peak hours. As noted in the project description letter, the two uses will not operate at the same time, with church activities primarily during the weekends or weekday evenings. The findings for parking adjustment are included in Attachment 3. Based on the findings, staff finds the proposed parking to be adequate and will not spill over onto surrounding properties or streets.

Neighboring Summit School (539 East Weddell Drive) has an agreement with the church that allows for use of the parking spaces on the project site during special occasions. The parking agreement further allows for the use of parking spaces on the school site for the church use during weeknights and weekends. These special occasions typically occur in the evenings, when the child care business would be closed, such as parent-teacher meetings. The agreement requires advanced permission from the church, which allows for coordination to avoid conflicts. Also, the 13 spaces required for the child care center can easily be absorbed in the 128 existing parking spaces since both the church and the child care center will not operate at the same time.

Trash and Recycling

An existing trash and recycling enclosure is located towards the north-east side of the property. Upgrades to the existing enclosure are required to meet the needs of future waste generation by the proposed child care use (See Condition of Approval BP-5 and BP-6 in Attachment 4).

Air Quality

The child care use is at the northern part of the existing building, which is the furthest part of the property from the adjacent U.S. Highway 101. No construction is proposed as part of the project, except the improvements for the outdoor play area. As part of the 2016 Use Permit application for Summit School at the property located at 539 East Weddell Drive, an Air Quality study concluded that the combination of all the toxic air contaminants (TAC) at the project site would not exceed the significance threshold and would be less than significant impact. Therefore, the use will not create any air quality concerns for the surrounding neighborhood. Additionally, the applicant is subject to the State's Child Care operator licensing requirements.

Neighborhood Compatibility

Staff finds that the proposed child care use is compatible with the immediate neighborhood. Similar public and quasi-public uses are located within the vicinity, including Summit School, religious

institutions, and Seven Seas Park.

Staff also finds that the proposed use will not negatively impact neighbors. The outdoor play area for the child care center is proposed at the back of the building, facing the Hetch Hetchy ROW and Seven Seas Park. The nearest residential uses are located more than 300 feet from the outdoor play area, across the Hetch Hetchy ROW. Therefore, the proposed use is unlikely to have any noise impact on the surrounding residential neighborhood.

The applicant proposes to occupy the northern part of the existing building for the childcare use, which is the furthest part of the property from the adjacent U.S. Highway 101. No construction is proposed as part of the project, except the improvements for the outdoor play area. The anticipated net new trips for the use are below the significance threshold and does not require additional Traffic study. As part of the 2016 Use Permit application for the public middle school use at the adjacent property at 539 E Weddell, the Air Quality study further concluded that the combination of all the toxic air contaminants (TAC) for the project site would not exceed the significance threshold and would be less than significant impact. Therefore, the use will not create any air quality concerns for the surrounding neighborhood. Additionally, the applicant shall be subject to the State's Child Care operator licensing requirements.

A draft Parking Management Plan has been prepared by the applicant (see Attachment 8), which shows drop off and pick up near the parking lot facing Morse Avenue. That area provides for adequate and convenient parking and circulation, which will help to avoid queuing in the public streets. A final Parking Management Plan will be reviewed by staff prior to issuance of a building permit (see Condition of Approval BP-9 in Attachment 4).

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 Negative Declaration and Public Hearing

- Published in the *Sun* newspaper
- Posted on the site
- 871 notices were mailed to property owners and tenants within 300 feet of the project as shown in Attachment 1

Staff Report

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

Agenda

- Posted on the City's official notice bulletin board
- City of Sunnyvale's web site

ALTERNATIVES

1. Adopt the Negative Declaration and approve the Use Permit with the Conditions of Approval in Attachment 4.

2. Adopt the Negative Declaration and approve the Use Permit with modified conditions.
3. Adopt the Negative Declaration and deny the Use Permit.
4. Do not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.

STAFF RECOMMENDATION

Alternative 1: Adopt the Negative Declaration and approve the Use Permit with the Conditions of Approval in Attachment 4.

Prepared by: Aastha Vashist, Associate Planner

Reviewed by: Noren Caliva-Lepe, Principal Planner

Approved by: Andrew Miner, Assistant Director, Community Development Department

ATTACHMENTS

1. Vicinity and Noticing map
2. Project Data Table
3. Recommended Findings
4. Standard and Recommended Conditions of Approval
5. Negative Declaration
6. Architectural and Site Plans
7. Project Description by the applicant
8. Parking Management Plan by the applicant
9. Guidelines for Commercial Child Care Center in Sunnyvale