



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 20-0268, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

SUBJECT

Proposed Project:

USE PERMIT to allow a music school in an existing commercial center.

Location: 546 Lawrence Expressway Unit 3 (APN: 216-44-086)

File #: 2019-7996

Zoning: M-S/POA - Industrial and Service / Places of Assembly Combining District

Applicant / Owner: The California Conservatory of Guitar (applicant) / Lawrence Oakmead Center LLC (owner)

Environmental Review: A Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

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

BACKGROUND

The project site is located on the east side of Lawrence Expressway, south of U.S. Highway 101 and between Oakmead Parkway and Titan Way. The existing commercial center was constructed in the early 1980's. There are retail, personal services, financial institution, take-out and sit down restaurants at the commercial center. The tenant space where the music school is proposed was a book store for more than 10 years.

Description of Proposed Project

The proposed project is to allow a music school (The California Conservatory of Guitar) at an existing commercial center. The music lessons are one-on-one private lessons for classical music offered to all ages and all levels. The hours of operation are as follows:

- Monday - Friday 2:00 P.M. to 8:00 P.M.
- Saturday & Sunday 9:00 A.M. to 5:00 P.M.

See Attachment 1 for a map of the vicinity and mailing area for notices.

Previous Actions on the Site

Various sign permits, administrative permits, and use permits (mostly related to restaurant uses) have been approved for the existing commercial center over the years. The following Planning Permits have also been approved for the subject property and are noted below:

- Use Permit (1979-0067): Planning Commission approval for 23,200 sq. ft. retail center.
- Use Permit (2003-0945): To allow a women's fitness facility (Curves)

Currently, there are no open Neighborhood Preservation cases on the property.

ENVIRONMENTAL REVIEW

The Class 1 Categorical Exemption (CEQA Guidelines, Section 15301, Existing Facilities) relieves this project from the California Environmental Quality Act (CEQA) provisions. The project proposes no changes to the existing building and site and involves negligible expansion of the existing use.

DISCUSSION

Description of Use: The proposed project is a change of use from a retail book store to a music school in a 2,700-square foot tenant space (Unit 3). No changes to the exterior of the building is requested as part of this application. Tenant improvements are proposed inside to create a lobby space, nine music studio rooms, and an upgrade to the bathroom to be Americans with Disabilities Act (ADA) compliant. The partitions for the studio rooms will be full height for sound proofing. The music school is considered an education - recreation and enrichment use, and requires a Use Permit approval at an Administrative public hearing in the M-S/POA zoning district.

Parking: The proposed school is located in a commercial center that is served by a common parking lot. The commercial center has a variety of uses including retail, personal services, financial institution, take-out and sit down restaurants. The parking lot has 198 parking spaces. The proposed music school is required to have 11 parking spaces, which is the same as the previous retail use (book store) requiring 4 parking spaces per 1,000 square feet of floor area (per SMC Section 19.46.100). The total parking requirement for the commercial center is 166 parking spaces (see Attachment 7 - parking analysis). The existing parking exceeds the requirement by 40 parking spaces. Additionally, the music school will operate after 2:00 P.M. and on weekends and will not conflict with the other uses and tenants. The peak parking demand at this commercial center has primarily been during weekday lunch hours due to the five take-out and sit down restaurants, which are all longstanding uses.

Noise: The music lessons are offered as private lessons on a one-on-one basis in the individual studios. The instruments are all acoustic with no amplification. The applicant has stated that it is unlikely that all nine studios would be occupied at any one time with staggered start times, variations in lesson lengths, and breaks in between. As stated above, the partitions for the studios will provide sound proofing and there will be a condition of approval for the use to comply with the noise ordinance (Attachment 4).

PUBLIC CONTACT

38 notices were sent to surrounding property owners, tenants, and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. Staff has not received any letters or calls from the public regarding the proposed project.

CONCLUSION

Staff finds that the proposed use is consistent with the General Plan and promotes a diversity of commercial uses, supports educational enrichment programs, and an independent business. The use is compatible with the existing uses at the commercial center in that the hours of operation do not conflict with the peak lunch time hours of the existing restaurants and businesses and the noise will comply with the noise standards. Staff is able to make the required Findings (Attachment 3) of the Use Permit. Staff recommends that the Use Permit be approved.

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, Senior Planner

Approved by: Jay Lee, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. Letter from the Applicant
7. Parking Analysis