



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 21-0445, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

SUBJECT

Proposed Project:

USE PERMIT: for a tutoring center in an existing office building (education-recreation and enrichment use).

Location: 1260 Persian Drive (APN: 110-15-053)

File #: 2021-7036

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

Applicant / Owner: KCenter Sunnyvale LLC (applicant) / Hira N Patel Trustee & Et Al (owner)

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

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

BACKGROUND

The project site is located on the west side of Lawrence Expressway, north of U.S. Highway 101 and south of State Highway 237. The existing office building was constructed in 1980 and consists of administrative and medical offices. The tenant space where the tutoring center is proposed is currently vacant.

Description of Proposed Project

The proposed project is to allow a tutoring center (Kumon) offering math and reading program for Pre-Kindergarten to 12th grade level (age 3 to 17 years) children within an existing office building. The use requires a Use Permit within M-S/POA zoning district. The use will accommodate maximum 5 teachers and 15 students at any given time. The hours of operation for the classes are as follows:

- Monday, Wednesday, and Thursday: 3:00 P.M. to 7:00 P.M.
- Saturday: 10:00 A.M. to 12:00 P.M.

The office hours for the staff are as follows:

- Monday to Friday: 10:00 A.M. to 6:30 P.M.
- Saturday: 9:00 A.M. to 1:00 P.M.

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

Various sign permits have been approved for the existing office building over the years. A Miscellaneous Planning Permit (MPP# 2006-0769) approved retail of medical equipment within a tenant space. 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.

DISCUSSION

Description of Use: The proposed project is a change of use from a vacant office space to a tutoring center in a 1,120-square foot tenant space (Suite A-1). No changes to the exterior of the building is requested as part of this application. Tenant improvements are proposed inside to create learning areas and storage room.

Per Sunnyvale Municipal Code (SMC) Section 19.12.060, "Education-Recreation and enrichment" means a facility which is used primarily for teaching learned skills to children or adults for purposes of recreation, amusement or enrichment. It includes uses such as karate studios, music and dance studios, arts and crafts studios, and tutoring centers." The tutoring center 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 use is in an office building that is served by a common parking lot. The property has medical and office uses. The parking lot has 44 parking spaces. The proposed tutoring school is required to have 5 parking spaces, requiring 4 parking spaces per 1,000 square feet of floor area (per SMC Section 19.46.100). The total parking requirement for the property is 26 parking spaces. The existing parking exceeds the requirement by 18 parking spaces. The parking analysis is as follows:

Tenant Space	Hours of Operation	Area (in s.f.)	Use	Parking Requirement (spaces per 1,000 s.f. area)	Parking Spaces Required
Suite A1 <i>Kumon</i>	Mon, Wed, Thurs: 3:00 P.M. to 7:00 P.M. Sat: 10:00 A.M. to 12:00 P.M.	1,210	Proposed-education and recreation use	4	5
Suite B1 <i>Advantage home office</i>	Mon-Sun: 9:00 A.M. to 6:00 P.M.	2,400	Office	3.3	8
Suite D3 <i>Dental Office</i>	Mon, Wed: 7:30 A.M. to 5:00 P.M. Tues, Thurs: 7:30 A.M. to 6:00 P.M.	2,300	Medical office	3.3	8
Suite A3 <i>Kodak Roofing Office</i>	Mon to Fri: 7:30 A.M. to 3:30 P.M.	1,270	Office	3.3	5
Required Parking					26 spaces
Existing Parking					44 spaces

The children attending the classes will be dropped and picked up by their parents or guardians. A maximum of 15 children will be attending the class at any given time. Additionally, the center will

operate after 3:00 P.M. and on the weekend, and will not conflict with the other uses and tenants as shown in the parking analysis above. Therefore, staff finds that that the proposed use will not require additional parking spaces on the site.

Development Standards

Staff finds that the proposed change of use from vacant space to education recreation and enrichment use meets the required Use Permit findings, as the use meets the General Plan policies that encourage a mix of uses that serve neighboring residential properties, complies with all development standards, and does not result in negative impacts to neighbors. See Attachment 3 for required Use Permit findings.

NEIGHBORHOOD IMPACTS/COMPATIBILITY

The proposed use is compatible and will have no adverse impact on the existing administrative and medical office uses within the property. The proposed use only operates during limited hours and complies with parking requirements.

PUBLIC CONTACT

840 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.

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 in Attachment 2.

Prepared by: Aastha Vashist, Associate Planner

Approved by: Momoko Ishijima, 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