



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 23-0624, Version: 1

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### REPORT TO THE ZONING ADMINISTRATOR

#### **SUBJECT**

##### **Proposed Project:**

**USE PERMIT** to allow a new fitness studio in a shopping center.

**Location:** 1366 S Mary Ave (APN: 323-01-018)

**File #:** 2022-7695

**Zoning:** C-1 (Neighborhood Business)

**Applicant / Owner:** EJ Fitness LLC (applicant) / DeAnza Square Shopping Center LP (owner)

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

**Project Planner:** Kelly Cha, 408-730-7408, [kcha@sunnyvale.ca.gov](mailto:kcha@sunnyvale.ca.gov)

#### **BACKGROUND**

The site is located in the southern portion of the De Anza Square Shopping Center at the intersection of W Fremont Avenue and S Mary Avenue and is surrounded by single-family homes to the east and south of the site and another retail center across S Mary Avenue. The shopping center comprises three one-story buildings on two separate parcels and is occupied by retail tenants including New Indian Bazar and Zanotto's Sunnyvale Market. Most recently, the tenant space at 1366 S Mary Avenue was occupied by Appletree Uniforms, a retail use.

#### **Description of Proposed Project**

The proposed project includes a change of use from retail to recreational and athletic facility (EJ Fitness). As described in the Project Description Letter from the applicant (Attachment 5), the proposed fitness studio would provide one-on-one training to clients in addition to holding small group classes. No exterior changes to the existing building or the site are proposed as part of this request.

Per Sunnyvale Municipal Code (SMC) Table 19.20.030, a Use Permit is required for recreational and athletic facility use in the C-1 zoning district. SMC also requires recreational uses to be situated in a manner that does not disrupt the flow of pedestrian traffic between retail establishments. Per SMC 19.88.020, a minor Use Permit is required for the proposed use because the project has been determined to pose no significant land use consequences and to be categorically exempt pursuant to the California Environmental Quality Act (CEQA).

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

#### **Previous Actions on the Site**

Other than various building permits and a subdivision permit from 1995, there are no additional planning permits on this property. Also, no Neighborhood Preservation cases are active against the subject site.

## **ENVIRONMENTAL REVIEW**

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

## **DISCUSSION**

### **Proposed Use**

The applicant requests that the use of the site be changed from retail to recreational and athletic facility. The 3,123-square foot tenant space will be solely used by the proposed fitness studio. The proposed fitness studio will provide one-on-one private training to clients by appointment only, in addition to small group classes. A trainer will lead these classes for one hour with a maximum of five clients. The proposed fitness studio will be operated by the business owner and six independent contracted trainers, and the general hours of operation will be 6:00 a.m. to 8:00 p.m. seven days a week.

### **Site Layout and Development Standards**

The site is located in the southern portion of the shopping center commonly known as the De Anza Square Shopping Center, located at the southeast corner of the intersection of W Fremont Avenue and S Mary Avenue. The shopping center is one of four retail centers at the intersection, and includes multiple retail tenants including anchor tenants New Indian Bazar and Zanotto's Sunnyvale Market. The proposed fitness studio is in the southern portion of the shopping center, closer to the single-family homes surrounding the southern and eastern edge but buffered from them by surface parking.

### **Vehicular and Bicycle Parking**

No improvements to the exterior building, site landscaping, parking layout, or any other site conditions are proposed as part of the change of use. As shown in the Parking Analysis (Attachment 6), the shopping center has 390 parking spaces. The minimum number of spaces with the proposed fitness studio is 275; thus, the shopping center would still meet the minimum requirements without any changes to the layout.

The applicant proposes providing additional bike racks to comply with the minimum bicycle parking requirement per SMC 19.46.150. In addition to two bike racks in the shopping center near tenant spaces 1314 and 1350, the applicant would add a bike rack near the proposed tenant space. The locations of existing and proposed bike racks are shown in the site plans in Attachment 4. With the additional bike rack, the shopping center would be in compliance with the minimum bicycle parking spaces with a total of 19 Class II bicycle parking spaces.

### **NEIGHBORHOOD IMPACTS/COMPATIBILITY:**

Staff finds that the proposed change of use from retail to recreational and athletic facilities 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 2 for required Use Permit findings.

### **PUBLIC CONTACT**

45 notices were sent to surrounding property owners and residents adjacent to the subject site. Staff has received no comments on the item. In addition, the notice of the Public Hearing was published in the *Sun* newspaper.

Public contact was made by posting the agenda on the City's official-notice bulletin board at City Hall

at 456 W. Olive Avenue and on the City's website. At the time of writing this report, staff has not received any comments from the public.

### **ALTERNATIVES**

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

### **RECOMMENDATION**

Alternative 1. Approve the Use Permit with the recommended Findings in Attachment 2 and recommended Conditions in Attachment 3.

Prepared by: Kelly Cha, Associate Planner

Approved by: Momoko Ishijima, Senior Planner

### **ATTACHMENTS**

1. Vicinity and Noticing Maps
2. Recommended Findings
3. Recommended Conditions of Approval
4. Site and Floor Plans
5. Project Description Letter
6. Parking Analysis