



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

May 14, 2008

SUBJECT: **2008-0338: Shrikrupa Dance Company** [Applicant] **Lee Soo B et al** [Owner]: The property is located at **123 E. Fremont Avenue** (at Sunnyvale-Saratoga Rd.) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (APN: 211-34-001) SB

Motion Special Development Permit to allow a dance and karate studio within two existing tenant spaces, totaling 2,250 square feet, in an existing shopping center.

REPORT IN BRIEF

Existing Site Conditions Existing shopping center

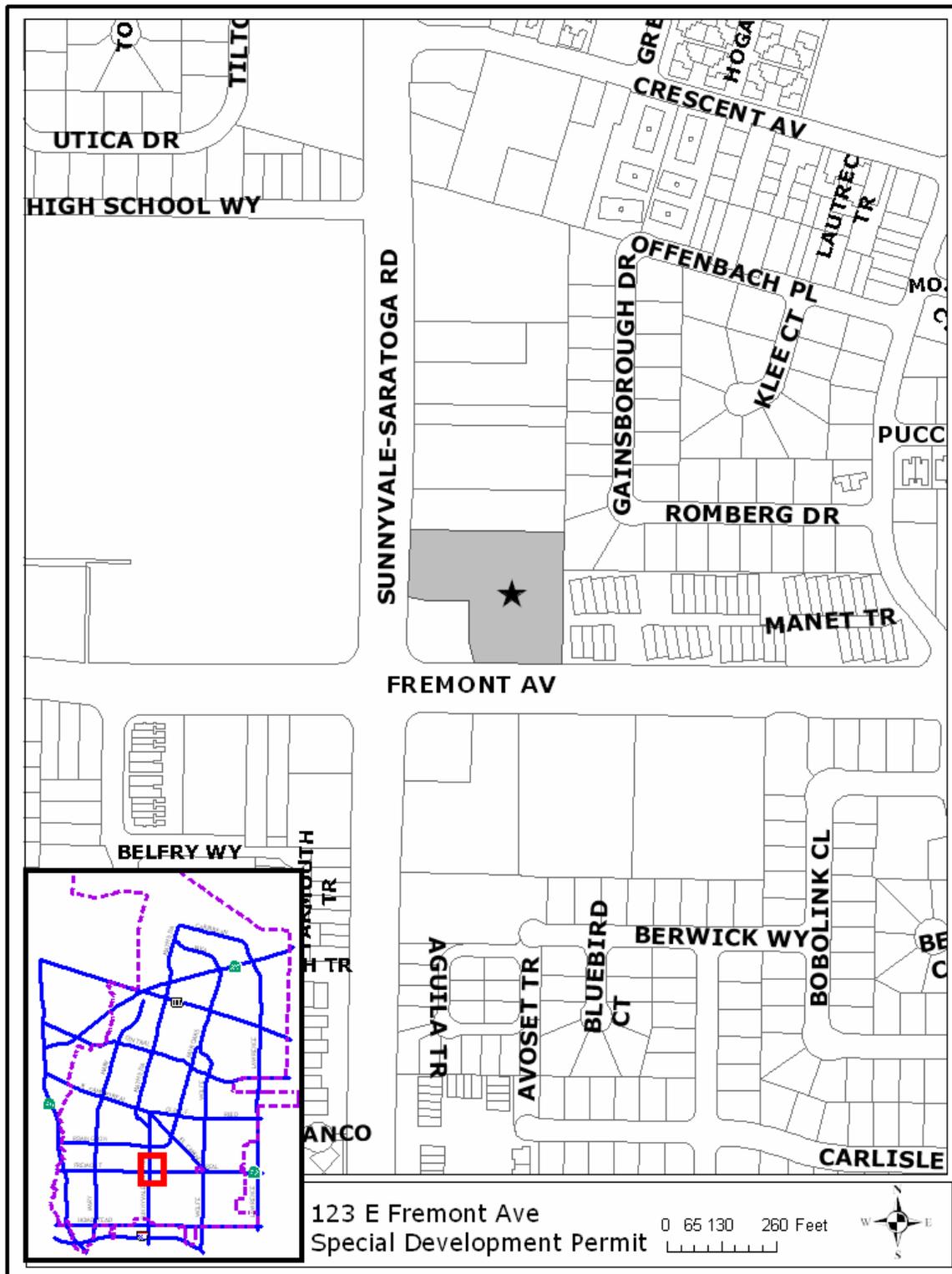
Surrounding Land Uses

North	High-density Residential
South	Gas station and Fremont Corners shopping center (across Fremont Avenue)
East	High-density Residential
West	Fremont High School (across Sunnyvale-Saratoga Road)

Issues Parking, landscaping, outdoor storage of solid waste, signage

Environmental Status A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approval with conditions



123 E Fremont Ave
Special Development Permit

0 65 130 260 Feet



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial Neighborhood	Same	Same
Zoning District	C1/PD	Same	Same
Lot Size (s.f.)	94,525 sq. ft.	Same	No min.
Gross Floor Area (s.f.)	21,016	Same	No max.
Gross Floor Area of Tenant	2,250	Same	No max.
Lot Coverage (%)	22.22%	Same	35% max.
Floor Area Ratio (FAR)	22.22%	Same	No max.
No. of Buildings On- Site	1	Same	Same
Setbacks (First/Second Facing Property)			
Front	72' (facing Sunnyvale Saratoga Road)	Same	70' min.
Left Side (adjacent to residential)	16'	Same	15' min. (adjacent to residential)
Right Side (adjacent to Fremont Avenue)	76'	Same	No min.
Rear (adjacent to residential)	70'	Same	10' min.
Landscaping (sq. ft.)			
★ Total Landscaping	No data available* (deficient per permit history)	No proposed changes	18,905 sq. ft. min. (20% of lot area)
★ Frontage Width (ft.)	3' (deficient per permit history)	No proposed changes	15 ft. min.
★ % Based on Floor Area	No data available* (deficient per permit history)	No proposed changes	12.5 % of floor area min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
★ Buffer (ft.) Adj. Residential	3' along east property line 0' along north property line	No proposed changes	10 ft. min.
★ % Based on Parking Lot	No data available* (deficient per permit history)	No proposed changes	20% of parking lot area
★ Parking Lot Area Shading (%)	No data available* (deficient per permit history)	No proposed changes	50% min. in 15 years
Parking			
Total Spaces	142	Same	105 min.
Standard Spaces	136	Same	No min.
Compact Spaces/ % of Total	0	Same	10% max. along the periphery (11 spaces)
Accessible Spaces	6	Same	5 spaces min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The project, as proposed, is for a multicultural arts studio that would provide training in classical Indian dance, classical music and traditional Japanese style karate (*Shrikrupa Dance Studio*). The applicant proposes to occupy two tenant spaces i.e. 123 and 131 E. Fremont Avenue and combine them into one space totaling 2,250 sq. ft. The tenant spaces are located in Fremont Shopping Center at the corner of Sunnyvale-Saratoga Road and Fremont Avenue.

Fremont Shopping Center is located immediately adjacent to a Valero gas station to its south and is an L-shaped building with driveways located off Fremont and Sunnyvale-Saratoga Road. The shopping center is approximately 21,000 sq. ft in size and currently has a variety of tenants including restaurants, a food mart, barber shop, medical offices, dry cleaners as well as a few empty tenant spaces. The subject tenant spaces are located close to the junction of the two portions of the L-shaped building. Additionally, the building is surrounded by a continuous covered walkway that extends all the way around the structure.

The applicant has stated that classes would be attended by both children and adults, and the center would cater to a maximum of 40 students at any time. A detailed schedule of classes has also been provided by the applicant.

Background

Staff conducted a detailed permit history search on the property and it appears that since the construction of the shopping center in the 1950's several non-conformities have been identified at the site. Over the years, several Use Permit (UP) and Special Development permit (SDP) applications have been reviewed and approved by the City for a variety of uses at the shopping center. Each one of these UP/SDP applications was conditioned to require certain improvements including improvements to landscaping, trash enclosures, signage, rooftop equipment, fences, lighting and undergrounding that would bring the shopping center into conformance with current code requirements.

Barring minor improvements, the applicant has failed to follow up on previous conditions of approval imposed on the property, and the shopping center continues to operate in violation of these SDP conditions. A more detailed description of these violations are discussed in following sections of the report.

Prior to the current application, the previous SDP application at the site was received as far back as 1983 for retail uses including a yogurt shop (SDP 1983-0433). Staff reviewed the minutes of a Council hearing held in November 1983 for the project which indicates that at the time staff had recommended that the SDP application for the yogurt shop be treated as a Master SDP for the site as a whole; staff had included conditions requiring major upgrades to the shopping center particularly, landscaping and trash. The project was reviewed by Council and before a final decision was made, the application was withdrawn by the applicant. Since that time, only minor staff level permits including MPP's, sign permits and UET's have been approved for the subject site.

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
1964-0161	Variance to allow 20 fewer parking spaces than required by ordinance (V-64-67)	Approved	5/5/1964
1965-0160	Use Permit to allow a billiards and slot car racing center(UP 1491)	Approved	4/24/1967
1974-0340	Use Permit to allow a	Denied	8/12/1974

	unenclosed ice machine		
1978-0541	Use Permit to allow a used clothing retail store (UP4090)	Approved	2/3/1978
1979-0518	MPP for a pylon sign (3899)	Denied	7/9/1979
1979-0520	MPP for a monument sign (3899)	Approved	7/23/1979
1979-0521	MPP for a ground sign (3899)	Approved	11/26/1979
1979-0517(lapsed)/ 1980-0312(re-application also lapsed)	Master SDP for the entire shopping center (103-167 E. Fremont Ave.) to allow a real estate office, master sign program and continuation of existing uses at the center (4090)	Approved	9/22/1980
1980-0313	Master Sign Program for Fremont shopping center (4198)	Approved	8/11/1980
1980-0314	SDP to allow a donut and ice-cream shop(4084)	Approved	1/08/1980
1980-0315	SDP to allow a retail/office at 108 E. Fremont (4180)	Approved	5/20/1980
1981-0465	SDP for landscaping changes(4492)	Denied	7/7/1981
1983-0433	SDP to allow retail and office use including yogurt shop (5092)	Withdrawn	12/6/1983
1985-0624	MPP to allow a Chinese food take-out/delivery (5662)	Approved	10/22/85
1989-0608	MPP to allow temporary use- skateboard demonstration (6719)	Approved	08/03/89

Environmental Review

A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 3 Categorical Exemptions include change of use to existing buildings.

Special Development Permit

Detailed Description of Use: The proposed use, *Shrikrupa Dance Studio*, aims to provide training to children and adults in classical Indian dance and music. In addition, karate classes will be held at the center twice a week. According to data provided by the applicant, the maximum number of students that would attend these classes would not exceed 40 at any given time. In addition, no more than 2-3 instructors would be present at the site. The maximum number of occupants at the site at any given time would be 43 occupants, including children and adults.

The applicant has provided a detailed schedule of classes to be held at the center (see Attachment D, Proposed schedule of classes). The center proposes to have classes between the hours of 4:00 p.m. to 8:30 p.m. on Mondays, Tuesdays and Wednesdays. In addition, classes will be held over the weekend between the hours of 8:00 a.m. to 4:00 p.m. Per the applicant's schedule, classes are scheduled to be held back-to-back with no gaps in between classes.

Site Layout: The subject site was developed in the 1950's. The site is located at the north east corner of Fremont and Sunnyvale-Saratoga Road. The L-shaped building is situated at the center of the lot with parking located all around the building. No changes to the existing layout are proposed. The tenant proposes to occupy two tenant spaces at the central portion of the building.

Architecture: No changes are being proposed to the architecture of the existing building.

Landscaping: During a recent staff visit, staff noted that the existing landscaping at the Fremont shopping center site is severely deficient (see Attachment H, Site Photos). In the absence of a landscaping plan, it is difficult to estimate the total amount of existing landscaping at the site. Staff's observed the following issues at the site (see Attachment I, Site Photos):

- The frontage landscaping strip along Sunnyvale Saratoga Road is devoid of landscaping and is approximately 3' wide
- The frontage landscaping strip along Fremont Avenue is also devoid of landscaping and is approximately 2' wide
- There are no tree islands in the parking lot area and hence, there is no parking lot shading

- There is minimal or no buffer landscaping along the north and east property lines even though residential developments abut the subject property on those sides.
- Staff noted some small planting areas adjacent to the continuous walkway around the building but the quality and amount of planting material in these areas was minimal.
- Staff noted at least three trees had been topped off on the site with the tree stumps still remaining. No permit history was found for these trees even though they appeared to be greater than 12" in diameter (hence would have required permits).

According to the Sunnyvale Municipal Code, a minimum of 15 ft. of frontage strip landscaping and 10 ft. of buffer landscaping is required for commercial properties located adjacent to residential developments. During a permit history search, staff found that all previous SDP applications for the subject site had been conditioned to require a detailed landscaping plan to upgrade the existing landscaping at the site. Additionally, all previous SDP's have a condition of approval requiring that trees be planted at 30' intervals along the periphery of the site. The property owner has not followed up with the City to meet previous SDP conditions and the site continues to be deficient in landscaping several years hence.

In light of the above issues, staff recommends a condition of approval requiring that the applicant submit a detailed landscaping plan to be reviewed and approved by the Director of Community Development either prior to applying for building permits or before June 30, 2008, whichever comes first. Staff identified several opportunities at the site for improving the existing landscaping including, redesigning the standard parking stalls immediately adjacent to Fremont Ave. and Sunnyvale- Saratoga Rd. to be compact stalls and as a result increasing the width of the frontage landscaping strip. The periphery of the property on the east side could be planted with additional trees at 30' intervals. Tree islands could be incorporated into the parking lot area to provide additional shading and the small landscape islands around the building could be planted with flowering plants and shrubs etc.

Trash Enclosures: During site visit, staff noted several trash enclosures located outdoors in the covered walkway area all around the property (see Attachment H, Site Photos). In addition, a large amount of outdoor trash was seen along the north property line particularly adjacent to the restaurant space. Although the site plan indicates that there is a designated spot for a separate waste recycling enclosure on site at the north east corner of the parking lot area, the tenants continue to use outdoor trash enclosures to meet their needs. The designated trash enclosure at the rear of the property did not have adequate screening.

Sunnyvale Municipal Code Section 19.38.030 requires that recycling and solid waste bins, containers, and enclosures shall be adequate in capacity and number and shall be completely screened from view. Moreover, on commercial properties enclosures are required to be constructed of masonry with exterior material that matches the main structure.

Previous SDP conditions of approval had required the property owner to upgrade the trash and recycling situation at the site to meet code requirements. The site continues to operate in violation of previous conditions of approval. Staff acknowledges the age of this shopping center and that the layout of the shopping center poses certain challenges as well. In staff's opinion this does not justify the extent of non-conformity with code requirements observed at the site.

Staff has included a condition of approval requiring that a solid waste and recycling plan be submitted for review and approval by the Director of Community Development either prior to applying for building permits or before June 30, 2008 whichever comes first.

Exterior lighting: Previously, the property owner had been directed to provide an exterior lighting plan to be reviewed and approved by the Planning Division and to replace the existing lights with 'sodium vapor' or energy efficient lighting. It is not clear if the current lighting at the property meets code requirements. During site visit, staff noted that several areas on site have deficient lighting that may pose a safety hazard for customers including children attending classes at the center. The applicant has also requested that he/she would like to provide additional lighting outside the subject tenant space for the safety of customers. Staff has included a condition requiring that a detailed lighting plan for the entire shopping center be submitted for review and approval by the Director of Community Development either prior to applying for building permits or before June 30, 2008 whichever comes first.

Parking/Circulation: The subject site currently has 142 parking stalls, including six handicapped stalls. In July 2007, staff had conducted a parking study at the shopping center to determine the extent to which the parking lot is used during peak hours over weekdays and weekends (see Attachment I, Parking Study for Fremont Shopping Center). The study indicates that approximately 40% of parking stalls were available at times during which the site visits were conducted i.e. on Monday, Friday and Saturday during lunch hour and between the hours of 7:00 and 7:30 p.m.

The subject proposal is for a 'place of assembly' use with a maximum occupancy of 43, including children and adults. The proposed use would occupy a tenant space totaling 2,250 sq. ft. in size. Per Sunnyvale Municipal Code Section 19.46.050, staff used a parking rate for 'recreational assembly areas' for the proposed use. Staff assumed that since all instructors would

drive to the facility themselves, a 1:1 ratio would be appropriate to determine parking used by instructors. This results in a total parking demand of 17 stalls for the dance and karate studio alone. Per staff's analysis, the total required parking for all other uses at the site combined totals 116 parking stalls. Therefore, the total parking demand at the Fremont shopping center is 133 parking stalls whereas the total available parking is 142 parking stalls. Staff's analysis indicates that there would be no negative impacts on parking at the site resulting from the proposed use. Staff has included a condition of approval requiring that the maximum occupancy of the proposed dance and karate studio shall not exceed 43 occupants, including children, adults and instructors.

Signage: A Master Sign Program (MSP) was approved for the Fremont Shopping Center (#4090) in 1980 which required that all existing signs that were not in conformance with the MSP be replaced with conforming signs in conjunction with any new sign permit, change of tenant, or change of copy. Almost all existing signs on site do not appear to be in conformance with the approved MSP. Additionally, monument signs were approved for the site but staff observed non-conforming pole signs both on the Fremont and Sunnyvale-Saratoga frontage.

If the project is approved, staff recommends a condition requiring that the subject tenant space shall include signage designed in conformance with the requirements of the Master Sign Program #4090 with the design, size and style reviewed and approved by the Director of Community Development.

Compliance with Development Standards/Guidelines: The project, as proposed, will have no negative impacts on the site or on surrounding properties including parking. Staff's analysis indicates that the site itself does not meet several code requirements including landscaping, trash enclosures, signage and exterior lighting. Previous SDP approvals allowing different types of uses at the site included conditions of approval requiring upgrades to the shopping center as a whole which were never completed. Partial improvements may have been made at some point that staff is not aware of. Regardless, the shopping center as it stands today has multiple issues including deficient landscaping, outdoor trash enclosures, dimly lit site and walkways and inadequate and outdated signage.

Staff has recommended several conditions of approval requiring the property owner to upgrade the overall appearance of the shopping center and resolve existing violations at the site. The conditions require that additional plans be submitted by the property owner either before applying for building permits or before the deadline of June 30th, whichever comes first. Due to past history at the site and the property owners' failure to comply with City requirements before, staff has concerns that the same issue may arise again. Staff has also included a condition stating that in case the property owner/applicant fails to

provide the additional information by the June 30th deadline, the SDP approval will be rendered null and void.

Expected Impact on the Surroundings: The proposed use is not expected to have any negative impacts on the subject site and the surrounding properties. Ample parking is available at the site to meet the requirements of the proposed use. Staff has included a condition limiting the maximum occupancy of the space to 43 to ensure that future tenants at the shopping center have parking available for their use.

Fiscal Impact

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

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 31 notices mailed to property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Approve the Special Development Permit with the attached conditions.
2. Approve the Special Development Permit with modified conditions of approval.
3. Deny the Special Development Permit.

Recommendation

Alternative 1.

Prepared by:
Surachita Bose
Project Planner

Reviewed by:
Gerri Caruso
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Proposed schedule of classes
- E. Project description provided by the applicant
- F. List of existing tenants at Fremont Shopping center
- G. SDP Justifications provided by the applicant
- H. Site Photos
- I. Aerial view of Fremont shopping center
- J. Parking Study for Fremont Shopping Center conducted in July 2007

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

Policy N1.3 *Support a full spectrum of conveniently located commercial, public, and quasi-public uses that add to the positive image of the City.*

Policy N1.1. *Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.*

N.1.1.1 *Limit the intrusion of incompatible uses and inappropriate development into City neighborhoods*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale (*Finding met*).

The project is compatible with other uses on site as well as uses in the vicinity of the subject site. The use will broaden the spectrum of commercial services available in the City thus enhancing the overall quality of life.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties (*Finding met with conditions*).

The project, as proposed, will have no negative impacts on the site or on surrounding properties. The proposed use would add to the diversity of available services in the city. On the other hand, staff's analysis indicates that the site itself does not meet several code requirements including landscaping, signage, trash enclosures and exterior lighting. Staff has recommended several conditions of approval requiring the property owner to upgrade the overall appearance of the shopping center and resolve existing violations at the site. The conditions require that additional plans be submitted by the property owner either before applying for building permits or before the deadline of June 30th, whichever comes first.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Execute a Special Development Permit document prior to issuance of the building permit.
- B. Project shall be in conformance with the plans and project description approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- C. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- D. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- E. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- F. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- G. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Administrative Hearing Officer.
- H. Comply with all requirements of previously approved SDP's for this site.
- I. No building permits for the proposed use will be issued until additional plans and information required for Conditions #4A, 5A and 7A are submitted, reviewed and approved by the Director of Community Development.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Building Division for tenant improvements required for 123 and 131 E. Fremont Avenue.

3. EXTERIOR EQUIPMENT

- A. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure.
- B. Out-of door loudspeakers shall be prohibited.

4. LANDSCAPING

- A. A detailed landscape and irrigation plans shall be submitted to the Director of Community Development subject to approval by the Director of Community Development prior to issuance of a Building Permit or prior to June 30, 2008 whichever happens first. Landscaping and irrigation shall be installed prior to occupancy.
- B. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- C. Prepare a landscape maintenance plan subject for review and approval by the Director of Community Development
- D. Provide trees at minimum 30 feet intervals along the east property line, except where mature trees are located immediately adjoining on neighboring property.
- E. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- F. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- G. A bond shall be submitted for all required landscaping improvements prior to issuance of a building permit or prior to occupancy.

5. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development either prior to applying for building permits or before June 30th, 2008, whichever happens first.
- B. Prior to applying for building permits, provide information to confirm that existing lighting at the site is 'sodium vapor' (of illumination with an equivalent energy savings).
- C. All exterior security lights shall be equipped with vandal resistant covers.

- D. Wall packs shall not extend above the roof of the building.
- E. Lights shall have shields to prevent glare onto adjacent residential properties.
- F. Additional lighting shall be provided in the corridor adjacent to tenant spaces 123 and 131 E. Fremont Avenue (*Shrikrupa Dance Centre*).
- G. A bond shall be submitted for all required exterior lighting prior to issuance of a building permit or prior to occupancy.

6. PARKING

- A. Identify all handicapped and standard stalls on the plans submitted for building permits. Employees shall be required to park on the site.

7. RECYCLING AND SOLID WASTE

- A. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval either prior to applying for building permits or before June 30th whichever happens first.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.
- D. Remove all debris, dead trees, leaves and broken paving from the site prior to occupancy.
- E. A bond shall be submitted for the required recycling and solid waste improvements required at the site prior to issuance of a building permit or prior to occupancy.

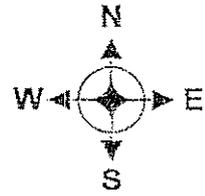
8. SIGNS

- A. All new signs shall be in conformance with the approved Master Sign Program for the site.

9. STORAGE

- A. Unenclosed storage of any vehicle shall be prohibited.
- B. Unenclosed storage of any kind shall be prohibited on the premises.
- C. All exterior trash shall be confined to approved receptacles and enclosures.
- D. No vehicles or trailers shall be advertised for sale or rent on the site and nor vehicle sales, leasing or rentals shall be conducted at the site.

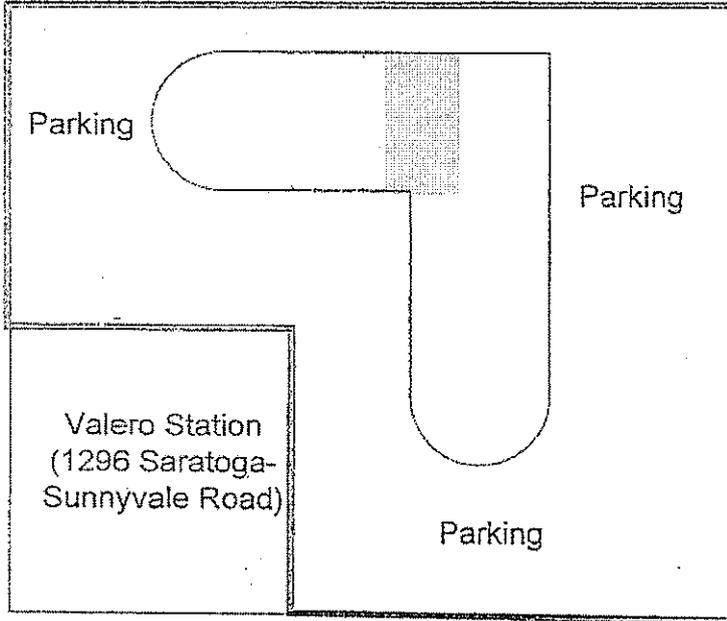
SITE PLOT PLAN



Oakwood Apartments
(1248 Saratoga-Sunnyvale Road)

Fremont High School

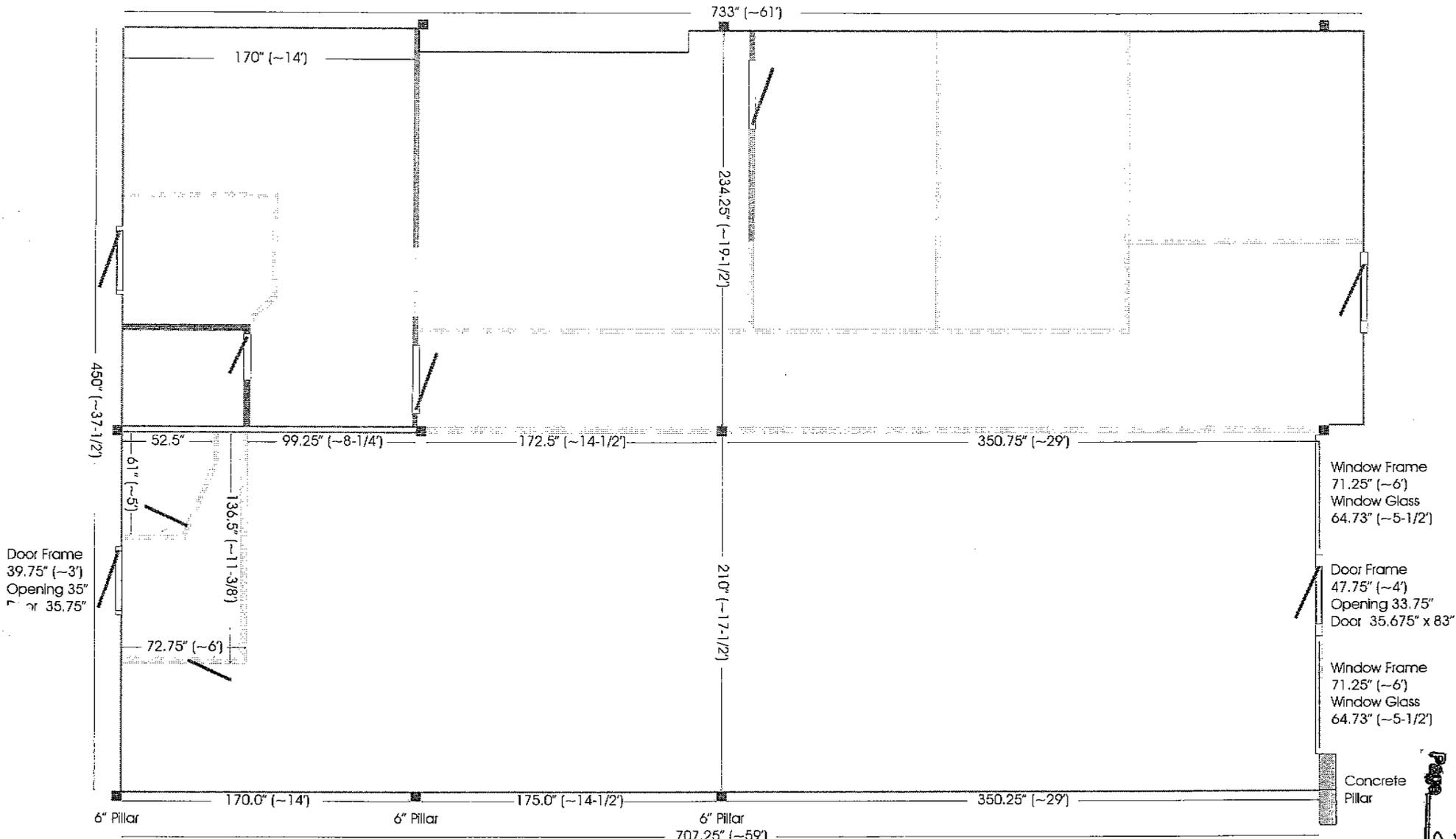
Saratoga-Sunnyvale Road



Residential
Dwellings
(557, 559 Manet
Terrace)

East Fremont Avenue

Shell Station (1300 Saratoga-Sunnyvale Road)



Current Floor Plan

Scale: 1" = 7ft

ATTACHMENT C
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Shri Krupa Dance Company and Shoto Dojo Existing Class Hours

	Monday Karate	Tuesday		Wednesday Karate	Thursday	Friday	Saturday		Sunday	
		Dance	Music				Dance	Music	Dance	Music
7:00 AM										
7:30 AM										
8:00 AM							Dance	Music	Dance	Music
8:30 AM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
9:00 AM							Dance	Music	Dance	Music
9:30 AM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
10:00 AM							Dance	Music	Dance	Music
10:30 AM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
11:00 AM							Dance	Music	Dance	Music
11:30 AM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
12:00 PM							Dance	Music	Dance	Music
12:30 PM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
1:00 PM							Dance	Music	Dance	Music
1:30 PM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
2:00 PM							Dance	Music	Dance	Music
2:30 PM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
3:00 PM							Dance	Music	Dance	Music
3:30 PM							by Skill Level	by Pitch, Skill	by Skill Level	by Pitch, Skill
4:00 PM		Dance								
4:30 PM	Tiny Tigers	by Skill Level		Tiny Tigers						
5:00 PM	Ages 4 - 6	Dance		Ages 4 - 6						
5:30 PM	Kids	by Skill Level		Kids						
6:00 PM	Ages 6 - 12	Dance		Ages 6 - 12						
6:30 PM	Teens & Adults	by Skill Level		Teens & Adults						
7:00 PM	Ages 10 - up	Dance		Ages 10 - up						
7:30 PM	Advanced	by Skill Level								
8:00 PM	Ages 14 - up									
8:30 PM										
9:00 PM										
9:30 PM										
10:00 PM										
10:30 PM										
11:00 PM										

Dance: Classes are children through young adults, possibly older, grouped by skill level only.

Music: Classes are children through young adults, grouped by pitch and skill level only.

Karate: Classes are children through adults, grouped by age with some mix by skill level.

Current maximum class of 20 to 25 students. Ages 5 - 50.

Current maximum class of 7 students.

Current maximum class of 15 to 20 students. Ages 4 - 60+.

Project Description

Lease of units 123 & 131 E Fremont Avenue and their use for Multicultural Art, Enrichment and Education

Our desire is to lease the two units in the retail center at Fremont Avenue and Sunnyvale-Saratoga Road, and by removing some of the interior non-loadbearing wall separating them, combine them into one larger unit. The resulting unit will be used for teaching various multicultural arts, including South Indian classical dance and classical music, and traditional Japanese style karate.

In terms of construction, the building is built of pillar and beam construction, with the pillars and beams carrying the load, leaving the interior walls non-loadbearing. The wall separating the units will have the portion towards the front of the units removed, combining the spaces into an approximately 40 foot by 60 foot unit. The #123 unit is currently open space. The #131 unit has some additional interior walls, most of which do not reach the ceiling nor the beams, the majority of which we wish to remove to open up much of the space. Combining the units will provide an uninterrupted floor space of nearly 40 feet by 30 feet for the main floor. The two bathrooms will be at the back in the center, one coming from each existing unit, with some additional space added as changing rooms. The two exits at the rear we want usable as fire exits, as well as the front doors, preferably changed to open outwards. We also want to improve the lighting right outside our unit, since it is underneath the sidewalk cover, and we have children there after dark, particularly in the winter. We will want to replace the roof sign, which used to say "Yarn Place", with one identifying "Shri Krupa Dance Company", and probably signs on the windows for other activities.

In terms of usage, we conduct various classes; they benefit from the large open space for class. Students range from very young children to older adults. Classes currently include Indian classical dance and music, and traditional Japanese karate. Yoga might be added in the future, possibly other courses such as Tai Chi. Classes can range from small up to perhaps 30 or more students; occupancy restrictions may of course limit class maximums.

Foot traffic is light in the area; there are only 14 active units there. 2 are restaurants, 3 are retail, 4 are offices, and 5 are services. We would probably increase business activity in the center because of the student populations and their parents. The majority of our students are dropped off for class by their parents. The walkway through the rock garden is a perfect drop off point leading directly to our doors. When parents or students want to park, the back (east) parking lot provides direct access to our doors.

Our current hours of operation (elsewhere) are approximately 4:00 pm to 9:00 pm on Monday, Tuesday, and Wednesday, and 8:00 am to 5:00 pm on Saturday and Sunday. We would hope to increase those hours, perhaps some daytime classes for adults, or some such.

Our current class sizes range up to 20 or 25 students; we hope to increase the class sizes, possibly to as much as 40 students in some of the classes.

103-167 Fremont Ave Existing Tenants

Address Space	Business Name	Type	Square Footage	Hours						
				Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
103	Thai Pepper Cuisine	Food	3320	11-3 & 5-10	11-3 & 5-10	11-3 & 5-10	11-3 & 5-10	11-3 & 5-10	11-3 & 5-10	11-3 & 5-10
105+107	KN Nails	Nails	800	9:30a- 7:00p	9:00a- 6:00p	closed				
109	Blg Bite Pizza	Food	900	10:00a- 8:00p	11:00a- 7:00p	closed				
115B	Carriage Cleaners	Cleaners	2160	7:00a- 6:30p	8:00a- 5:00p	closed				
115A	Comics Conspiracy	Retail	1080	11:00a- 6:30p	11:00a- 6:30p	11:00a- 8:00p	11:00a- 8:00p	11:00a- 7:00p	11:00a- 7:00p	11:00a- 6:00p
123	EMPTY		1200							
131	EMPTY		1200							
133	Summit Hearing Centers	Office	1200	9:00a- 5:00p	Appt Only	closed				
137	Dental S-Sense	Dental Lab	1100	9:00a- 6:00p	closed	closed				
139	Lamb-O Academy	Tutoring	1080	7:30a- 9:00p	3:00p- 7:00p	3:00p- 7:00p				
145	Sako's Now	Salon	1080	Appt Only	closed					
151	Truong's Barber Shop	Barber	540	9:00a- 7:00p	9:00a- 6:30p	9:00a- 6:30p				
153	EMPTY		1414	closed						
157	Bella Floors	Office	400	Appt Only	closed					
159	The Best Alterations	Alterations	400	9:30a- 6:30p	9:00a- 5:00p	closed				
163	Liquors Food Mart	Food	3000	9:00a-11:00p	9:00a-11:00p	9:00a-11:00p	9:00a-11:00p	9:00a-11:00p	9:00a-11:00p	10:00a-10:00p
167	Dina Fidel Acupuncture	Office	540	Appt Only	closed					

ATTACHMENT F
 Page 1 of 1



USE PERMIT/SPECIAL DEVELOPMENT PERMIT JUSTIFICATIONS

One of the two following findings must be made in order to approve a Use Permit or Special Development Permit application.

The Sunnyvale Municipal code states that at least one of the following two justifications must be met before granting the Use Permit or Special Development Permit. Please provide us information on how your project meets **at least one** of the following criteria.

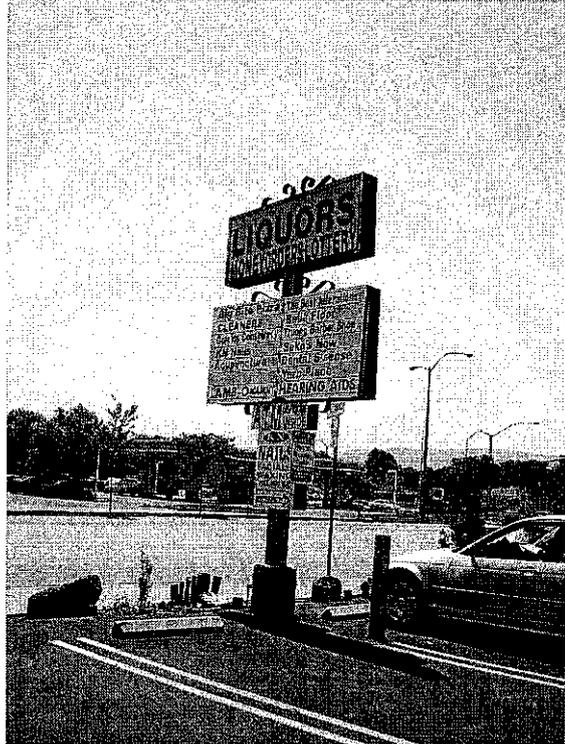
1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project ...

OR

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as ...

we will only be modifying internal non loadbearing walls, so no external modifications will affect anyone else. Teaching hours tend to be at times which other businesses are at minimum - evenings or daytime weekend; the majority of traffic is dropping off and picking up students.

If you need assistance in answering either of these justifications, contact the Planning Division staff at the One-Stop Permit Center.



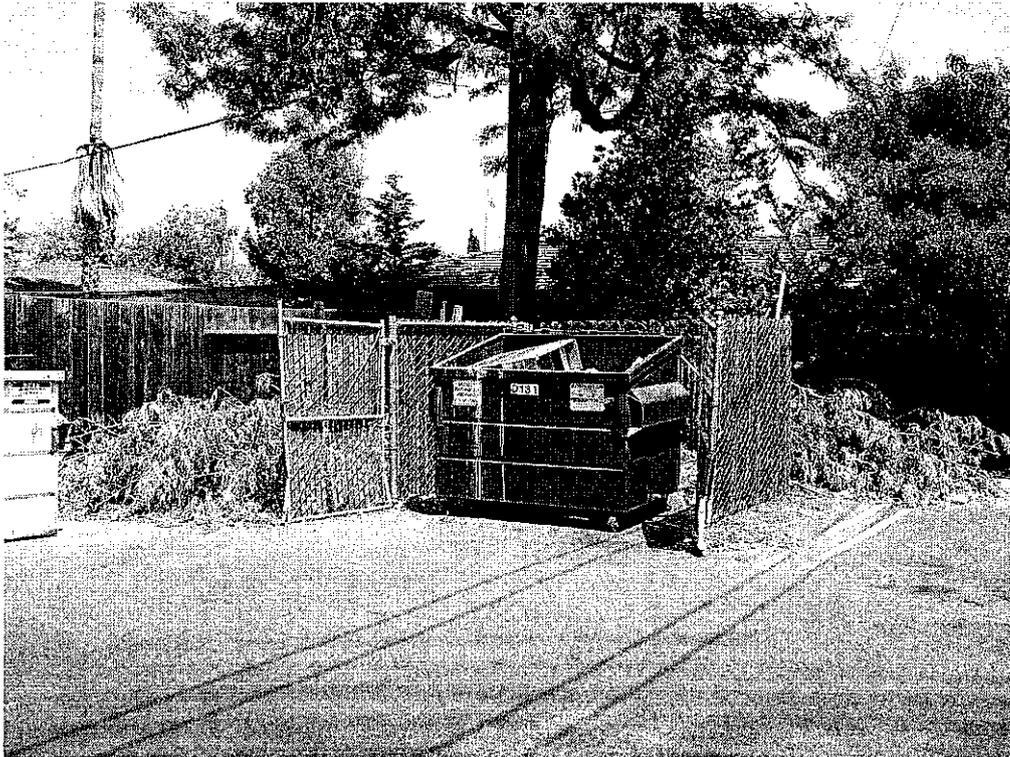
Site photo 1 showing pole sign adjacent to Fremont Avenue



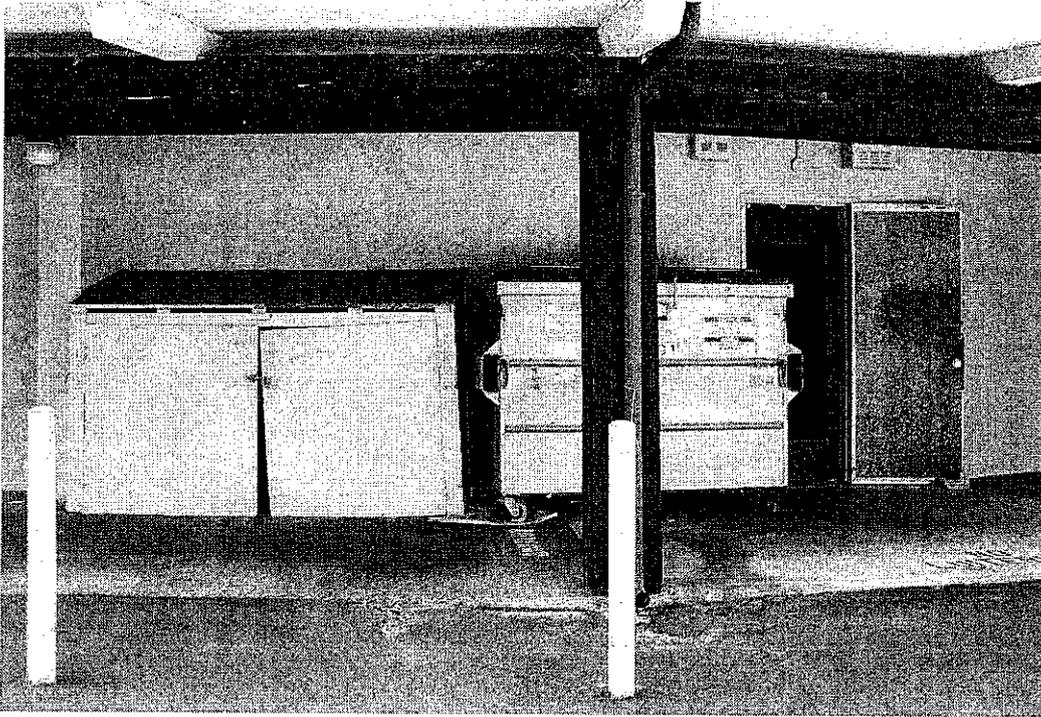
Site photo 2 showing pole sign adjacent to Sunnyvale-Saratoga Road



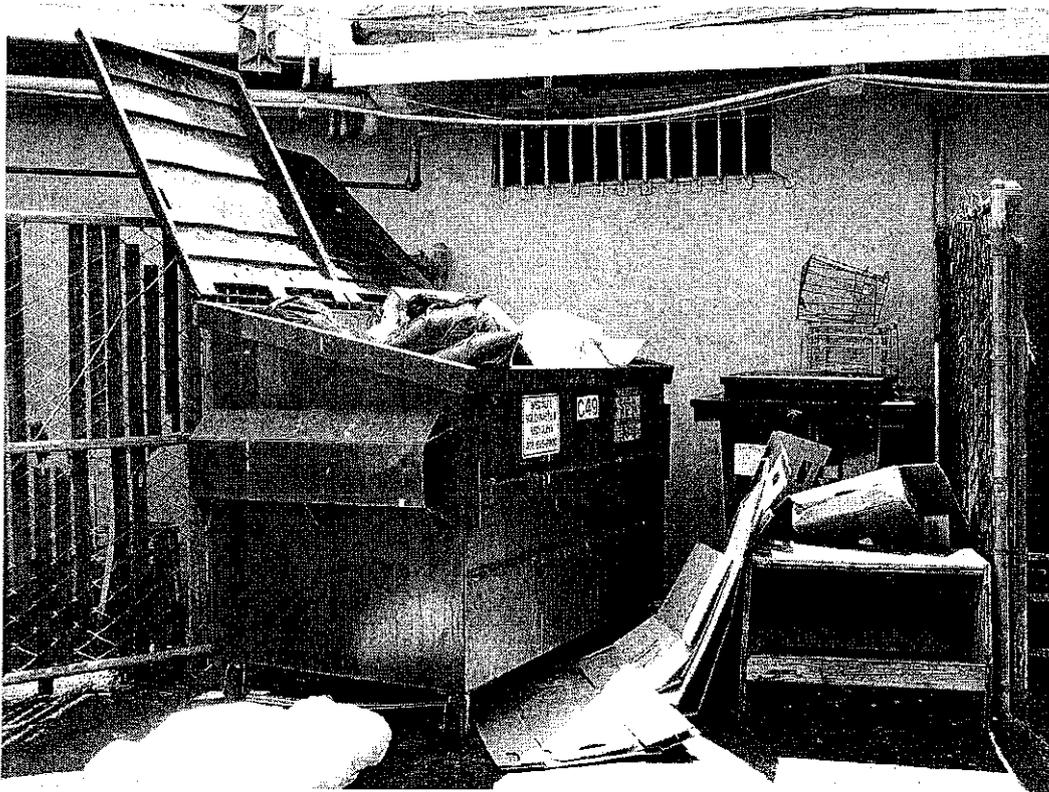
Site photo 3 showing tenant signage at the property



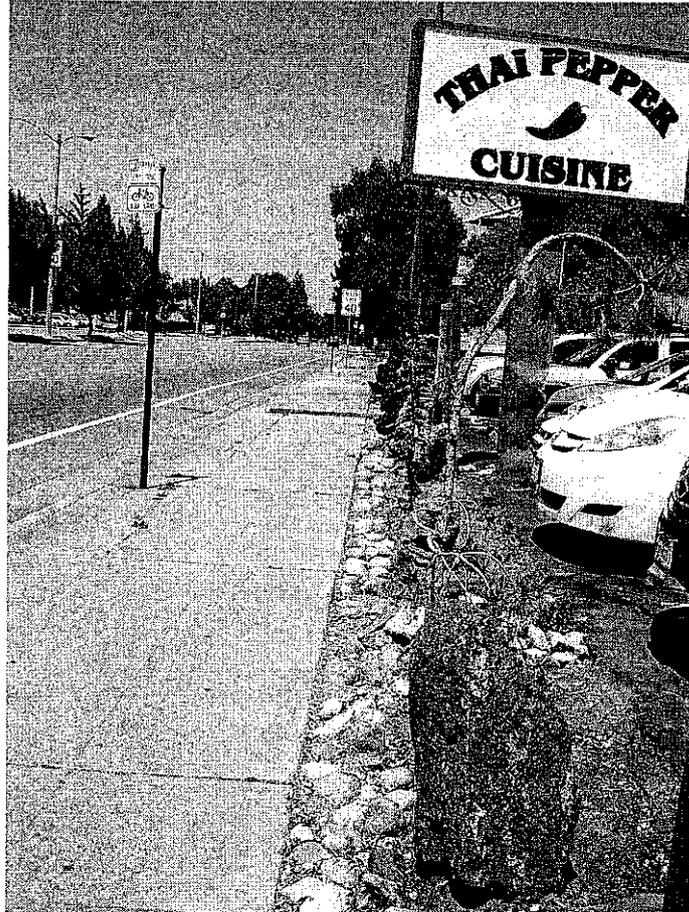
Site photo 4 showing exterior trash enclosures at the site located at the rear of the property



Site photo 5 showing trash enclosures in the covered walkway area facing the east property line



Site photo 6 showing unscreened trash enclosures at the rear of the property

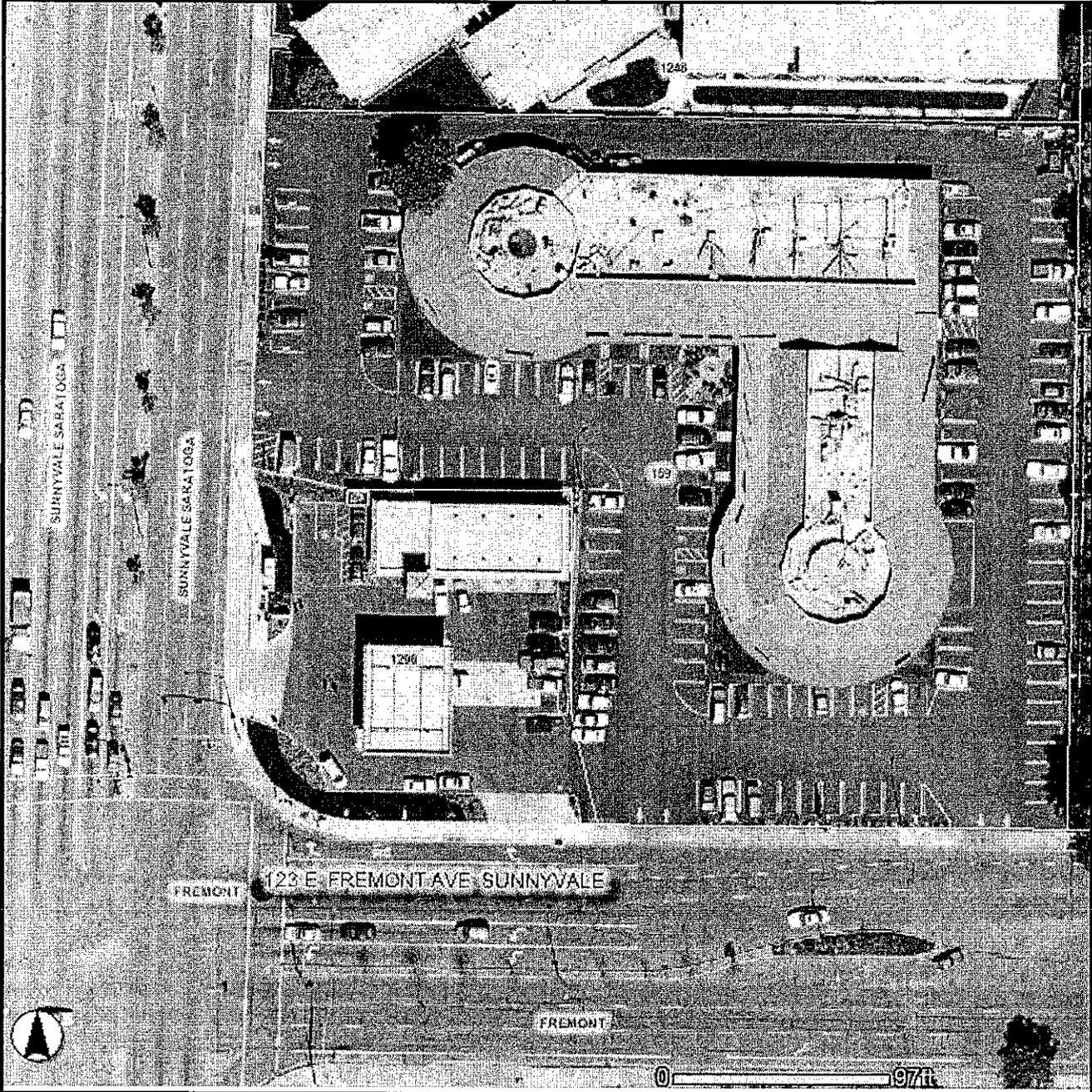


Site photo 7 showing frontage strip landscaping facing Sunnyvale-Saratoga Road



Site photo 8 showing existing landscaping at Fremont shopping center

Fremont shopping center



COMMERCIAL PARKING SURVEY

On-Site Open Parking Spaces:

	Time: 12:30-1:00 pm	Time: 7:00-7:30 pm
MONDAY	61 / 4 (H)	96 / 4 (H)
FRIDAY	46 / 3 (H)	71 / 5 (H)
SATURDAY	91 / 5 (H)	90 / 5 (H)
Total Open Parking Spaces	Monday: 65 Friday: 49 Saturday: 96	Monday: 100 Friday: 76 Saturday: 95
Total Used Parking Spaces	Monday: 77 Friday: 93 Saturday: 46	Monday: 42 Friday: 66 Saturday: 47
Total Parking Spaces	142	142

Site Information & Observations:

Site Address/Project Name: 103 E. Fremont (Fremont Shopper Center) **Date of Observations:** 7/9, 7/13, 7/14

Zoning District: C1-PD **Lot Area (sf):** 94,612 sf **Building Area (sf):** 21,016 sf

Parking Space Configuration: Parking lot is shared among tenants with handicap spaces available.

On-Street Parking Availability: None available.

Surrounding Properties: N: Multi-family housing (R-3), E: Residential Housing (R-2), W: Fremont High School, S: Fremont Corners Shopping Center (C1-PD)

Existing Tenants and Uses: Restaurant: Thai Pepper Cuisine, Big Bite Pizza. Retail: Liquors and Food Mart, Comics Conspiracy, The Sewing Works, Trisha's Treasures. Personal Service: Acupuncture, Cleaners, Dental Lab, KN Nails, Salon, Alterations, Gas, Barber Shop. Professional Services: Global Security Management Agency.

Restaurant: 2 out of 15 tenants **POA:** 0 out of 15 tenants **Other:** 13 out of 15 tenants

Notes: Three spaces were occupied by a loading truck in the front parking lot at 12:30pm Friday.