



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

March 11, 2009

SUBJECT: **2009-0075 - Swaray** [Applicant] **Tasman Drive LLC**
[Owner]: Application for a property located at **1233
Reamwood Avenue** (at Tasman Dr.) in an M-S/POA
(Industrial & Service/Place of Assembly) Zoning District.

Motion Use Permit to allow a recreational center for children within
a 5,000 square foot tenant space of an existing industrial
building.

REPORT IN BRIEF

**Existing Site
Conditions** Two Industrial Buildings

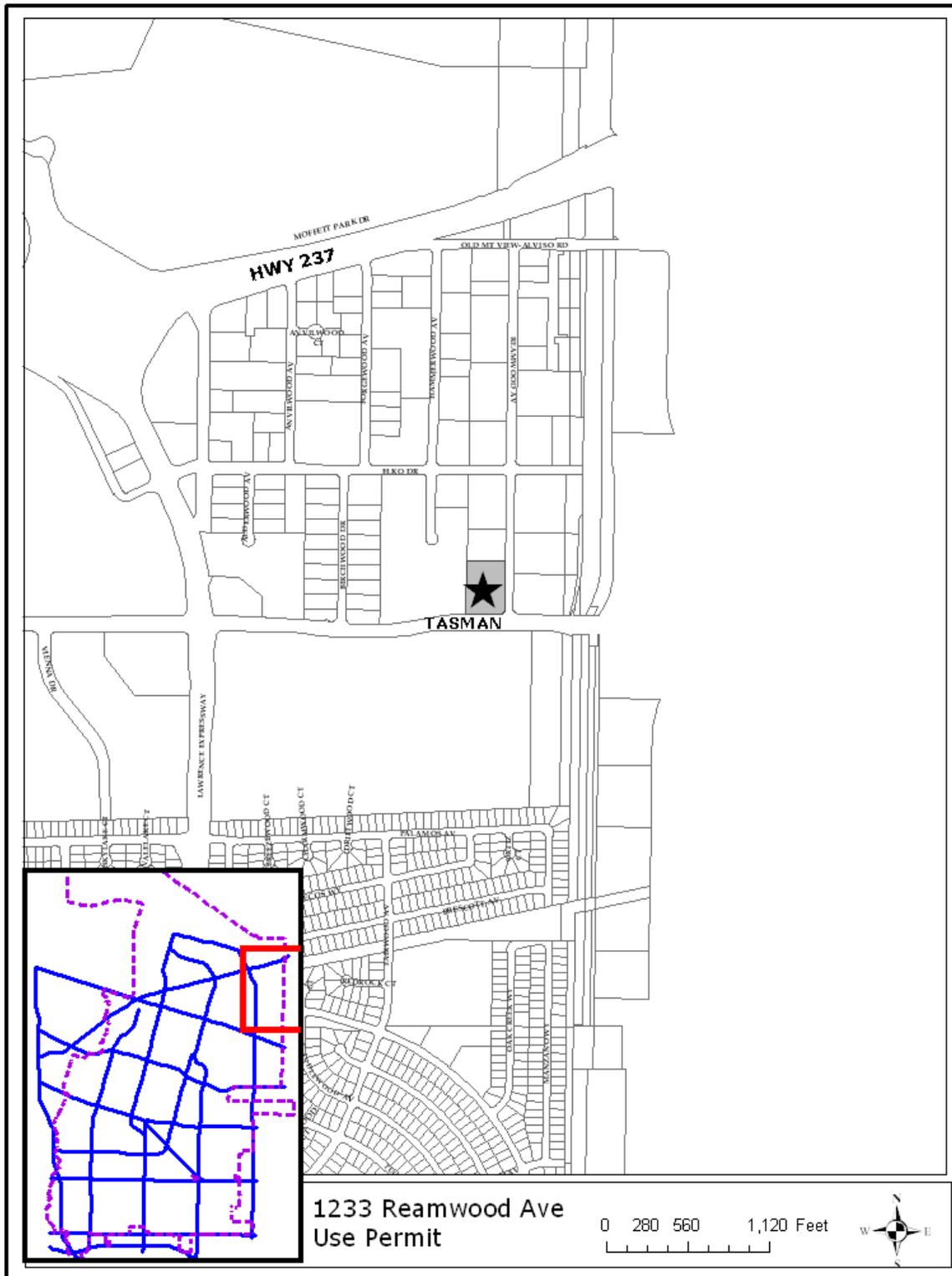
Surrounding Land Uses

North	Light Industrial and R&D use
South	Mobile Homes across Tasman and Light Rail
East	Industrial and Restaurant across Reamwood Ave.
West	Industrial

Issues Use, Parking

**Environmental
Status** A Class 1 Categorical Exemption relieves this project
from California Environmental Quality Act provisions
and City Guidelines.

**Staff
Recommendation** Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Industrial
Zoning District	MS/POA	Same	MS/POA
Lot Size (s.f.)	95,556	Same	22,500 min.
Gross Floor Area (s.f.)	37,447	Same	37,447 max. per approved UP
Tenant Space Area (s.f.)	5,000	Same	---
Landscaping (sq. ft.)			
Total Landscaping	10,319	Same	10,319 min. per approved UP
Parking			
Total Spaces	119	Same	119 min. per approved UP

ANALYSIS**Description of Proposed Project**

The proposed project is to allow a children's recreation facility by Swaray within an existing vacant tenant space of an industrial building. The proposed use is considered a place of assembly which can locate within properties zoned M-S/POA through consideration of a Use Permit application.

Background

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

File Number	Brief Description	Hearing/Decision	Date
2008-0431	Use Permit for the cultural center (Bay Area Cultural Center)	Administrative Hearing/ Approved	8/13/08
2007-1341	Use Permit for Whispering Wind spa and revised parking plan for the site	Administrative Hearing/ Approved	3/18/08
2006-0626	Use Permit and Parcel Map to subdivide the property into industrial condominium units	Planning Commission / Approved	3/26/07

File Number	Brief Description	Hearing/Decision	Date
2006-1213	Use Permit for a Place of Assembly (counseling center)	Administrative Hearing / Approved	1/10/07
2006-0876	Council Study Issue to Re-Zone from Industrial to Industrial / Place of Assembly	City Council / Approved	10/24/06
2005-0864	Use Permit to allow a recreational club	Planning Commission / Approved	11/14/05
2002-0775	Use Permit to allow a vocational trade school	Administrative Hearing / Approved	11/13/02
1986-0217	Use Permit for Temporary Storage of Explosive Material	Planning Commission / Approved	9/3/86

The two existing one-story industrial buildings located on the site were constructed in 1974 and total 37,302 square feet. The frontage along Tasman Drive was reduced in the 1990s when the public right-of-way was increased for installation of the VTA Light Rail.

In October 2006, the site was part of a condominium conversion project that was approved for the three parcels on the west side of Reamwood Avenue between Tasman Drive and Elko Drive. The conditions of approval included a modification of the parking, landscaping, and site upgrade requirements. The conversion project is being completed through the Building Permit process and all modifications have not yet been completed.

Approved uses on the site include a recreational studio (*Catalyst Athletics*), a counseling center (*Resource Center for Battered Women*) and a cultural center (*Bay Area Cultural Center*). A printing company is located in a tenant space, which is allowed by right in the Industrial zoning district. Another 10,000 s.f. space is currently vacant where the Whispering Wind Spa, noted in the above table, once occupied the site.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class # Categorical Exemptions included discuss .

Use Permit

Use: The proposed use would occupy a 5,000 s.f. space and be divided into three main activity areas, offices, storage, restrooms, and a reception area. The space will contain two restrooms as well.

Two of the activity areas would be designated as party rooms “A” and “B” and would be used for refreshments, games, and organized activities, while the third room would be an indoor playground that would include an inflatable bounce/climbing/sliding unit.

Swaray is described as a family establishment designed for children ages 3-11. Operating hours would be from 10am to 9pm. A total of 3-5 employees would work on-site at a time. The business would operate with two parties at any given time for two hours at a time. Each two-hour party would be limited to 10 guests and would occupy half the time in one party room and half in the playground room. The two sets of guests would not occupy the same area at the same time. The parties would also be designated to overlap in such a way that starting and ending times do not coincide and therefore parents of those children attending different parties would generally not occupy the parking spaces at the same time. Some parents may choose to remain on-site during parties; however this is not expected to be a usual occurrence.

Site Layout: The site is located on the northwest corner of the intersection of Reamwood Avenue and Tasman Drive. The site contains two, one-story industrial buildings with parking on each side and between the buildings. There is a shared access easement that runs along the western boundary of the property linking it to the two parcels north of the site. The easement allows access to and from the site through a parking lot that extends to Elko Drive. The boundaries between the properties are not perceptible; therefore a managed parking plan is important to avoid possible conflict that could result from overflow to neighboring sites. (More discussion of a Parking Management Plan is noted in the “Parking” section of this report.)

The proposed recreational center is located in the tenant space at the south end of the building facing Reamwood Avenue (Building 2), and occupies approximately 5,000 s.f.

Landscaping is located along the street frontages. The approved condo conversion included an increase in landscaping, modification to solid waste enclosures, and slight reduction in parking to increase the deficiency in landscaping that was a pre-existing condition on the site. The improvements are underway but have not been completed.

The following table lists current uses at the site:

Table 1: Current uses at 1233-39 Reamwood and 1257 Tasman Drive

Address	Use - Tenant	Area (s.f.)
1257 Tasman Dr, #A	POA – Catalyst Athletics	4,500
1257 Tasman Dr, #B	POA - Bay Area Cultural Center	5,535
1257 Tasman Dr, #C	POA – Resources for Battered Women	7,267
1233 Reamwood Ave.	<i>Proposed POA – Swaray</i>	5,000
1235 Reamwood Ave.	Manufacturing/R&D - Squirt Printing	5,000
1237-9 Reamwood Ave.	Vacant	10,000

Architecture: The buildings were constructed in 1975. No exterior modifications are proposed with this project.

Landscaping: No modifications are proposed to the existing landscaping as part of this project. Improvements that resulted in increased landscaping were required as part of the condo conversion that was approved in 2007.

Parking/Circulation: The multi-tenant industrial building shares a parking lot that contains 119 spaces. The parking requirements for recreational assembly areas outlined in Sunnyvale Municipal Code Section 19.46.050 is noted as:

- 1 space per every 3 fixed seats, plus
- 1 space per 21 sq. ft. of open area or seating space, plus
- 1 space per 400 sq. ft. of additional floor area

According to the above criteria, the recreation center would require approximately 120 spaces for the open party and play areas and storage, reception/office areas. As a result, there would be no left over parking area for the remaining uses.

Per the most recent Use Permit approvals for place of assembly uses at the site, a parking management plan that restricts occupancy for each tenant has been considered as appropriate. The applicant had originally specified that 20 spaces could be allocated for the proposed use during weekday and weekend operations. Based on information provided by the applicant, as stated previously, two parties with 10 guests each and a maximum of five employees would be on-site at a given time. Although unlikely, if each child is taken by a parent to the facility separately and all five employees are present on site, 25 spaces would be needed. The following chart notes the maximum occupancy for the shared uses of the site:

Address / Unit	Use - Tenant	Type of Use	Maximum occupancy	Area (s. f.)	Parking Ratio
1257 Tasman Dr, #A	<i>Catalyst Athletics (POA use)</i>	POA by Use Permit	20	4,500	Per UP 2005-0864
1257 Tasman Dr, #B	<i>Bay Area Cultural Center (POA use)</i>	R&D	12	5,535	Per UP 2008-0431
1257 Tasman Dr, #C	<i>Resources for Battered Women (POA use)</i>	POA by Use Permit	20	7,267	Per UP 2006-1213
1233 Reamwood Ave.	<i>Proposed POA - Swaray</i>	POA by Use Permit	25	5,000	Per UP - parking management plan
1235 Reamwood Ave.	<i>Squirt Printing (R&D/Manuf.)</i>	R&D	10	5,000	1/500
1237-39 Reamwood Ave.	<i>Vacant</i>	Approved POA use	37	10,000	1/500

The applicant has submitted a proposed parking plan that would stagger the demand during different days of the week and times of the day. Similar to previously required permits, this proposed program would modify the conditions of previous approvals which limited the allowable occupancy (customers/employees) and/or the hours of operation for existing uses. The Program proposes staggering peak use times to address the fact that the site does not provide adequate parking for all uses during peak use hours. The following chart notes the peak parking demands for the site, as part of the required Parking Management Plan, per Condition of Approval 4A.1.

Address / Unit	Weekday 8:00 am – 5:30 pm	Weekday 5:30 pm – 9:00 pm	Weekend
1257 Tasman Dr, #A* <i>Catalyst Athletics (POA use)</i>	15	20	20
1257 Tasman Dr, #B** <i>(Bay Area Cultural Center (POA use)</i>	12	20	20
1257 Tasman Dr, #C* <i>Resources for Battered Women (POA use)</i>	20	15	5
1233 Reamwood Ave. Proposed POA - Swaray	25	25	25
1235 Reamwood Ave. <i>Squirt Printing (R&D/Manuf.)</i>	10	2	0
1237-39 Reamwood Ave.* <i>Vacant</i>	37	37	37
TOTAL (119)	119	119	107

The tenant space at 1237-1239 Reamwood was occupied by Whispering Wind Center which no longer occupies the site; however, the Use Permit has not expired. The applicant has submitted a revised parking plan that indicates a maximum 37 spaces to be allocated to this currently vacated use. This number does not exceed the approved amount of spaces that were originally enabled under the previously approved parking plan. If this POA use ultimately expires and a typical industrial use occupies the site, additional spaces could be opened up for the remaining uses. A revised parking plan would be necessary if such future consideration is requested. Such a modification could be considered through a Miscellaneous Plan permit application, per Condition of Approval 4A.2.

Place of Assembly (POA): Sunnyvale Municipal Code (SMC) requires that any proposed Place of Assembly use be evaluated on a case by case basis. The POA Zoning regulations specify additional requirements and procedures if a space is used by sensitive populations such as children or adults over the age of 65. Since the subject site and the surrounding area were originally zoned for industrial uses, staff looked at the possibility of the presence of hazardous materials in the vicinity of the site. Staff found that while there are other industrial facilities with hazardous materials in the area, none currently have large quantities of high risk materials. However, these industrial uses have the ability to change their inventories in the future to increase the use of hazardous materials, which might present a safety issue to the users of the subject tenant space. Per the Municipal Code (SMC 19.98.020(h)), as a Place of Assembly use, the children's recreation center triggers three requirements:

- For a multi-tenant building, an Agreement between the property owner and the City to the limitation of hazardous material users on the same site (*draft provided*);
- A letter from the applicant/proposed tenant acknowledging that locating in an industrial area may result in higher levels of noise, traffic, and exposure to hazardous materials than would normally be encountered in non-industrial areas (*draft provided*); and
- Applicant shall adopt and submit for the approval of the City a safety plan designed to protect sensitive populations in the event of a nearby release of hazardous materials; the plans shall be prepared by a certified safety professional (*draft provided*).

The above noted documentation is provided in Attachment E.

Compliance with Development Standards/Guidelines: The project meets applicable City development standards and guidelines in terms of parking, conformance with adjoining uses and other land use considerations. No further improvements are required at this time.

Expected Impact on the Surroundings: No significant impacts on surrounding properties are expected to result from the proposed use. The subject tenant space is currently vacant and due to the current and staff has received no complaints about parking or noise issues. Furthermore, the project has been conditioned to restrict the maximum number of occupants at the tenant space to a maximum of 12.

Fiscal Impact

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

Public Contact

No letters were received from the public regarding this proposal.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 224 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 Web site • 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 • Posted on the City of Sunnyvale's Web site

Conclusion

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

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

Alternatives

1. Approve the Use Permit with attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit

Recommendation

Alternative 1: Approve the Use Permit with attached conditions

Prepared by:

Ryan M. Kuchenig

Project Planner

Reviewed by:

Steve Lynch

Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Floor Plans
- D. Project Description from the Applicant
- E. Place of Assembly Documentation provided by Applicant

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

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

N1.1.4 *Anticipate and avoid whenever practical the incompatibility that can arise between dissimilar uses.*

Policy N1.14 *Support the provision of a full spectrum of public and quasi-public services that are appropriately located.*

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

Staff finds that the proposed recreational use for children provides a valuable service to the community. Due to limited outdoor recreational opportunities, the proposed location helps create an additional alternative location for the community. Through the limited scope of the proposed recreational use and conditions of approval, the business will not impair the present or future activities surrounding industrial uses.

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)*

Staff finds that the proposed use is not detrimental to the surrounding neighborhood as the current zoning enables consideration of places of assembly under appropriate conditions. Based on the provided information and an approved parking management plan, the proposed use is compatible and will not impair the surrounding uses. Conditions of approval further limit possible impacts to the surrounding neighborhood.

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. Project shall be in conformance with the plans 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.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- C. The Use Permit for the use shall expire if the use is discontinued for a period of one year or more.
- D. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Planning Commission.
- E. The Use 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 and is approved by the Director of Community Development.
- F. Submit a revised wet-stamped Safety Plan that references the full scope of the project prior to applying for building permits.
- G. Tenants that have previously approved Use Permits i.e. Catalyst Athletics, Bay Area Cultural Center and Center for Battered Women, shall not exceed the maximum occupancy listed in the table below.

Address / Unit	Use - Tenant	Type of Use	Maximum occupancy	Area (s. f.)	Parking Ratio
1257 Tasman Dr, #A	<i>Catalyst Athletics (POA use)</i>	POA by Use Permit	20	4,500	Per UP 2005-0864
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1237-39 Reamwood Ave.	<i>Vacant</i>	R&D	20	10,000	1/500

H. Hours of operation shall be 10:00AM to 9:00PM (7 days a week).

I. Changes to the hours of operation may be considered through a Miscellaneous Plan Permit.

J. Events shall be scheduled so there is at least 5 minutes between parties.

K. No outside event promoters are allowed to operate at this location.

L. Special events involving greater than 10 participants and/or attendees shall be submitted for approval of a Miscellaneous Plan Permit.

M. Provide bike parking according to the 2007 VTA Bicycle Technical Guidelines.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

A. Obtain all other necessary permits for tenant improvements.

3. SIGNS

A. Prior to any new business signs, a Master Sign Program shall be established for the site. All signs shall be in conformance with an approved Master Sign Program.

4. PARKING MANAGEMENT PLAN

A. A Parking Management Plan must be submitted to the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

1. The following parking table applies to the site:

Address / Unit	Weekday 8:00 am – 5:30 pm	Weekday 5:30 pm – 9:00 pm	Weekend
1257 Tasman Dr, #A* <i>Catalyst Athletics (POA use)</i>	15	20	20
1257 Tasman Dr, #B** <i>(Bay Area Cultural Center (POA use))</i>	12	20	20
1257 Tasman Dr, #C* <i>Resources for Battered Women (POA use)</i>	20	15	5
1233 Reamwood Ave. Proposed POA - Swaray	25	25	25
1235 Reamwood Ave. <i>Squirt Printing (R&D/Manuf.)</i>	10	2	
1237-39 Reamwood Ave.* <i>Vacant</i>	37	37	37
TOTAL (119)	119	119	102

2. Modifications to the Parking Management Plan shall be considered through a Miscellaneous Plan Permit.
3. Employee parking locations shall be away from the building, in parking spaces that are the least used.
4. Specify the location and term of short-term parking.
5. Allow the use of valet parking when appropriate on sites with limited parking.
6. Employees shall be required to park on the site.

B. The parking lot shall be maintained as follows:

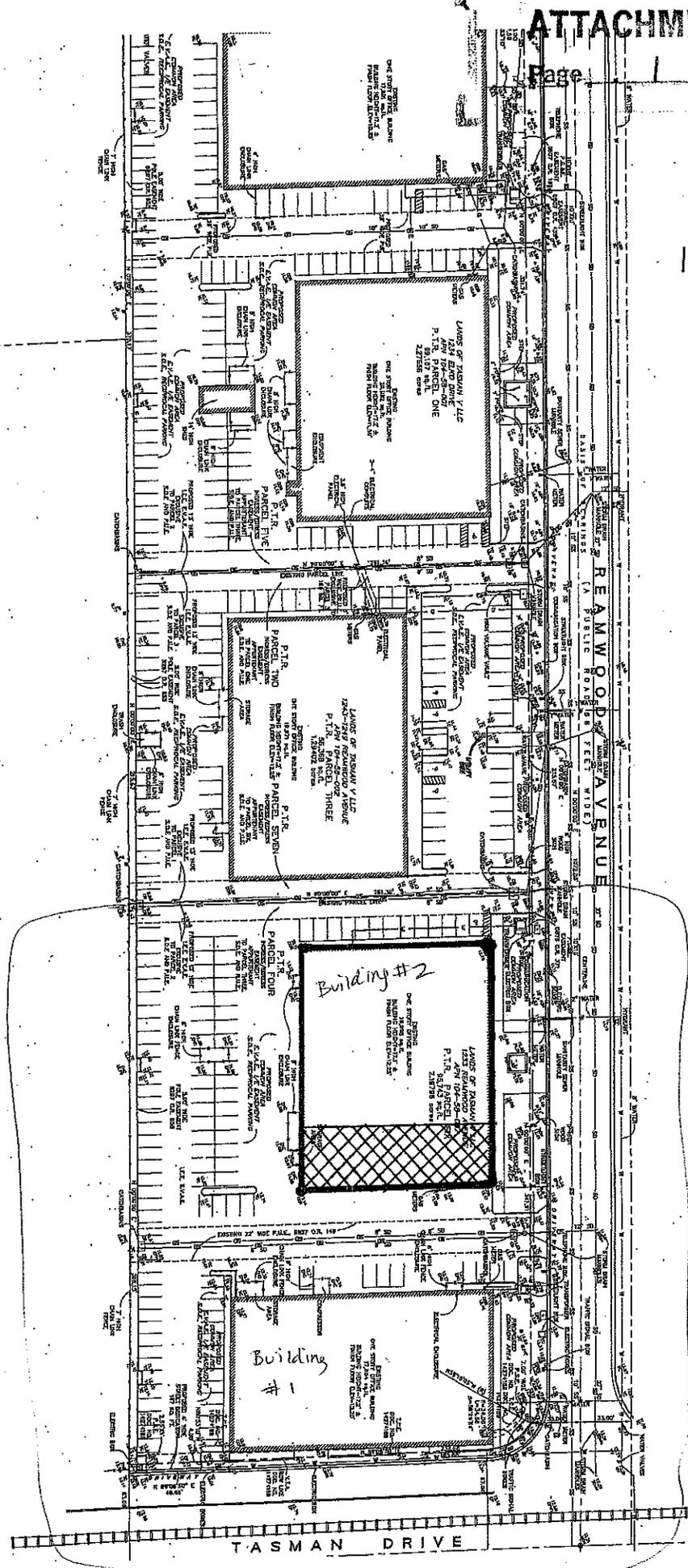
1. Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
2. Maintain all parking lot striping and marking.
3. Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.

4. Require signs to direct vehicles to additional parking spaces on-site or off-site, as needed.

5. RECYCLING AND SOLID WASTE

- A. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.

1233 REAMWOOD
SITE PLAN



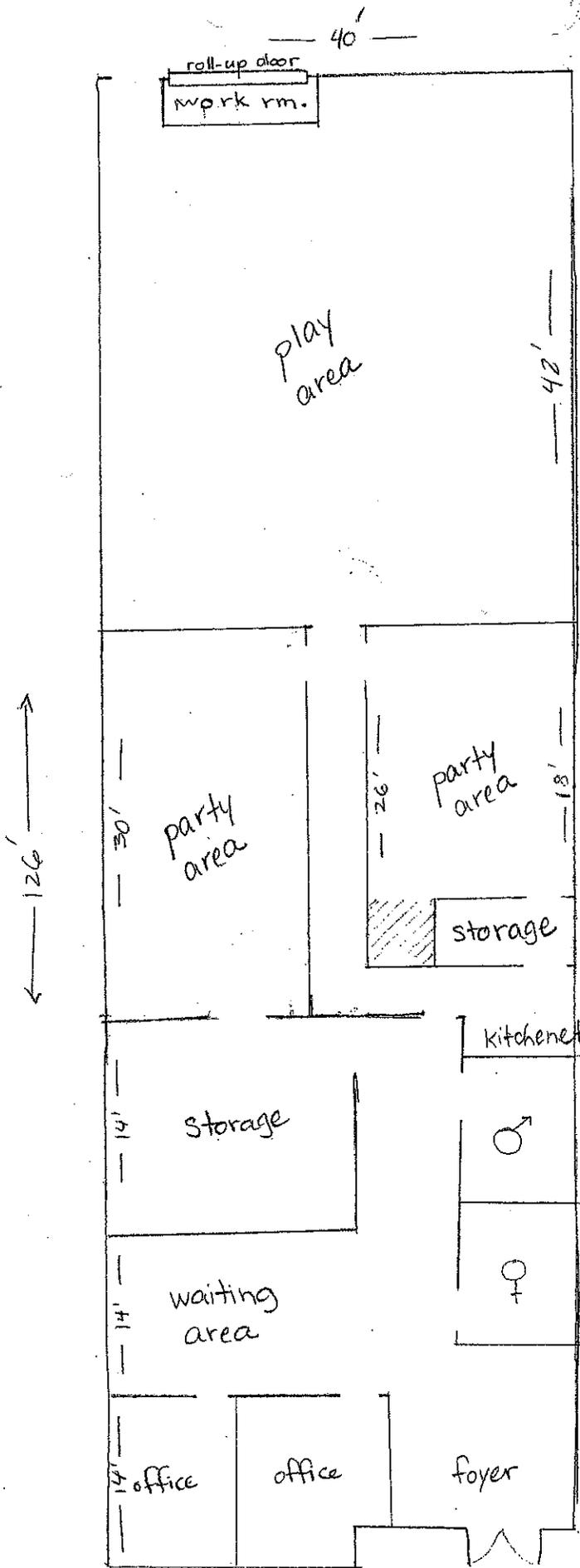
SUBJECT
SITE :
2 BUILDINGS

EXHIBIT A

INITIAL
HERE
X _____
X _____

1233 Reamwood
Sunnyvale, CA
94089

- plan -
(proposed)



Description of the Project
1233 Reamwood Avenue, Sunnyvale, CA 94089

This space will be used as a children's birthday party facility by SwaRay LLC. The space will be separated into three main activity areas plus offices, storage, and a reception area. There are two restrooms, as well.

Each of the first two main activity areas (party rooms A & B) will be used for refreshments, games, and organized activities. The third main activity area will be a sort of indoor playground including an inflatable bounce/climbing/sliding unit.

Each two-hour party held at SwaRay will be limited to 10 guests and will spend half of the time in one of the party rooms, and half the time in the playground. Parties will overlap so that there could be two parties running at any given time, though the two sets of guests will never occupy the same area at the same time.

SwaRay is a family establishment designed for children ages 3-11, and all parties are completely contained inside the 5,000 s.f. leased space. Operating hours are from 10am to 9pm and we plan to utilize a total of 3 to 5 employees. No alcohol will be served.

Since parties are designed to overlap in such a way that starting and ending times do not coincide, parents who drop off a child for a party and parents who pick up should not occupy the parking lot at the same time. While some parents may choose to remain on site while their child attends a party, this is not expected to be the norm. Nevertheless, space has been reserved for them inside so that loitering outside the building will not occur.

AGREEMENT

THIS AGREEMENT, made and entered into this seventeenth day of February, 2009, by and between City of Sunnyvale, a municipal corporation of the State of California (hereinafter referred to as "City"), and Tasman Drive, LLC, Owner of certain real property (hereinafter referred to as "Owner" of the property located at 1233 Reamwood Avenue, Sunnyvale, California ("Premises") and SwaRay, LLC, which intends to occupy the Premises ("Applicant").

WITNESSETH:

WHEREAS, the City has enacted an ordinance allowing for the location and operation of Places of Assembly (POA) in certain combined zoning districts pursuant to Sunnyvale Municipal Code 19.26.210 and enters into this Agreement in fulfillment of requirements set forth in 19.98.020(h); and

WHEREAS, in consideration of the City's approval of an application for the permit allowing uses in the POA combining district, Owner and Applicant are willing to enter into this Agreement to limit and restrict hazardous material users on the Premises; and

WHEREAS, the Parties acknowledge that the purpose of this Declaration is to provide protection to sensitive populations who may use the facilities and programs offered by Owner and Applicant, to include children under the age of eighteen years, adults with mental or physical disabilities, adults over the age of sixty-five years, or persons who have mobility limitations, difficulty understanding and executing directions or orders, or increased sensitivity to hazardous materials.

NOW THEREFORE, IT IS AGREED AMONG City, Applicant and Owner as follows:

1. The owner and Applicant acknowledge that Places of Assembly are allowed to be located in zoning districts which may also permit industrial and other uses.
2. The owner and Applicant wish to limit the exposure of sensitive populations to hazardous materials, including but not limited to asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks and contaminated soil or water.
3. The Owner and Applicant declare that they will not permit users of hazardous materials to occupy the same Premises as users of Places of Assembly which provide services to sensitive populations.
4. The Owner's obligations under this agreement shall apply regardless of whether any other permits or entitlements are issued. These obligations shall be binding on successors and assigns of the real property benefited by approval of the project, and City shall so obligate all transferees and assigns.

5. All notices to Owner and Applicant under this Agreement shall be promptly delivered concerning notice of any claim, action or proceeding and that the City will fully cooperate in the defense, deemed valid and effective five (5) calendar days following deposit in the United States mail, postage prepaid, by certified and/or registered mail, addressed to:

Director of Community Development
456 W. Olive Avenue
Sunnyvale, CA 94087

All notices to City under this Agreement shall be deemed valid and effective when personally served upon the Planning Department Director or upon deposit in the United States mail, postage prepaid, by certified and/or registered mail, addressed to the Director, City of Sunnyvale. If City fails to promptly notify Owner of any claim, action or proceeding, or if City fails to cooperate fully in the defense, Owner shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

6. This Agreement is entered into pursuant to Sunnyvale Municipal Code Section 19.98.02(h) which requires that this Agreement shall be recorded.

IN WITNESS WHEREOF, parties hereto have duly caused this Agreement to be executed on the date hereinabove first written.

City of Sunnyvale

By Gary J. Stamp, AGENT
Agent for Owner and Applicant

By _____
Planning Officer



STERLING & ASSOCIATES, INC.

Environmental Health and Safety Specialists

ATTACHMENT E
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SwaRay LLC
1233 Reamwood Ave.
Sunnyvale, CA 94089
(408) 253-2074

Emergency Evacuation Plan

Introduction

Emergencies and disasters can happen at any moment—usually without warning. When an emergency strikes, our immediate safety and prompt recovery will depend on the existing levels of preparedness among employees, volunteers and clients.

Each person has an important role to play in maintaining SwaRay's emergency preparedness and safety. During a major emergency or disaster, the Emergency Response Team (ERT) will rely on effective communication between team members. Emergency plans for fire safety, earthquake preparedness and building evacuation are part of SwaRay's basic health and safety responsibilities and business continuity planning. Emergency plans outline how SwaRay will protect the safety of employees, volunteers and clients.

The **Emergency Evacuation Plan** is divided into three sections: PREPAREDNESS, RESPONSE & RECOVERY. The Plan includes procedures relating to the emergency "chain of command," a definition of essential personnel and mission-critical functions, and emergency communications procedures.

The Emergency Evacuation Plan must be known and understood before an emergency occurs. Emergency Response Team members should take immediate steps to:

- Share this important safety information with all staff at least annually.
- Brief all new personnel as they join the organization, or if the plan changes.
- Keep multiple copies of the Plan in accessible locations throughout the organization.

There are two buildings on the site and the following tenants are occupying the spaces:

The tenants in building one include:

- Resource Center for Battered Women
- Bay Area Cultural Center
- Catalyst Athletics

Tenants in building two include:

- SwaRay
- Squirt Printing 3
- Vacant



SwaRay will occupy 5,000 SF of the total 20,000 SF available in building two.

There are no businesses within 1000 ft of applicant utilizing significant quantities of hazardous materials or generating hazardous wastes in their processes (i.e. semiconductor facilities, printed circuit board shops, metal finishing facilities, ammonia refrigeration systems)

There are no major chemical risks within 1000 foot radius of applicant location (i.e. toxic gases, corrosives vapors, flammable liquids/vapors)

PREPAREDNESS

Getting Organized

Emergency Coordinators are appointed to lead necessary actions during an emergency situation. The Emergency Coordinator will consist of the Owner (Ginny Patton) and any additional staff that may be appointed at a later time. Together, they will be the SwaRay's Emergency Response Team (ERT). These individuals must be familiar with the organization's programs and physical facilities, and have management experience and the financial authority to:

- Collaborate to develop and maintain the Emergency Evacuation Plan
- Arrange related staff safety education and training
- Be ready to support the city's Emergency Response Team during an incident.
- Be ready to help prepare post-disaster impact summaries and insurance claims

The ERT will be trained to help disseminate emergency instructions, assist evacuations and security, and provide first aid if necessary. Also, they should be prepared to document the effects of the emergency and coordinate facility restoration, according to priorities identified by the Owner.

Supplies and Equipment

SwaRay will need basic emergency supplies and equipment to be as self-sufficient as possible after an emergency. Emergency supplies will be inspected on a regular basis (no less than quarterly) to ensure they are serviceable. The following supplies will be placed in the front lobby area (see below):

- First aid supplies, with instructions
- Flashlights/batteries, approved power strips and extension cords
- Portable AM/FM radios/batteries
- Employee/group rosters and/or list with names of all party attendees

SwaRay will maintain a three-day supply of food, water, first aid and sanitary supplies at all times to support at a minimum the total number of employees and occupants.

Site maps with exit routes will be posted throughout the building. Employees and visitors will receive instructions to familiarize them with exit routes.

Employees of SwaRay will be specially trained in CPR and emergency evacuation procedures.

Shelter In Place

Chemical, biological, or radiological contaminants may be released accidentally or intentionally into the environment. Should this occur, information will be provided by local authorities on television and radio stations. Therefore, SwaRay will keep a radio on at all times in the main front office.

The Party Room A is the designated shelter-in-place. It is 400 sq feet and has no windows. All essential disaster supplies listed above will be placed in this room.

RESPONSE

Everyone in the facility—employees, children, and visitors—must take appropriate and deliberate action when an emergency strikes the building. Decisive leadership is essential. All staff members are responsible for ensuring the orderly and safe evacuation of SwaRay clients and volunteers, following the lead of the ERT.

Follow these important steps when there is an emergency:

- Confirm and evaluate conditions.
- Report the incident immediately to the department ERT
- Follow instructions from the ERT.
- Issue clear and consistent emergency notifications. Use all available communication tools.
 - If there is no power or telephone systems are not functioning, emergency communications will be profoundly restricted.
 - Use cell phones or pay phones. The nearest pay phone is located across the street at Nicolino's Garden Restaurant.
 - Other businesses in the immediate area may have functioning telephones.
 - Request for information from public safety agencies, the media and others will be referred to:
 - Owner: Ginny Patton (408) 253-2074
 - Saratoga Management Company, the property manager, will be notified of any emergency by calling (408) 472-4363.
 - In the event of a prolonged building closure, the owner will be responsible for contacting all employees to provide information on when people may report back to work. The owner should provide all employees with a home or cell phone number to use in the event of an emergency, and keep home phone numbers of employees at all times.

A building evacuation is mandatory whenever a fire alarm sounds (rapid beeping sound), or evacuation is ordered by the owner or public safety officers, and building occupants must exit immediately. Building evacuations also follow severe earthquakes, after the shaking stops, and may be required for other types of emergencies. After a building has been evacuated, occupants must wait for a safety inspection before re-entry.

The ERT will ensure that evacuation drills are conducted at least annually. Special attention will be placed on evacuation needs for persons with disabilities. They will plan where to go during an evacuation, and know the routes to get there.

Emergency Assembly Point (EAP) and Relocation Area

Building evacuees will be directed to the EAP, which, unless not accessible, will be the parking area next to the fence directly behind the SwaRay suite. A secondary EAP could be the parking lot of the restaurant across Reamwood Avenue.

For safe relocation away from the building, evacuees will be directed to the open west side of the parking lot area. ERT members will hold signs that identify the EAP and guide evacuees. For added identification, concrete parking space stops in the evacuation area will be painted yellow.

Parents who bring their children into SwaRay will record their phone numbers to facilitate communication in necessary. They will be instructed to meet their children outside by the SwaRay sign (EAP) in case of an emergency.

To implement an evacuation, follow these directions to make the process effective and safe:

1. Keep calm. Evaluate the situation carefully.
2. Alert the other ERT members (if any) to assist the evacuation.
3. Use communication tools that are appropriate.
4. Communicate clearly and succinctly: For example, announce "We have a _____ emergency. Evacuate immediately to the Emergency Assembly Point and take your belongings."
5. Check offices and restrooms.
6. Turn equipment off, if possible.
7. Take emergency supplies, guest lists, and staff rosters, if possible.
8. Account for personnel
9. Instruct personnel to wait at the EAP for further instructions.

Following evacuation, each ERT member will conduct an attendance count of their staff and ensure that all persons are accounted for. The person in charge will be responsible for providing a clipboard with all lists of building occupants to the relocation area for headcount purposes. Injuries and need for medical attention will be assessed, and emergency services called if necessary. The ERT member's first aid training will assist persons as appropriate.

To implement a shelter-in-place plan, follow these directions to make the process effective and safe:

Chemical, biological, or radiological contaminants may be released accidentally or intentionally into the environment. In such an emergency:

1. Close the business.
2. Alert the other ERT members (if any) to assist.
3. Guide everyone to the designated shelter-in-place, (Party Room A).
4. Close and lock all windows, exterior doors, and any other openings to the outside.
5. Unless there is an imminent threat, ask everyone to call his or her emergency contact.
6. Everyone should remain in the building until authorities advise it is safe to leave
7. Employees familiar with building's mechanical systems will be instructed to turn off all fans, heating and air conditioning systems. Some systems automatically provide for

- exchange of inside air with outside air – these systems, in particular, need to be turned off, sealed, or disabled.
8. Use duct tape and plastic sheeting (heavier than food wrap) to seal all cracks around the door(s) and any vents into the room.
 9. Listen to the radio until told all is safe or you are told to evacuate.

Following are response actions in the event of accident, fire, and earthquake or power outage:

ACCIDENT: Call 911 for help.

- Notify person in charge and parent if applicable.
- Administer first aid if you are trained to do so.
- Do not attempt to move a seriously injured person.

FIRE: Call 911 for help.

- Activate nearest alarm.
- Notify person in charge and staff.
- Feel doors for heat. If cool, exit carefully. If hot, do not open the door.
- If you see smoke, crouch near floor as you exit.
- If you see fire, confine it by closing doors and windows.
- Use extinguishers on small fires only if safe to do so
- Go to the Emergency Assembly Point (EAP)

POWER OUTAGE

- Assess the extent of the outage in your area
- Help co-workers in darkened work areas move to safe locations
- Unplug personal computers, non-essential electrical equipment & appliances.
- Open windows for additional light and ventilation.
- If you are asked to evacuate, leave the building.

EARTHQUAKE

- Take cover immediately under a desk, table or chair
- Take cover against a wall (cover neck & head)
- Outdoors – stay in open areas, away from buildings.
- Be alert for aftershocks, avoid potential falling hazards
- MINOR QUAKE (brief rolling motion)
 - Restore calm. Examine your area for damage.
 - Report damage
 - Await instructions, evacuations are unlikely.
- MAJOR QUAKE (violent shaking)
 - Restore calm. Assist others.
 - Report injuries to 911
 - Evacuate carefully, be alert for aftershocks.
 - Take emergency supplies.
 - Meet at Emergency Assembly Point (EAP).
 - Do not enter building until examined.
 - Await instructions, be patient, help others.

HOW TO ASSIST CHILDREN DURING AN EVACUATION

Children, especially, need a definite plan to help them react appropriately to an emergency. The rear doors are the primary routes while the two front doors are the secondary routes.

Parents who bring their children into SwaRay will be asked to provide a contact phone number to facilitate communication. They will be instructed to meet their children outside by the SwaRay sign (EAP) in case of an emergency.

During an emergency Staff will sweep the facility looking under tables, on shelves, or anywhere that a frightened child might hide. Children will be directed to the closest exit and/or safest exit and to gather by the EAP (SwaRay sign) outside.

- Employees will alert the children of an emergency.
- Employees will maintain supervision of children until they are released to parents or guardians and they will coordinate parent-child reunification process.

HOW TO ASSIST PEOPLE WITH DISABILITIES DURING AN EVACUATION

TO ALERT VISUALLY IMPAIRED PERSONS:

- Announce the type of emergency.
- Offer your arm for guidance.
- Tell the person where you are going and describe obstacles you encounter.
- When you reach safety, ask if further help is needed.

TO ALERT PEOPLE WITH HEARING LIMITATIONS:

- Turn lights on/off to gain the person's attention, or
- Indicate directions with gestures, or
- Write a note with evacuation directions.

TO EVACUATE PEOPLE USING CRUTCHES, CANES, OR WALKERS:

- Evacuate these individuals as injured persons.
- Assist and accompany to evacuation site if possible, or
- Use a sturdy chair (or one with wheels) to move person, or help carry individual to safety.

TO EVACUATE WHEELCHAIR USERS:

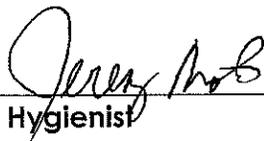
Non-ambulatory persons' needs and preferences vary.

- Individuals at ground floor locations may exit without help. Others have minimal ability to move, and lifting may be dangerous.
- Some non-ambulatory persons have respiratory complications. Remove them from smoke and vapors immediately.
- Wheelchair users with electrical respirators get priority assistance.
 - Consult with the person to determine best carry options.
 - Reunite the person with the chair as soon as it is safe to do so.

RECOVERY

- Once the safety and status of evacuees has been assured, and emergency conditions have abated, ERT will assemble to begin the restoration of operations.
- See that all SwaRay clients and volunteers have been given proper attention and assistance. SwaRay staff should assist them in contacting family members or securing transportation if necessary.
- It will be important to begin a timely and comprehensive assessment of the emergency's physical and operational effects. Plan ahead for how this important impact information will be collected. For example, who will be responsible for determining the status of computer equipment, business machines and telephones?
- All documentation on emergency impacts should be coordinated with the Owner. The Owner will need status reports of the emergency to estimate when the organization can be fully operational and to identify issues and needed resources that will speed business resumption.
- Most insurance and FEMA assistance claims will require extensive documentation of damaged facilities, lost equipment and resources, and special personnel expenses. Worker's Compensation Insurance claims may arise if there are injuries among employees.
- It is very important to record the emergency's physical effects before any clean up or repair work is done. If possible, plan to photograph or videotape facility or equipment damage to provide visual supplement for the written impact data.

PLAN REVIEWED AND APPROVED BY:

Jeremy Mott, CIH 
Certified Industrial Hygienist

Ginny Patton
CEO and Owner

February 2, 2009
Date



February 19, 2009

SwaRay, LLC
1062 Oaktree Drive
San Jose, CA 95129

I, Ginny Patton, as the business owner and operator of SwaRay, LLC, am aware that 1233 Reamwood Avenue, Sunnyvale is in an industrial zone and there is a possibility that the surrounding tenants may have industrial business that might provide a potential safety hazard to my clients, volunteers and staff.



Ginny Patton
Owner