



CITY OF SUNNYVALE REPORT ADMINISTRATIVE HEARING

January 13, 2010

File Number: 2009-0905

Permit Type: Special Development Permit

Location: 762 Sunnyvale-Saratoga Road (near W. El Camino Real)
(APN: 211-17-004)

Applicant/Owner: 24 Hour Fitness / Pacific DSLA No. 2

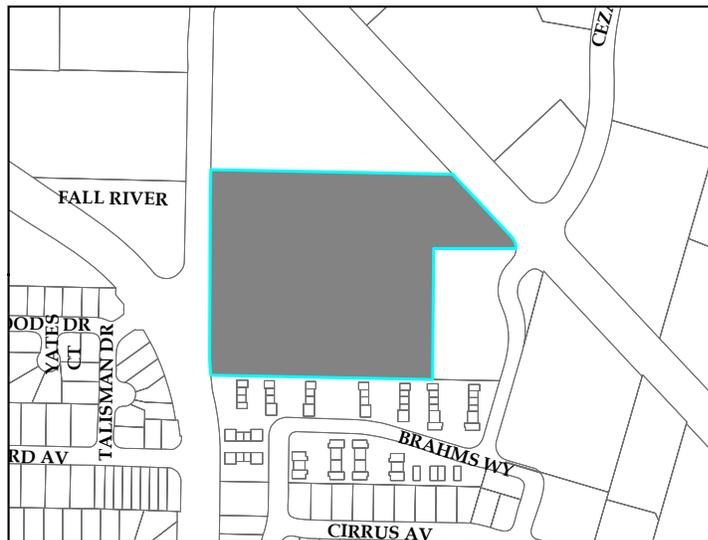
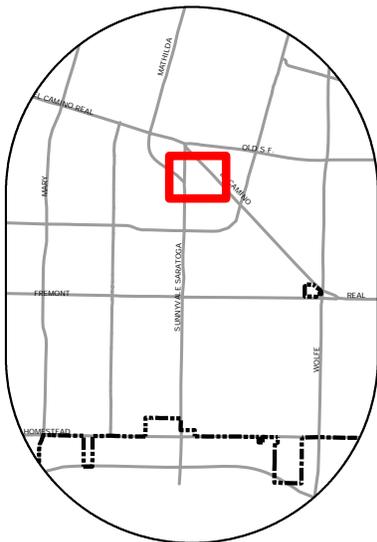
Staff Contact: Noren Caliva, Assistant Planner, (408) 730-7637

Project Description: To allow a recreational/athletic facility (24 Hour Fitness) within an existing shopping center.

Reason for Permit: A Special Development Permit is required for recreational and athletic facilities.

Issues: Building height, visual impacts and off-street parking.

Recommendation: Approve with Conditions.



500

Feet

PROJECT DESCRIPTION

	Existing*	Proposed*
General Plan:	Commercial General Business	Same
Zoning District:	C-2/ECR	Same
Total Sq. Ft. on Site:	221,441	226,650
Tenant Sq. Ft.:	40,311	45,520
Parking:	994	1,022
Building Height:	31'-6"	36'-6"

*Data above reflects recently-approved projects in the entire shopping center.

<p>Previous Planning Projects related to Subject Application:</p> <ul style="list-style-type: none"> ▪ The original shopping center was built in 1964 (UP #1963-0096). Additional permits were subsequently approved for new buildings and uses in the shopping center, including the existing Toys R Us building (retail, Pep Boys and recently-demolished Firestone Tires (automobile repair). ▪ The most recent permits were approved by Planning Commission in 2008 for redevelopment of portions of the shopping center. Two new retail buildings are currently under construction and will replace the area previously occupied by Firestone Tires (SDP #2008-0456). Over half of the main building in the shopping center will be reconstructed and will be occupied by Safeway and new retail stores (SDP #2008-0457). Petco and Pep Boys will continue to operate in their current tenant spaces and the existing Toys R Us building will remain. The projects also included parking lot, landscaping and right-of-way upgrades. Landscaping and height deficiencies were approved. 	Yes
<p>Deviations from Standard Zoning Requirements:</p> <ul style="list-style-type: none"> ▪ Building height limit exceeded by 6 feet 6 inches. 	Yes

Use Description: The applicant proposes to use a tenant space within the main building of the shopping center as a recreational/athletic facility (or gym) for 24 Hour Fitness. The facility offers the following amenities to its registered members: group classes, work-out equipment, swimming pool, sauna, basketball, racquetball, child care (for patrons working out only), incidental retail and locker rooms.

Hours of Operation: The gym would operate 24 hours a day, seven days a week. The applicant expects the peak hours of operation between 5:30 p.m. and 6:30 p.m.

Expected Employees / Customers: Based on the applicant’s project description in Attachment C, no more than 25 employees and 200 patrons are expected to be on-site at any given time.

Floor Plan: The entrance to the facility would face Sunnyvale-Saratoga Road. A majority of the amenities listed above are located on the first floor, which totals 40,311 square feet. The applicant proposes to build a 5,209 square foot mezzanine over a portion of the first floor, which would provide additional work-out equipment area. The facility would total 45,520 square feet in size.

Exterior Building Changes: The proposed project results in a 6-foot height increase for a portion of the building over the mezzanine. Although the maximum height in the C-2 Zoning District is typically 75 feet, the code limits the height of buildings within 75 feet of two-story single-family homes to 30 feet. The proposed project would exceed the height limit by 6 feet 6 inches.

The building is located 70 feet from the adjacent residential property line. The portion of the building over the mezzanine would be 36 feet 6 inches in height, and would be more than 127 feet away from the property line. Line-of-sight drawings are provided in Attachment B, which demonstrate that the increased height will not be visible from the adjacent homes to the south. The mezzanine addition will match the design of the remaining building. Therefore, staff does not expect negative visual impacts to the neighbors or street frontages.

Parking: The shopping center was approved with 994 total off-street parking spaces, and contains a mix of uses. The applicant proposes to stripe additional spaces towards the back of the main building, resulting in a total of 1,022 available spaces for the center.

Shopping centers of this size (with the mezzanine addition) require one space per 225 square feet of building area. A minimum of 1,008 total parking spaces are required for the entire center, of which 203 parking spaces are required for the gym alone. The shopping center exceeds the minimum parking requirement by providing 14 additional spaces (Attachment E).

The code requires a further breakdown of parking when one use occupies more than 10% of the gross building area. The gym would occupy 20% of the center, with a parking rate of one space per three fixed seats (none), one per 21 square feet of open useable area for seating (group class area) and one per 400 square feet of additional floor area (all other work-out areas and ancillary uses). Based on this rate a minimum of 1,044 parking spaces would be needed for the entire shopping center, with the gym accounting for 238 of those spaces. The center would be short by 22 spaces, which is approximately 2% of the total required.

Although the proposed use meets the minimum parking requirement needed for a shopping center, a further breakdown of parking based on the individual parking rate for a gym reveals that parking may be limited at this center. A draft parking management plan was provided by the applicant (Attachment D), which demonstrates the varying hours of operation and peak hours, and

requires that less convenient (but well-lit) parking spaces at the back of the building be used by employees. Due to the large size of the center, convenient location of customer parking spaces, mix of uses and varying peak hours, staff finds that more opportunities to share parking throughout the center exist. Implementation of a parking management plan would further allow efficient control of parking spaces throughout the center. Therefore, staff does not expect negative impacts due to parking.

Another 24 Hour Fitness is located at the Fremont Corners Shopping Center at 150 E. Fremont Avenue. Perceived parking problems at that site is primarily due to the inconvenient parking layout, with almost half of the spaces located at the back of the building which are not well well-lit. In addition, the ability to share spaces is limited as the gym takes up almost half of the entire center. Staff does not anticipate similar problems at the project site, as these conditions do not exist with the proposed shopping center.

Public Contact: 303 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters were received.

Environmental Determination: A Categorical Exemption Class 1 (minor additions and changes in use) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Special Development Permit the following findings must be made:

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

The proposed use is consistent with the objectives of the General Plan as it will contribute to the diversity of uses along El Camino Real, and is compatible with the mix of uses within the shopping center.

Staff was able to make the finding as the project meets the guidelines described above.

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 the orderly development of, or the existing uses being made of, adjacent properties.

The increased building height over the mezzanine addition will not be visible from adjacent residential properties and will match the architectural design of the remaining building. The large size of the center, convenient

location of customer parking spaces, mix of uses and varying peak hours, allows for opportunities for the proposed gym to share parking with the other tenants in the shopping center. Implementation of a parking management plan will further reduce impacts due to parking.

The project is expected to have minimal impacts on surrounding properties.

ALTERNATIVES:

1. Approve the Special Development Permit with recommended Conditions in Attachment A.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment A.

Reviewed by:

Shaunn Mendrin
Senior Planner

Prepared By: Noren Caliva, Assistant Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Applicant's Project Description and Justifications
- D. Draft Parking Management Plan
- E. Staff's Parking Calculations

Standard Requirements

The following is a list of standard requirements. This list is intended to assist the applicant and public in understanding basic related requirements, and is not intended as an exhaustive list. These requirements cannot be waived or modified.

- A. **Permit Expiration:** The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- B. **Permit Lapse if not Exercised (Ordinance 2895-09):** The Special Development Permit shall be valid for three (3) years from the date of approval by the final review authority (as adopted by City Council on April 21, 2009, RTC 09-094). Extensions of time may be considered, for a maximum of two one year extensions, if applied for and approved prior to the expiration of the permit approval. If the approval is not exercised within this time frame, the permit is null and void.
- C. **Project Conformance:** The 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.
- D. **Conditions of Approval:** The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- E. **Building Permits:** Obtain Building Permits as required by the Building Safety Division.
- F. **Signs:** All new signs shall be in conformance with Sunnyvale Municipal Code and existing Master Sign Program.
- G. **Clean Site:** All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- H. **Noise:** Comply with the City's noise regulations.
- I. **Traffic Impact Fee:** Pay Traffic Impact fee estimated at \$19,763.10 for the mezzanine addition prior to issuance of a Building Permit.

Recommended Conditions of Approval

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:

1. **Execute Permit Document:** Execute a Special Development Permit document prior to issuance of the building permit.

2. **Comply with Previous Permits:** Comply with all requirements of previously approved Special Development Permit File Numbers 2008-0456 and 2008-0457.
3. **Parking Management Plan:** A Parking Management Plan must be approved by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:
 - a. Employee parking shall be at the back of the building.
 - b. Specify the location and term of short-term parking.
 - c. Allow the use of valet parking when appropriate on sites with limited parking.
 - d. Employees shall be required to park on the site.
4. **Revised Parking and Circulation Plan:** Submit a revised parking and circulation plan to the Director of Community Development for review and approval prior to issuance of a building permit.
5. **Recycling and Solid Waste Plan:** Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval prior to issuance of a building permit.
6. **Design:** The mezzanine addition shall match the architectural design, materials and colors as the approved architectural plans in Special Development Permit File Number 2008-0457.
7. **Lighting:** Additional lighting shall be provided at the back of the building, installed with proper light shields preventing light from spilling over onto adjacent residential properties. The additional lighting details shall be provided on the building permit plans.
8. **Minimize Noise Impacts:** All doors facing the south property line shall remain closed when not used for access.



JOHNSON
LYMAN
ARCHITECTS, LLP

PROJECT DESCRIPTION

New Fitness Center, Sunnyvale Saratoga Rd. and El Camino Real

December 29, 2009

The proposed new shell building will be located in the existing Shopping Center at the south-east corner of the intersection of Sunnyvale Saratoga Road and El Camino Real. The shell building will be constructed to the west of the new Safeway market and will accommodate a 45,520 sf fitness center (gross leasable area). The fitness center area includes 5,209 sf +/- of mezzanine open to the ground floor below.

The proposed fitness center will operate on a 24 hour basis and will include the following uses: Spinning class, group aerobics/yoga, functional training (specialized conditioning), free weights, resistance machines, cardio machines, swimming, spa, steam room, sauna, basketball, racquetball, child care, change and shower areas, supplemental sales. The child care use will serve only the patrons of the facility.

Areas of specific uses have been identified on the Fitness Center floor plan. These are areas of occupied space and will not total the 45,520 sf gross area. Please see attached breakdown of uses and areas.

The Fitness Center will have a maximum of 25 employees and an estimated 200 members at the facility during peak times.

The Fitness Center faces the parking area fronting Sunnyvale Saratoga Road. Most patrons will park in this area. Employees will park along the southern property boundary to minimize traffic in this potentially sensitive zone as well as free-up the more convenient stalls for the patrons. Mechanical equipment will be roof mounted and visually and acoustically screened. Doors at rear of facility (facing residences) are emergency exit or service access only and will not be used for entrance by the members.

The rear of the facility also includes an enclosed trash room and new transformer to replace the existing. The back of the fitness center building is at least 75' away from the property line. The west and north edges of the building are approximately aligned with the existing Pak 'N Save building.

The number of parking spaces for the project has been increased from about 1005 stalls to 1022. The additional cars were added behind the Fitness Center (22 stalls). A few stalls were lost due to additional requirements for accessible stalls and modifications to trash enclosure approach at the pad buildings.

Sincerely,

A handwritten signature in black ink that reads "Robert M. Lyman".

Robert M. Lyman, AIA C19,215
JOHNSON LYMAN ARCHITECTS

24 Hour Fitness – Area Breakdown
(Received from 24 Hour Fitness)

Ground Floor

Workout Area	11,110 sf
Fitness Manager Office	72
Basketball	5,052
Racquetball	800
Cycle	1,006
Sales Area	783
Sales Manager	120
Employee Room	422
Club Manager	120
Telco (Utility)	91
Entry	1,769
Mystore	238
Mystore Storage	98
Kid's Club	2,738
Group X	2,770
Janitor	104
Pool Equipment	357
Pool/ Spa	3,693
Steam	120
Sauna	120
Men's Locker Room	2,149
Women's Locker Room	2,192
Laundry	405
Stretching	304
Elevator and elev eq.	94
Halls, circ., wall thickness	<u>3,584 sf</u>

Main Floor Total SF 40,311 sf

Mezzanine

Mezzanine Cardio	4,576 sf
Mezzanine Work Room	120
Elevator	45
Accessory/Circulation	<u>468</u>

Mezzanine Total SF 5,209 sf



DRAFT

PARKING MANAGEMENT PLAN

New Fitness Center, Sunnyvale Saratoga Rd. and El Camino Real

December 3, 2009

Background:

The Safeway retail project at the south-west corner of Sunnyvale Saratoga Road and El Camino Real will have 1,022 parking stalls in total. This includes employee parking, customer parking, compact stall and accessible parking stalls per the breakdown shown on the attached master Site Plan. This site plan also indicates the parking total per the City ordinance is 1,003 parking stalls. The parking requirements are based on the City requirement of 1 stall per 225 sf for a Shopping Center. However, the Fitness Center parking requirement is based on the 1 stall/50 sf for an aerobics room and 1/400 sf for the remaining areas. This results in a parking requirement of 239 stalls for the Fitness Center. The parking total for Pep Boys (99 stalls) is based on their required parking when they received their planning approvals.

Parking Demand:

Parking demand is not expected to exceed the total required parking for the project, therefore it is expected that there will be adequate parking on-site to serve the needs of the customers and tenants. However, since the distribution of parking stalls includes the less convenient rear service area at the south side of the project, there needs to be a plan ensure that these stalls will be used, freeing up the more convenient stalls in the front of the building for use by the customers and patrons of the fitness center.

Peak customer/patron demands of tenants are as follows:

Safeway	5-7 pm
Fitness Center	5:30 – 6:30 pm
Petco	3-9pm
Toys R Us	10-12 am, 3-7 pm
Pep Boys	11-6 pm
Pads/future retail	These are un-leased spaces so peak demands are not certain. However, the landlord is planning to have about ½ food uses. The peaks for restaurants would be around lunch and dinner hours (12-1pm and 6-9pm)

Peak employee counts of tenants are as follows:

Safeway	50 employees
Fitness Center	25
Petco	15
Toys R Us	20
Pep Boys	20
Pads	42 assumed
Retail Spaces	<u>18 assumed</u>
 Total	 190 employees

Parking Management Solution:

In order to provide for maximum utilization of the provided parking, the following measures will be implemented:

Employee parking. Approximately 100 parking stalls at the rear of the project will be identified as employee parking. The identification is proposed as pole mounted signs stating: EMPLOYEE PARKING ONLY to be installed at regular intervals in front of the parking stalls. Employees will be required to park in these designated stalls during regular business hours and during the project peak hours. For employees working late night or early morning shifts, it will be acceptable for them to park in other, more visible areas for safety and security reasons.

Because it is in the best interest of all the tenants for the use of employee parking, we expect that there will be compliance with the requirement for employees to park in these designated stalls.

The distribution of all required stalls does correspond with the locations of the tenant spaces. For example: Fitness Center requires 239 parking stalls and there are 216 stalls located on the west and south sides of the fitness center building. These stalls will meet the parking demands of the fitness center without patrons parking in stalls serving other tenants.

The Pad A & B buildings have a parking requirement for 82 stalls. There are 117 stalls that are positioned to serve these buildings alone.

The parking serving Safeway, Petco and Pep Boys is located in a similar distribution so that the large area (longer parking rows) occur in front of the tenants with the greatest demand.

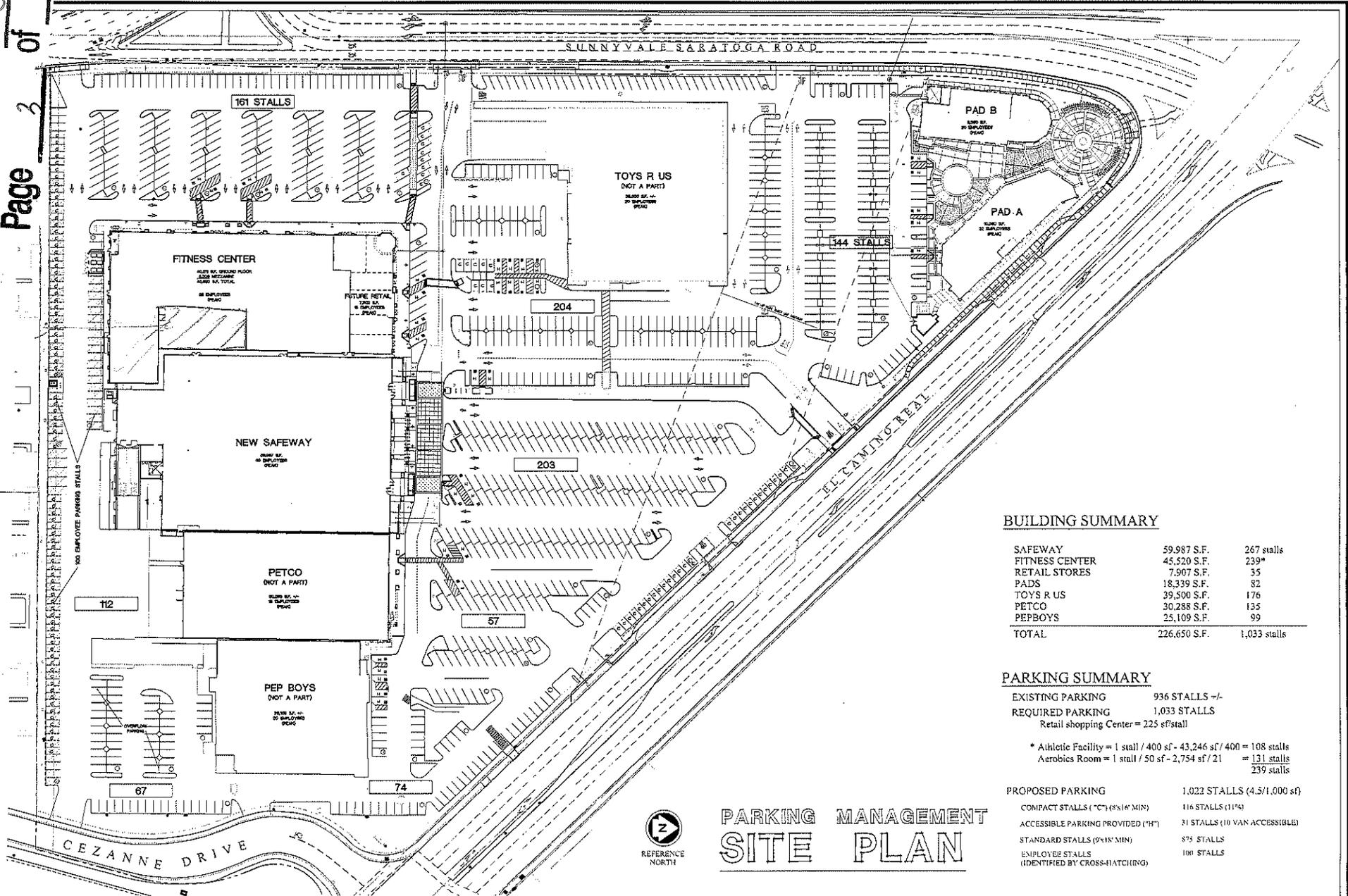
There is a small group of stalls behind Pep Boys totaling about 67 stalls. These stalls will likely be unused except possibly during the busiest of times. Since these are hidden behind Pep Boys, additional signage could be placed at areas short of parking to direct patrons to these "overflow" parking stalls.

Summary:

The project as proposed does meet the minimum city requirements for parking stalls. In addition there are additional stalls provided to act as overflow parking if there are exceptionally busy periods demanding additional parking. Due to the configuration of the public streets and adjacent residential developments, we don't anticipate that there would be any patrons or employees parking off-site. There should be no parking impact on adjacent properties.

Distribution of on-site parking is generally good and follows the distribution of the parking demand. Requirements for employee parking at the rear of the site will help free-up the most convenient stalls for the customers and patrons. Extra parking behind Pep Boys can be identified as "overflow parking" as the need arises.

End of Parking Management Plan



BUILDING SUMMARY

SAFeway	59,987 S.F.	267 stalls
FITNESS CENTER	45,520 S.F.	239*
RETAIL STORES	7,907 S.F.	35
PADS	18,339 S.F.	82
TOYS R US	39,500 S.F.	176
PETCO	30,288 S.F.	135
PEPBOYS	25,109 S.F.	99
TOTAL	226,650 S.F.	1,033 stalls

PARKING SUMMARY

EXISTING PARKING	936 STALLS +/-
REQUIRED PARKING	1,033 STALLS
Retail shopping Center = 225 sf/stall	

* Athletic Facility = 1 stall / 400 sf = 43,246 sf / 400 = 108 stalls
 Aerobics Room = 1 stall / 50 sf = 2,754 sf / 21 = 131 stalls
 239 stalls

PROPOSED PARKING	1,022 STALLS (4.5/1,000 sf)
COMPACT STALLS (7'x11' MIN)	116 STALLS (11%)
ACCESSIBLE PARKING PROVIDED ("H")	31 STALLS (10 VAN-ACCESSIBLE)
STANDARD STALLS (9'x11' MIN)	875 STALLS
EMPLOYEE STALLS (IDENTIFIED BY CROSS-HATCHING)	100 STALLS

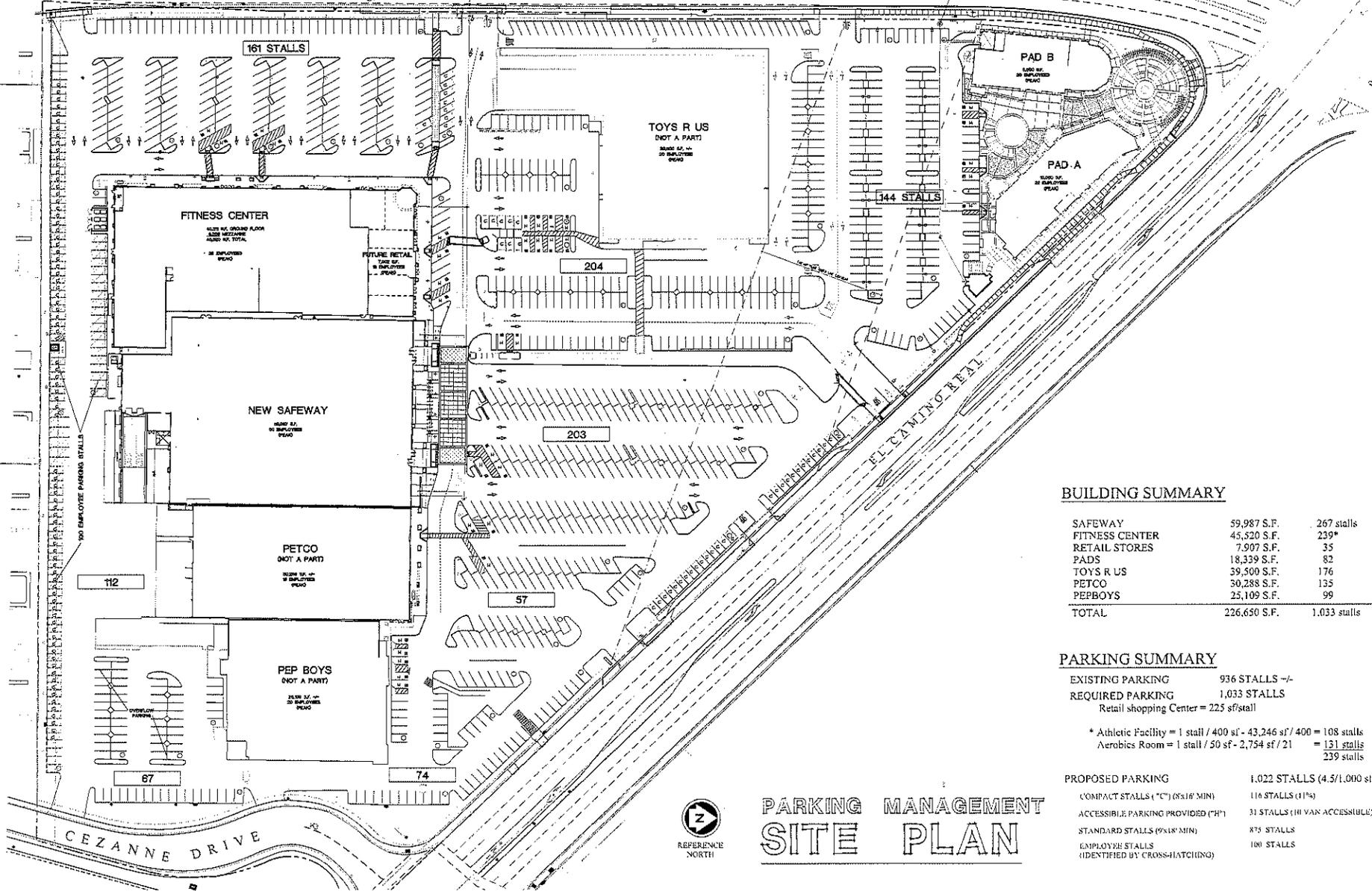
PARKING MANAGEMENT SITE PLAN



SUNNYVALE

A-1

SUNNYVALE SARATOGA ROAD



BUILDING SUMMARY

SAFeway	59,987 S.F.	267 stalls
FITNESS CENTER	45,520 S.F.	239*
RETAIL STORES	7,907 S.F.	35
PADS	18,339 S.F.	82
TOYS R US	39,500 S.F.	176
PETCO	50,288 S.F.	135
PEPBOYS	25,109 S.F.	99
TOTAL	226,650 S.F.	1,033 stalls

PARKING SUMMARY

EXISTING PARKING	936 STALLS -/-
REQUIRED PARKING	1,033 STALLS
Retail shopping Center = 225 sf/stall	
* Athletic Facility = 1 stall / 400 sf - 43,246 sf / 400 = 108 stalls	
Aerobics Room = 1 stall / 50 sf - 2,754 sf / 21 = 131 stalls	
239 stalls	

PROPOSED PARKING	1,022 STALLS (4.5/1,000 sf)
COMPACT STALLS ("C") (6'x16' MIN)	116 STALLS (11%)
ACCESSIBLE PARKING PROVIDED ("AP")	31 STALLS (III VAN ACCESSIBLE)
STANDARD STALLS (9'x18' MIN)	875 STALLS
EMPLOYEE STALLS (IDENTIFIED BY CROSS-HATCHING)	100 STALLS



PARKING MANAGEMENT SITE PLAN

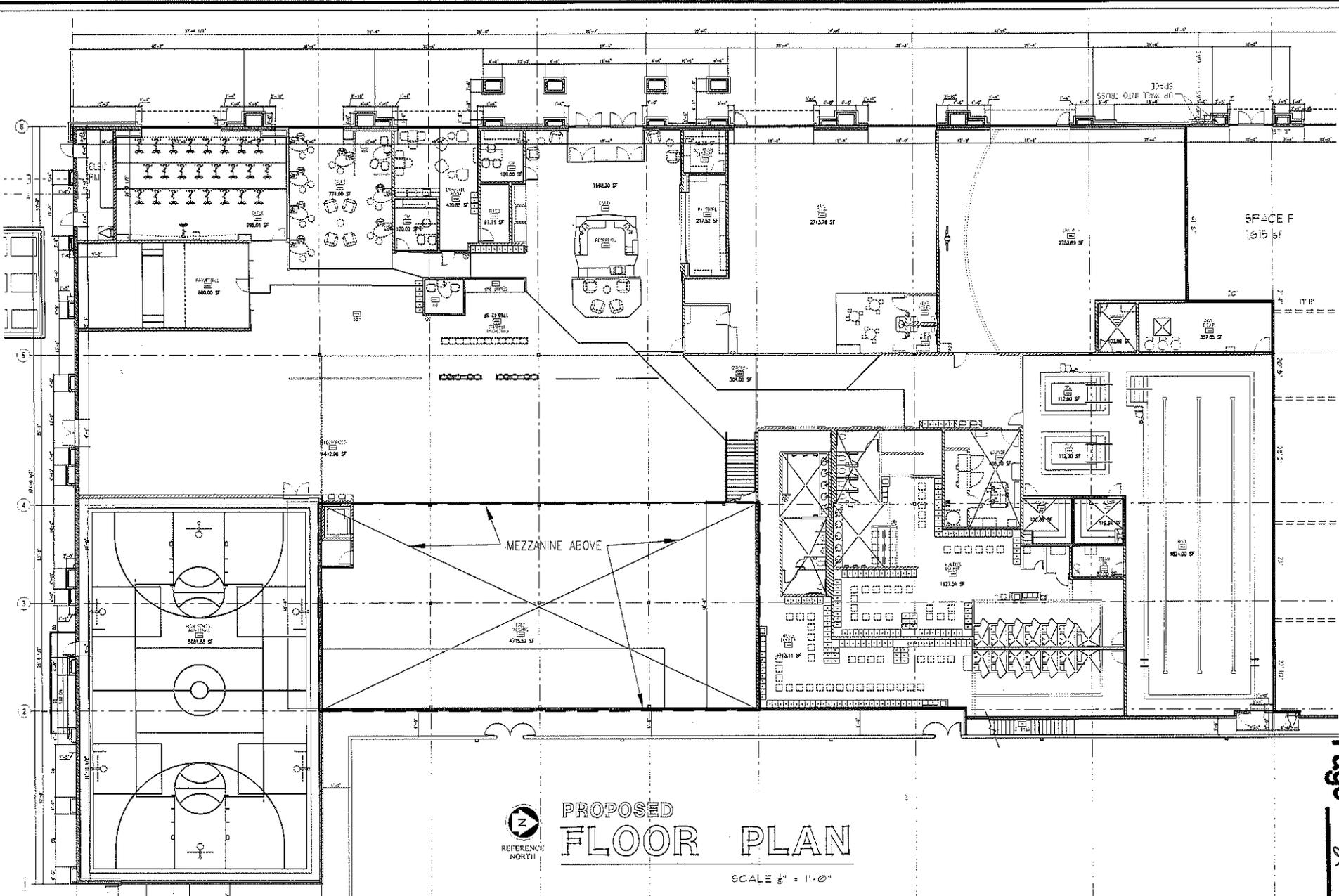
SUNNYVALE

JOHNSON LYMAN ARCHITECTS
 1138 LOCUST ST. #100, WALNUT CREEK, CA 94596
 (925) 938-9100

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12.29.09

ATTACHMENT
 Page 1 of 9



PROPOSED
FLOOR PLAN

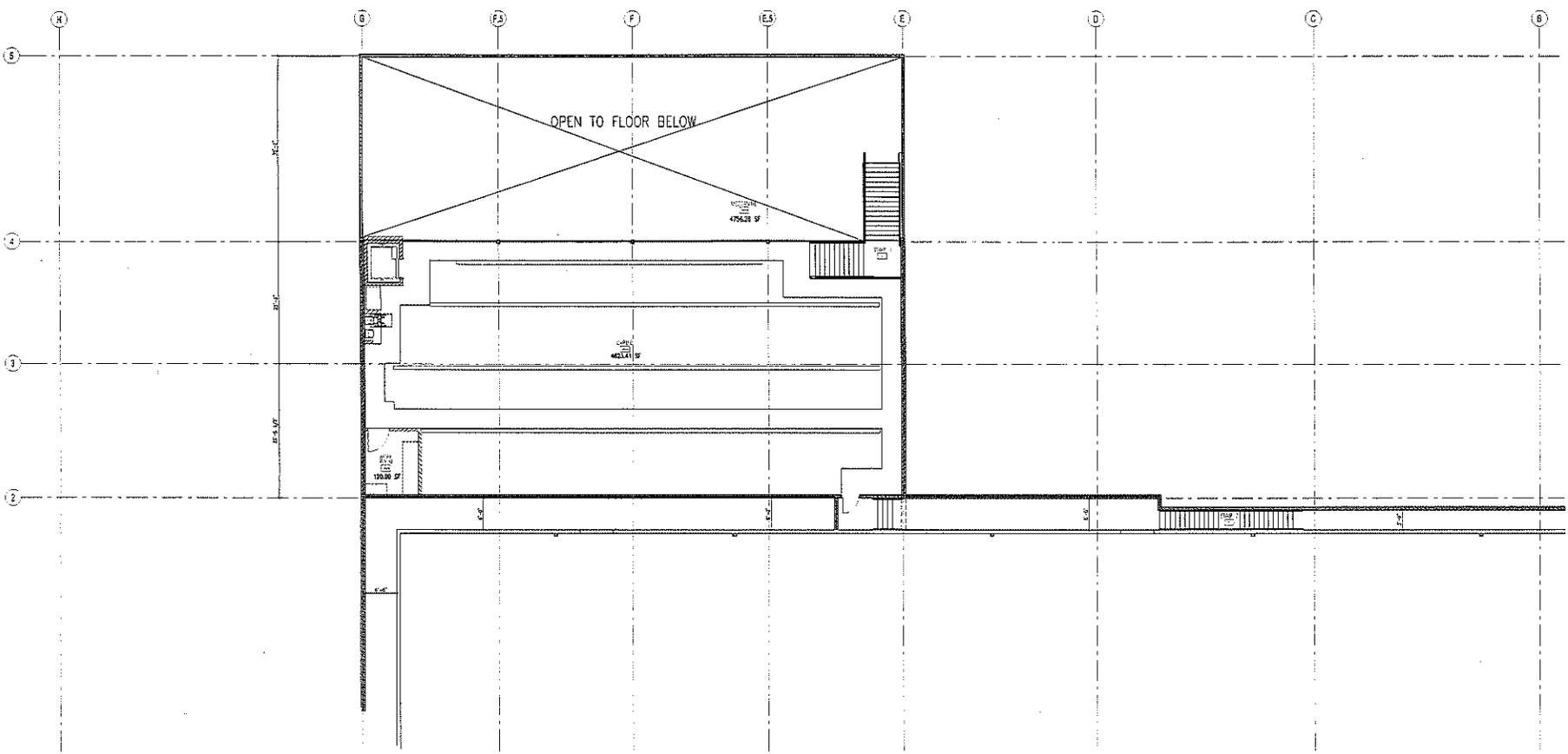
SCALE 1/8" = 1'-0"

SUNNYVALE

CITY OF SUNNYVALE
 DEPARTMENT OF PUBLIC WORKS
 1450 SHERIDAN AVENUE, SUITE 100
 SUNNYVALE, CA 94086
 TEL: (415) 353-3300

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PROPOSED
MEZZANINE PLAN

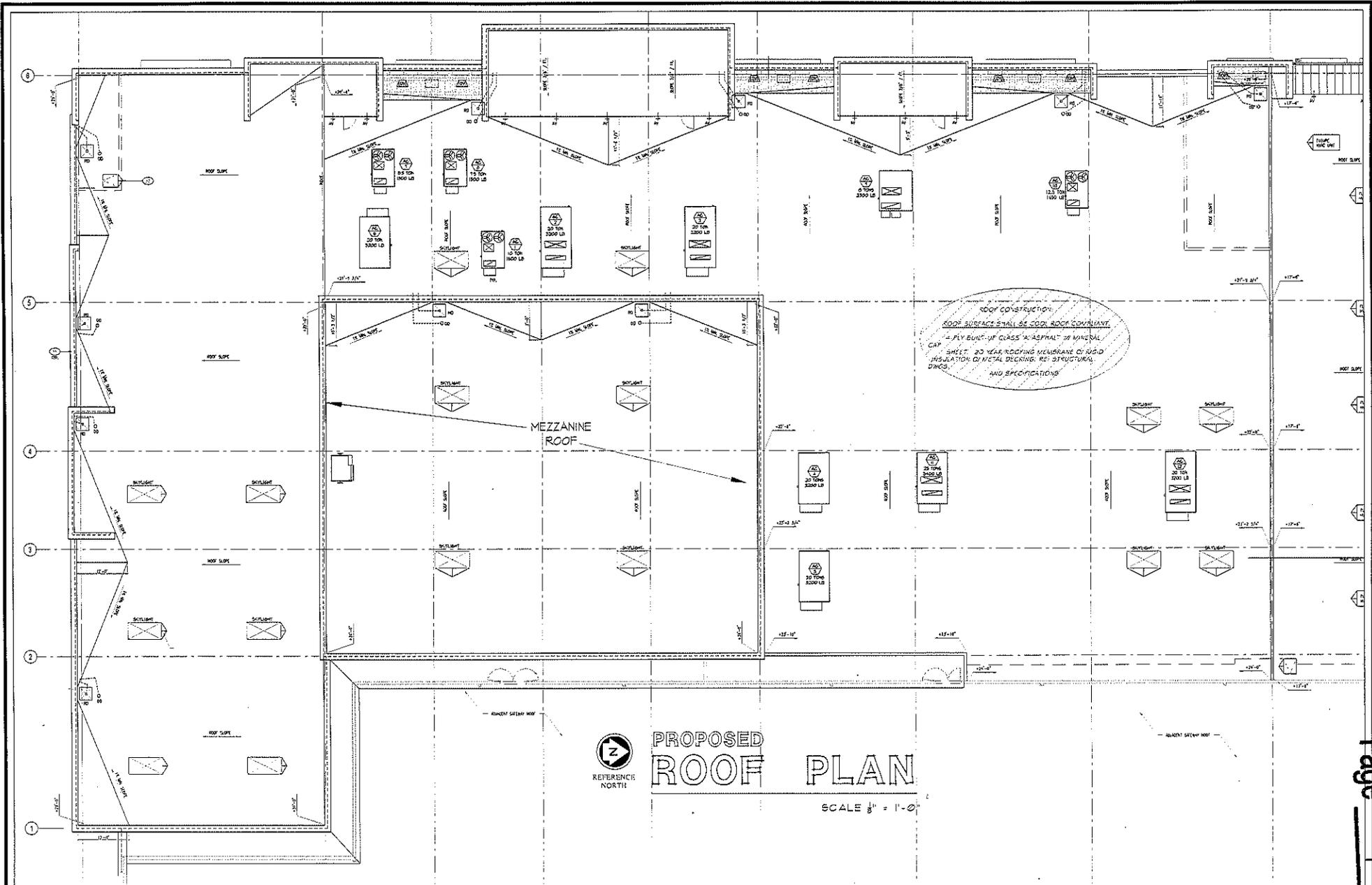
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SUNNYVALE



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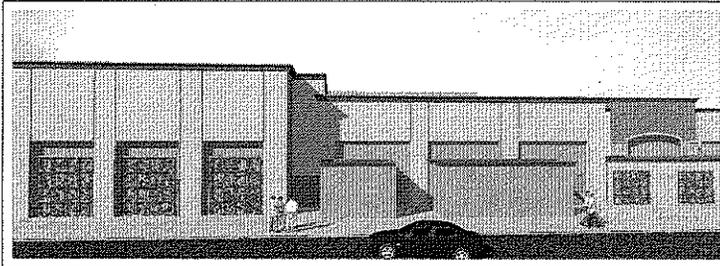
**PROPOSED
ROOF PLAN**

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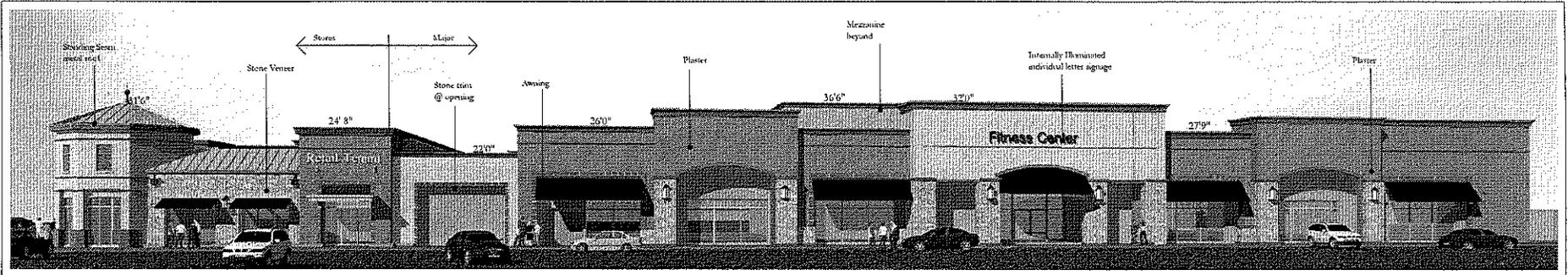
SUNNYVALE

**JOHNSON
LYMAN
ARCHITECTS**
1331 BUCHSTAY AVE., WALLART GREEN, CA 95040
415.351.1100

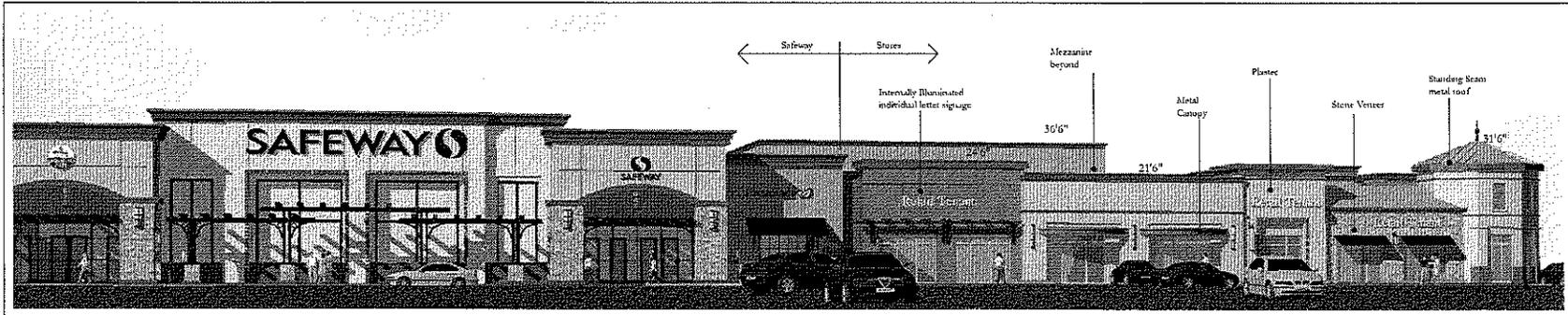
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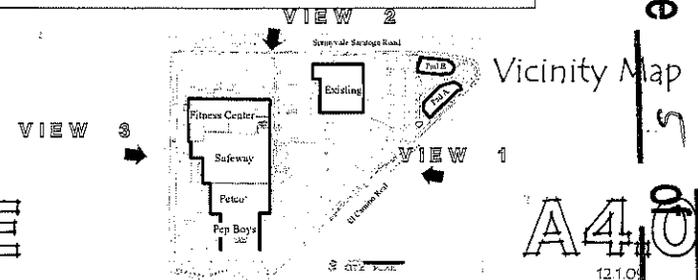
VIEW 3 LOOKING SOUTH



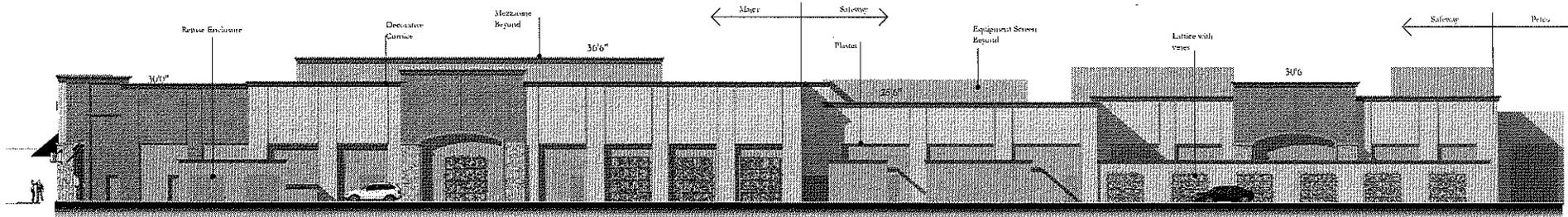
VIEW 2 LOOKING WEST



VIEW 1 LOOKING NORTH



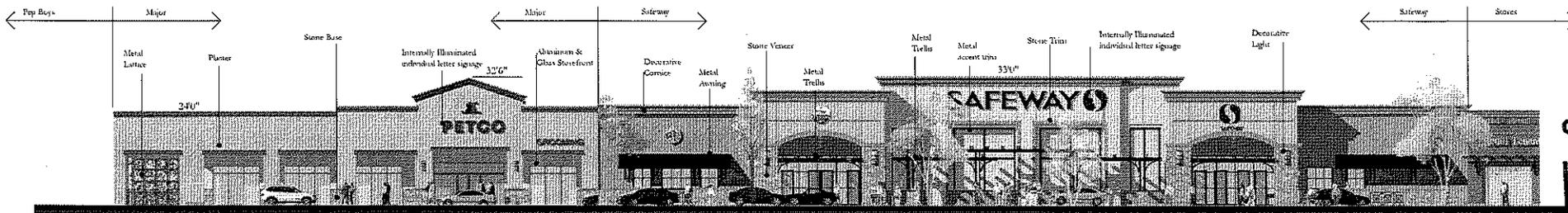
SUNNYVALE



SOUTH ELEVATION

1" = 10'

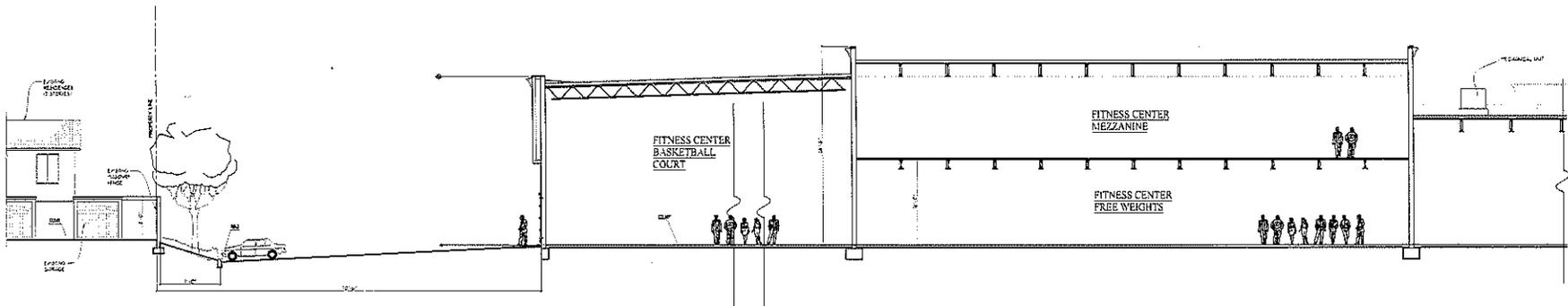
Major



NORTH ELEVATION

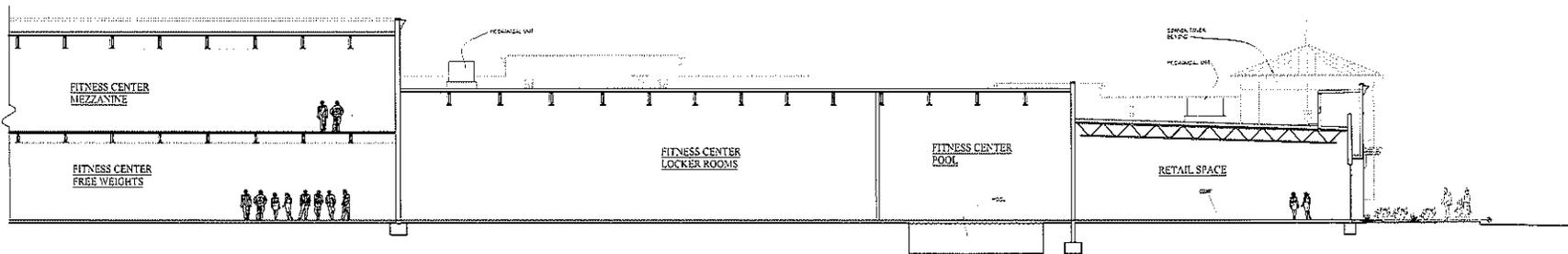
1" = 10'

Pop Boys & Petco



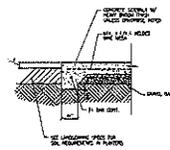
SECTION A - THROUGH FITNESS CENTER MEZZANINE AND RETAIL SPACES

1/4" = 1'-0"

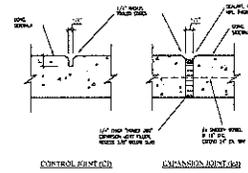


SECTION A (CONTINUED) - THROUGH FITNESS CENTER MEZZANINE AND RETAIL SPACES

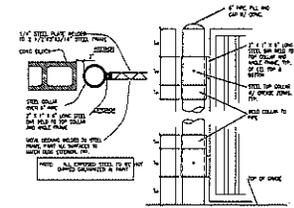
1/4" = 1'-0"



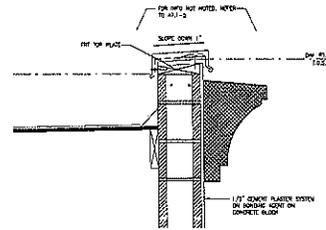
3 PLANTER EDGE
1/4" = 1'-0"
RC 5/1



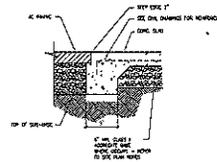
4 CONCRETE JOINTS
1/4" = 1'-0"
RC 5/1



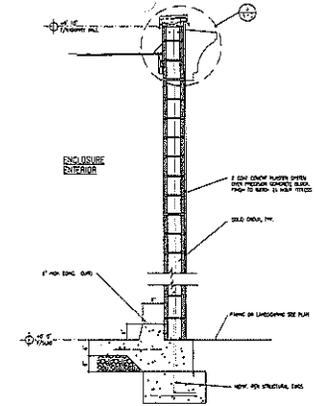
5 METAL GATE
1/4" = 1'-0"
RC 5/1



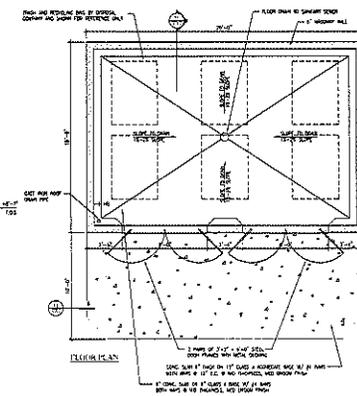
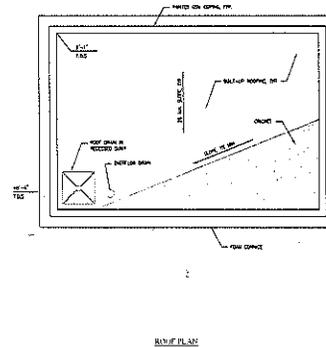
9 CORNICE
1/4" = 1'-0"
RC 5/1



14 CONCRETE @ PAVING
1/4" = 1'-0"
RC 5/1



15 TRASH ENCLOSURE WALL SECTION
1/4" = 1'-0"
RC 5/1



24 TRASH ENCLOSURE
1/4" = 1'-0"
RC 5/1

SAFETY

STAMP

REVISIONS

DATE: 12/15/10

BY: [Signature]

PROJECT NO. 101

DRAWN BY: [Signature]

STAFF'S PARKING CALCULATIONS

Using Shopping Center Parking Rate

	Building Area	Parking Rate	# Spaces Required
Safeway/Stores	67,894	1/225	301.75
24 Hr Fitness	45,520	1/225	202.31
Petco	30,288	1/225	134.61
PepBoys	25,109	1/225	111.59
Corner Pads	18,339	1/225	81.5
Toys R Us	39,500	1/225	175.55
Total	226,650		1,008 Required
			1,022 Provided
			+ 14

Using Individual Parking Rates

	Building Area	Parking Rate	# Spaces Required
Safeway/Stores	67,894	1/225	301.75
24 Hr Fitness			
Fixed Seats	0	1/3 seats	0
Group Class	2,754	1/21	131.14
Other	42,766	1/400	106.91
Petco	30,288	1/225	134.61
PepBoys	25,109	1/225	111.59
Corner Pads	18,339	1/225	81.5
Toys R Us	39,500	1/225	175.55
Total	226,650		1,044 Required
			1,022 Provided
			- 22