



# CITY OF SUNNYVALE REPORT ADMINISTRATIVE HEARING

June 16, 2009

**File Number:** 2010-7319

**Permit Type:** Use Permit

**Location:** 910 E. California Avenue (near Commercial Avenue) (205-34-009)

**Applicant/Owner:** Sweet Doggies Inc.

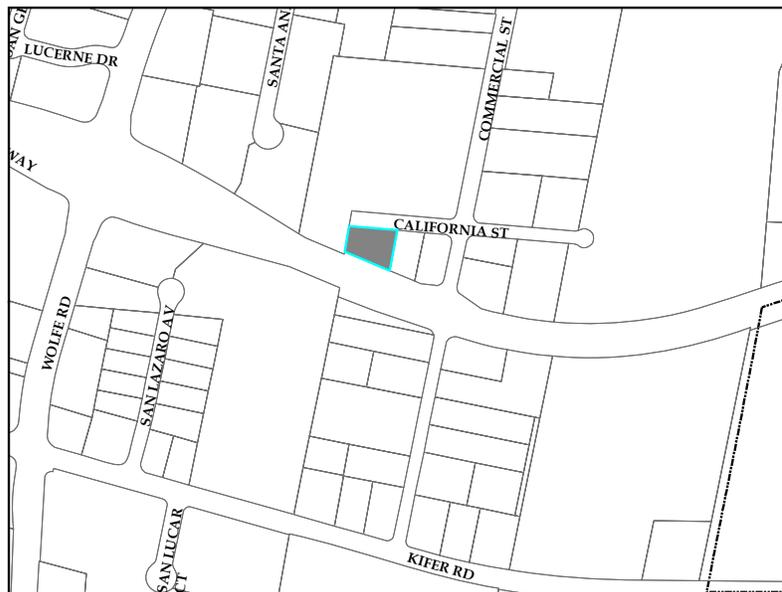
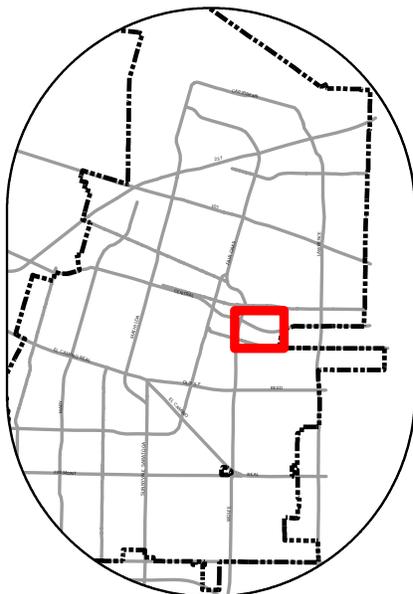
**Staff Contact:** Shaunn Mendrin, Senior Planner, (408) 730-7429

**Project Description:** To allow a dog daycare and kennel within an existing building.

**Reason for Permit:** A Use Permit is required to allow a dog daycare and kennel within an Industrial zone.

**Issues:** Outdoor dog run area regular clean up and separation from the existing storm drain system.

**Recommendation:** Approve with Conditions



500

Feet

**PROJECT DESCRIPTION**

	<b>Existing</b>	<b>Proposed</b>
General Plan:	Industrial	No Change
Zoning District:	Industrial Service	No Change
Total Sq. Ft. on Site:	8,690 sq. ft.	No Change
Tenant Sq. Ft.:	8,690 sq. ft.	No Change
Parking:	20	18

Previous Planning Projects related to Subject Application.	<b>No</b>
Neighborhood Preservation Complaints.	<b>No</b>
Deviations from Standard Zoning Requirements.	<b>No</b>

**Use Description:** The project applicant is proposing a cage-less dog daycare and boarding facility at the subject property. The proposed use will reach a maximum of 70 dogs and eight (8) employees.

**Hours of Operation:** The proposed use would operate Monday through Friday from 7 am to 7 pm with limited hours on the weekends and holidays. Additional Conditions of Approval have been added to ensure that the dog run areas are cleaned at a minimum of twice a day to minimize odors.

**Floor Plan and Exterior Changes:** The proposed use will require minimal changes to the interior of the existing building (low wall separations for various dog areas within the existing floor plan). Exterior changes will include changing one side window to a roll-up door and the addition of a fenced dog run area adjacent to the larger parking area. The following items are additional exterior changes that have been added as conditions of approval:

- The dog run area will need to provide drainage separation from the existing storm drain system by installing a six inch curb around the run area and a pervious surface will need to be used for the dog run area.
- The trash enclosure will need to be relocated to one of the two parking spaces located on the southern edge of the larger dog run. The enclosure shall be installed as per City standards.

**Parking:** The proposed use will accommodate daycare and boarding for dogs. Parking for similar types of uses have been required to provide parking based on the daycare ratio which is 1 per employee at the maximum shift, plus 1 per 14 dogs. Based on the proposed description, the parking required will be 18 spaces. The site will provide 18 parking spaces (19 minus one space for the trash enclosure relocation as noted above).

**Public Contact:** Four 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 changes in use) relieves this project from CEQA provisions.

## **FINDINGS**

---

In order to approve the Use 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.

### **Land Use and Transportation Element**

**Goal C4** Sustain a strong local economy that contributes fiscal support for desired city services and provides a mix of jobs and commercial opportunities.

#### **Policy**

C4.1 Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.

#### **Action Statement**

C4.1.3 Promote commercial uses that respond to the current and future retail service needs of the community.

The proposed use provides a needed service for residents and employees within the City in an area that can accommodate the proposed use. The proposed dog daycare and boarding facility will add to the City's mixture of uses and it will provide additional employment opportunities within the City.

**Staff was able to make the findings as the design 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 project is expected to have no impacts on surrounding properties.**

## **ALTERNATIVES:**

---

1. Approve the Use Permit with recommended Conditions in Attachment A.

2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

**RECOMMENDATION**

---

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

Reviewed by:  
**Steve Lynch**  
Senior Planner

Prepared By: Shaunn Mendrin, Senior Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Letter from the Applicant

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
Planning Application 2010-7319  
Use Permit to allow dog day care and kennel.**

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

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 and Standard Development Requirements of this Permit:

**THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.**

1. CONFORMANCE WITH APPROVED PLANNING APPLICATION – All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]
2. USE EXPIRATION - The approved use Permit for the use shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)
3. PERMIT EXPIRATION (Ordinance 2895-09) - The Use 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. [SDR] (PLANNING)

**THE FOLLOWING SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.**

4. REQUIRED REVISIONS TO PROJECT PLANS - The plans shall be revised to address comments from the Administrative Hearing Officer including the following [COA] [PLANNING]:
  - a) The dog run area shall provide drainage separation from the existing storm drain system by installing a six inch curb around the run area. The dog run area will need be constructed of a pervious surface
  - b) The trash enclosure shall be relocated to one of the two parking spaces located on the southern edge of the larger dog run. The enclosure shall be installed as per City standards for trash enclosures in Industrial areas.

**THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).**

5. CONDITIONS OF APPROVAL – Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]
6. RESPONSE TO CONDITIONS OF APPROVAL – A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]
7. NOTICE OF PROJECT RESTRICTIONS – A Notice of Project Restrictions shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Project Restrictions shall prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from

a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Project Restrictions. This Condition shall be satisfied prior to issuance of Building Permit or 60 days of this approval. [COA] [PLANNING]

8. BLUEPRINT FOR A CLEAN BAY – The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]
  
9. BEST MANAGEMENT PRACTICES - The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
  - a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
  - b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
  - c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
  - d) Covered trash, food waste, and compactor enclosures.
  - e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency’s authority and standards:
    - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
    - ii) Dumpster drips from covered trash and food compactor enclosures.
    - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
    - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
    - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

**THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**

10. PARKING LOT STRIPING – All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

**THE FOLLOWING SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.**

11. BLUEPRINT FOR A CLEAN BAY – The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

**THE FOLLOWING CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.**

12. RECYCLING AND SOLID WASTE - All exterior recycling and solid waste shall be confined to approved receptacles and enclosures and emptied as necessary. [COA] [PLANNING]
13. LANDSCAPE MAINTENANCE - All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]
14. HOURS OF OPERATION - The proposed business shall operate Monday through Friday 7 am to 7 pm and limited hours on holidays and weekends. [COA] [PLANNING]
15. DOG RUN AREAS: The outdoor dog run areas shall be cleaned at a minimum of twice daily to reduce odors and shall be maintained with a pervious surface. [COA] [PLANNING]





Project Description Letter

Sweet Doggies Daycare (applicant)

Located at 910 California Sunnyvale (near central expressway in an m-s (industrial and service) Zoning District

Use: A daycare, boarding, grooming and training facility for dogs.

Apn: 205-34-009 Lot size 20,475

Sweet Doggies Daycare is a cage-less facility that offers both daytime care and boarding for canine customers only. Our focus is to enhance our community and provide the opportunity for our customers to have a safe place for the family pet. Through our training and socialization, we enrich both our customers and the community by creating better canine citizens. We anticipate taking several years to reach an average of 70 dogs. We will develop close working relationships with local veterinarians, rescue organizations, and other dog related groups in order to be of better service to the community. Our standard operating hours during which we are open to the public are Monday through Friday from 7am to 7pm, and limited hours on the weekends and holidays, which will not interfere with the surrounding businesses.

We are founding our own dog day care after working a combined 8 year in the industry because we want to create a day care that valued Communication with both the dogs and their parents. It will be a place that would have love without limits, were dog can experience the joys of being a dog. We use positive training techniques because they nurture and teach while strengthening the bonds with dogs.

As shown by our plans and project data sheet minimal changes are required to the interior or exterior of the existing building. Our chosen business fits well with both the surrounding area as well as the city as a whole. The surrounding area already features veterinary practices and another dog boarding facility. The building we have selected for Sweet Doggies Daycare is bordered by both the Central Expressway and the City Staging Grounds for Construction. The building that we have chosen is in excellent state of up keep and features extensive landscaping that serves to further in enhance the street's and city's overall appearance. It had previously been used for office space.

Sincerely

Evan Walsh

CEo of Sweet Doggies Inc. (applicant)

Phone Number 650 387 1718 Fax 413 375 1598 Email [evan@morefaster.com](mailto:evan@morefaster.com)