



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

August 15, 2012

File Number: 2012-7479

Permit Type: Use Permit

Location: 1025 The Dalles (near Wright Ave.) (APN: 320-11-010)

Applicant/Owner: Sunny Chinese Learning Center / St Luke Lutheran Church Of Sunnyvale CA

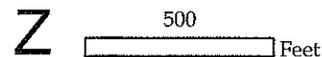
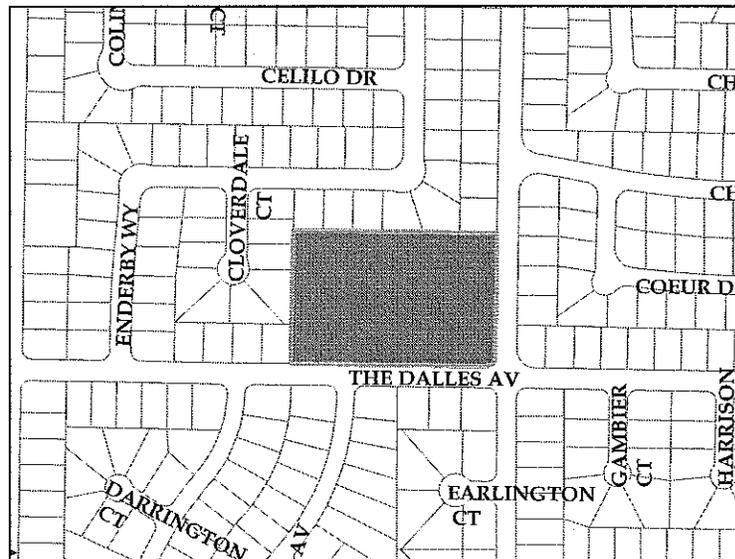
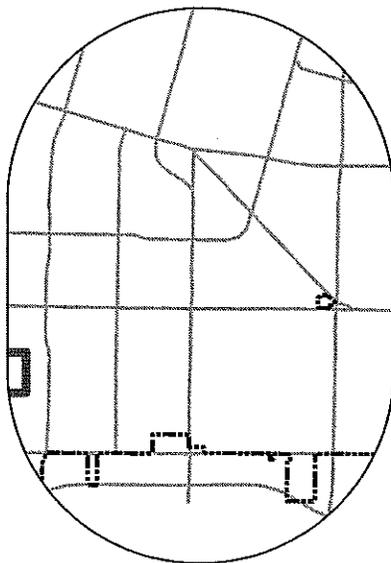
Staff Contact: Shétal Divatia, Associate Planner, (408) 730-7422

Project Description: To allow an after school educational enrichment facility (two new portable classrooms totaling 1,920 sq. ft.) at St. Luke's Church.

Reason for Permit: A Use Permit is required for educational enrichment uses in a PF (Public Facilities) Zoning District.

Issues: Compatibility with adjacent residential uses.

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Residential Low Density	Same
Zoning District:	PF	Same
Site Area	191,537 s.f.	Same
Total Sq. Ft. on Site:	(E)17,445 + (N)1,920 s.f.	19,365 s.f.
(N) Tenant Sq. Ft.:	1,920(By Use Permit)	19,365 s.f.
Lot Coverage	9.1%	10.11%
Parking:	158	Same

Previous Planning Projects related to Subject Application – Several Permit applications – listed below are those received in the last 10 years: 2010-7678,,Tree Removal Permit - Approved 2010-7049, Use Permit for Telecom Facility on church tower – Withdrawn 2004-0841, Tree Removal Permit – Denied 2004-0705, Use Permit for installation of 65 foot telecom tower – Denied 2002-0671, Use Permit to construct a wall for columbarium – Approved 2002-0044- MPP for Ground Sign for Pre-school - Approved 1986-0219 – Use Permit to establish Pre-school and office extn. - Approved	Yes
Neighborhood Preservation Complaints – Several complaints have been received and resolved related to overgrown vegetation, storage, banners and signage.	Yes
Deviations from Standard Zoning Requirements	No

Use Description: The applicant notes (Attachment C) that the proposed educational enrichment use (after school Chinese learning center) will serve children a maximum of 84 children ranging K-8 from the neighborhood including the preschoolers at the site. All instruction/activities will occur indoors. Activities noted include homework assistance, Chinese language, arts and crafts, music and movement, Chinese calligraphy, chess, math, English writing and reading, and kung fu classes. The program also includes a snack break and clean-up at the end of the day.

Hours of Operation: The center will operate from 3:30 p.m. to 6:30 p.m. Monday through Friday.

Site and Floor Plan: The proposed new modular building will be located in the northwest portion of the church campus; behind the preschool building (See Attachment B). This portion of the site is currently vacant and undeveloped. The proposed enrichment center will be housed in a new modular building comprising of two class rooms. The building will be served by a ramp and

steps and each of the classrooms includes a restroom. The site will have access from the parking lot on the north side of the campus and will be served by a new sidewalk that will be located by existing shrubbery edging the parking lot.

Exterior Changes: The proposed modular one-story building will match the existing preschool building. The building will have a beige colored exterior walls and composition shingle roof. The building height will be 12' 6" to the top of ridge (See Attachment B).

Parking: The site is served by two parking lots; one along the north property line with access from Wright Avenue (North Parking Lot) and the second parking lot is located south of the church building and has access from The Dalles. The site has a total of 158 parking spaces. Per Sunnyvale Municipal Code (SMC 19. 46.050), the site with the existing uses (church use, a meeting hall, and a preschool) and the proposed educational enrichment center will require a total of 156 parking spaces where 158 are provided. See table below:

Use	Parking Ratio	Required Parking
(E) Church (Saturday and Sunday)	224 fixed seats÷3 + 3,400 s.f. of other area÷400	84
(E) Meeting Hall (Weekdays)	3,488 s.f.÷180	20
(E) Preschool (Weekdays)	72 students÷4 + 7 teachers÷1	25
(N) After school Enrichment Center (Weekdays)	84 students/4 + 6 teachers÷1	27
Existing and New Uses		156 spaces total
Existing Parking on site		158 spaces total

Staff notes that the above uses do not occur at the same time. The church is in use during weekends while the other uses including the proposed use will occur during weekdays. The site is adequately parked even if all the uses were to occur at the same time.

Staff notes that portions of the North Parking Lot that will serve the proposed use are in disrepair (broken curb and potholes in paving) which need to be repaired prior to occupancy of the proposed use (Condition of Approval No. PS-1(a)). The site also lacks bicycle parking; Condition of Approval No. PS-1(b) requires provision of eight bicycle parking be provided in the parking lot or near the proposed structure.

Neighborhood Compatibility: The proposed use is within a church campus which also includes a preschool and a meeting hall. The campus is

surrounded by single family residential uses. The site has adequate parking for existing as well as the proposed use. The proposed one-story modular building is more than 100 feet away from the north and 60 feet away from the west property lines which are shared with adjacent residential single family homes. The proposed use will generate additional trips to the site and the underutilized parking lot. Staff notes that there is minimal landscape screening along the north and west property lines that is shared with single family residential use. Staff recommends additional plantings to provide landscape screening (Condition of Approval No. BP-5). This portion of the site had large trees that were removed and new smaller replacement trees have been planted, which in time will grow, but will not provide adequate screening between the parking lot and the residential neighbors. Staff suggests planting of tall shrubs or smaller trees, which at maturity will provide a tall hedge-like screening.

The proposed indoor use use, as conditioned, is expected to have minimal adverse impact on its neighboring residential uses.

Public Contact: Twenty nine notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. Several of the neighbors have inquired about the proposed project. 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.

Staff was able to make the above finding as noted below.

Land Use and Transportation Element

Policy LT 4.14: *Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.*

The proposed use will provide an educational opportunity serving neighborhood residents and onsite preschoolers. The proposed use, as conditioned, is compatible with adjacent residential uses and no negative impacts on surrounding uses are anticipated.

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.

Staff was able to make the above finding as noted below.

The proposed use is compatible with existing uses on-site and residential uses in the neighborhood. There is adequate on-site parking for the uses on the site. There is no conflict or peak times created, as the various on-site uses have different times and days of the week. The Church is actively used on weekends, the preschool and community hall are used during the hours of 8 a.m. to 6 p.m. on weekdays, and the proposed after-school educational enrichment program will occur from 3:30 p.m. to 7 p.m. during weekdays.

The project, as conditioned, is expected to have no adverse impacts on surrounding properties as the project.

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 of Approval located in Attachment A.

Reviewed by:


Shaun Mendrin
Senior Planner

Prepared By: Shétal Divatia, Associate Planner

Attachments:

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

Attachment A

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
August 15, 2012**

Planning Application 2012-7479

1025 The Dalles

Use Permit to allow an after school educational enrichment facility (two new portable classrooms totaling 1,920 sq. ft.) at St. Luke's Church.

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:

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

GC-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]

GC-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)

GC-3. PERMIT EXPIRATION:

The 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. [SDR] (PLANNING)

GC-4. CONFORMANCE WITH PREVIOUS PLANNING PERMIT:

The subject site shall comply with all previous conditions of approval and requirements of planning permits issued for the site. [PLANNING] [COA]

GC-5. SIGNS:

All existing/new signs shall be brought into conformance with Title 19 of the Sunnyvale Municipal Code. [PLANNING] [COA]

PS-1. PARKING

- a. Portions of curb and paving in North Parking Lot that is currently in disrepair shall be repaired prior to Occupancy Permit for proposed use.
- b. Bicycle parking for a total of eight bicycles (4 Class 1 and 4 Class 2) shall be provided near the proposed use prior to Occupancy Permit.

BP: 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).

BP-1. 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]

BP-2. 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]

BP-3. 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]

BP-4. ROOF EQUIPMENT

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]

BP-5. LANDSCAPE BUFFER:

Plant shrubs/trees (water conserving species) in North Parking Lot to provide a minimum of six foot high hedge-like screening along the north and west property lines; include this information on a revised Site Plan. Planting and associated irrigation shall be completed prior to Occupancy Permit for the proposed use.

BP-6. BEST MANAGEMENT PRACTICES - STORMWATER:

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.

BP-7. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of building permit.

- a) TRANSPORTATION IMPACT FEE – Prior to issuance of a Building Permit, pay a Transportation Impact Fee for the net new trips resulting from the proposed project. The fee shall be calculated based on net new PM peak hour trips and using the adopted fee schedules at the time of payment (SMC 3.50). (SDR) (PLANNING)

PF: 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.

PF-1. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. COMPACT SPACES:

All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]

PF-3. PARKING LOT REPAIR AND STRIPING:

All parking lot repair and striping shall be per approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

AT: 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.

AT-1. HOURS OF OPERATION:

The use permitted as part of this application shall comply with the following hours of operation at all times:

- a) The hours of operation for the proposed use are limited to 3:30 p.m. to 7:00 p.m. Monday through Friday. Extended hours,

including for temporary events, shall require separate review and approval. [COA] [PLANNING]

AT-2. MAXIMUM NUMBER OF STAFF/STUDENTS:

As proposed, the Use Permit allows for a maximum of 84 students, and 6 staff members during the operation hours of 3:30 p.m. to 7 p.m. Monday through Friday. (COA) (PLANNING)

AT-3. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

AT-4. EXTERIOR EQUIPMENT:

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. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

AT-5. 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]

AT-6. PARKING LOT MAINTENANCE:

The parking lot shall be maintained in accordance with the approved plans.

Attachment B

A New After-School Program Plan for Students of K-66
12:00-6:30pm, Monday-Friday

Curriculum & Subject

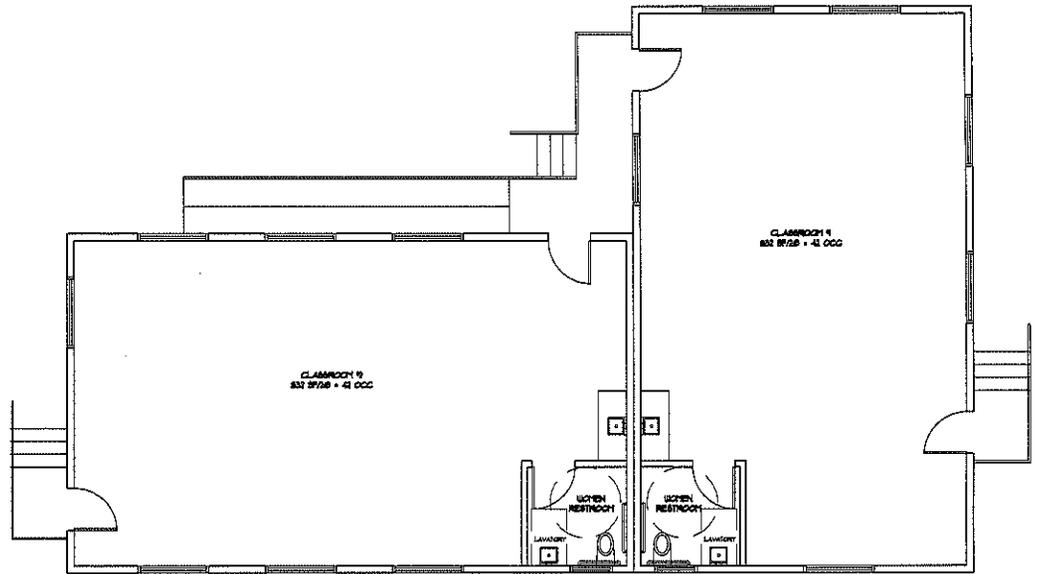
- Homework Tutoring
- Chinese Language and Culture
- Calligraphy
- Math Enrichment Practice and Arts
- English Phonics, Reading, Writing
- Music, Movement
- Chinese Dance
- Chinese
- Chinese Drawing
- Chinese Kung Fu
- Chinese Chess / GO / Chess Club
- Crafts, Songs,

After-School Class Schedule (Basic Program)

	Monday	Tuesday	Wednesday	Thursday	Friday
3:30-3:45	Homework/ Math/English	Homework/ Math/English	Homework/ Math/English	Homework/ Math/English	Homework/ Math/English
3:45-4:00	Snack	Snack	Snack	Snack	Snack
4:00-5:00	Chinese Class	Chinese Class	Chinese Class	Chinese Class	Chinese Class
5:00-5:30	Art/Crafts	Music/ Movement	Chess/ Science	Chinese Calligraphy	Art/Craft
5:30-6:30	Clean up/ Flagroom				

After-School Class Schedule (Elective Program)

	Monday	Tuesday	Wednesday	Thursday	Friday
3:30-3:45	Drawing Class	English Reading	Chess Class	English Writing Class	Chinese Kung Fu



LHC

L.H.C. Construction

21000-A Big Basin Way
Sunnyvale, CA 95070
(408) 867-9331



DWR: LUCY LIU
1025 THE DALLES AVENUE
SUNNYVALE, CA 94087
(408) 598-7060

SUNNY CHINESE LEARNING CENTER
NEW MODULE BUILDING

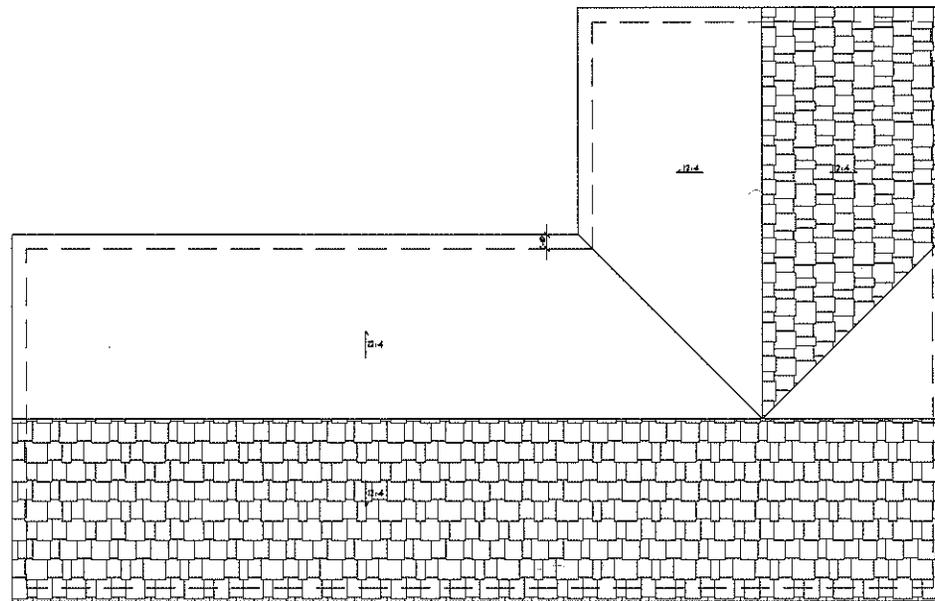
1025 THE DALLES AVENUE
SUNNYVALE, CA 94087

BUSINESS PROGRAM

NTS 3

FLOOR PLAN

1/4" 1



ROOF PLAN

1/4" 2

ATTACHMENT B
Page 2 of 3

SHEET TITLE:
FLOOR PLAN
ROOF PLAN
BUSINESS PROGRAM

DATE: JUNE 22, 2012 PROJECT NO. 12-00
SCALE: AS SHOWN DRAWN: HC
SHEET

A-1

OF SHEETS

LHC

L.H.C. Construction

21000-A Big Basin Way
Sunnyvale, CA 95070
(408) 867-9331



OWNER:
LUCY LIU
1025 THE DALLES AVENUE
SUNNYVALE, CA 94087
(408) 598-7050

**SUNNY CHINESE LEARNING CENTER
NEW MODULE BUILDING**
1025 THE DALLES AVENUE
SUNNYVALE, CA 94087

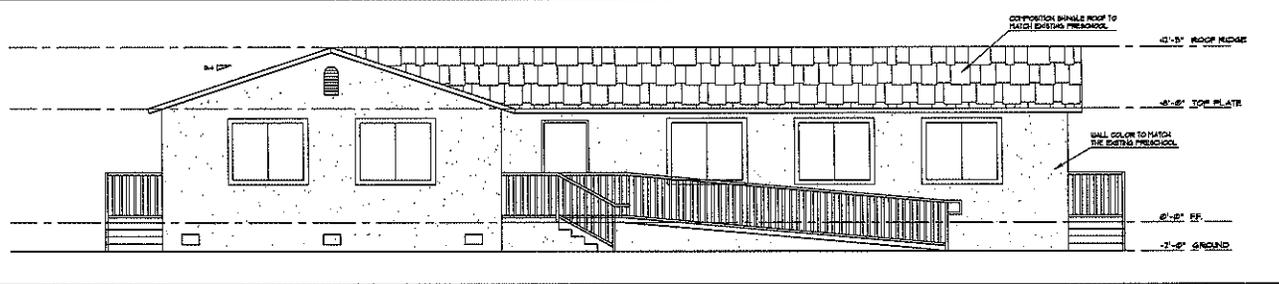
REVISIONS:

SHEET TITLE:
BUILDING ELEVATIONS

DATE JUNE 21, 2017	PROJECT NO. 17-00
SCALE AS SHOWN	DRAWN HC
SHEET	

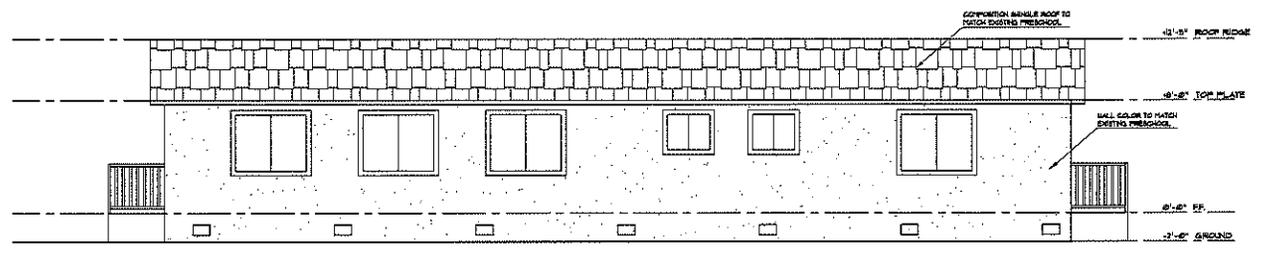
A-2

OF SHEETS



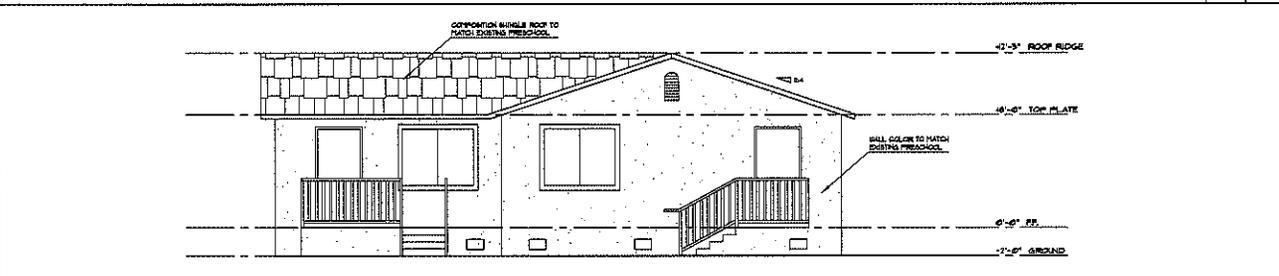
FRONT ELEVATION

1/4" 1



REAR ELEVATION

1/4" 2



RIGHT ELEVATION

1/4" 3



LEFT ELEVATION

1/4" 4

ATTACHMENT
 Page 3 of 3

Attachment C

SUNNY CHINESE LEARNING CENTER

NEW MODULE BUILDING CONSTRUCTION

1025 THE DALLES AVENUE, SUNNYVALE, CA 94087

ATTACHMENT 6
 Page 1 of 1

APN: 153-05-11

BUILDING AREA: 1,920 SQ. FT.

TYPE OF CONSTRUCTION: MODULE HOUSE

OCCUPANCY: B

USE ZONE: RI

PROPOSED USE: K-8 AFTER SCHOOL

FIRE SPRINKLER SYSTEM: NO

FIRE ALARM SYSTEM: NO

PARKING: SEE PARKING ANALYSIS

C.B.C: 2010

C.F.C: 2010

C.P.C: 2010

C.M.C: 2010

C.E.C: 2010

CALIFORNIA TITLE 24: 2008

PROGRAM INFORMATION:

AFTER SCHOOL:

CHILDREN AGE: KINDERGARTEN OR ABOVE
 MINIMUM AGE: 4 YEARS 9 MONTHS

CLASSROOM:

CBC 2010, TABLE 1004.11
 EDUCATIONAL - CLASSROOM: 20 NET/SGFT

CLASSROOM #1: $832 \text{ SF} / 20 = 42 \text{ CHILDREN}$
 CLASSROOM #2: $832 \text{ SF} / 20 = 42 \text{ CHILDREN}$
 TOTAL CHILDREN: 84

STAFF RATIOS:

ONE TEACHER: 14 CHILDREN
 ONE TEACHER AND 1 AIDE: 28 CHILDREN

CLASSROOM #1: $36 \text{ CHILDREN} / 14 = 3 \text{ TEACHERS}$
 CLASSROOM #2: $39 \text{ CHILDREN} / 14 = 3 \text{ TEACHERS}$
 TOTAL TEACHERS: 6

OCCUPANTS LOAD: $84 + 6 = 90$

OUTDOOR SPACE: NOT REQUIRED
 PROVIDE: 2,810 SF

RESTROOMS:

CPC 2010, TABLE 4-1, ELEMENTARY:
 TOILET: MALE 1 PER 30 / FEMALE 1 PER 25
 LAVATORY: MALE 1 PER 35 / FEMALE 1 PER 35

PROVIDE 2 RESTROOM FOR EACH CLASSROOM

PARKING:

1 PER 1 TEACHER: 6 PARKING SPACES
 3 PER CLASSROOM: 6 PARKING SPACES
 TOTAL PARKING REQUIRED: 12

LOT COVERAGE	BUILDING AREA (SF)
(E) CHURCH	64
(E) KURTZ HALL	34
(E) AMAZING CREATIONS PRESCHOOL	681
(N) SUNNY CHINESE LEARNING CENTER	19
(E) CONTAINER	3
(E) STORAGE #1	1
(E) STORAGE #2	2
	19,3
STE AREA	191,5
LOT COVERAGE	10,1

BUILDING DATA

NTS

3

PROGRAM DATA

NTS

2

PARKING ANALYSIS	FACTORS	PARKING CALCULATION	PARKING REQUIRED	SCHEDULE
(E) CHURCH	FIXED SEAT: 224 OTHER AREA: 3400 SF	$224 / 3 = 74.7$ $3400 / 400 = 8.5$	81	SATURDAY & SUNDAY 8:00AM - 10:00PM
(E) KURTZ HALL	AREA: 3488 SF	$3488 / 400 = 8.7$	9	EVERYDAY 8:00AM - 10:00PM
(E) AMAZING CREATIONS (E) CHURCH	STUDENT: 72 TEACHER: 7	$72 / 14 = 5.1$ $7 \times 1 = 7$	13	MONDAY - FRIDAY 8:00AM - 6:00PM
(N) SUNNY CHINESE LEARNING CENTER	K-8 CLASSROOM: 2 TEACHERS: 6	$2 \times 3 = 6$ $6 \times 1 = 6$	12	MONDAY - FRIDAY 8:00AM - 7:00PM
		REQUIRED	115	
		PARKING PROVIDE	158	
		(E) ADA PARKING	7	

PROJECT DESCRIPTION

PROVIDE A K-8 AFTER SCHOOL
 2 MODULE HOME BUILDINGS
 2 CLASSROOMS, OUTDOOR SPACE
 2 ADA RESTROOMS
 ACCESSIBLE STAIRS AND RAMP
 INSTANT WATER HEATER
 WINDOW TYPE HVAC

BUILDING DATA

NTS

5

NTS

4