



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

February 27, 2013

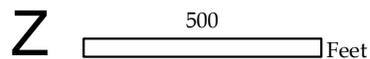
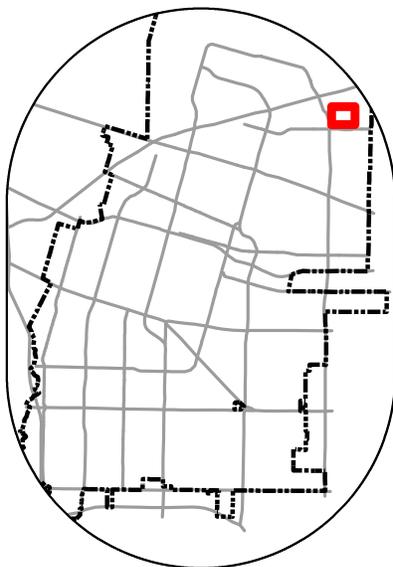
File Number: 2012-7944	Permit Type: Use Permit
Location: 1261 Birchwood Dr. (near Elko Dr.) (APN: 104-29-002)	
Applicant/Owner: Shak Properties / Donald and Geraldine Nelson	
Staff Contact: Mariya Hodge, Associate Planner, (408) 730-7659	

Project Description: To allow a dog daycare facility with overnight boarding.

Reason for Permit: Dog daycare is not a listed use in the Zoning Code. Per Sunnyvale Municipal Code section 19.98.220, the Director of Community Development has determined this use is similar to and not more objectionable or intensive than other uses which can be considered in industrial districts through a Use Permit process. As a result, a Use Permit is required to consider this use.

Issues: Neighborhood compatibility, noise, waste disposal.

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Industrial	Same
Zoning District:	M-S	Same
Lot Area (sq. ft.):	23,679	Same
Floor Area (sq. ft.):	9,900	Same
Parking:	21 spaces	13 spaces

Previous Planning Projects related to Subject Application A Variance was approved in 1970 to allow reduced side setbacks at the time of constructing the industrial building.	Yes
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements	No

Use Description: The proposed use is a dog daycare facility for up to 55 dogs. Overnight boarding (kennel) services will be provided. The facility is expected to have up to five employees on the site during daytime hours and one to two employees during evening hours.

Hours of Operation: The proposed facility will to be open to the public Monday through Friday from 8:00 a.m. to 6:00 p.m. and Saturday from 9:00 a.m. to 2:00 p.m. Employees and dogs would remain on the site outside these hours due to the overnight boarding use.

Site Plan and Floor Plan: The existing industrial building is divided into two separate tenant spaces. The project includes demolition of the building's interior partition walls and construction of new partitions to create 45 individual dog boarding rooms, a large indoor play area for dogs, service areas (grooming, laundry), employee areas (offices, kitchen, and break rooms), a lobby, a retail area, and restrooms. The primary building entrance will be along Birchwood Drive. At the rear of the building, a portion of the existing paved parking lot will be converted to an outdoor play area for dogs. This area will be fenced and trees will be planted along the side property line to minimize visual and noise impacts. A new trash enclosure is proposed in the parking lot area.

Exterior Building Changes: Modifications to the front, rear, and north side façades are proposed. The existing industrial building is a single story concrete structure with a flat roof. There is a decorative wood shingled roof area attached along the front façade. The proposed project includes minor modifications to create a more contemporary appearance. The wood shingled roof area along the front façade will be covered with stucco. The roof height will be increased at the northeast corner of the building to create a rectangular corner element which will be covered with wood siding in a natural color. The

remainder of the building will be painted in a palette of white, dark grey, and burnt orange tones.

Parking: New parking standards for non-residential uses were recently adopted by the City Council. These regulations apply to projects deemed complete on or after February 7, 2013. The proposed project was deemed complete prior to that date and is therefore subject to the City's previous non-residential parking requirements. There is no specific parking requirement listed for dog daycare uses. These uses have typically been required to provide the same parking as a child daycare due to the similarity of traffic patterns for these uses. Daycare uses are required to provide one parking space per employee during the maximum shift plus one parking space per 14 students (dogs). The proposed use requires a total of 9 parking spaces. Thirteen parking spaces are proposed; two at the front of the building and 11 in the rear parking lot area.

Expected Impacts on Surroundings: The project site is located in an industrial neighborhood where surrounding businesses may generate significant noise. There are residential uses in the broader surrounding area approximately 800 to 1,000 feet away. There is an existing dog daycare use at 1249 Birchwood Drive, approximately 300 feet to the south of the site, which was approved in 2003. In recent years, businesses on a site adjacent to the existing dog daycare have complained several times about excessive noise caused by barking dogs. Based on a review of the complaints and their outcome, it appears the noise was attributed to a large number of dogs using the outdoor dog run together, as well as high occupancy of interior rooms with more than one dog per room. The project applicant has prepared a noise management plan to reduce potential noise impacts on surrounding sites (see Attachment D). Measures include solid fencing around the outdoor play area to screen the parking area from dogs' view and limit barking, tree plantings along south side property line, limiting the hours of use for the outdoor play area, and limiting the number of dogs in the outdoor play area at one time. Staff recommends several modifications to this plan (Condition of Approval PS-4) as well limiting the maximum number of dogs to 45 to eliminate the need for sharing of rooms. Staff also recommends a condition that the noise management plan may be required to be updated if complaints are received and it is determined by the City that the existing plan is not effective. The applicant has developed a waste management plan to ensure dog waste is properly disposed of and the site is regularly cleaned to limit odor impacts. As proposed and conditioned, the site is not expected to have significant impacts on the surrounding area.

Public Contact: Fourteen notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. Staff has not received any letters or other contacts.

Environmental Determination: A Categorical Exemption Class 3 (conversion of small structures to new uses) 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. *[Finding made]*

Land Use and Transportation Element

Policy LT-4.1 – Protect the integrity of the City’s neighborhoods, whether residential, industrial, or commercial.

Policy LT-4.7 – Support the location of convenient retail and commercial services (e.g., restaurants and hotels) in industrial areas to support businesses, their customers, and their employees.

Goal LT-6 – Sustain a strong local economy that contributes fiscal support for desired city services and provides a mix of jobs and commercial opportunities.

Policy LT-6.1 – Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.

The proposed use will provide a service for residents and employees in an area which can accommodate the use without negative impacts. The proposed dog daycare and boarding facility will add to the City’s mixture of commercial uses, will serve employees of surrounding businesses, and will provide additional employment opportunities within the City.

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. *[Finding made]*

The proposed use is not expected to have a detrimental impact on the site or surrounding properties. Sufficient parking is provided to serve the use. The proposed building design is attractive and contributes positively to neighborhood character. The proposal includes a noise management plan and a waste disposal/cleaning plan which will ensure the use does not result in negative noise or odor impacts.

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:

Gerri Caruso
Principal Planner

Prepared By: Mariya Hodge, Associate Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Applicant's Project Description and Justifications
- D. Proposed Noise Management Plan and Waste Disposal/Cleaning Plan

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
February 27, 2013**

Planning Application 2012-7944

1261 Birchwood Drive

Use Permit to allow a dog daycare facility with overnight boarding.

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. BUILDING PERMITS:
Building permits shall be obtained as required prior to any proposed demolition, grading, or construction activity. [SDR] [BUILDING]
- GC-2. 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-3. USE EXPIRATION:
The approved Use Permit shall expire if the use is discontinued for a period of one year or more. [SDR] [PLANNING]
- GC-4. 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-5. SIGNS:
Proposed signage is shown for reference on plans but is not within the scope of this review. All existing/new signs shall be in conformance with Title 19 of the Sunnyvale Municipal Code. New or modified signs require approval of Sign Permits [SDR] [PLANNING].

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

- PS-1. REQUIRED REVISIONS TO PROJECT PLANS:
The plans shall be revised to include the following:
- a) The exterior play area shall be bermed at the perimeters to prevent water runoff from leaving the play area. All water drainage in the play area shall infiltrate directly into soils or be directed to the sanitary sewer system.
 - b) Runoff from any areas used by dogs shall be directed to the sanitary sewer system. All other rain downspouts and storm drain facilities shall be directed to the storm drain system.
 - c) Provide an on-site fire hydrant and fire department connection in compliance with Fire Department requirements.
- [COA] [PLANNING/PUBLIC WORKS]
- PS-2. EXTERIOR MATERIALS REVIEW:
Final exterior building materials and color scheme are subject to review and approval by the Planning Commission/Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]
- PS-3. LANDSCAPE PLAN:
Landscape and irrigation plans for proposed landscaping modifications shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and

irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped;
- b) Ten percent of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size;
- c) Any “protected trees” (as defined in SMC 19.94) approved for removal shall be replaced with a specimen tree of at least 36-inch box size;
- d) All ground cover shall be planted so as to ensure full coverage eighteen months after installation;
- e) Provide a completed Water Efficient Landscaping Checklist. Plans shall demonstrate compliance with water efficient landscaping requirements including irrigation and hydrozone plans.

[COA] [PLANNING]

PS-4. NOISE MANAGEMENT PLAN:

The noise management plan for the use shall be revised to include the following:

- a) The number of dogs using the exterior play area shall be limited to no more than 10 at one time. If significant barking is occurring regularly (as determined by the Director of Community Development), the number of dogs using the exterior play area shall be further reduced.
- b) The facility’s capacity shall be limited to no more than 45 dogs to allow the option of individual rooming for each dog.
- c) Exterior doors shall not be propped open at any time.
- d) Use of the outdoor play area may continue until 8:00 p.m. as needed, provided noise is appropriately controlled and does not exceed the levels specified in the Sunnyvale Municipal Code.
- e) Measures to notify neighbors shall include a mailed notification to all adjacent properties informing them of the noise management procedures and providing them with a contact number for the facility operator in the event of any complaint. Neighbors shall be promptly re-notified if there is any change in procedures or contact information.
- f) Measures shall be taken to promptly address any noise complaints or other operational complaints from surrounding properties.
- g) The facility is required to comply at all times with the noise level restrictions in Sunnyvale Municipal Code section 19.42.030. The City may require revisions or updates to the noise management

plan if it is determined by the Director of Community Development that the plan is not adequately addressing noise impacts on neighboring properties.

[COA] [PLANNING]

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. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:

- a) Match the design, materials and color of the main building.
- b) Be of masonry construction.
- c) Have a minimum size of 9 feet deep by 13 feet wide;
- d) Have an appropriately located concrete stress pad installed in front of the enclosure. [COA] [PLANNING/PUBLIC WORKS]

BP-5. RECYCLING AND SOLID WASTE CONTAINER:

All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]

BP-6. ROOF EQUIPMENT

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

BP-7. LANDSCAPE PLAN:

Plans submitted for building permits shall include detailed landscape and irrigation plans prepared and signed by a certified professional. Landscape and irrigation plans shall be subject to review and approval by the Director of Community Development (per Condition of Approval PS-3) and comply with Sunnyvale Municipal Code Chapter 19.37 including water efficient landscaping requirements. [COA] [PLANNING]

BP-8. TREE PROTECTION PLAN:

Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees shall be shown on the plans, including sizes and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-9. FIRE PREVENTION:

The plans submitted for building permits shall demonstrate compliance with the following Fire Prevention requirements:

- a) The water supply for fire protection and firefighting shall be approved by the Department of Public Safety.
- b) Where a portion of the facility or building is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building or facility, on-site fire hydrants and mains shall be provided. Construction plans shall include the location, number, and type of hydrants within 300 feet of the site for review by the fire code official. An on-site hydrant and fire department connection is expected to be required for this use (SFC 507.5.1).
- c) The building is required to be protected throughout by an approved automatic fire sprinkler system in accordance with NFPA 13 (16.52.280 SMC [section 903.2.1(4)] and Section 903 CFC).
- d) Places of assembly shall comply with required codes.
- e) Trash enclosures within five feet of building exterior walls or overhangs require sprinkler protection.
- f) Knox (key) boxes may be required in accordance with Sunnyvale Fire Prevention guidelines.
- g) Approved emergency responder radio coverage is required in the building. Radio retransmission equipment may be required in areas lacking sufficient coverage.
- h) Prior to any combustible construction materials on site, provide fire access drives and operational fire protection systems.
- i) Provide electronic versions of plans to assist with Fire Department "pre-fire survey" maps.

[SDR] [PUBLIC SAFETY/FIRE]

BP-10. STORMWATER MANAGEMENT CALCULATIONS:

Submit two updated copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit.
[COA] [PLANNING]

BP-11. 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.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.

[SDR] [PLANNING]

BP-12. WASTE DISPOSAL, CLEANING, AND WASTEWATER:

The project shall comply with the following waste disposal, cleaning, and wastewater management procedures. These 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) The exterior play area shall be bermed at the perimeters to prevent water runoff from leaving the play area. All water drainage in the play area shall infiltrate directly into soils or be directed to the sanitary sewer system.
- b) Runoff from any areas used by dogs shall be directed to the sanitary sewer system. All other rain downspouts and storm drain facilities shall be directed to the storm drain system.
- c) Pet wastes shall be disposed of in compliance with the project's proposed waste disposal and cleaning procedures and in compliance with all regulatory requirements.

[COA] [PLANNING/PUBLIC WORKS]

BP-13. PHOTOMETRIC PLAN:

Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements. [COA] [PLANNING]

BP-14. EXTERIOR LIGHTING PLAN

Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for review and approval by the Director of Community Development. Driveway and parking area lights shall include the following:

- a) Sodium vapor (or illumination with an equivalent energy savings).
 - b) Pole heights to be uniform and compatible with the area.
 - c) Provide photocells for on/off control of all security and area lights.
 - d) All exterior security lights shall be equipped with vandal resistant covers.
 - e) Wall packs shall not extend above the roof of the building.
 - f) Lights shall have shields to prevent glare onto adjacent properties.
- [COA] [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. PARKING LOT STRIPING:

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

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

DC-1. 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]

DC-2. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

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. MAXIMUM CAPACITY:

The facility's capacity for daytime use and nighttime boarding shall not exceed 45 dogs. Any proposed expansion of the facility's capacity is subject to review and approval at a public hearing. [COA] [PLANNING]

AT-2. HOURS OF OPERATION:

The use permitted by this application shall comply with the hours of operation described in the application. The facility is permitted to be open to the public Monday through Friday from 8:00 a.m. to 6:00 p.m. and Saturday from 9:00 a.m. to 2:00 p.m. Employees and dogs may remain on the site outside these hours associated with overnight boarding use. Any expansion of the proposed hours is subject to review and approval by the City. Major expansions are subject to review at a public hearing. Minor expansions may be reviewed by the Director of Community Development. The Director of Community Development shall determine whether the proposed expansion is major or minor. [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. WASTE DISPOSAL AND CLEANING:

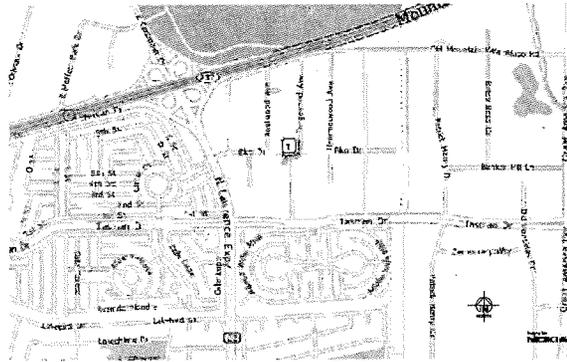
Comply with the approved waste disposal and cleaning procedures for the use as well as all applicable regulatory requirements. [COA] [PLANNING]

- AT-5. LOUDSPEAKERS PROHIBITED:
Out-of-door loudspeakers are prohibited at all times. [COA]
[PLANNING]
- AT-6. NOISE:
The project shall comply with City noise standards (operational noise) at all times including potential noise caused by animals. [SDR]
[PLANNING]
- AT-7. EMPLOYEES ON SITE:
At least one employee shall be present on the site at all times when dogs are present. Dogs boarding overnight at the facility shall not be left unsupervised. [COA] [PLANNING]
- AT-8. 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. [COA]
[PLANNING]
- AT-9. 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-10. PARKING LOT MAINTENANCE:
The parking lot shall be maintained in accordance with the approved plans and as follows:
- a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
 - b) Maintain all parking lot striping and marking.
 - c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
 - d) Require signs to direct vehicles to additional parking spaces on-site, as needed.
 - e) Clearly mark all compact spaces as per approved plans.
- [COA] [PLANNING]

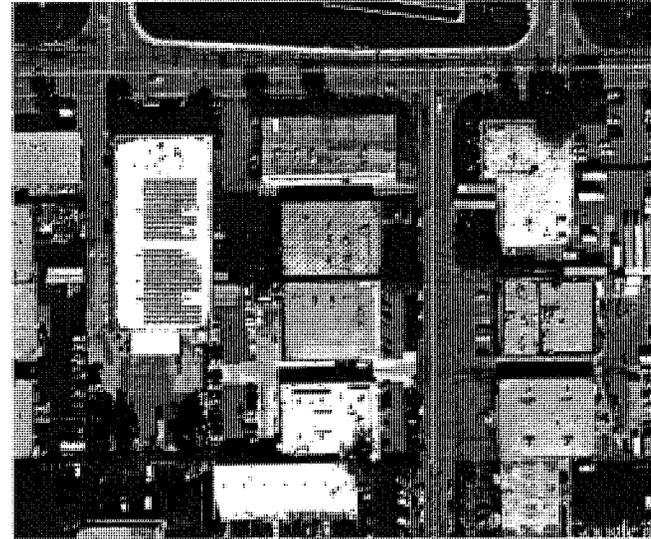
DOG DAYCARE FACILITY for: PAWS N' PLAY DOG RESORT

1261 & 1265 BIRCHWOOD DRIVE
SUNNYVALE, CALIFORNIA

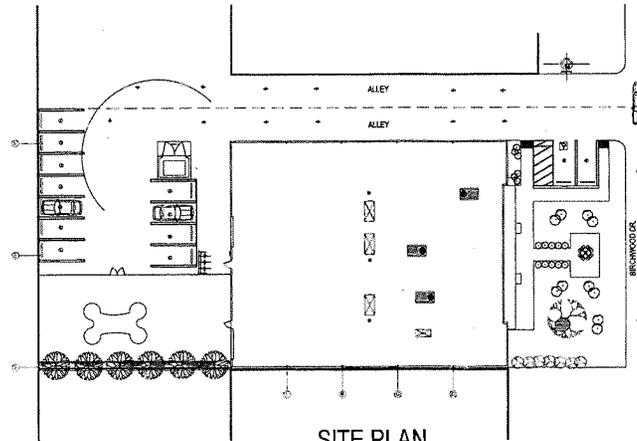
1261 Birchwood Dr, Sunnyvale, CA
94089-2206



VICINITY MAP



AERIAL PHOTO



SITE PLAN

CITY OF SUNNYVALE, CA	
PROJECT DATA	
PROJECT ADDRESS	1261 & 1265 BIRCHWOOD DRIVE
GENERAL	TENANT IMPROVEMENT OF EXISTING CONCRETE TILT-UP BUILDING
OWNER	SAM & HELEN SZTEINBAUM
ZONING DISTRICT	MS
LOT AREA	23,473 SQ FT
LOT SIZE	0.54 ACRES
BUILDING FLOOR AREA	15,711 SQ FT
FREQUENCY TYPE	INDUSTRIAL
YEAR BUILT	1971
NO. OF STORIES	1
BUILDING CLASS	S
BUILDING COVERAGE	9.00 SQ FT
PARKING SPACES	11 SPACES + 1 HC ACCESSIBLE + 15 3.00 SPACES/BICYCLE

CONSULTANTS ARCHITECTS
BEJMAN KREMER
1000 BAY STREET, SUITE 100
SUNNYVALE, CA 94089
TEL: 415.335.1100
FAX: 415.335.1101
WWW.BJKARCHITECTS.COM

DOG DAYCARE FACILITY for:
PAWS N' PLAY DOG RESORT
1261 & 1265 BIRCHWOOD DRIVE
SUNNYVALE, CALIFORNIA
OWNER: **SAM & HELEN SZTEINBAUM**



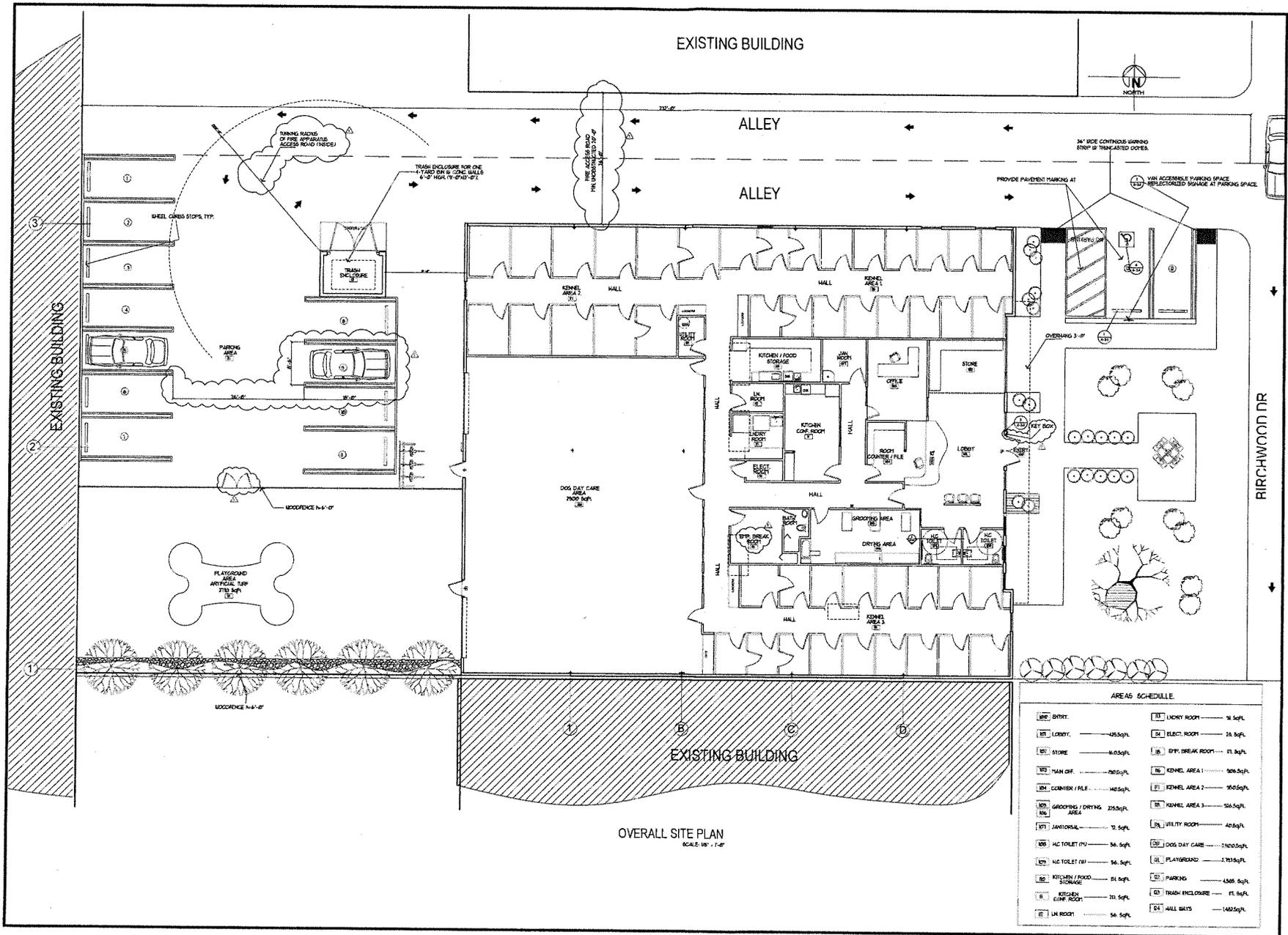
REVISION
DATE: 03/15/12
BY: SZTEINBAUM

JOB NO: 035-12
FILED: SZTEINBAUM



DATE: 01/20/12
CHECKED: JAN 20
SHEET: **A-1.0**
SITE PLAN

ATTACHMENT 3



OVERALL SITE PLAN
SCALE: 1/8" = 1'-0"

AREAS SCHEDULE

ENTR.	11	LUNNY ROOM	91 sq ft.
LOBBY	12	ELECT. ROOM	18 sq ft.
STORE	13	EPY. BREAK ROOM	71 sq ft.
MAN OFF.	14	KENNEL AREA 1	300 sq ft.
KITCHEN / COFF. / FILE	15	KENNEL AREA 2	300 sq ft.
GROOMING / DRYING AREA	16	KENNEL AREA 3	300 sq ft.
JANITORIAL	17	UTILITY ROOM	40 sq ft.
AC TOILET (M)	18	DOG DAY CARE	1200 sq ft.
AC TOILET (F)	19	PLAYGROUND	1700 sq ft.
KITCHEN / FOOD STORAGE	20	PARKING	4000 sq ft.
KITCHEN / COFF. ROOM	21	TRASH ENCLOSURE	71 sq ft.
LN ROOM	22	WALL BAYS	1400 sq ft.

CONSULTANTS ARCHITECTS
BEIMAN KREMER
1261 1265 BIRCHWOOD DRIVE
SUNBELT/VALE/GERMANY
DESIGNED BY: SAM & HELEN SZTEINBAUM

DOG DAYCARE FACILITY for
PAWS N' PLAY DOG RESORT
1261 & 1265 BIRCHWOOD DRIVE
SUNBELT/VALE/GERMANY
OWNER: SAM & HELEN SZTEINBAUM



REVISION
1. 11/15/12
2. 11/15/12
3. 11/15/12

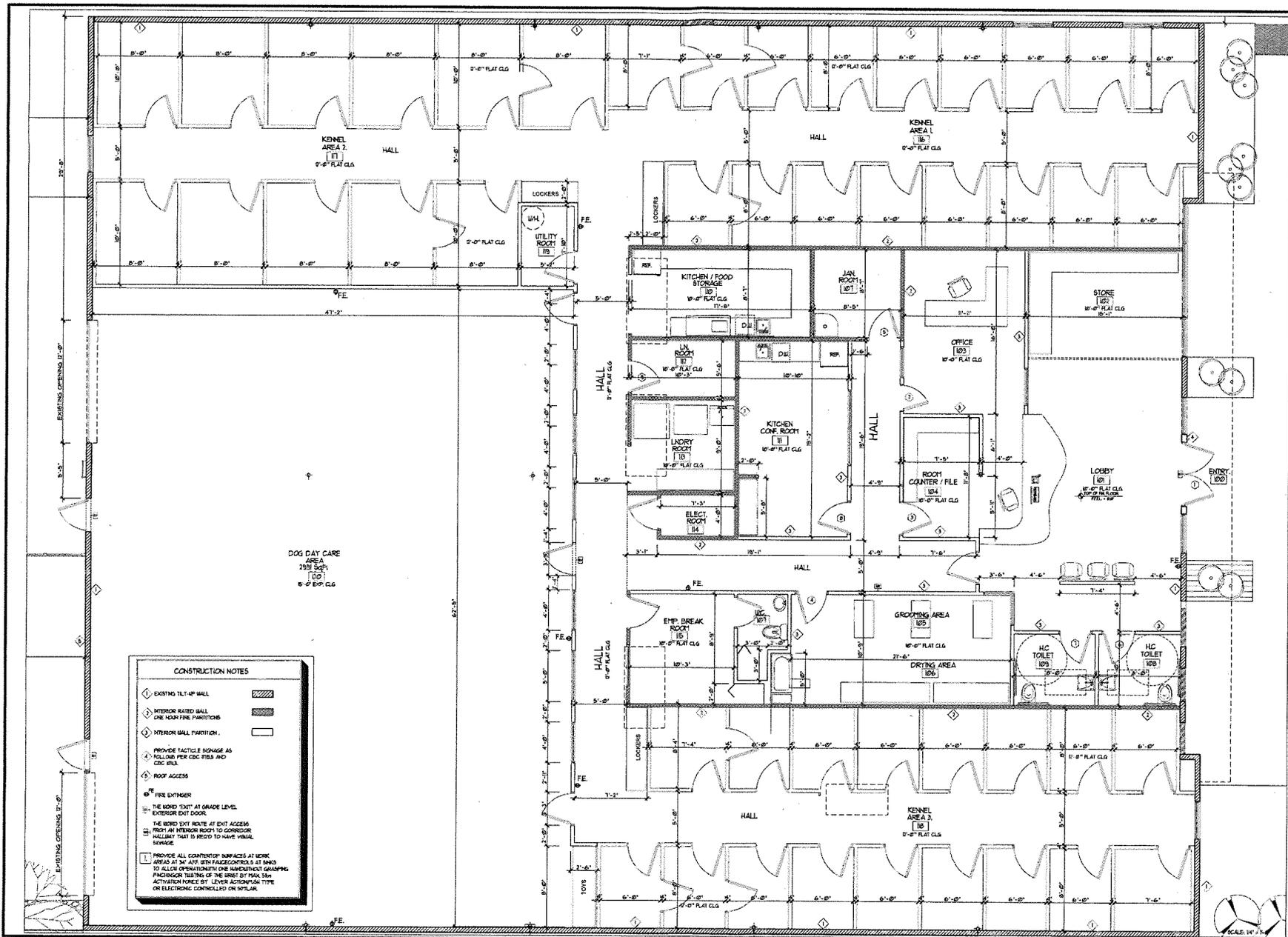
JOB No. G35-12
FILE: SZTEINBAUM

DATE NOV 15 2012

CHECK: [Signature]
SHEET: A-2.0

OVERALL SITE PLAN

ATTACHMENT 3
2 of 8



CONSTRUCTION NOTES

- ◊ EXISTING TILT-UP WALL
- ◊ INTERIOR RATED WALL ONE HOUR FIRE PARTITION
- ◊ INTERIOR WALL PARTITION
- ◊ PROVIDE TACTILE SIGNAGE AS FOLLOWING PER CBC FBA AND CDC VIIA
- ◊ ROOF ACCESS
- ⊙ FIRE EXTINGUISHER
- ⊙ THE WORD "EXIT" AT GRADE LEVEL
- ⊙ EXTERIOR EXIT DOOR
- ⊙ THE WORD "EXIT" ABOVE AT EXIT ACCESS
- ⊙ FROM AN INTERIOR ROOM TO CORRIDOR
- ⊙ HALLWAY THAT IS NEED TO HAVE VISUAL SIGNAGE
- ⊙ PROVIDE ALL CONTACT SURFACES AT WORK AREAS AT 24" MAX WITH FACE COMPLETS AT 50" TO ALLOW OPERATIONS ON HANDS/FOOT GRABBING
- ⊙ PACKAGING TESTING OF THE BRIST BY MAX 50% ACTIVATION FORCE BY LEVER ACTION/SM TYPE OR ELECTRONIC CONTROLLED OR SIMILAR.

DOG DAY CARE AREA
AREA 255 SQ FT
10' 0" x 25' 6" x 6" x 8" PLG CLG

DESIGN BY: CONSULTANT ARCHITECTS
BEAMAN KREMER
1200 S. GARDEN AVENUE
SUITE 100
SUNNYVALE, CALIFORNIA 94086
TEL: 415.335.1100
WWW.BEAMAN-KREMER.COM

idom
INTERNATIONAL DESIGN ORGANIZATION
1000 CALIFORNIA STREET
SUITE 100
SUNNYVALE, CALIFORNIA 94086
TEL: 415.335.1100
WWW.IDOM.COM

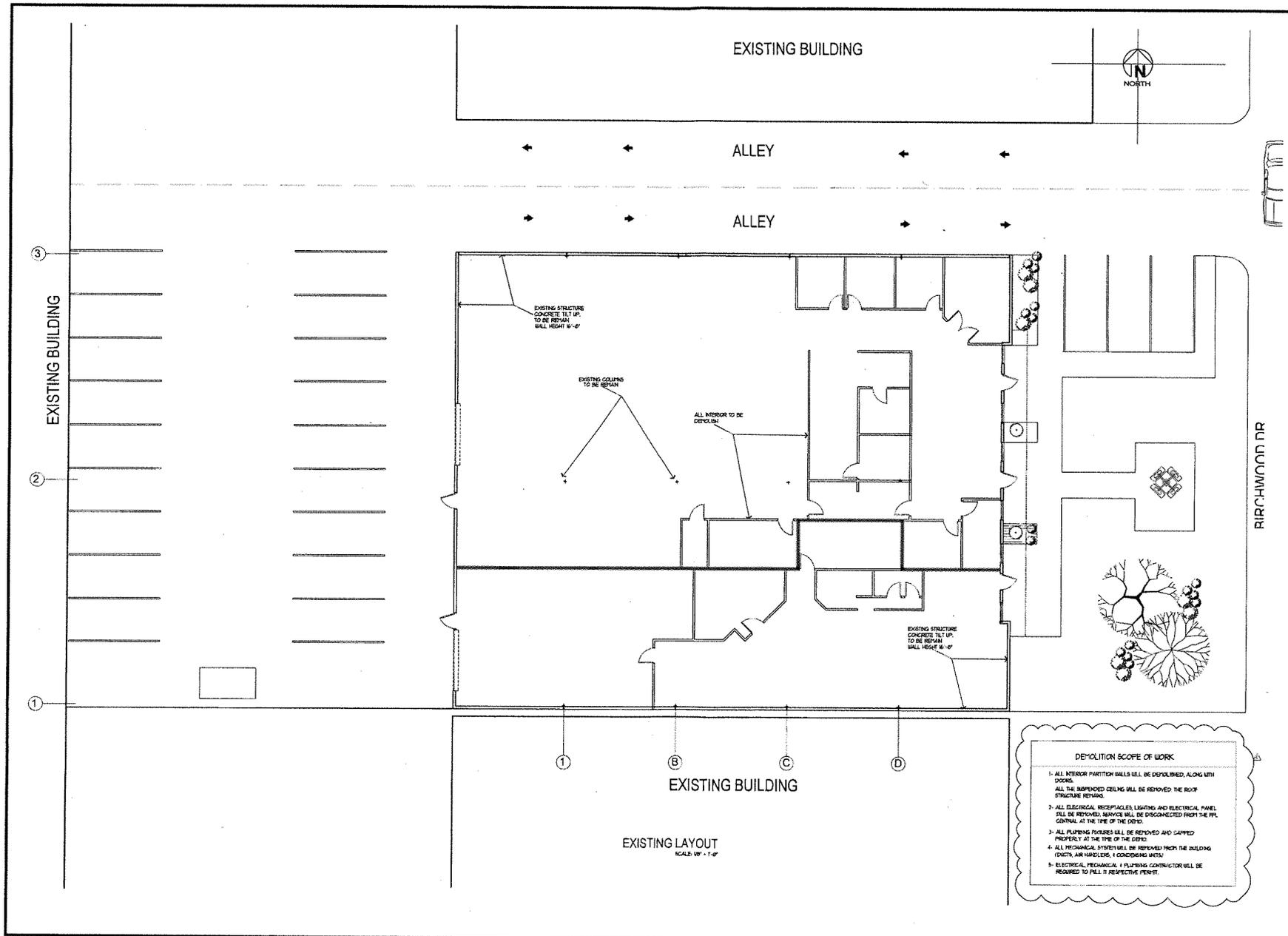
DOG DAYCARE FACILITY for:
PAWS N' PLAY DOG RESORT
1261 & 1265 BIRCHWOOD DRIVE
SUNNYVALE, CALIFORNIA
OWNER: SAM & HELEN STEINBAUM

REVISION: 1.0
DATE: NOV 09-12
JOB No: 035-12
FILE: STEINBAUM

DATE: NOV 09-12
Check:
SHEET:
A-3.0
FLOOR PLAN DIMENSION

3 of 3

ATTACHMENT 3



DEMOLITION SCOPE OF WORK

- 1- ALL INTERIOR PARTITION WALLS WILL BE DEMOLISHED, ALONG WITH DOORS.
- 2- ALL THE SUPPOSED CEILING WILL BE REMOVED THE ROOF STRUCTURE REMAINS.
- 3- ALL ELECTRICAL RECEPTACLES, LIGHTING AND ELECTRICAL PANEL WILL BE REMOVED, SERVICE WILL BE DISCONNECTED FROM THE PPL CENTRAL AT THE TIME OF THE DEMO.
- 4- ALL MECHANICAL SYSTEMS WILL BE REMOVED FROM THE BUILDING (DUCTS, AIR HANDLERS, F CONDENSING UNITS).
- 5- ELECTRICAL, MECHANICAL, & PLUMBING CONTRACTOR WILL BE REQUIRED TO PULL IT RESPECTIVE PERMITS.

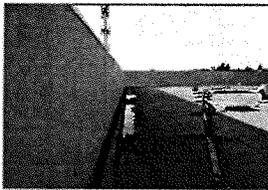
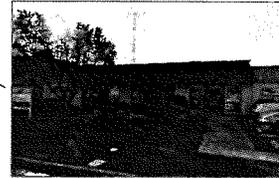
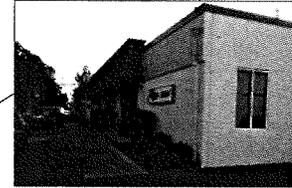
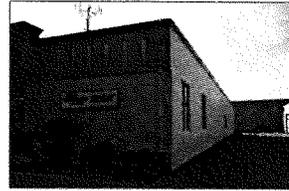
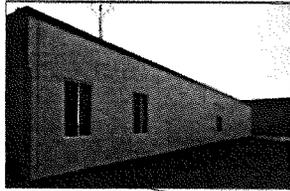
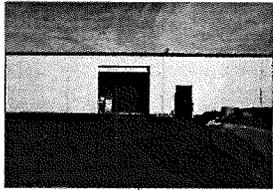
DESIGN BY: CONSULTANTS ARCHITECTS
BEMAN KREMER
1400 15TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.BEMANKREMER.COM

idim
INTERNATIONAL DESIGN
1000 15TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.IDIMARCHITECTS.COM

DOG DAYCARE FACILITY for:
PAWS N' PLAY DOG RESORT
1261 & 1255 BIRCHWOOD DRIVE
SOUTH PLATTSBURGH, CO 80131
OWNER: SAM & HELEN SZTEINBAUM
SHEET TITLE

REVISION: (Indicates no changes to this sheet)
DATE: NOV 09 12:00
JOB No: 035-12
FILE: SZTEINBAUM
DATE: NOV 09 12:00
SHEET: A-3.1
DEMOLITION FLOOR PLAN

ATTACHMENT 3
A-3.1



EXISTING BUILDING

EXISTING BUILDING

ALLEY

ALLEY

**EXISTING BUILDING,
BASIC CONSTRUCTION DETAILS**

STRUCTURE:	CONCRETE TILT-UP
YEAR BUILT:	1984
FOUNDATION:	CONCRETE
ROOF SYSTEM:	GULLAYS AND PURLIN SUPPORT BY COL.
ROOF COVERING:	ROLLED COMPOSITION
EXTERIOR WALLS:	PAINTED CONCRETE
FLOORING:	CONCRETE
ELECTRICAL SERVICE:	400 AMP
WATER SERV.:	ONE POTABLE WATER
FIRE WELTERS:	NO
LIGHTING:	FLUSH MOUNTED FLUORESCENT SUSPENDED TRUCK
CEILING:	THE CEILING IN THE DISPLAY AREA IS EXPOSED PURLIN AND ROOF RAFTERS W/ INSULATION (8' - 0" high)

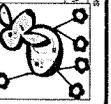
EXISTING BUILDING & PICTURES.

CONSULTANTS ARCHITECTS
BEJMAN KREMER
1414 W. BIRCHWOOD DR.
MARIETTA, GA 30067, U.S.A.



DOG DAYCARE FACILITY OF:
PAWS N' PLAY DOG RESORT
1261 & 1263 BIRCHWOOD DRIVE
MARIETTA, GA 30067, U.S.A.

OWNER: **SAM & HELEN SZTEINBAUM**



REVISION:
Consultant and Owner: 11/17
12/19/09, 12/29/09, 1/14/10

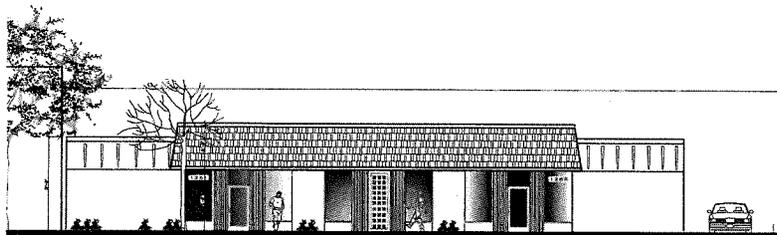
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FILE: SZTEINBAUM

DATE: NOV 09-12
Check:
SHEET:
A-4.0

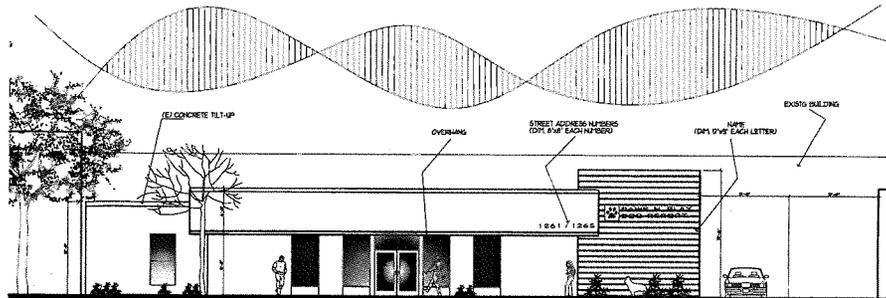
EXISTING BUILDING & PICTURES

Page
5 of 28

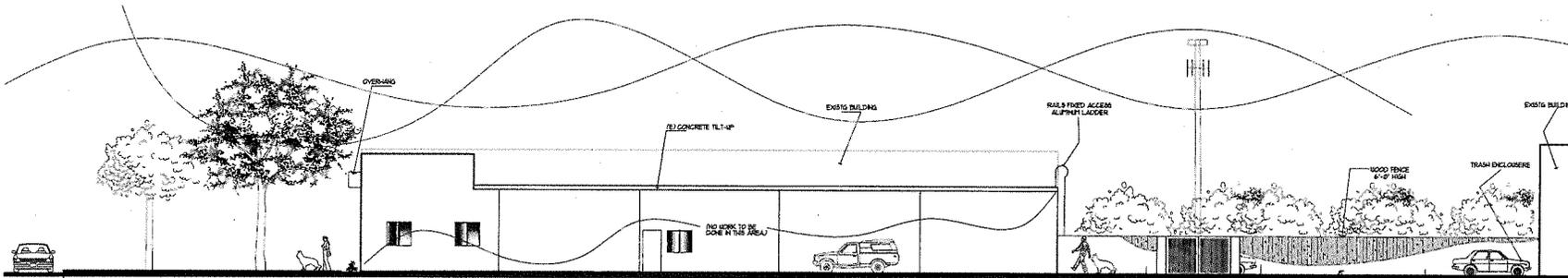
ATTACHMENT B



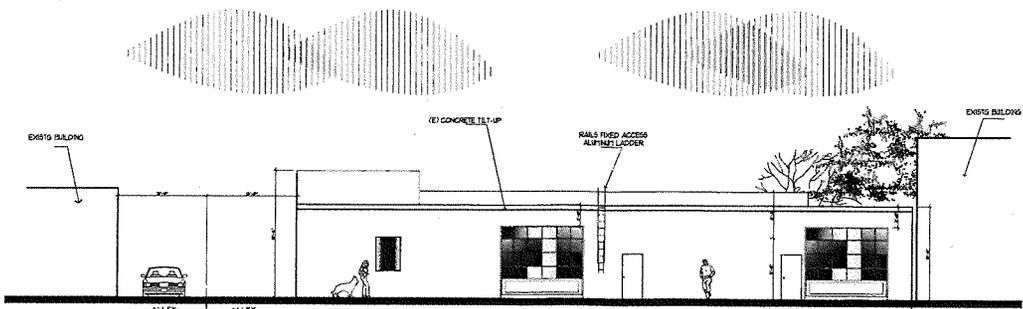
EXISTING FRONT ELEVATION (EAST).



FRONT ELEVATION (EAST).



SIDE ELEVATION (NORTH).



REAR ELEVATION (WEST).

CONSULTANTS ARCHITECTS
BEIMAN KREMER
 ARCHITECTS
 10101 126th Ave. N.E.
 Redmond, WA 98073
 (206) 881-1100
 www.beimankremer.com

DOG DAYCARE FACILITY FOR
PAWS N' PLAY DOG RESORT
 1261 & 1265 BIRCHWOOD DRIVE
 BELLEVUE, WASHINGTON
 OWNER: SAM & HELEN SZTEINBAUM
 SHEET TITLE

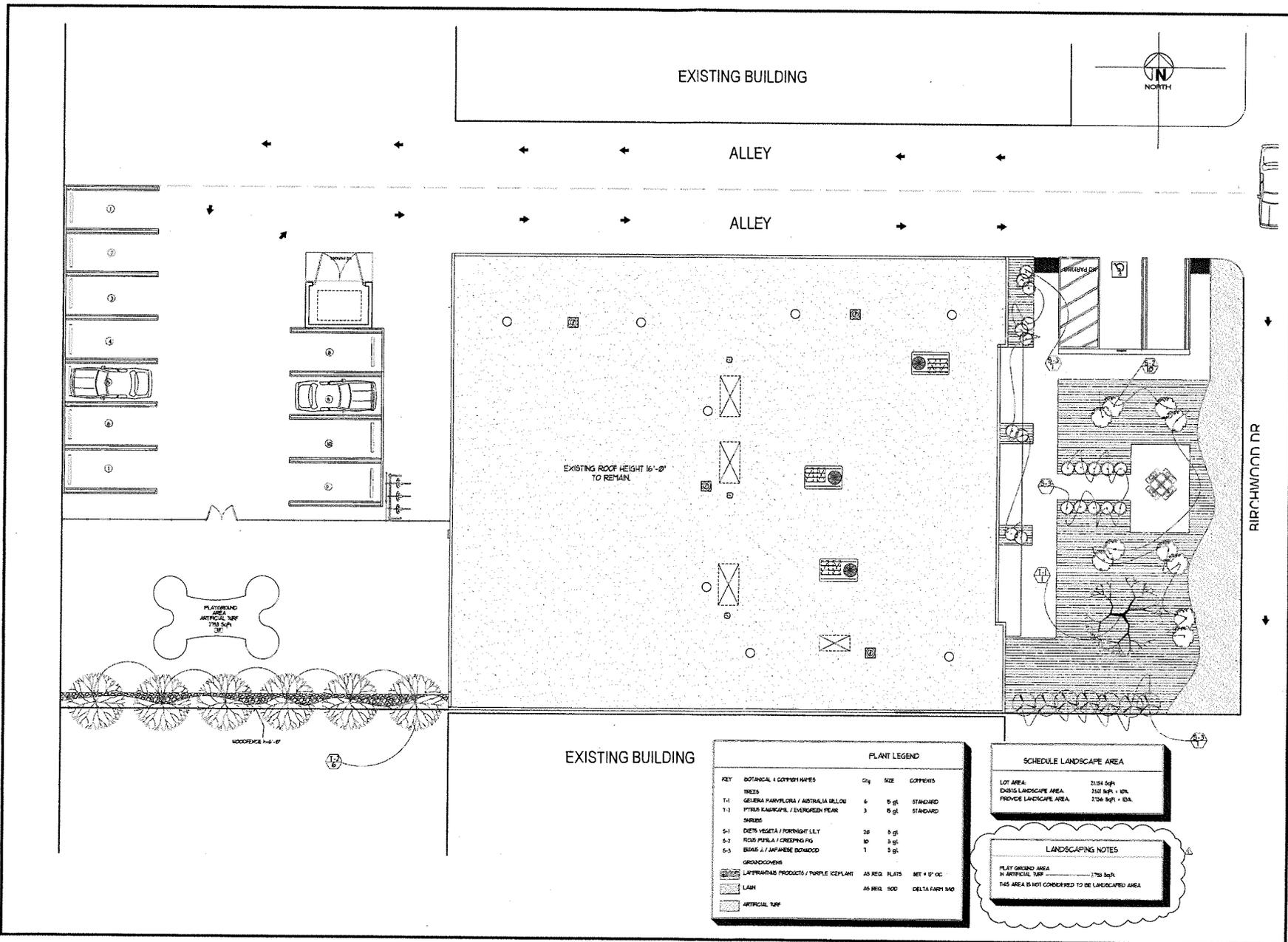


REVISION:
 Description, see Form C-10
 Effective: November 11, 2009

JOB No: 03-012
 FILE: SZTEINBAUM

DATE: NOV 09-11
 Check: [Signature]
 SHEET: A-5.0
 ELEVATIONS

ATTACHMENT B
 [Signature]



EXISTING BUILDING



ALLEY

ALLEY

BIRCHWOOD DR

EXISTING ROOF HEIGHT 16'-0" TO REMAIN

EXISTING BUILDING

PLAYGROUND AREA
ARTIFICIAL TURF
770 SQ FT

WOODPILE 10'-0"

KEY		BOTANICAL & COMMON NAMES			Qty	SIZE	COMMENTS
TREES							
T-1	GENERA PAMPYLOLA / AUSTRALIA BULLOCK	4	15 gL	STANDARD			
T-1-1	HYPERBA KANGAROO / EVERGREEN PEAR	3	15 gL	STANDARD			
SHRUBS							
S-1	DIETM VEGETA / FORNIGHT LILY	20	3 gL				
S-2	ROSA PINKA / CREEPING FIG	10	3 gL				
S-3	BUDS J / JAPANESE BOWWOOD	1	3 gL				
GRANDSCAPERS							
	LANTERNAS PRODUCTS / PURPLE ICE PLANT	AS REQ.	PLATS	SET 4 12" OC			
	LAWN	AS REQ.	SOD	DELTA FARM 500			
	ARTIFICIAL TURF						

PLANT LEGEND

SCHEDULE LANDSCAPE AREA

LOT AREA: 21,514 SqFt
 DOGS LANDSCAPE AREA: 7,107 SqFt + 10%
 PRIVATE LANDSCAPE AREA: 17,106 SqFt + 10%

LANDSCAPING NOTES

PLAYGROUND AREA
 IN ARTIFICIAL TURF 770 SQ FT
 THIS AREA IS NOT CONSIDERED TO BE LANDSCAPED AREA

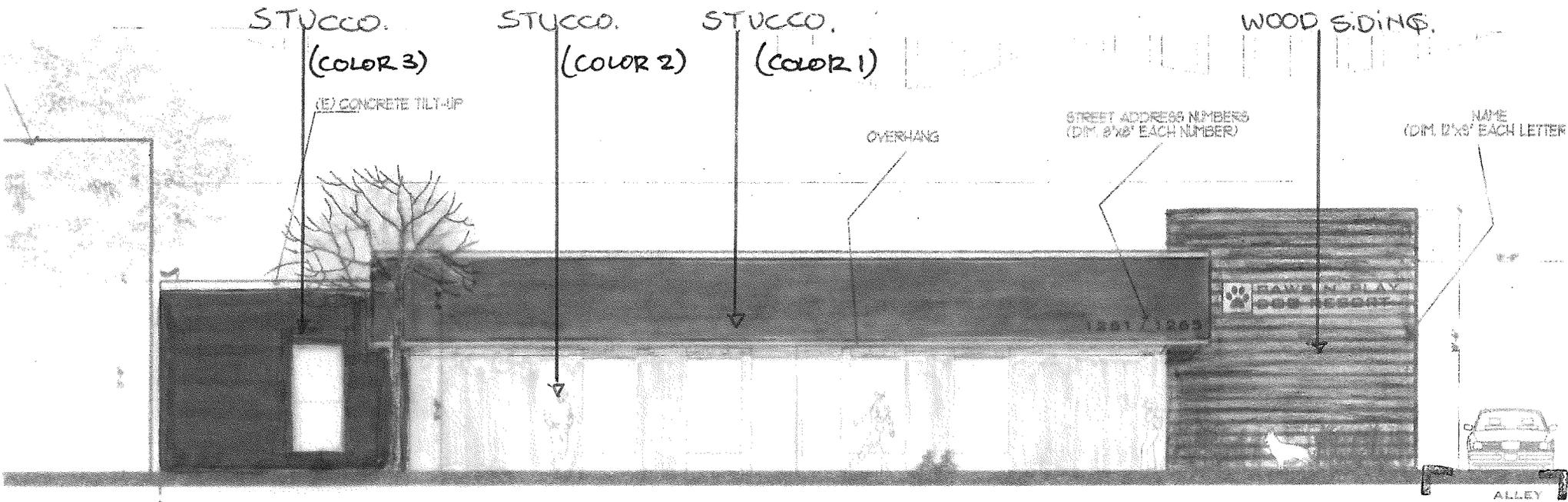
CONSULTANTS ARCHITECTS
BEIMAN KREMER
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.1100
 FAX: 303.733.1101
 WWW.BKARCHITECTS.COM

DESIGN BY:
PAWS N' PLAY DOG RESORT
 1261 & 1265 BIRCHWOOD DRIVE
 SUBDIVISION: GLENVIEW
 OWNER: SAM & HELEN SZTEINBAUM
 SHEET TITLE

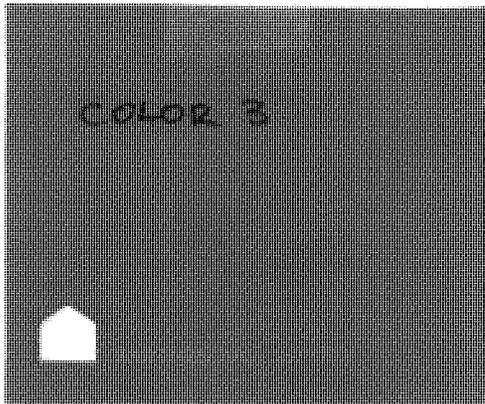
REVISION: 1.0
 DATE: 11/05/12
 CHECKED BY: [Signature]
 DATE: 11/05/12

DATE: NOV 05 12
 CHECK:
 SHEET:
L-10
 LANDSCAPE FLOOR PLAN

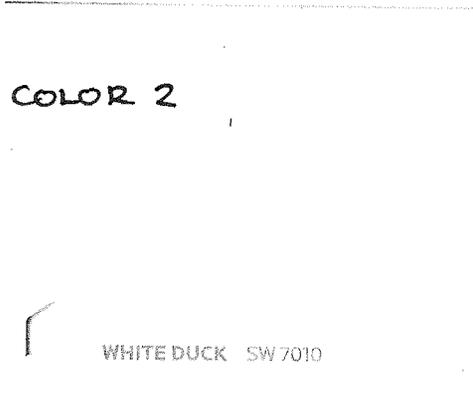
ATTACHMENT B
 7 of 8



FRONT ELEVATION (EAST).

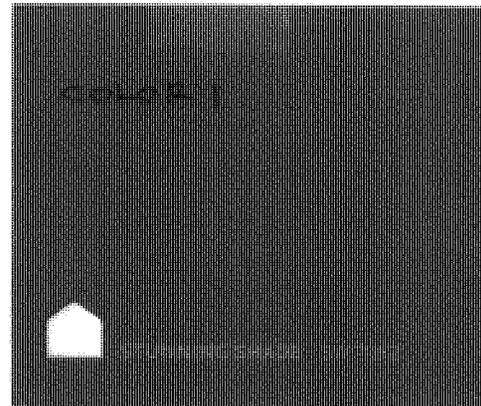


COLOR 3

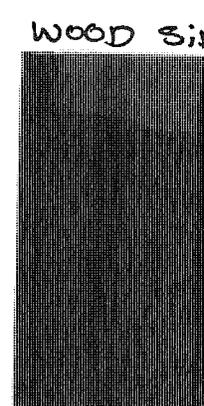


COLOR 2

WHITE DUCK SW7010



COLOR 1



WOOD SIDING.

ATTACHMENT 3
Page 8 of 8

Paws N' Play – Project Description and List of Tenants for 1261 Birchwood

We are proposing to open a doggie day care and boarding facility at the above location. The building has 9,900 sqft of space, and it would be 100% used for this new business. The space is currently used partially by Big Wheels.Net a tire and rims retail/wholesale business (about 6,500 sqft), while the rest of the building has been empty for a number of months. After the tenant improvements are completed, Paws N' Play would be the only tenant at this property. We are fortunate to count with the expertise of Christine Benninger, who is assisting us with the design/plans for this new business. Christine was (for fifteen years) the President of the Human Society of Silicon Valley, and led the development of their new state of the art facility built in Milpitas. She is advising us in order to develop a best in class facility and operation for Paws N' Play.

The hours of operation for the new business would be:

- Monday to Friday – 8 am to 6 pm
- Saturdays - 9am to 2 pm

Expected capacity would be 55 dogs. Once the business achieves its target capacity, we would need five employees during operating hours, and 1-2 during the evening after the facility closes to the public (depending on how many dogs are boarding at the site). Given that most boarding dogs are expected to stay for multiple days, the number of customers coming in any single day are projected to average between 30 and 40 when operating at capacity.

Dogs will be kept indoors from 9 pm to 6 am daily, and there will be an indoor play area which can be used as needed in case of rain or very hot weather. There will also be a large outdoor play area for the dogs to play in. We plan to build 6 foot wood fences on both sides of the exterior playground. These will keep the dogs safe, and will minimize noise as dogs will not have visibility to people using the parking area adjacent to the exterior playground. In addition, we will add several trees and artificial turf in the exterior playground as reflected in our landscaping plans.

As reflected in the Site Plan, in addition to 45 individual rooms which would be used for feeding, resting and sleeping for dogs, there will be a large indoor play area as well as an external play area for dogs. During the day, dogs will be rotated through the different areas in groups. They will be supervised, with a target of no more than 12 dogs per staff, to ensure they are playing safely at all times. There will also be separate rooms for food preparation for dogs and laundry/linen rooms. A grooming/washing area will support a maximum of three dogs at a time. Finally, we will have a kitchen/conference room for the staff, as well as an office and file area to service/meet with customers.

Cleanliness is a critical element for this business. As such, we plan to install a state of the art cleaning system which will allow each room and common areas to be cleaned with power pressure on a daily

basis. This way, we can minimize the bad odor from the dogs, while disinfecting the different spaces regularly. We will also install drainage from every room and common areas to support this process. We will also follow a cleaning procedure for proper disposal of feces (see separate Cleaning and Solid Waste Disposal Procedure). A new garbage enclosure will be built on the back of the property.

Parking needs will be addressed with eleven parking spaces, plus an additional handicap space. Given that customers will come at different times and as already mentioned most boarding dogs tend to stay for multiple days, we feel that the amount of parking provided will more than satisfy the needs for employees as well as drop off and pick up by customers.



USE PERMIT/SPECIAL DEVELOPMENT PERMIT JUSTIFICATIONS

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

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

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

OR

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

See attachment

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

Paws N' Play – Justification of Use, 1261 Birchwood

Paws N' Play will offer a needed service for people who live and/or work in the City of Sunnyvale. There is a growing need for day care, boarding and grooming services as evidenced by how full some of the existing operators are. We have done research which confirms the strong demand and believe the quality services we plan to offer will gain strong acceptance in the community.

Our approach is based on a successful preschool business in the Bay Area, which we have been running for almost 25 years called The Wonder Years Preschool. That business operates two facilities in Mountain View, one in Palo Alto and another in San Carlos. The philosophy used in that business will be applied to the new business, namely offering a superior service with best in class facilities. That is why we purchased the building (through a separate LLC) and plan to make significant tenant improvements which will support our business approach.

In addition to a great facility, we intend to hire experienced personnel in the field. We are fortunate to count with the assistance of Christine Benninger who is a highly respected expert in this field after having run the Humane Society of Silicon Valley for fifteen years until her retirement last year. She is helping us with the facility design and will assist us with the selection of highly qualified employees.

Paws N' Play will not utilize the indoor or outdoor space located at 1261-1265 Birchwood Drive to the detriment of the City of Sunnyvale or its residents in any way. We will build a fence to protect the dogs and minimize any noise they may generate, and will add landscaping which will look good and allow the dogs to play in a safe environment. We will operate within the confines of all regulations in our zone and will enforce a strict cleaning procedure both inside and outside of the facility (separate attachment) in order to maintain cleanliness of the entire property on a consistent basis.

We understand that noise can be an issue, which is why we are planning to do several things to manage this concern:

- a) Planting trees on the side of the playground should help reduce noise, in addition the neighbor on that side of the fence has industrial equipment which produces sounds and we feel the combination of that sound plus the trees will minimize the noise from our dogs.
- b) A 6 foot wood fence will separate the playground from the parking area. There will be no visibility for dogs to see people on the other side of that fence, which should also reduce the likelihood of dogs barking.
- c) We plan to rotate the dogs between our different play areas, so we don't expect to have more than 20 dogs at any time using the external playground. If a dog is barking, we will bring it inside to rest and calm down before it's allowed back to the external playground.
- d) We will provide a number where neighbors may call the manager of the facility to deal with noise related or any other concerns.
- e) Use of the exterior playground will be limited to the hours of 8 am to 6 pm, such that there is no noise from barking dogs in the evenings.

Paws N' Play - Cleaning and Solid Waste Procedures, 1261 Birchwood

As mentioned in our Project Description, cleanliness is a critical component to our success. The facility is being improved with this need in mind.

Durable, non porous flooring will be installed in the indoor play areas, which will also be fitted with drainage to enable the use of our SMT cleaning system (power washer). A hard surface (appropriate for dogs) will be used in each room, such that the same power washing system can be used daily after use. Walls will be covered up to four feet high in both rooms and indoor play areas with PFR, such that it can also be power washed to maintain clean. Drainage will be in place in each room as well to support daily cleaning.

Indoor - All wet and dry accidents within the buildings common areas shall be cleaned immediately. Mop bucket stations will be clean and ready for use during business hours, with water and cleaning solution in place for use as needed throughout the day. Waste stations will be placed at the end of hallways and next to the indoor play area for easy access. These will be serviced at the end of each shift on a daily basis.

Outdoor Play Area – We will install artificial turf in the playground, over a one foot mix dirt/sand which will provide adequate drainage for urine. The SMT system will have will be connected to the outdoor area as well, such that it can be used to clean the outside play area on a weekly basis.

We are modeling our cleaning system and procedures, leveraging from what is in place at the Humane Society of Silicon Valley in Milpitas, where the same SMT system was put in place when that facility was built a few years ago. We had a demonstration from Mr. Lee Tonga who is their Director for Facilities. He showed us how that system has allowed them to keep a clean facility for the last five years or so.

Solid Waste will be double bagged, in order to control germicidal, insects and odor issues. The facility will have a 3-5 yard dumpster, one forty five gallon (45) daily waste receptacle and five to seven 3-5 gallon, foot activated flip top waste receptacles. A new garbage enclosure structure will be built at the back of the building. The dumpster will be used for both general rubbish and solid waste disposal and serviced by the city on a regular basis.

All waste receptacles will be lined with plastic trash bags. Daily waste receptacle will be lined with heavy duty/industrial strength trash bags. Waste will be picked up when discovered (indoor or outdoor) and placed in waste receptacles by kennel attendants. Each receptacle will be serviced at least twice per day. That means removing and sealing existing bags and installing a new bag in each receptacle. The used sealed bags are to be placed in the Daily waste receptacle. Daily waste receptacle is to be serviced at the end of each business day. That means, removing/sealing the existing bag to be placed in the external dumpster and placing a new bag on the Daily receptacle.

By following this procedure, all solid waste (canine feces) will be effectively double bagged and disposed of property. This will ensure all germicidal, insect and odor issues are properly controlled.