



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, May 14, 2008

2008-0338: Shrikrupa Dance Company [Applicant] **Lee Soo B et al** [Owner]: Special Development Permit to allow a dance and karate studio within two existing tenant spaces, totaling 2400 square feet, in an existing shopping center. The property is located at **123 E. Fremont Avenue** (at Sunnyvale-Saratoga Rd.) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (APN: 211-34-001) SB

In attendance: Vushal Ramani, Applicant; David Laverne, Applicant; Robert Lee, Owner; Gerri Caruso, Administrative Hearing Officer; Surachita Bose, Project Planner; Luis Uribe, Staff Office Assistant.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Surachita Bose, Project Planner, stated that the project, as proposed, is for a multicultural arts studio that would provide training in classical Indian dance, classical music and traditional Japanese style karate (Shrikrupa Dance Studio). The applicant proposes to occupy two tenant spaces i.e. 123 and 131 E. Fremont Avenue and combine them into one space totaling 2,250 sq. ft. The tenant spaces are located in Fremont Shopping Center at the corner of Sunnyvale-Saratoga Road and Fremont Avenue.

Fremont Shopping Center is located immediately adjacent to a Valero gas station to its south and is an L-shaped building with driveways located off Fremont and Sunnyvale-Saratoga Road. The shopping center is approximately 21,000 sq. ft in size and currently has a variety of tenants including restaurants, a food mart, barber shop, medical offices, dry cleaners as well as a few empty tenant spaces. The subject tenant spaces are located close to the junction of the two portions of the L-shaped building. Additionally, the building is surrounded by a continuous covered walkway that extends all the way around the structure.

The applicant has stated that classes would be attended by both children and adults, and the center would cater to a maximum of 40 students at any time. A detailed schedule of classes has also been provided by the applicant. Staff was contacted by the owner in regards to the conditions of approval. A permit history search found a number of conditions that are tied to older use permits.

Ms. Caruso opened the public hearing.

Vushal Ramani, Applicant, received and reviewed a copy of the staff report. Ms. Caruso asked if there were any concerns or questions regarding the conditions of approval. Ms. Ramani stated that she feels the conditions will enhance the area. Ms. Caruso asked

what the hours of operation would be; Ms. Ramani stated that it would be open from 7:30 a.m. to 8:30 p.m. occasionally later for performances.

David LaVerne, Applicant, stated that the purpose of the move was to expand the hours and number of students and they have been limited to three instructors and forty students. Ms. Caruso asked how big they would like their classes to be and Mr. LaVerne stated that he would like to get up to 40-50 students but now they are looking to have 30 students with two instructors.

Robert Lee, Owner, stated that he was unaware of the prior conditions and mentioned that currently he is not financially able to make these upgrades. Ms. Caruso asked if they have a plan to incorporate the upgrades in the future, Mr. Lee stated that currently they do not.

Ms. Caruso closed the public hearing.

Ms. Bose explained to the Hearing Officer what she took into account for the parking analysis.

Ms. Caruso took the application under advisement until Friday, May 16, 2008. On that day the Administrative Hearing Officer approved the application with the following added conditions:

1.J. The maximum occupancy of the proposed dance and karate studio shall not exceed 43 occupants, including children, adults and instructors, or the maximum building code occupancy limit, whichever is less.

1.K. Classes shall be scheduled with a minimum interval of 10 minutes between them.

1.L. During special events, the two tenant spaces comprising the dance and karate studio (123 and 131 E. Fremont Avenue) shall not exceed the maximum occupancy allowed by Building Code.

1.M. Any special events with occupancy greater than what is allowed by the Building Code shall be held off-site.

Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:29 p.m.

Minutes approved by:

Gerri Caruso

Principal Planner