



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

August 27, 2008

SUBJECT: **2006-1251 – Nexcycle** [Applicant] **Safeway Stores Incorporated** [Owner]: Application for a property located at **1601 Hollenbeck Avenue** (near Homestead Rd.) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District.

Motion Renewal of a Special Development Permit to allow a recycling facility in an existing shopping center parking lot (Loehmann's Plaza).

REPORT IN BRIEF

Existing Site Conditions Commercial shopping center adjoining residential

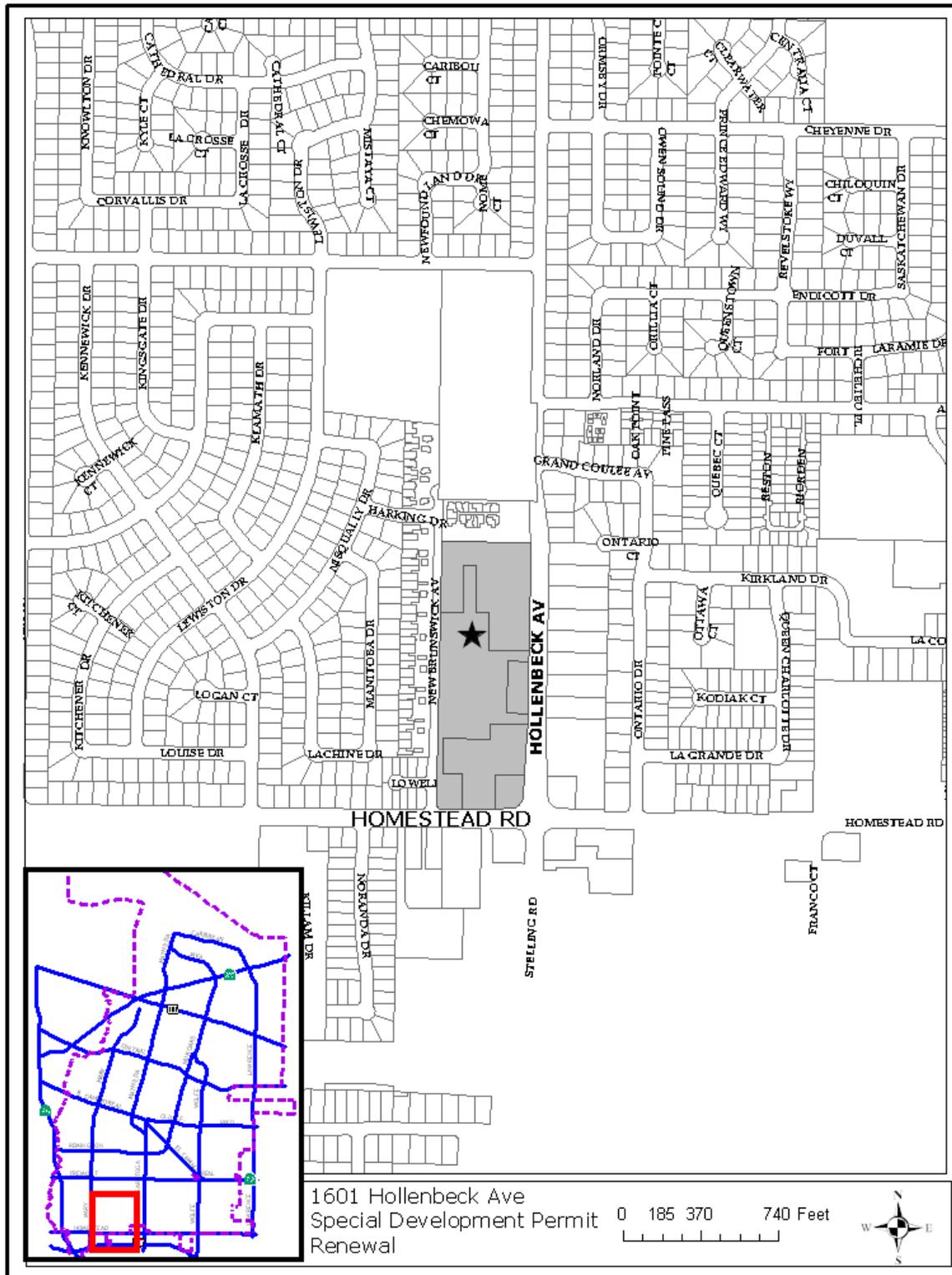
Surrounding Land Uses

North	Office
South	Retail
East	Multi-family residential (across Hollenbeck Ave.)
West	Single family Residential

Issues Noise, Visual impacts

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approval with conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial Neighborhood	Same	N/A
Zoning District	C1/PD	Same	N/A
Lot Size (s.f.)	3.79 acres	Same	No min.
Parking			
Total Spaces	816	813	568 min.
Standard Spaces	801	798	512 min.
Compact Spaces/ % of Total	0	Same	10% max.
Accessible Spaces	15	Same (existing condition)	17 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS**Description of Proposed Project**

On June 11th, 2007, the Planning Commission approved the subject project (SDP 2006-1251) on appeal allowing an existing recycling facility to continue operating at the Loehmann's Plaza shopping center site. The approval was subject to several conditions including that the recycling facility be re-located to a location east of the front facade of Loehmann's building and that the SDP be renewed at a public hearing after 6 months of approval.

The collection facility operated by Nexcycle currently occupies two parking spaces. The unit measures 17' x 8' x 9'3" in size and has a total footprint of 136 sq. ft. The unit resembles a small home in appearance and also has high resolution digital graphics on its façade that enhance the overall visual quality of the facility.

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
SDP 2006-1251	Special Development Permit to allow a recycling facility in an existing shopping center parking lot (Loehmann's Plaza)	Approved with conditions	6/11/2007

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include minor changes to existing facilities.

Special Development Permit

Compliance with Development Standards/Guidelines: Since Planning Commission's approval of the project the facility has been relocated and has been in operation in compliance with conditions of approval imposed on SDP 2006-1251. To address adjoining residents' concerns about noise impacts resulting from the operation of the recycling facility, a 6-month SDP renewal requirement was imposed on the project.

The new facility location is in the front parking lot of the shopping center and is a considerable distance away from adjoining residential properties. During the past one year, staff has received no complaints regarding the operation of the Nexcycle facility at Loehmann's Plaza. Notices regarding the SDP renewal were sent out to 141 residents and businesses within a 300-foot radius of the subject site. No comments were received from neighbors regarding the renewal of the SDP.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

No comments were received from neighbors.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> Published in the <i>Sun</i> newspaper Posted on the site 141 notices mailed to property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> Posted on the City of Sunnyvale's Website Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> Posted on the City's official notice bulletin board City of Sunnyvale's Website

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are listed in Attachment B.

Alternatives

1. Approve the project with attached conditions.
2. Approve the project with modified conditions.
3. Deny the project.

Recommendation

Staff recommends Alternative 1.

Prepared by:
Surachita Bose
Project Planner

Reviewed by:
Andrew Miner
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Final conditions of approval for SDP 2006-1251 approved by the Planning Commission on 6/11/2007
- E. Minutes from the Planning Commission Hearing Dated 6/11/2007

Recommended Findings - Special Development Permit

Land Use and Transportation Element

Policy N1.13.2 - Provide opportunities for and encourage neighborhood-serving commercial services in each residential neighborhood.

Land Use and Transportation Element

Policy N1.3 – Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the City.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale (*Finding Met*).
The Nexcycle facility provides a much needed recycling center in an unserved area of the City. There is no other similar facility within a half mile radius of the Safeway store at Loehmann's Plaza. The facility is a conveniently located service in a prime commercial area that can be used by residents and customers to redeem their beverage containers.
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 (*Finding Met*).

The facility has been relocated to the front parking lot of the shopping center and is a considerable distance away from adjoining residential properties. During the past one year, staff has received no complaints regarding the operation of the Nexcycle facility at Loehmann's Plaza.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. All previous conditions of approval related to SDP 2006-1251 as approved by Planning Commission on June 11, 2007 apply to the subject project.
- B. No further renewals of the Special Development Permit approved for the recycling facility are required.