



**CITY OF SUNNYVALE
REPORT
Planning Commission**

April 14, 2008

SUBJECT: **2007-0943 – ABC Tree Farms [Appellant] Matteson Carol J Trustee & Et Al [Owner]:** The property is located at **803 W. El Camino Real** (at Hollenbeck Ave.) in a C-2/ECR (Highway Business / Precise Plan for El Camino Real) Zoning District. (APN: 201-21-007) SB

Motion Appeal of a decision by the Administrative Hearing Officer denying a modification of a previously approved Special Development Permit to allow year-round use of the site including pumpkin sales and Christmas tree lot.

REPORT IN BRIEF

Existing Site Conditions Vacant lot with seasonal sales during Halloween and Christmas and permitted for a seasonal nursery

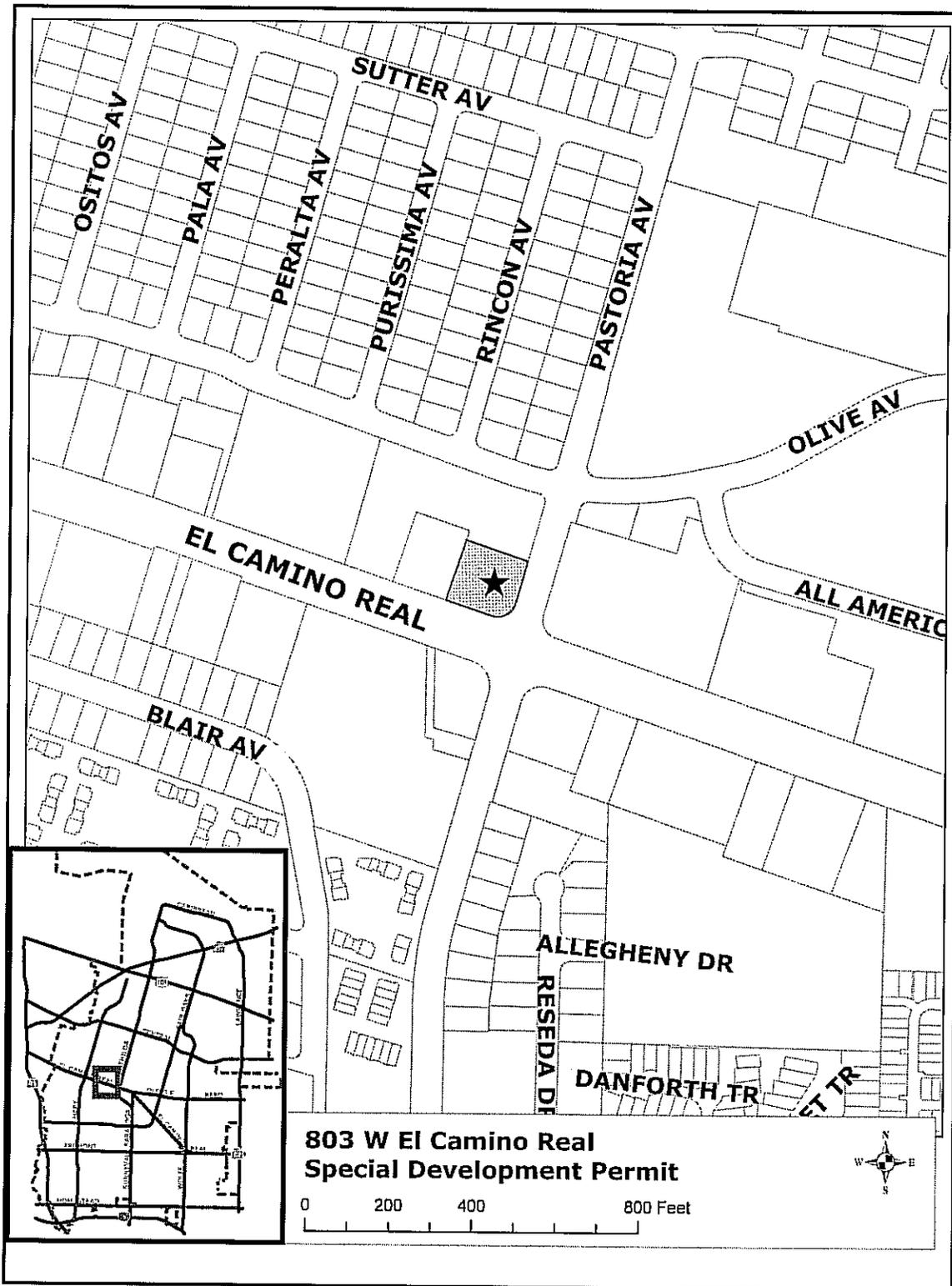
Surrounding Land Uses

North	Office/commercial building
South	Retail shopping center
East	Sunnyvale Department of Public Safety Building (across Pastoria Avenue)
West	Jack In The Box, commercial shopping center

Issues Visual impact, Parking, Landscaping

Environmental Status A Class 4 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Deny the appeal and uphold the decision of the Administrative Hearing Officer to deny the project



**803 W El Camino Real
Special Development Permit**

0 200 400 800 Feet



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	CGB	Same	Same
Zoning District	C-2/PD	Same	Same
Lot Size (s.f.)	23,522	Same	min.
Gross Floor Area (s.f.)	None	Modular Building = 330 sq. ft. Flower Canopy = 45 sq. ft. Seasonal Tent = 660 sq. ft.	No max.
Lot Coverage (%)	None	4.4%	35% max.
No. of Buildings On-Site	N/A	3 max.	Per SDP
Building Height (ft.)	N/A	Seasonal Tent 30 ft. max.	75 ft. max.
No. of Stories	N/A	1	max.
Setbacks			
★ Front	None	Modular Building = 75 ft. Flower Canopy = 0 ft. Seasonal Tent = 23 ft.	70 ft.
Left Side	None	15 ft.	0 min.
Right Side	None	107 ft.	0 min.
Rear	None	58 ft.	0 min.
Landscaping (sq. ft.)			
★ Total Landscaping	None	2060 sq. ft.	4704 sq. ft.
★ Parking Lot Area Shading (%)	None	Temporary Use	50% min. in 15 years
Parking			
★ Total Spaces	None	13	54 min. (43 for bounce houses + 11 for other uses)
Standard Spaces	None	7	51 min.
Compact Spaces	None	4	N/A
Accessible Spaces	None	2	3 min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Stormwater			
Impervious Surface Area (s.f.)	None	To be determined based on final approval of paving materials	Per Stormwater Permit
Impervious Surface (%)	None	To be determined based on final approval of paving materials	Per Stormwater Permit

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Background

The subject site was devoid of a permanent Use Permit for many years since the closing and removal of a service station at the site. In 2003, a Special Development Permit (SDP) was approved to allow seasonal outdoor sales from September 1 to January 31 annually for a period of 12 years starting in 2004 (SDP 2003-0838). The lease on the property terminates in 2016. The original SDP was approved subject to conditions including installation of a permanent fence, permanent lighting, landscaping, grading as well as the construction of a permanent parking area on site. The applicant continued the seasonal sale of pumpkins during Halloween and Christmas trees thereafter without making the required improvements to the site. In June 2007, a Miscellaneous Plan Permit was approved to allow the construction of a wrought iron fence around the property and provide landscaping on site that has since been completed.

Administrative Hearing: In August 2007, the applicant applied for an SDP to modify the previously approved SDP (2003- 0838) for the site to allow the expansion from seasonal use of the property to year-round uses including summer bounce houses. A detailed description of the applicant’s proposal for different types of uses depending on season has been provided in the following section. The subject application was denied by the Administrative Hearing Officer due to the inability to make required SDP findings for the project as proposed (see Administrative Hearing Officer’s decision letter, Attachment E).

Appeal: On November 14, 2007, the applicant appealed the decision of the Administrative Hearing Officer. The letter received from the appellant highlighting key issues of the appeal has been included as Attachment E of this report. The Planning Commission hearing for the subject project is to address

the key issues of the appeal as well as to review the request to modify the original SDP for the site.

Description of Proposed Project

As part of the request to modify the original SDP for the site, the applicant proposes to establish seasonal outdoor sales uses that are temporary in nature, but permitted for a period of eight years until 2016. The applicant would use the site during spring as a nursery, during summer as a children's entertainment area with multiple "bounce houses" and sell seasonal items during the fall and winter holiday season, including Halloween and Christmas related items.

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

File Number	Brief Description	Hearing/Decision	Date
2007-0476	MPP for a new fence and landscaping improvements	Approved	5-10-07
2003-0838	SDP to allow seasonal sales during Christmas and Halloween for a period of 12 years	Approved	11-26-03
1998-805	SDP to allow a fast food restaurant	Withdrawn	6-23-97

Environmental Review

A Class 4 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 4 Categorical Exemptions include minor temporary use of land having negligible or no effects on the environment, including carnivals, sale of Christmas trees etc.

Special Development Permit

Detailed Description of Use: The applicant is proposing to expand the current use of the property from seasonal sales to allow year-round use of the site. The use of the site would change depending on the time of year. Since the site is on a temporary lease, the proposal is for a period of 8 years until the year 2016. The applicant proposes to build a 330 sq. ft. modular building on the site that would be used for the sale of snacks, ancillary storage and to provide restroom facilities for patrons. The structure being proposed would be temporary in construction and appearance to allow it to be removed easily at the end of the lease period. The applicant will be required to connect the restroom facilities to the underground sewer line per Building Code requirements prior to paving the surface above. In addition, the applicant proposes to construct a 45 sq. ft.

canopy at the property line facing El Camino Real for the display and sale of fresh cut flowers (see Attachment C, Site and Architectural Plans). In addition to the modular building and the flower canopy, the applicant is proposing a customer seating area in front of the modular building with six tables and approximately 24 seating spaces. A permanent trash enclosure and recycling facility is being proposed at the rear of the site adjacent to the parking lot area. All materials required for the operation at the site are proposed to be stored either off-site or within the 330 sq. ft. modular building. Specific details of the year-round uses are noted below:

January 15 through May 15: The applicant proposes to use the site as a nursery for the sale of plants and fresh cut flowers. Items for sale would include fresh cut potted flowers and shrubs, pottery, ceramics, lawn and garden furniture, statues and other landscaping items. The modular building, flower canopy and outdoor seating described above would remain at the site during this time.

June 1 through August 31: During this time, the applicant intends to use the site as a children's entertainment area or a *Kids Summer Fun Zone*. The applicant proposes to operate multiple inflatable bounce houses (upto 4 bounce houses) at the site during the summer. The bounce houses would be approximately 1200 sq. ft. in size each and upto 24 ft. tall. The bounce houses would be identical to the inflatables used at the site during Halloween and Christmas sales. The previous SDP limits the number of bounce houses allowed at the site to a maximum of 1. The proposed hours of operation are from 11:00 a.m. to 9:00 p.m. seven days a week. The modular building, flower canopy and outdoor seating described above would remain at the site during this time.

September 15 through December 24: During this time, the applicant proposes to continue with the pumpkin sales during Halloween and the Christmas tree sales during Christmas season. In addition to the modular building and flower canopy, the applicant is proposing a temporary tent at the site approximately 600 sq. ft. in size and less than 30 ft. in height at its highest point. The tent is proposed to be white or light-colored and made of non-reflective material. The tent would be removed from the site when operations for the season have ceased. The outdoor seating area for customers would remain at the site as described above.

Site Layout: The modular building is proposed at the center of the property approximately 15 ft. from the left property line. The nursery area and bounce houses are proposed at the same location depending on time of year. The parking area as shown on the site plan is located at the rear of the property and includes thirteen parking stalls. The trash enclosure would be located adjacent to the parking area at the rear of the property. Access to the site is

through a driveway off Pastoria Avenue. In addition, a pedestrian entrance is being provided adjacent to the flower canopy to provide access to the site from El Camino Real. The outdoor seating area is being proposed between the flower canopy and the modular building.

Stormwater Management: The applicant is proposing to pave the entire site with a combination of impervious and semi-pervious paving material. The total amount of impervious and semi-pervious surface being added is 16,175 sq. ft. It is unclear from the information provided by the applicant as to what percentage of water could percolate through the proposed paving surface. If the applicant can demonstrate that the proposed material allows for infiltration into the ground as a "pervious" surface would, a Stormwater Management Plan would not be required for the project. Otherwise, the applicant would be required to submit a third party certified Stormwater Management Plan (SWMP) at the time of applying for building permits per condition of approval #4C, should the project be approved. Staff has also included a condition of approval requiring that the design and appearance of the paving surface including material, color and pattern be reviewed and approved prior to applying for building permits #4B.

Architecture: The applicant proposes to design the modular building to match the design of the surrounding structures in terms of roofline, colors and materials. The design for the modular building as shown on submitted plans is for a building with a flat roof and an exterior brick façade. If the project is approved, staff has included a condition of approval requiring that the design of the modular building be reviewed and approved by staff prior to applying for building permits.

Although the temporary tent will be removed from the site when operations for the Halloween and Christmas season have ceased, the large expanse of surface and the quality of the materials are of some concern to staff. Staff has included a condition requiring that the temporary tent be constructed using white or light colored material that is non-reflective in nature. The flower canopy should be constructed using high quality materials and shall be designed to blend in with the other structures on site. The flower canopy, as proposed, is located within the required front yard setback of 70 feet. Although the canopy structure is temporary in nature, the flower stand would be used year-round until the end of the lease period and hence must meet setback requirements. Staff has included a condition requiring that the design and location of the flower canopy be reviewed and approved prior to applying for building permits.

Furthermore, the quality, appearance and expanse of the paving surface would significantly impact the overall visual quality of the site. Staff has included condition of approval requiring that the material, color and pattern of the paving material be reviewed and approved prior to applying for building

permits. Permanent storage or use of trash or recycling containers would require a permanent enclosure.

Staff is concerned about the visual impact of the bounce houses as viewed from El Camino Real and Pastoria Avenue. The site has high visibility on account of its corner location and staff is concerned that allowing bounce houses at the site for eight months in a year would significantly degrade the visual quality of the project and its surroundings. The design guidelines outlined in the El Camino Real Precise Plan strongly discourage designs that greatly contrast the general character of the streetscape. The Precise Plan aims to create a vibrant commercial and mixed use district that has visual unity and unique sense of place.

Staff believes that the bounce houses are out of character with the surrounding neighborhood in terms of their size, color, number and scale. The applicant has stated that bounce houses are approximately 1200 sq. ft. in size each and that upto 4 bounce houses may be placed at the site during the summer and fall months. Staff has included condition of approval #1M stating that bounce houses would not be allowed at the site between the months of January through September. In accordance with the Special Development Permit approved in 2003, only one bounce house would be allowed at the site between the months of September through December per condition of approval # 1L.

Landscaping: As a temporary use, full site development and landscaping standards have not been required of the applicant. The new parking area is permanent in nature and requires the planting of trees and landscaping to meet shading requirements for the paved surface. The applicant proposes to plant 4 additional Maple trees in the parking area to meet the shading requirements. There are existing trees on the adjacent property along the north property boundary of the subject site that would also provide shade to the proposed parking area. In addition, landscaping is recommended for the small section along Pastoria Avenue between the driveway and the north property line for proper screening of the parking area. Staff has included condition of approval requiring that atleast two 15-gallon size trees be planted in the landscape area adjacent Pastoria Avenue to screen the parking area behind it for a total of four new trees in the parking area. Staff will review and approve the landscape and irrigation plans at the time of applying for building permits, should the subject project be approved.

Parking/Circulation: The best fitting parking ratio standard for this particular outdoor sales use was determined to be 1 space per 400 square feet of use per the SDP approved in 2003 (refer SDP 2003-0838). The previous SDP determined that nine parking spaces would be required for the temporary tent structure proposed at the time. Staff used a rate of 1 space per 180 sq. ft. for the two retail buildings on site i.e. the flower canopy and modular building,

and determined that two additional spaces would be required for these buildings. The total parking required on site is 11 spaces. This parking calculation takes into account the temporary nature of the use and hence does not include the entire retail area on the site to determine parking demand.

Staff also reviewed the parking demand resulting from the bounce houses on site. The total area on the site not including the flower canopy, modular building and outdoor seating area i.e. the area occupied by the bounce houses and *Fun Zone* alone, is approximately 7,970 sq. ft. Staff believes that the proposed summer bounce houses on site would significantly increase the parking requirements and hence should be included in parking calculations. Using a rate of 1 space per 180 sq. ft. for the retail area, the total parking requirement for the bounce houses alone is 43 spaces. The applicant is proposing a total of 13 spaces on site including 2 handicapped stalls, 4 compact stalls and 7 standard stalls. Allowing the bounce houses on site would create a significant parking deficiency that cannot be absorbed by the available parking on site. In addition to the concerns regarding visual impacts as discussed before, staff has concerns about the parking impacts that would result from allowing bounce houses to operate eight out of twelve months in a year.

Signage:

The subject application does not directly address the signage and a separate sign permit shall be required for all new signage at the property. Signage is prohibited from being placed upon the tent surface or the flower canopy surface for compatibility with adjacent uses and to conform to the signage restriction of placing signs above the roofline of a building. Moreover, no permanent signage shall be allowed on the fence.

Undergrounding:

The lighting fixtures currently used at the site during seasonal events consist of overhead wires and temporary poles. Connections to permanent lighting fixtures, such as parking lot lighting, will be required to be placed underground. Staff will review the design of the permanent lighting fixtures on site at the time of applying for building permits prior to the next event in 2008. The lighting fixtures must be fully shielded to reduce glare and must not exceed a maximum height of 15 ft.

Compliance with Development Standards/Guidelines: Staff recognizes the limitations posed by the temporary lease on the site which is set to expire 2016. Nevertheless, the design guidelines outlined in the El Camino Real Precise Plan strongly discourage designs that greatly contrast the general character of the streetscape.

Precise Plan for El Camino Real: The portion of the project including the temporary tent, flower canopy and outdoor seating area generally meets the guidelines and standards outlined in the El Camino Real Precise plan as well as the Sunnyvale Municipal Code. Staff has some concerns regarding the proposed location of these structures with respect to the required setbacks and is recommending conditions of approval requiring that (1) temporary tent and bounce house proposed during Halloween and Christmas season shall not encroach into the required 15 ft. frontage strip of the site (2) the flower canopy must be relocated to be outside the 70 ft. front setback requirement and (3) the modular building shall be designed to match the general appearance of the surrounding structures in terms of roofline, colors and materials.

With regards to the temporary bounce houses, staff has concerns about the overall visual impact of these temporary structures as well as the parking demand resulting from the use of bounce houses. The original SDP for the site approved a maximum of 1 bounce house during the months of September through December. During the most recent Halloween and Christmas season, staff noted multiple bounce houses operating at the site in violation of the SDP conditions of approval. The bounce houses as proposed are stand-alone outdoor entertainment uses which do not meet the intent of the Precise Plan for ECR or the original permit for the site. The original permit intended to allow the bounce houses as ancillary uses to seasonal sales of pumpkins or Christmas trees, not as stand-alone commercial uses.

The subject proposal requests approval for up to 4 bounce houses at the site during the summer months i.e. from June 1st through August 31st. This extends the period for which bounce houses would be present at the site to seven months in a year. The applicant has stated that the approximate size of a bounce house is 1200 sq. ft. and these temporary structures are upto 24 ft. tall. This implies that upto 4800 sq. ft. of the lot would be occupied by bounce houses. In staff's opinion, the proposed bounce houses if allowed at the site would greatly contrast with the general character of the surrounding area. Moreover, the existing parking at the site would not be able to absorb the parking demand generated by the proposed bounce houses.

Precise Plan for El Camino Real	Comments
4.2.1 Design projects that fit into their Sunnyvale El Camino Real Context	The proposal includes temporary bounce houses that greatly contrast the general appearance of the surrounding area that consists of permanent retail buildings and strip shopping centers.
4.2.1 Creativity and innovation are encouraged but wildly different designs that greatly contrast with the general character of the streetscape are discouraged.	Bounce house provide stand-alone outdoor entertainment; a use that is significantly different from the currently existing uses in the area. The overall appearance of the bounce house, i.e. colors, materials, height would negatively impact the ECR streetscape in general.
4.2.1.d Use colors that complement adjacent properties. Avoid bright colors that make the building appear to be a large sign board.	Multi-colored inflatable bounce houses upto 24 ft. tall each would not complement adjacent properties that comprise of single story brick and stucco buildings
4.1.1.d Projects located on corner parcels should incorporate major design features on the intersection corner.	Due to the temporary lease on the site, permanent design upgrades may not be possible even though lot is located at a prominent corner of ECR. Minor upgrades including a wrought iron fence and small shrubs and grasses have been planted in and around the lot.

Staff is recommending that the extended use of bounce houses not be allowed at the site between the months of January and September to ensure compliance with the design guidelines of the Precise Plan for El Camino Real.

Expected Impact on the Surroundings: As long as the use is restricted and the *Fun Zone* is not allowed on site, the on-site parking being provided will be sufficient. Other than the significant visual impacts and parking impacts resulting from the bounce houses, there are no other anticipated impacts on the surrounding properties as these are high volume commercial enterprises similar in nature to the proposed use. The provision of permanent lighting, additional landscaping, high quality paving and architecturally compatible structures on site will enhance the visual quality of the subject property. Staff has concerns about the extended, almost year round use of bounce houses and their appearance from the public right of way. The provision of permanent

parking will address parking supply issues for the limited use of the site not including bounce houses.

Key issues of the appeal: The key issues cited by the appellant as the basis for the appeal are listed below (see Attachment E for copy of appellant's letter of appeal):

1. The appellant/applicant states that since the master lease on the site is set to expire in 2016, allowing a temporary, short-term use at the site will benefit the community as a whole even though it may not meet the intent of the Precise Plan for El Camino Real.
2. The appellant/applicant states that although the Precise Plan for El Camino Real has been approved, zoning guidelines for administering the Plan have not yet been finalized which creates an ambiguity about whether or not the proposed project meets the intent of the Precise Plan.

Staff Discussion of Appeal: Planning Division staff reviewed the issues presented by the appellant and notes the following:

1. Staff recognizes the limitations posed by the temporary lease on the site which is set to expire 2016. Nevertheless, the design guidelines outlined in the Precise Plan for El Camino Real strongly discourage designs that greatly contrast the general character of the surrounding streetscape. In staff's opinion, the proposal for temporary uses including nursery sales during the spring and summer, a modular building with outdoor seating area, sale of pre-packaged food items and a flower stand, as proposed by the applicant are all short-term uses that would not be visually obtrusive to the surrounding uses and streetscape.

Staff has concerns about multiple bounce house structures on the property for a significant portion of the year that would detract from the overall appearance of El Camino Real as well as negatively impact neighboring properties. Moreover, the site does not have sufficient parking to absorb the parking demand generated by the bounce houses. As discussed in a previous section of the report, the total parking requirement for the bounce houses alone is 43 stalls. The applicant is proposing a total of 13 spaces on site including 2 handicapped stalls, 4 compact stalls and 7 standard stalls. All other proposed uses on the site, not including the bounce houses require 11 parking stalls. The bounce houses would create a significant parking deficiency at the site with a potential for traffic spillover into the public right-of-way.

2. Although specific zoning requirements have not yet been identified, the Precise Plan for El Camino Real approved by Council in January 2007

includes specific design guidelines and principles that lay out the general requirements for site design, landscaping, building design and overall site development. The guidelines used by staff to evaluate the subject project included streetscape design standards, design features for corner lots and guidelines requiring projects to be sensitive to neighboring projects in terms of scale, style, form and materials. Staff identified specific design standards outlined in the Precise Plan that the subject project does not meet as listed below:

Precise Plan for El Camino Real	Comments
<i>4.2..1 Design projects that fit into their Sunnyvale El Camino Real Context</i>	The proposal includes temporary bounce houses that greatly contrast the general appearance of the surrounding area that consists of permanent retail buildings and strip shopping centers.
<i>4.2.1 Creativity and innovation are encouraged but wildly different designs that greatly contrast with the general character of the streetscape are discouraged.</i>	Bounce houses provide stand alone outdoor entertainment; a use that is significantly different from the currently existing uses in the area. The overall appearance of the bounce houses i.e. colors, materials, height, would negatively impact the ECR streetscape in general.
<i>4.2.1.d Use colors that complement adjacent properties. Avoid bright colors that make the building appear to be a large sign board.</i>	Multi-colored inflatable bounce houses upto 24 ft. tall each would not complement adjacent properties that comprise of single story brick and stucco buildings
<i>4.1.1.d Projects located on corner parcels should incorporate major design features on the intersection corner.</i>	Due to the temporary lease on the site, permanent design upgrades may not be possible even though lot is located at a prominent corner of ECR. Minor upgrades including a wrought iron fence and small shrubs and grasses have been planted in and around the lot.

Fiscal Impact

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

Public Contact

Administrative Hearing: At the Administrative Hearing held on October 24, 2007, the Administrative Hearing Officer denied the request for modification to the SDP due to the following concerns:

- The bounce houses proposed are stand-alone outdoor entertainment uses which do not meet the intent of the Precise Plan for ECR or the original permit for the site. The original permit intended to allow the bounce houses as ancillary uses to seasonal sales of pumpkins or Christmas trees, not as stand-alone commercial uses.
- The maximum proposed height of the bounce houses of 24' make them too visible from ECR, and creates an image inconsistent with the goal of City guidelines.
- The proposal for 4 bounce houses totaling 4,800 sq.ft. in size is much greater than the original permitted 1 bounce house.
- Concern that the limited parking on site cannot handle the demand that could be created for four bounce houses taking up 4,800 sq.ft. of lot area.
- Approval of the application could create precedence allowing outdoor commercial activity along ECR.

The applicant was present at the hearing and stated that the bounce house operation at the site was critical for the subject site to generate any profitable revenue. The applicant filed an appeal on November 14, 2008.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 12 notices mailed to the property owners and residents within 300 ft. of 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 is recommending denial for this project because the Findings (Attachment A) could not be made. However, if the Commission is able to make the required findings, staff is recommending the Conditions of Approval (Attachment B).

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

Alternatives

1. Deny the Appeal and uphold the decision of the Administrative Hearing Officer to deny the modification to the Special Development Permit.
2. Grant the Appeal, deny the decision of the Administrative Hearing Officer and approve the modification of the SDP with attached conditions.
3. Grant the Appeal, deny the decision of the Administrative Hearing Officer and approve the modification of the SDP with modified conditions.

Recommendation

Staff recommends Alternative 1.

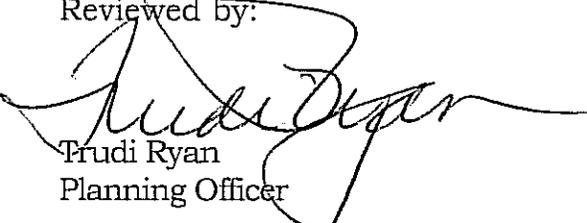
Prepared by:


Surachita Bose
Project Planner

Reviewed by:


Gerri Caruso
Principal Planner

Reviewed by:


Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Project Description provided by the Applicant
- E. Impervious Surface Data sheet provided by the applicant
- F. Appeal letter provided by the applicant
- G. Minutes of the Administrative Hearing held on October 24, 2007 for SDP 2007-0943

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

Policy N1.13 *Promote an attractive and functional commercial environment.*

Precise Plan for El Camino Real

Policy 4.2.1 *Design projects that fit into their Sunnyvale El Camino Real context.*

Policy 4.2.1 *Creativity and innovation are encouraged but wildly different designs that greatly contrast with the general character of the streetscape are discouraged.*

Policy 4.2.1.d *Use colors that complement adjacent properties. Avoid bright colors that make the building appear to be a large sign board.*

Policy 4.1.1.d *Projects located on corner parcels should incorporate major design features on the intersection corner.*

Staff believes that the portion of the project including the temporary tent, flower canopy and outdoor seating area generally meets the guidelines and standards outlined in the El Camino Real Precise plan as well as the Sunnyvale Municipal Code. Staff has some concerns regarding the proposed location of these structures and the project could be conditioned to require that the proposed structures meet setback requirements. With regards to the temporary bounce houses, staff has concerns about the overall visual impact of these temporary structures as well as the parking demand resulting from the use of bounce houses. The bounce houses as proposed are stand-alone outdoor entertainment uses which do not meet the intent of the Precise Plan for El Camino or the original permit for the site. The original permit intended to allow the bounce houses as ancillary uses to seasonal sales of pumpkins or Christmas trees, not as stand-alone commercial uses. In staff's opinion, the project as a whole does not meet the goals and policies outlined in the LUTE or the Precise Plan for ECR.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale (*Finding not met*).

The design guidelines outlined in the Precise Plan for El Camino Real strongly discourage designs that greatly contrast the general character of the surrounding streetscape. In staff's opinion, the proposal for temporary uses including nursery sales during the spring and summer, a

modular building with outdoor seating area, sale of pre-packaged food items and a flower stand, as proposed by the applicant are all short-term uses that would not be visually obtrusive to the surrounding uses and streetscape.

Staff has concerns about multiple bounce house structures on the property for a significant portion of the year that would detract from the overall appearance of El Camino Real as well as negatively impact neighboring properties.

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 not met*).

Staff has concerns about multiple bounce house structures on the property for a significant portion of the year that would detract from the overall appearance of El Camino Real as well as negatively impact neighboring properties. Moreover, the site does not have sufficient parking to absorb the parking demand generated by the bounce houses. The total parking requirement for the bounce houses alone is 43 stalls. The applicant is proposing a total of 13 spaces on site including 2 handicapped stalls, 4 compact stalls and 7 standard stalls. All other proposed uses on the site, not including the bounce houses require 11 parking stalls. The bounce houses would create a significant parking deficiency at the site with a potential for traffic spillover on to the adjoining properties and rights-of-way.

Recommended Conditions of Approval - Special Development Permit /Use 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. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be considered by the Director of Community Development, major changes require consideration at a public hearing.
- B. The use of the site for year round outdoor sales of items, typified as pumpkins, nursery plants and Christmas trees, may occur year round annually until the year 2016.
- C. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- D. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- E. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Administrative Hearing Officer.
- F. A grading permit shall be issued for the required parking prior to the initial use of the site in accordance with this Special Development Permit.
- G. All temporary structures including tents, bounce houses, etc. shall be located no closer than 15 feet from the inside edge of the sidewalk.
- H. Display of items or merchandise shall occur at a minimum of 5 feet from the abutting sidewalk edge.
- I. The temporary tent shall not be greater than 30 feet in height, securely fastened to the ground to prevent aggravation by wind and gusts, the material shall be non-reflective and a white or a light color. The tent design should typically have a central peak and slope down towards the outer edges with a wall height less than 15 feet.
- J. Obtain any required fire or building permits or certificates annually for tent or play structures.

- K. Only one bounce house or large inflatable object is permitted on site between the months of September through December, not to be located within the parking or maneuvering area.
- L. Bounce houses and the large inflatable objects shall not be allowed on site between the months of January through September.
- M. No signs shall be affixed to the tent or flower canopy roof surface.
- N. No more than four tables and twenty four chairs shall be allowed at the site for outdoor seating purposes.
- O. Starting January 2008, no uses shall be allowed at the site until all required improvements as stated in the conditions of approval are completed. The applicant shall work with staff to meet the required conditions of approval prior to applying for building permits.
- P. All on-site improvements shall be completed prior to the commencement of nursery sales in Spring 2008.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. The applicant shall obtain the necessary building permits as required by Sunnyvale Municipal Code 16.18.020.

3. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. The plans shall be revised to be consistent with the Design Guidelines to provide the following:
 - 1. Relocate the flower canopy outside the 70-ft front setback
 - 2. The design and location of the flower canopy be reviewed and approved prior to applying for building permits.
- B. Final exterior building materials and color scheme for the modular structure are subject to review and approval of the Director of Community Development prior to issuance of a building permit.

4. LANDSCAPING

- A. Decorative paving shall be provided as required by the Director of Community Development to distinguish driveways, pedestrian paths and common areas.
- B. The design and appearance of the paving surface including material, color and pattern shall be reviewed and approved by the Director of Community Development prior to applying for building permits.
- C. The applicant shall submit details of the amount of impervious surface prior to applying for Building permits. If the total amount of impervious surface being added exceeds 10,000 sq. ft., the applicant would be required to submit a third party certified Stormwater

Management Plan (SWMP) at the time of applying for building permits.

- D. A total of four trees of 15-gallon size each shall be planted on site. Two of the four trees shall be planted in the landscape area adjacent to Pastoria Avenue to shield the parking area behind.
- E. The applicant shall submit a revised landscape plan showing location, size and number of trees for review and approval by the Director of Community Development.
- F. 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.
- G. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- H. No trees have been approved for removal at this time.

5. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Lights shall have protective shields to prevent glare onto adjacent properties.
- B. Pole heights not to exceed a maximum height of 15 feet.
- C. Out-of door loudspeakers shall be prohibited.
- D. Permanent lighting fixture electrical connections shall be underground.

6. PARKING

- A. Specify customer and employee parking areas on plans. Indicate the standard, compact and handicapped stalls including dimensions of each stall on the plans. All such areas shall be clearly marked. Employees shall be required to park on the site.
- B. The applicant shall provide a total of 13 parking stalls on site including at least 1 handicapped stall, four compact stalls and eight standard stalls.
- C. Accessible parking and path of travel shall be provided for per building code.

7. RECYCLING AND SOLID WASTE

- A. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval.

- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. The required solid waste and recycling enclosure shall match the design, materials and color of the main building.
- D. All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.
- E. Remove all debris, structures, area light poles, and paving from the site prior to commencement of new construction.

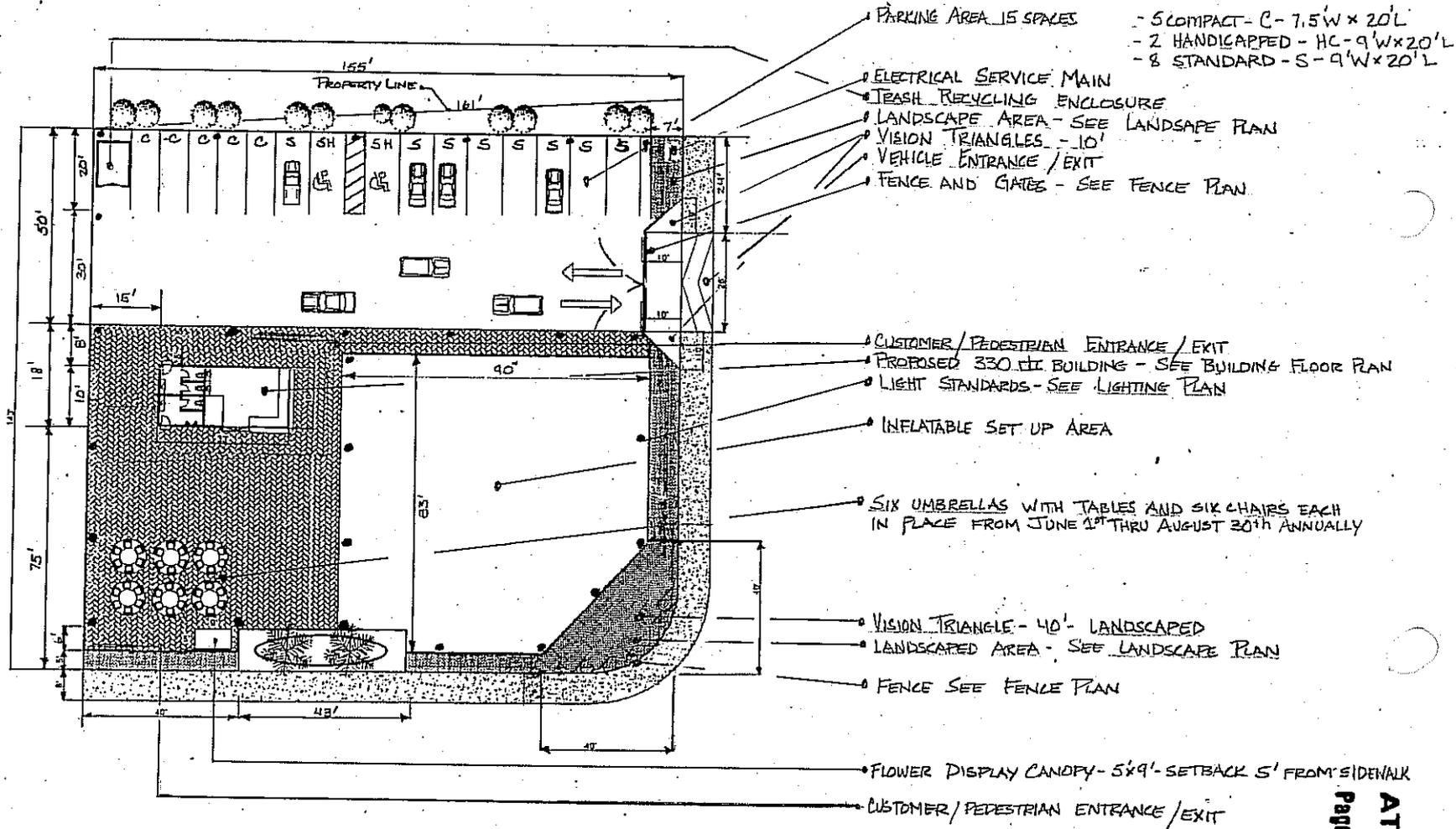
8. SIGNS

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code
- B. Individual sign approvals are not part of this permit, a separate master sign permit shall be applied for and approved prior to initial exercising of this permit or display of signs.

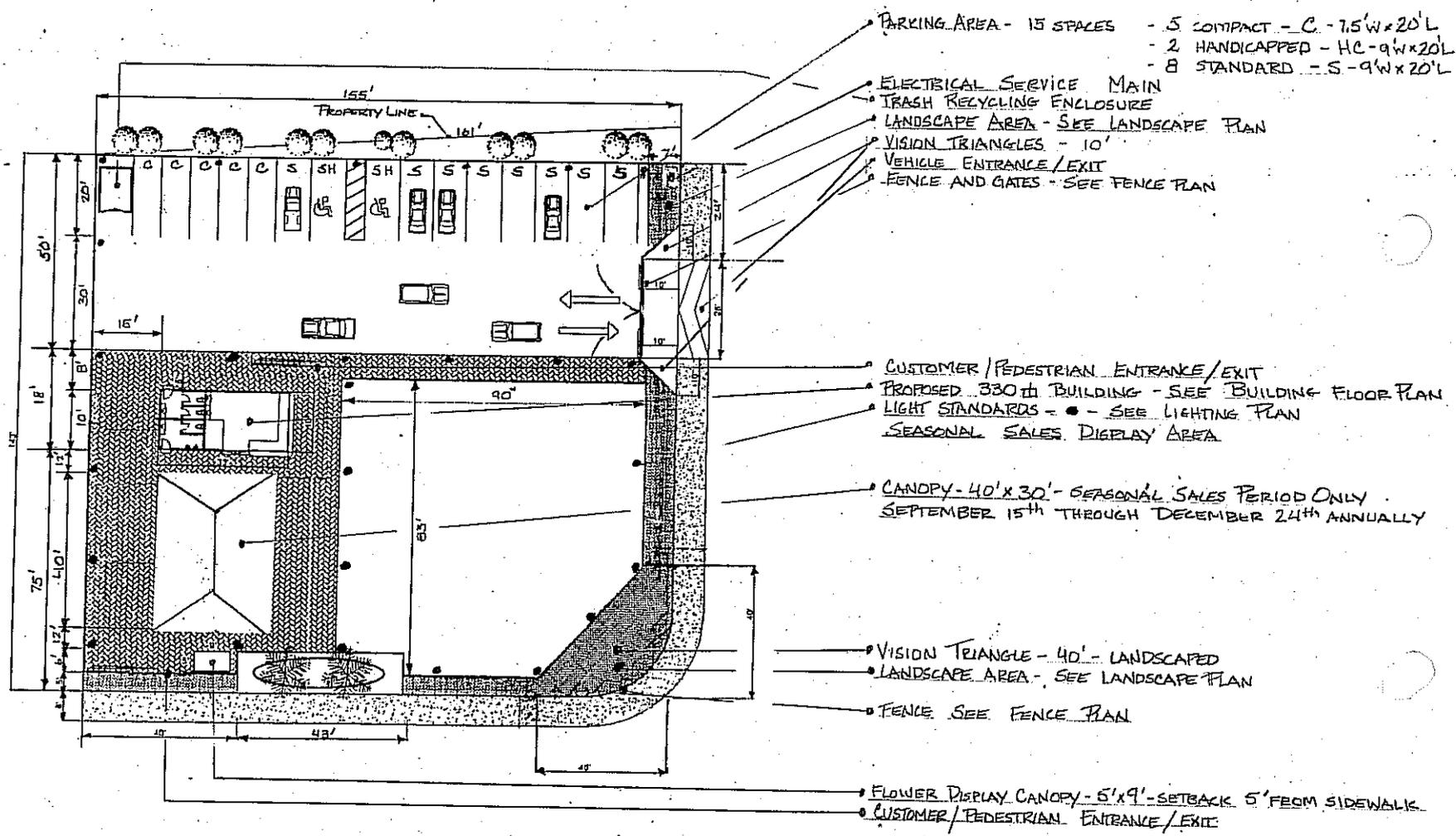
9. STORAGE

- A. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure.
- B. Unenclosed storage of any vehicle shall be prohibited.
- C. Unenclosed storage of any kind shall be prohibited on the premises.

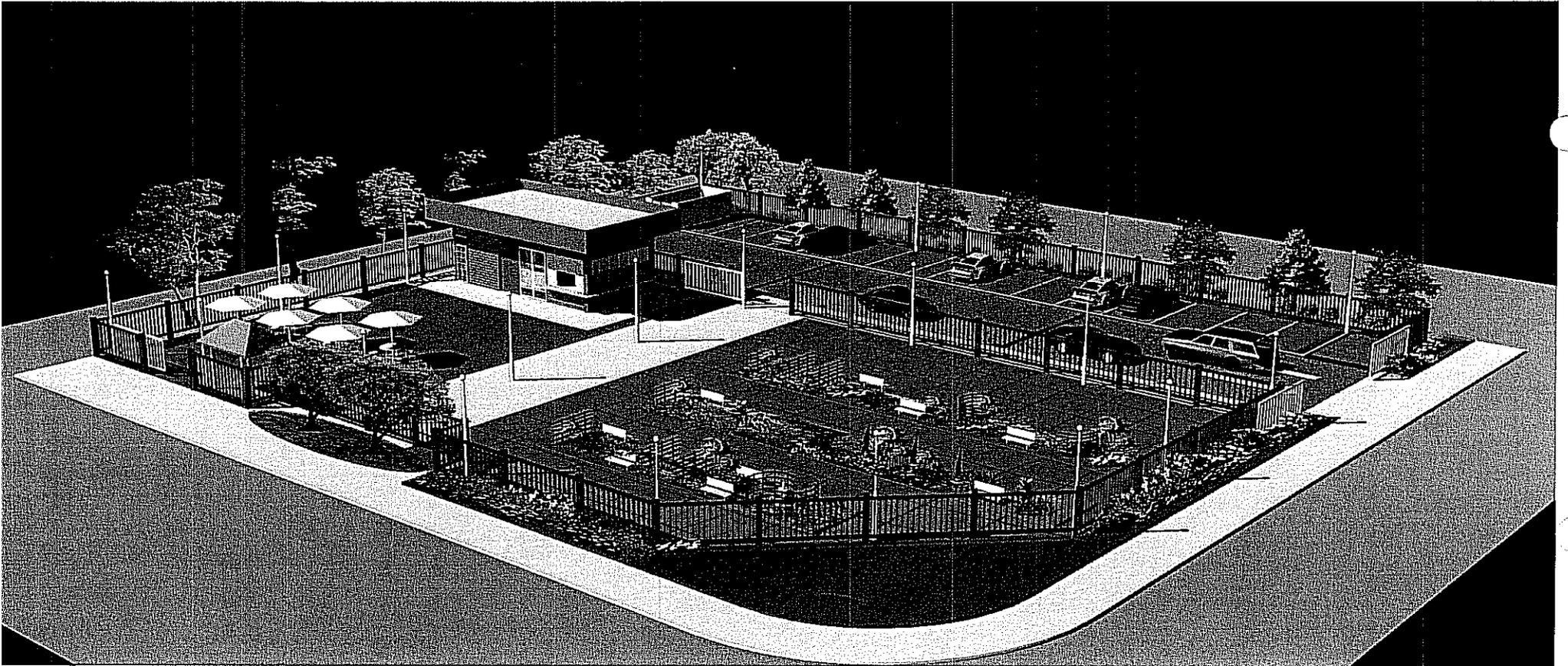
ABC TREE FARMS, LLC.
 KIDS SUMMER FUN ZONE
 JUNE 1ST TO AUGUST 30TH ANNUALLY
 803 W. EL CAMINO REAL, SUNNYVALE, CALIFORNIA



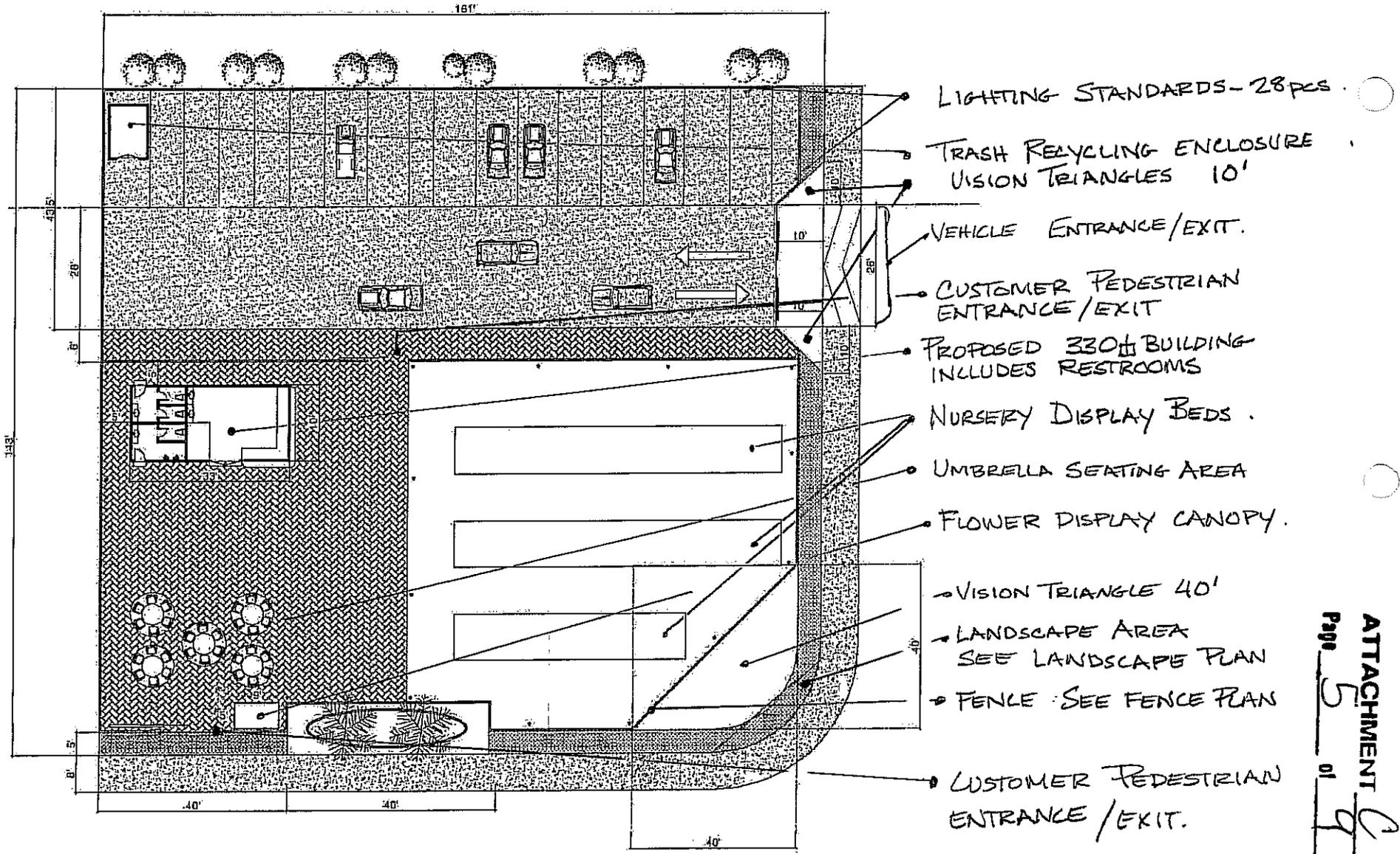
ABC TREE FARMS, LLC
 SEASONAL SALES - HALLOWEEN/CHRISTMAS
 SEPTEMBER 15TH TO DECEMBER 25TH ANNUALLY
 803 W. EL CAMINO REAL, SUNNYVALE, CALIFORNIA



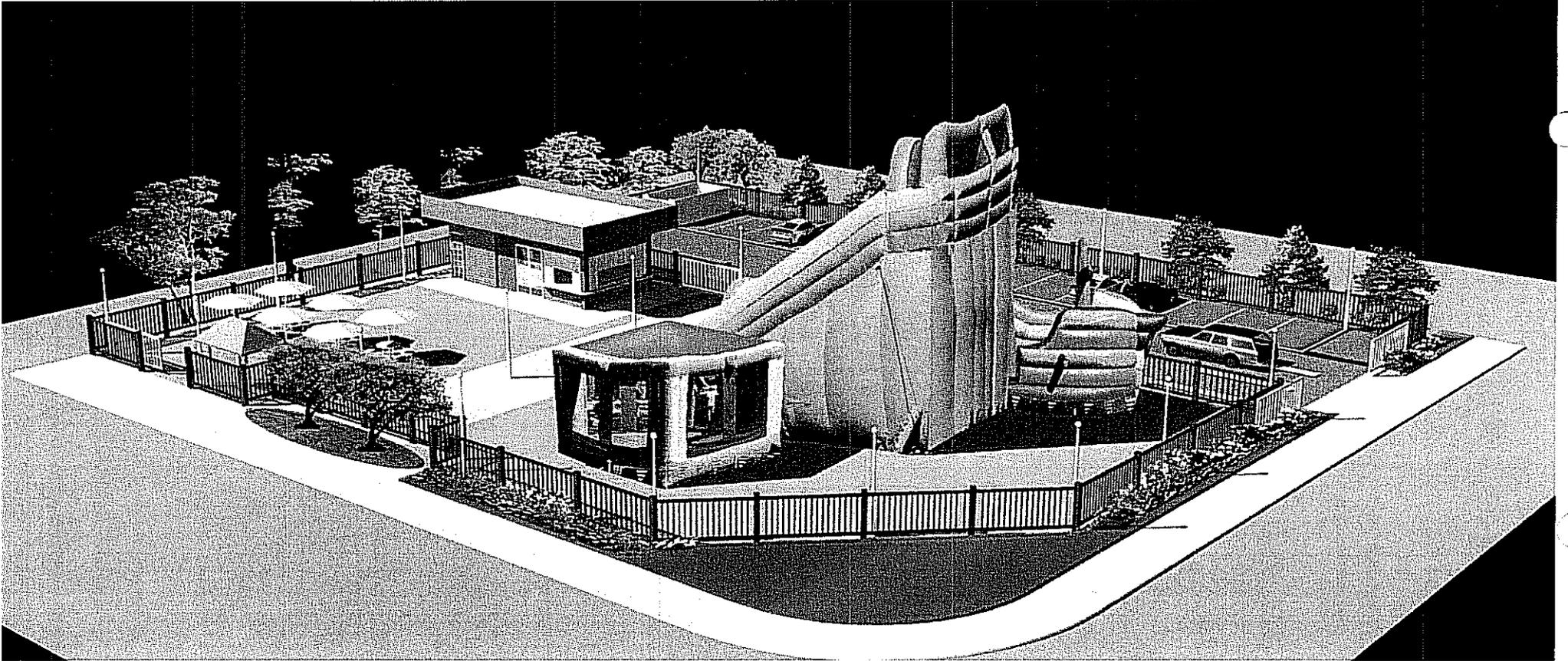
ABC TREE FARMS, LLC
SPRINGTIME GARDENS
803 W. EL CAMINO REAL, SUNNYVALE CA.



ABC TREE FARMS, LLC
 SPRINGTIME GARDENS SITE PLAN
 803 W. ET CAMINO REAL SUNNYVALE CA



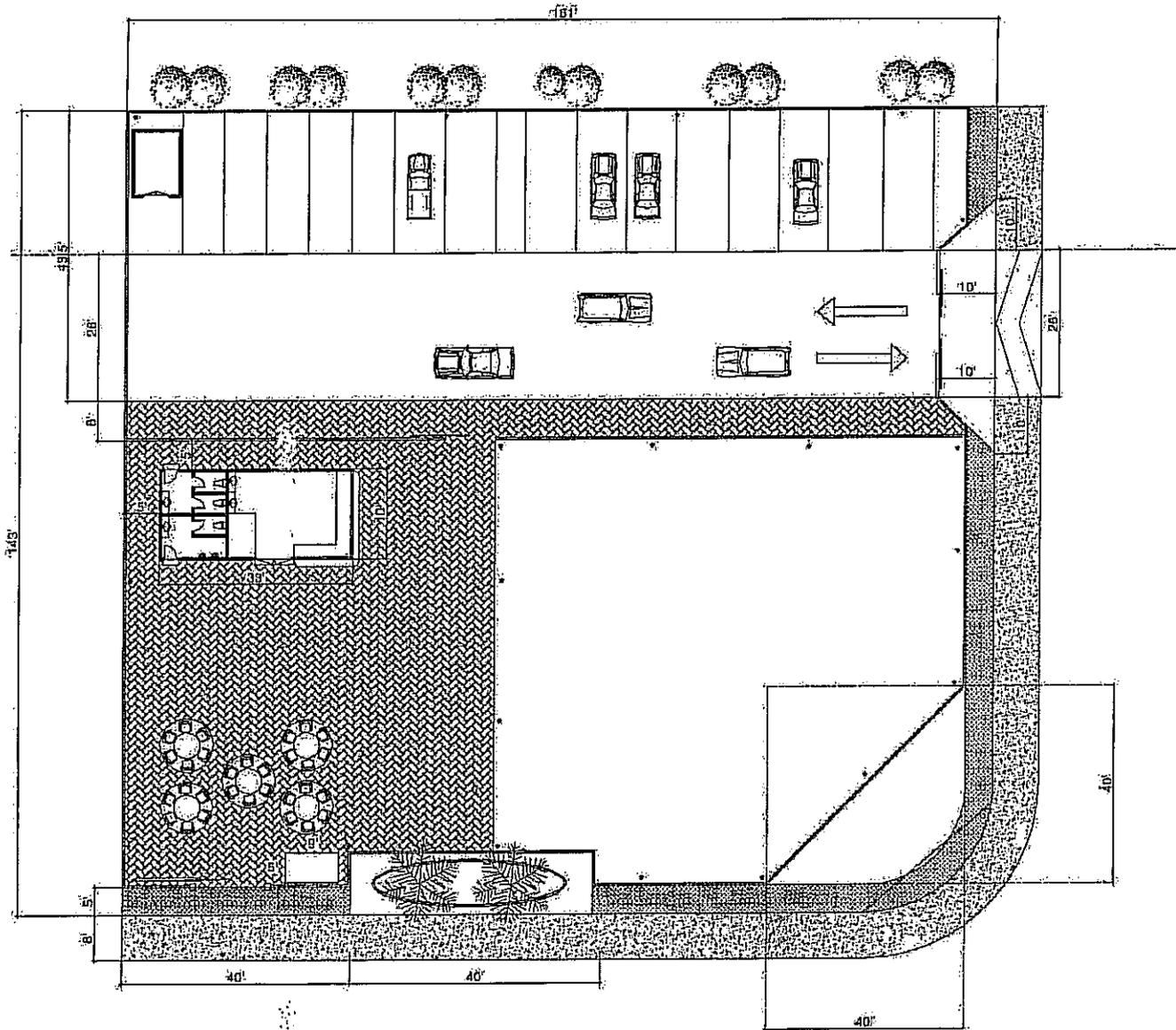
ABC TREE FARMS, LLC
KIDS SUMMER FUN ZONE
808 W. EL CAMINO REAL, SUNNYVALE, CA



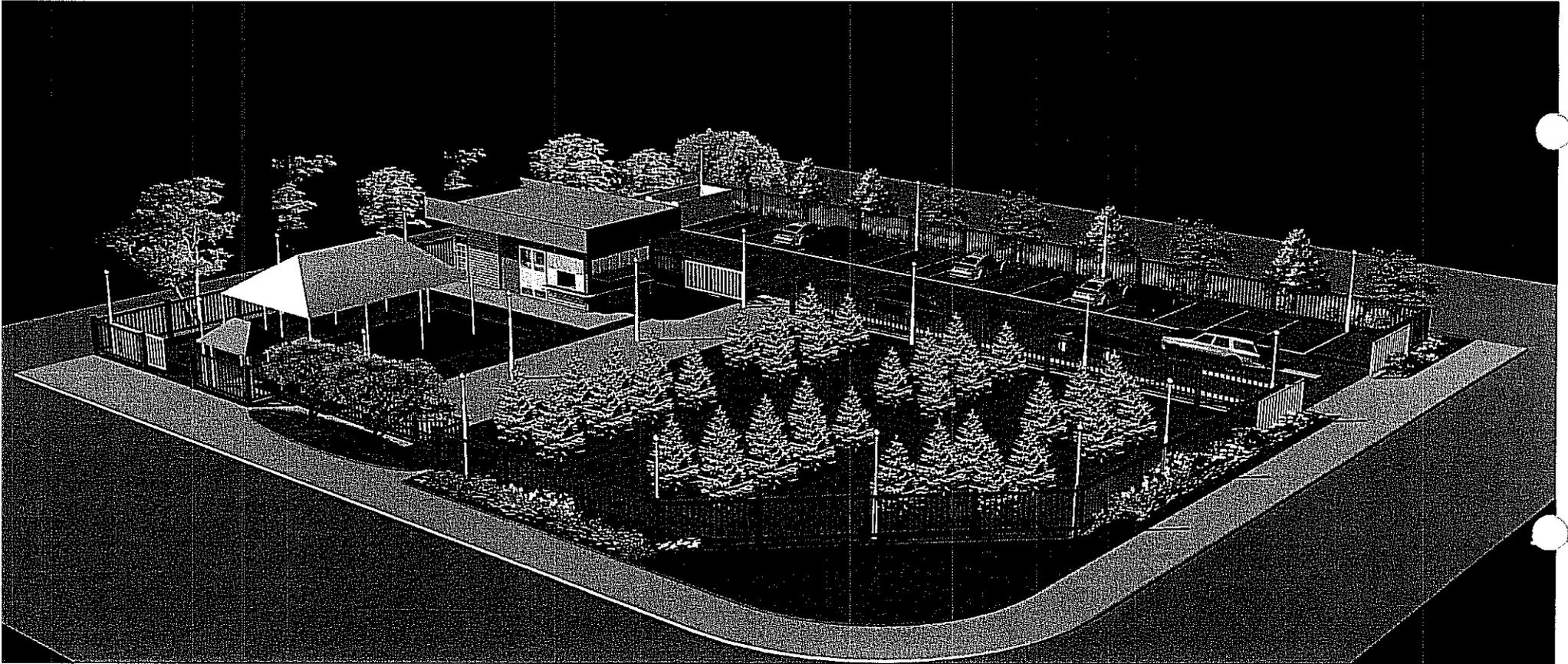
ABC TREE FARMS, LLC

KIDS SUMMER FUN ZONE SITE PLAN

803 W. EL CAMINO REAL, SUNNYVALE CA.



ABL TREE FARMS, LLC
SEASONAL SALES
203 W. EL CAMINO REAL, SUNNYVALE, CA



Development Proposal for 803 W. El Camino Real Sunnyvale, California

Proposed By: ABC Tree Farms, LLC
Jerome R. Klima Jr
(503) 975-8733

**Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

Subject Property Description: The property is located at 803 W El Camino Real in C-2 / PD (Highway Business / Planned Development) Zoning District. (APN: 165-01-043) KD. The site size is a 23,601 square foot site. A map showing the location of the site is attached. Lessee is ABC Tree Farms, LLC and owner is Yamaoka Associates.

Existing Site: Vacant Lot encircled by a chain link fence.

Surrounding Land Uses:

North	Office /commercial building
South	Retail shopping center
East	Department of Safety Building
West	Jack In The Box, commercial shopping center

Environmental Status: A Class 11 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Background: The subject site has been devoid of a permanent use permit for many years since the closing and removal of a service station. The site has been used off and on over the past few years for a variety of temporary unenclosed uses ranging from storage of vehicles to Christmas tree sales.

Subject Property Development Proposal: Applicant has been made aware by the Sunnyvale Planning Department of the long term City plans for redevelopment along the El Camino corridor and wishes to make staff aware that the current lease that exists on the property terminates in 2016. At that point the subject property as well as adjacent properties will revert back to the Landlord and that redevelopment of the entire group of properties may or may not occur. This proposal is for an interim use until all of the current property leases with adjacent properties controlled by the same Landlord terminate in 2016. Applicant is aware that this proposal does not comply with the City of Sunnyvale's long term objectives for this property but feels it is an improvement over the current use of the property. This project will have a benefit to the visual aesthetics of the community as well as providing services that are not currently offered in the community. It will add to the economic mix of business and retail opportunities along El Camino Real.

ABC Tree Farms (Applicant) is applying for a Use Permit or if applicable for a Special Development Permit on a 23,601 square foot site to allow seasonal outdoor sales as follows:

Proposed additional uses:

January 15 to May 15 annually for sales of nursery plants and fresh cut flowers. Items will include fresh cut and potted flowers and shrubs, bonsai plants, pottery and ceramics and lawn and garden furniture, statuary and landscape items.

June 1 through August 31 annually the Applicant is proposing to operate the site as a children's entertainment area called the Kids Summer Fun Zone. The Kids Summer Fun zone will operate the same inflatable games which are operated during the Halloween seasonal items sales period and will be directed as an entertainment area for children between the ages of four and ten years of age. It will offer the community another option for child entertainment during the school summer vacation period. The location is convenient for a large number of families who live nearby. For parents who need drop in services they will be provided as well as drop in services during the evening hours. The operator will attempt to coordinate educational and community oriented activities in conjunction with daily operations. Originally the Applicant had discussed with City Planning the option of serving food and cooking on the site but has since abandoned that idea. No outdoor or indoor cooking area will be requested.

The proposed use of the property is intended to be a neighborhood use and as such is targeted to service the large local community of children. A large portion of the traffic will be pedestrian by nature and in addition to the fourteen parking spaces provided Valley Transportation Agency has a bus stop existing along El Camino Real and is adjacent to the site.

Current Uses: Applicant currently operates under Special Development Permit 2003-0838. The site's current use is for Seasonal Sales of Halloween Pumpkin and Christmas Items for the periods of September 15th through December 25th annually. Halloween sales occur from September 15 through October 31 annually. The subject property then is refitted for Christmas tree sales which occur from Thanksgiving day to December 24 annually. The site is cleared and the tent and merchandise are removed after each sales season is over.

The property is currently leased on a year round ongoing basis and the Applicant wishes to expand his uses of the property to better utilize it. The current Applicant will be the operator of all of the seasonal businesses on the property

Pending Improvements on the Property:

Site Layout and Parking Plan: The site is currently accessed via Pastoria Avenue. Access point shall remain the same as diagrammed in the Site plan and renderings. Fourteen dedicated parking spaces are proposed for the site. A Valley Transportation Agency bus stop exists along El Camino Real and is not incorporated into the site. A grading and parking plan are proposed in this development application which should bring the Applicant compliant with the requirements of Special Development Permit 2003-0838.

Architecture: No permanent structures currently exist on the property. With this application a modular building is proposed. Due to the fact that the lease terminates in 2016 and that this proposal is temporary by nature and does not comply with the long term goals of the City for the El Camino corridor a removable modular building is being proposed as it is the only way to cost effectively provide the needed improvements for operations on the property. A proposed seasonal tent is also requested to be placed on the property during the seasonal sales period. The proposed seasonal tent will typically be less than 30 feet in height at its central peak and be approximately 600 square feet in size for less than 5% lot coverage. The tent will be removed from the site when operations for the season have ceased. The tent is proposed to be a white or light colored tent of non-reflective material as staff has requested in the past. Toilets and sanitation facilities will be provided in the modular building. Permanent storage or use of trash or recycling containers will occur in a permanent enclosure as outlined in the plot layout. All storage of materials will occur off site or within the before mentioned modular building provided. The Applicant owns storage facilities in the area and all materials will be trucked to the site from these facilities or will be supplied by vendors using a direct store delivery method to the site.

Landscaping: Applicant has provided and had approved by City Planning a fence and landscape proposal Fencing project 2007-0436 and is currently installing the irrigation system, plants and fence improvements.

**Proposed Additional Uses January 15th through
May 15th Annually
Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

**Proposed Additional Uses January 15th through May 15th Annually
Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

From January 15 to May 15 annually Applicant is proposing the site be used for sales of nursery plants and fresh cut flowers. Items will include fresh cut and potted flowers and shrubs, bonsai plants, pottery and ceramics and lawn and garden furniture, statuary and landscape items.

Attached is an architects rendering of the winter/early spring layout of the Nursery/ Fresh cut flower use of the property. It is labeled ABC Tree Farms, LLC Springtime Gardens.

Architecture: With the exception of a temporary canopy tent, the Applicant is proposing that the same architecture be used to operate all three of the seasonal uses on the property. No permanent structures currently exist on the property.

Buildings: With this application a modular building is proposed. Building will include two lavatory/toilets one for each sex, a cashiers area and storage area for daily supplies. Due to the fact that the lease terminates in 2016 and that this proposal is temporary by nature and does not comply with the long term goals of the City for the El Camino corridor a removable modular building is being proposed as it is the only way to cost effectively provide the needed improvements for operations on the property. The size of the proposed building with including awnings and skirting is 10' x 33' covering three hundred thirty square feet. The architecture is designed to match into the surrounding buildings with a lower profile but similar roofline. Surface colors are designed to match the colors of currently existing nearby buildings. Setbacks will be conforming. It will be mobile in function and will be able to be transported onto the property and off of the property once the lease terminates. It will not have a perimeter foundation and will be built on a metal frame similar to that of a mobile home. Engineering requirements will be dictated by staff. A visually acceptable exterior with skirting and meeting City requirements will be provided. Applicant is requesting to be allowed to install a seating area with six tables and umbrellas for customer seating as shown in the Site plan and renderings. Fourteen parking spaces will be provided (twelve standard spaces and two handicapped) which at the current staff suggested ratio of four spaces per 1000 square feet of structure should allow for up to 3500 square feet of building area. The current proposed size of the building at three hundred seventy five square feet conforms to this requirement.

A 5' x 9' canopy style hut is requested adjacent to and facing parallel to El Camino Real for the display of cut flowers. The building will be solely for display and will not have walls. The current proposed size of the building at forty five square feet still puts the total building footprint of three hundred seventy five square feet below the thirty five hundred square feet needed to conform with staff recommendations.

Parking Area: Traffic flow plans are proposed as diagrammed in the Site plan and renderings. The Applicant has proposed that fourteen parking spaces be provided. There are twelve standard spaces and two handicapped spaces, no covered spaces and no compact spaces. The current staff suggested ratio is four parking spaces per 1000 square feet of structure which should allow for up to 3500 square feet of building area. Access point shall remain the same as diagrammed in the Site plan and renderings. A Valley Transportation Agency bus stop exists along El Camino Real and is not incorporated into the site. A walkway is provided for in the plan allowing access for customers to the sales area entrance without impeding traffic flow. An additional entrance is proposed for pedestrian traffic from El Camino Real near the Valley transportation bus stop. Accessible parking and path of travel shall be provided for per building code.

Parking Lot Shading Requirements and Tree Protection Plan: We are aware that there is a minimum of twenty percent shading necessary for the Parking area. Currently there are six trees planted in the landscape area located adjacent to the parking area along the eastern border of the site. These existing trees have a canopy that extends over forty per cent of the parking area currently and should provide the appropriate shading for the parking area as requested by staff. In addition if staff requests Applicant is willing to add an additional tree in the landscape area in the southeastern corner of the site adjacent to Pastoria Rd. near the vehicle entrance to the property. Please note that no existing trees will be removed in the construction process. If staff should require additional trees for shading the Applicant will comply with staff recommendations.

Currently two large deciduous trees exist in a planter along El Camino Real and adjacent the bus stop and to the property line of the subject property. Applicant is requesting that he be allowed to trim these trees on a regular basis and be allowed to maintain this area for landscape and cleanliness purposes.

Parking Area and Walkway Surfaces: Following staff recommendations the Applicant is proposing all walkway and parking areas be constructed of blocks or pavers to reduce the impervious area and aid drainage of storm water. Samples of pavers will be provided to staff for their review. Colors have been chosen to match the colors of the buildings and surroundings on the property. By constructing with blocks or pavers drainage should be adequate enough that an additional storm water drainage system will not be required. All nursery display areas will be constructed of a minimum of four inches of pea gravel over the top of six inches of sand with the existing soil below. Nursery display areas will be brought to a level of one half inch below grade with the level of the surrounding walkways. These areas should provide additional drainage capacity for the walkways on the site.

Storm Drainage and Grading Plan: By constructing with blocks or pavers drainage should be adequate enough that a storm water drainage system will not be required for the parking or walkway areas. Currently a concrete gutter and storm drain exist along the northern boundary of the property. This gutter is diagrammed in the attached Site plans. The storm drain is connected to the existing public sewer system. Since it already exists this concrete gutter will provide the grade level for the northern property line boundary of the property as well as drainage for excess storm water from the parking lot. The grade for the walkways and parking area will follow the sidewalk level on the southern and eastern property boundaries. Since the walkways are separated from the sidewalk area by landscape areas drainage from these walkways will drain into both the nursery display areas as well as the landscape areas and should not impact drainage onto the sidewalk or storm drainage areas. All nursery display areas will be constructed of a minimum of four inches of pea gravel over the top of six inches of sand with the existing soil below. Nursery display areas will be brought to one half inch below grade with the level of the surrounding walkways. These areas should provide additional drainage capacity for the walkways on the site. The abundance of landscape areas as well as nursery display areas combined with use of blocks and pavers for ground surface construction should supply adequate storm water drainage with out requiring any additional storm water drainage system implementation.

Vision Triangles: In order to comply with City code the Applicant has restricted vision triangles as shown in the Site plan and renderings to landscape areas only. All landscaping in these areas will consist of low growing ground cover and flowers and be restricted to a height below three feet to conform to City code.

Lighting Plan: As shown in the Site Plan and renderings the Applicant is proposing to place lighting standards on thirty foot spacing throughout the subject property. Poles will be fifteen feet in height above ground level and will have a single halide light source on each pole. Poles will be of metal construction and will have a polished or galvanized grayish steel surface. Lighting will be directed to shine down on the site without causing glare on abutting properties or rights of way. Permanent lighting fixture electrical connections shall be underground.

Landscaping: Applicant has provided and had approved by City Planning a fence and landscape proposal Fencing project 2007-0436 and is currently installing the irrigation system, plants and fence improvements. General upkeep shall occur through out the year and irrigation provided to landscaped areas. These approved landscape and fence designs have been incorporated into this proposal.

Display of Merchandise: Display of items or merchandise shall occur at a minimum of five feet from the abutting sidewalk edge.

Trash and Recycling Containers: As shown in the Site Plan and renderings the Applicant is proposing to place an enclosed trash and recycling area in the parking lot adjacent to the northern property line of the subject property. Trash and Recycling containers shall be enclosed per section 19.38.030 of the Sunnyvale Municipal Code.

Storage: All storage of materials will occur off site or within the before mentioned modular building provided. The Applicant owns storage facilities in the area and all materials will be trucked to the site from these facilities or will be supplied by vendors using a direct store delivery method to the site. Outdoor on site storage of non displayed merchandise will be minimal. General storage will not occur on the site during the off season.

Hours of Operation: Proposed hours of operation are from 12:00 a.m. to 8:30 p.m. for five days a week. The days of Thursday, Friday, Saturday, Sunday and Monday the business will be open. Tuesday and Wednesday it will be closed.

Transition of Site Function: The site shall be cleared of debris and refuse at the end of each and every sales season. All remaining merchandise from that season will be put in off site storage.

**Proposed Additional Uses June 1 through August
31 Annually
Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

**Proposed Additional Uses June 1 through August 31 Annually
Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

June 1 through August 31 annually the Applicant is proposing to operate the site as a children's entertainment area called the Kids Summer Fun Zone. The Kids Summer Fun Zone will operate the same inflatable games which are currently operated during the Halloween seasonal items sales period and will be directed as an entertainment area for children between the ages of four and ten years of age. As the rendering shows the Applicant is requesting the use of three inflatables for children's entertainment during this period. The use of three inflatables is imperative to the success of this project. If the Applicant is limited to use less than three inflatables for the Kids Summer Fun Zone it will likely not be financially worthwhile for him to make the improvements requested on the site. Less than three inflatables will not be attractive to the customer base and will cause overcrowding of the rides. If this proposal receives staff support and is implemented staff will have grasped the opportunity to offer the community another option for child entertainment during the school summer vacation period. This is extremely important to both the community youth and to the adults and parents in the community. The location is convenient for a large number of families who live nearby. We will offer short term sitting drop in services for children while school is out for the summer. The Applicant will attempt to coordinate educational and community oriented activities in conjunction with daily operations. Originally the Applicant had discussed with City Planning the option of serving food and cooking on the site but has since abandoned that idea. No outdoor or indoor cooking area will be requested.

Applicant proposes to continue to sell cut flowers from the cut flower sales area on the site during the summer period.

The proposed use of the property is intended to be a neighborhood use and as such is targeted to service the large local community of children. A large portion of the traffic will be pedestrian by nature and in addition to the fourteen parking spaces provided Valley Transportation Agency has a bus stop existing along El Camino Real and is adjacent to the site.

Attached is an architects rendering of the summer layout of the Kids Summer Fun Zone use of the site. It is labeled ABC Tree Farms, LLC Kids Summer Fun Zone.

Architecture: With the exception of a temporary canopy tent, the Applicant is proposing that the same architecture be used to operate all three of the seasonal uses on the property. No permanent structures currently exist on the property.

Buildings: With this application a modular building is proposed. Building will include two lavatory/toilets one for each sex, a cashiers area and storage area for daily supplies. Due to the fact that the lease terminates in 2016 and that this proposal is temporary by nature and does not comply with the long term goals of the City for the El Camino corridor a removable modular building is being proposed as it is the only way to cost effectively provide the needed improvements for operations on the property. The size of the proposed building with including awnings and skirting is 10' x 33' covering three hundred thirty square feet. The architecture is designed to match into the surrounding buildings with a lower profile but similar roofline. Surface colors are designed to match the colors of currently existing nearby buildings. Setbacks will be conforming. It will be mobile in function and will be able to be transported onto the property and off of the property once the lease terminates. It will not have a perimeter foundation and will be built on a metal frame similar to that of a mobile home. Engineering requirements will be dictated by staff. A visually acceptable exterior with skirting and meeting City requirements will be provided. Applicant is requesting to be allowed to install a seating area with six tables and umbrellas for customer seating as shown in the Site plan and renderings. Fourteen parking spaces will be provided (twelve standard spaces and two handicapped) which at the current staff suggested ratio of four spaces per 1000 square feet of structure should allow for up to 3500 square feet of building area. The current proposed size of the building at three hundred seventy five square feet conforms to this requirement.

A 5' x 9' canopy style hut is requested adjacent to and facing parallel to El Camino Real for the display of cut flowers. The building will be solely for display and will not have walls. The current proposed size of the building at forty five square feet still puts the total building footprint of three hundred seventy five square feet below the thirty five hundred square feet needed to conform to staff recommendations.

Parking Area: Traffic flow plans are proposed as diagrammed in the Site plan and renderings. The Applicant has proposed that fourteen parking spaces be provided. There are twelve standard spaces and two handicapped spaces, no covered spaces and no compact spaces. The current staff suggested ratio is four parking spaces per 1000 square feet of structure which should allow for up to 3500 square feet of building area. Access point shall remain the same as diagrammed in the Site plan and renderings. A Valley Transportation Agency bus stop exists along El Camino Real and is not incorporated into the site. A walkway is provided for in the plan allowing access for customers to the sales area entrance without impeding traffic flow. An additional entrance is proposed for pedestrian traffic from El Camino Real near the Valley transportation bus stop. Accessible parking and path of travel shall be provided for per building code.

Parking Lot Shading Requirements and Tree Protection Plan: We are aware that there is a minimum of twenty percent shading necessary for the Parking area. Currently there are six trees planted in the landscape area located adjacent to the parking area along the eastern border of the site. These existing trees have a canopy that extends over forty per cent of the parking area currently and should provide the appropriate shading for the parking area as requested by staff. In addition if staff requests Applicant is willing to add an additional tree in the landscape area in the southeastern corner of the site adjacent to Pastoria Rd. near the vehicle entrance to the property. Please note that no existing trees will be removed in the construction process. If staff should require additional trees for shading the Applicant will comply with staff recommendations.

Currently two large deciduous trees exist in a planter along El Camino Real and adjacent the bus stop and to the property line of the subject property. Applicant is requesting that he be allowed to trim these trees on a regular basis and be allowed to maintain this area for landscape and cleanliness purposes.

Parking Area and Walkway Surfaces: Following staff recommendations the Applicant is proposing all walkway and parking areas be constructed of blocks or pavers to reduce the impervious area and aid drainage of storm water. Samples of pavers will be provided to staff for their review. Colors have been chosen to match the colors of the buildings and surroundings on the property. By constructing with blocks or pavers drainage should be adequate enough that an additional storm water drainage system will not be required. While the Kids Summer Fun Zone is in operation all nursery display areas will be temporarily brought to grade with the surrounding walkways by adding pea gravel. A series of vinyl coated foam tarps will be put over the surface where the play area will be located providing a soft surface for the children to play on. This surface is temporary and can be rolled up and stored when the play area is not operational. Since the vinyl coated foam tarps are six foot wide they will allow drainage between them for storm water runoff into the Nursery display areas. Also since the period of operation corresponds with summer the need for storm water drainage should be minimal.

Storm Drainage and Grading Plan: By constructing with blocks or pavers drainage should be adequate enough that a storm water drainage system will not be required for the parking or walkway areas. Currently a concrete gutter and storm drain exist along the northern boundary of the property. This gutter is diagrammed in the attached Site plans. The storm drain is connected to the existing public sewer system. Since it already exists this concrete gutter will provide the grade level for the northern property line boundary of the property as well as drainage for excess storm water from the parking lot. The grade for the walkways and parking area will follow the sidewalk level on the southern and eastern property boundaries. Since the walkways are separated from the sidewalk area by landscape areas drainage from these walkways will drain into both the nursery display areas as well as the landscape areas and should not impact drainage onto the sidewalk or storm drainage areas. All nursery display areas will be constructed of a minimum of four inches of pea gravel over the top of six inches of sand

with the existing soil below. Nursery display areas will be brought to one half inch below grade with the level of the surrounding walkways. These areas should provide additional drainage capacity for the walkways on the site. The abundance of landscape areas as well as nursery display areas combined with use of blocks and pavers for ground surface construction should supply adequate storm water drainage with out requiring any additional storm water drainage system implementation.

Vision Triangles: In order to comply with City code the Applicant has restricted vision triangles as shown in the Site plan and renderings to landscape areas only. All landscaping in these areas will consist of low growing ground cover and flowers and be restricted to a height below three feet to conform to City code.

Lighting Plan: As shown in the Site Plan and renderings the Applicant is proposing to place lighting standards on thirty foot spacing throughout the subject property. Poles will be fifteen feet in height above ground level and will have a single halide light source on each pole. Poles will be of metal construction and will have a polished or galvanized grayish steel surface. Lighting will be directed to shine down on the site without causing glare on abutting properties or rights of way. Permanent lighting fixture electrical connections shall be underground.

Landscaping: Applicant has provided and had approved by City Planning a fence and landscape proposal Fencing project 2007-0436 and is currently installing the irrigation system, plants and fence improvements. General upkeep shall occur through out the year and irrigation provided to landscaped areas. These approved landscape and fence designs have been incorporated into this proposal.

Display of Merchandise and Positioning of Inflatable Play Areas: Display of items or merchandise shall occur at a minimum of five feet from the abutting sidewalk edge. Positioning of inflatables shall be a minimum of five feet away from the abutting sidewalk edge and shall only be in the area designated on the site plan for inflatable set up. Inflatables will not encroach onto vision triangle areas. Inflatables will not be set up in the area designated for parking or pedestrian traffic flow. Inflatables shall be color coordinated so they are visually attractive to the public.

Trash and Recycling Containers: As shown in the Site Plan and renderings the Applicant is proposing to place an enclosed trash and recycling area in the parking lot adjacent to the northern property line of the subject property. Trash and Recycling containers shall be enclosed per section 19.38.030 of the Sunnyvale Municipal Code.

Storage: All storage of materials will occur off site or within the before mentioned modular building provided. The Applicant owns storage facilities in the area and all materials will be trucked to the site from these facilities or will be supplied by vendors using a direct store delivery method to the site. Outdoor on site storage of non displayed merchandise will be minimal. General storage will not occur on the site during the off season.

Hours of Operation: Proposed hours of operation are from 11:00 a.m. to 9:00 p.m. for seven days a week.

Transition of Site Function: The site shall be cleared of debris and refuse at the end of each and every sales season. All remaining merchandise from that season will be put in off site storage.

**Proposed Continued Current Use
September 15th through December 24th Annually
Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

**Proposed Continued Current Use
September 15th through December 24th Annually
Development Proposal for 803 W. El Camino Real
Sunnyvale, California**

From September 15th to December 24th annually Applicant is proposing to continue utilizing the site for seasonal sales of Halloween and Christmas items.

Attached is an architects rendering of the Seasonal sales layout for Christmas tree sales on the site. It is labeled ABC Tree Farms, LLC Seasonal Sales.

Architecture: With the exception of a temporary canopy tent as shown in the Seasonal sales site plan and rendering, the Applicant is proposing that the same architecture be used to operate all three of the seasonal uses on the property. The proposed seasonal tent is also requested to be placed on the property during the Halloween and Christmas seasonal sales period. The proposed seasonal tent will typically be less than 30 feet in height at its central peak and be approximately 600 square feet in size for less than 5% lot coverage. The tent will be removed from the site when operations for the season have ceased. The tent is proposed to be a white or light colored tent of non-reflective material as staff has requested in the past.

Buildings: With this application a modular building is proposed. Building will include two lavatory/toilets one for each sex, a cashiers area and storage area for daily supplies. Due to the fact that the lease terminates in 2016 and that this proposal is temporary by nature and does not comply with the long term goals of the City for the El Camino corridor a removable modular building is being proposed as it is the only way to cost effectively provide the needed improvements for operations on the property. The size of the proposed building with including awnings and skirting is 10' x 33' covering three hundred thirty square feet. The architecture is designed to match into the surrounding buildings with a lower profile but similar roofline. Surface colors are designed to match the colors of currently existing nearby buildings. Setbacks will be conforming. It will be mobile in function and will be able to be transported onto the property and off of the property once the lease terminates. It will not have a perimeter foundation and will be built on a metal frame similar to that of a mobile home. Engineering requirements will be dictated by staff. A visually acceptable exterior with skirting and meeting City requirements will be provided. Applicant is requesting to be allowed to install a seating area with six tables and umbrellas for customer seating as shown in the Site plan and renderings. Fourteen parking spaces will be provided (twelve standard spaces and two handicapped) which at the current staff suggested ratio of four spaces per 1000 square feet of structure should allow for up to 3500 square feet of building area. The current proposed size of the building at three hundred seventy five square feet conforms to this requirement.

A 5' x 9' canopy style hut is requested adjacent to and facing parallel to El Camino Real for the display of cut flowers and Christmas Poinsettas. The building will be solely for display and will not have walls. The current proposed size of the building at forty five square feet still puts the total building footprint of three hundred seventy five square feet below the thirty five hundred square feet needed to conform with staff recommendations.

Parking Area: Traffic flow plans are proposed as diagrammed in the Site plan and renderings. The Applicant has proposed that fourteen parking spaces be provided. There are twelve standard spaces and two handicapped spaces, no covered spaces and no compact spaces. The current staff suggested ratio is four parking spaces per 1000 square feet of structure which should allow for up to 3500 square feet of building area. Access point shall remain the same as diagrammed in the Site plan and renderings. A Valley Transportation Agency bus stop exists along El Camino Real and is not incorporated into the site. A walkway is provided for in the plan allowing access for customers to the sales area entrance without impeding traffic flow. An additional entrance is proposed for pedestrian traffic from El Camino Real near the Valley transportation bus stop. Accessible parking and path of travel shall be provided for per building code.

Parking Lot Shading Requirements and Tree Protection Plan: We are aware that there is a minimum of twenty percent shading necessary for the Parking area. Currently there are six trees planted in the landscape area located adjacent to the parking area along the eastern border of the site. These existing trees have a canopy that extends over forty per cent of the parking area currently and should provide the appropriate shading for the parking area as requested by staff. In addition if staff requests Applicant is willing to add an additional tree in the landscape area in the southeastern corner of the site adjacent to Pastoria Rd near the vehicle entrance to the property. Please note that no existing trees will be removed in the construction process. If staff should require additional trees for shading the Applicant will comply with staff recommendations.

Currently two large deciduous trees exist in a planter along El Camino Real and adjacent the bus stop and to the property line of the subject property. Applicant is requesting that he be allowed to trim these trees on a regular basis and be allowed to maintain this area for landscape and cleanliness purposes.

Parking Area and Walkway Surfaces: Following staff recommendations the Applicant is proposing all walkway and parking areas be constructed of blocks or pavers to reduce the impervious area and aid drainage of storm water. Samples of pavers will be provided to staff for their review. Colors have been chosen to match the colors of the buildings and surroundings on the property. By constructing with blocks or pavers drainage should be adequate enough that an additional storm water drainage system will not be required. While the Halloween sales season is operating, all Nursery display areas will be temporarily brought to grade with the surrounding walkways by adding pea gravel. A series of vinyl coated foam tarps will be put over the surface where the play area will be located providing a soft surface for the children to play on. This surface is temporary and can be rolled up and stored when the play area is not operational. Since

the vinyl coated foam tarps are six foot wide they will allow drainage between them for storm water runoff into the Nursery display areas. Also since the period of operation corresponds with the month of October and rainfall is low, the need for storm water drainage should be minimal. All nursery display areas will be constructed of a minimum of four inches of pea gravel over the top of six inches of sand with the existing soil below. During the Christmas and Halloween sales season Nursery display areas will be brought to a level of at grade with the level of the surrounding walkways to allow for an even walking surface for customers. These areas should provide additional drainage capacity for the walkways on the site.

Storm Drainage and Grading Plan: By constructing with blocks or pavers drainage should be adequate enough that a storm water drainage system will not be required for the parking or walkway areas. Currently a concrete gutter and storm drain exist along the eastern boundary of the property. This gutter is diagrammed in the attached Site plans. The storm drain is connected to the existing public sewer system. Since it already exists this concrete gutter will provide the grade level for the northern property line boundary of the property as well as drainage for excess storm water from the parking lot. The grade for the walkways and parking area will follow the sidewalk level on the southern and western property boundaries. Since the walkways are separated from the sidewalk area by landscape areas drainage from these walkways will drain into both the nursery display areas as well as the landscape areas and should not impact drainage onto the sidewalk or storm drainage areas. All nursery display areas will be constructed of a minimum of four inches of pea gravel over the top of six inches of sand with the existing soil below. Nursery display areas will be brought to one half inch below grade with the level of the surrounding walkways. These areas should provide additional drainage capacity for the walkways on the site. The abundance of landscape areas as well as nursery display areas combined with use of blocks and pavers for ground surface construction should supply adequate storm water drainage with out requiring any additional storm water drainage system implementation.

Vision Triangles: In order to comply with City code the Applicant has restricted vision triangles as shown in the Site plan and renderings to landscape areas only. All landscaping in these areas will consist of low growing ground cover and flowers and be restricted to a height below three feet to conform to City code.

Lighting Plan: As shown in the Site Plan and renderings the Applicant is proposing to place lighting standards on thirty foot spacing throughout the subject property. Poles will be fifteen feet in height above ground level and will have a single halide light source on each pole. Poles will be of metal construction and will have a polished or galvanized grayish steel surface. Lighting will be directed to shine down on the site without causing glare on abutting properties or rights of way. Permanent lighting fixture electrical connections shall be underground.

Landscaping: Applicant has provided and had approved by City Planning a fence and landscape proposal Fencing project 2007-0436 and is currently installing the irrigation system, plants and fence improvements. General upkeep shall occur throughout the year and irrigation provided to landscaped areas. These approved landscape and fence designs have been incorporated into this proposal.

Display of Merchandise: Display of items or merchandise shall occur at a minimum of five feet from the abutting sidewalk edge.

Trash and Recycling Containers: As shown in the Site Plan and renderings the Applicant is proposing to place an enclosed trash and recycling area in the parking lot adjacent to the northern property line of the subject property. Trash and Recycling containers shall be enclosed per section 19.38.030 of the Sunnyvale Municipal Code.

Storage: All storage of materials will occur off site or within the before mentioned modular building provided. The Applicant owns storage facilities in the area and all materials will be trucked to the site from these facilities or will be supplied by vendors using a direct store delivery method to the site. Outdoor on site storage of non displayed merchandise will be minimal. General storage will not occur on the site during the off season.

Transition of Site Function: The site shall be cleared of debris and refuse at the end of each and every sales season. All remaining merchandise from that season will be put in off site storage.



STAFF ONLY
 Date of Building Permit: _____
 Permit #: _____

IMPERVIOUS SURFACE DATA SHEET FOR
 NPDES PERMIT PROVISION C.3. COMPLIANCE

What Projects Apply?
 All applicants for projects creating, adding, or replacing 10,000 sq. ft. or more of impervious surface on the project site must fill out this worksheet and submit it to the Building Division prior to the issuance of a building permit.

What is an Impervious Surface?
 An impervious surface prevents the infiltration or passage of water into the soil. Impervious surfaces include building rooftops, paved patios, covered patios, driveways, parking lots, paved walkways, sidewalks and streets.

For More Information
 For more information regarding selection of Best Management Practices for stormwater pollution prevention or stormwater treatment contact: Planning Division, Stormwater Prevention Information 408-730-7444.

Project Name: 803 W. EL CAMINO REAL APN # 165-01-043
 Applicant Name: ABC TREE FARMS, LLC JEROME R. KUIMA JR
 Project Location: 803 W. EL CAMINO REAL, SUNNYVALE CA
 (address)

1. Project Type (Check all that apply):
 Single Family Residential Multi-family Residential/# of Units _____ Commercial
 Industrial Public New Development Redevelopment
 Describe expected activities at project site
NURSERY - ENTERTAINMENT - SEASONAL SALES

2. Project size: (Add Additional Sheets if Necessary)

Area ID	Existing Area (Sq ft)	Proposed Area (Sq ft)
Impervious Areas (list all) <u>SEE ITEM 2.</u> <u>Attached</u>		
Total Impervious Area		
Pervious Areas (list all)		
Total Pervious Area		
Total Project Area		
% Impervious		
% Pervious		
Impervious Area Created or Added		
Impervious Area Replaced		

If impervious surface area created, added, or replaced is > 43,560 sq. ft, then C.3. Provisions for Group 1 apply. See redevelopment example for applicability of C.3 to portions vs. entire site.

Item 2. Project Size

Area ID

Impervious Areas	Existing Area Sq. Ft.	Proposed Area Sq. Ft
Tent - Seasonal	None	1200
Buiding	None	330
Flower Area	None	45
Total Impervious Area		1575
Semi pervious Area	Existing Area Sq. Ft.	Proposed Area Sq. Ft
Parking Area/ Ammended design	None	7350
Walkways	None	8825
Total Semi pervious Area		16175
Pervious Area	Existing Area Sq. Ft.	Proposed Area Sq. Ft
Landscape Areas	None	3572
Planting Beds	None	2200
Total Pervious Area		5772
Total Area		23522
% Impervious		6.70%
% Semi pervious		68.70%
% Pervious		24.60%
Impervious Area Created or Added		1575
Impervious Area Replaced		0

what material?

Estimated area of land disturbance during construction (including clearing, grading, or excavating) sq. ft

Does runoff from offsite flow through the project site? Yes No. If yes, show where offsite runoff flows onto project site on the Site map prepared for the SWMP.

3. GIS Map Review

- a. Is project site within the HMP Inclusion Area? Yes No. If yes, then HMP may apply when final HMP is approved by the Regional Board.
- b. Is project site within the Infiltration Device Inclusion Area? Yes No. If yes, and if infiltration devices are proposed, then additional SCVWD requirements may apply.

4. Type of Pesticide Reduction Measures Used (Check all that apply):

<u>Description</u>	<u>Code</u>
<input checked="" type="checkbox"/> Education	PEDU
<input type="checkbox"/> Condition of Approval	PCOA
<input type="checkbox"/> Doesn't Apply	DNA

5. Types of Stormwater Controls Used (check all that apply) and complete Page 3 of this form:

<u>Description</u>	<u>Code</u>
<input checked="" type="checkbox"/> Stormwater Treatment Measure	STM
<input checked="" type="checkbox"/> Source Control Measure	SCM
<input checked="" type="checkbox"/> Site Design Measure	SDM
<input type="checkbox"/> Doesn't Apply	DNA

Examples of Stormwater Control Measures (Others found in Appendix C):

Stormwater Treatment

- Biofilter (veg. swale/strip)
- Detention basin (dry)
- Detention pond (wet)
- Underground detention
- Media filter (sand, organic matter, bioretention)
- Hydrodynamic device (commercially available in-line treatment unit)
- Infiltration trench
- Porous pavement
- Wetland basin
- Wetland channel
- Inlet filter
- Other _____

Source Controls

- Wash area/racks, drain to sanitary sewer
- Covered dumpster area, drain to sanitary sewer
- Swimming pool drain to sanitary sewer
- Beneficial landscaping (minimizes irrigation, runoff, pesticides and fertilizers; promotes treatment)
- Outdoor material storage protection
- Covers, drains for loading docks, maintenance bays, fueling areas
- Maintenance (street sweeping, catch basin cleaning)
- Other _____

Site Design

- Minimize land disturbance
- Minimize impervious surfaces
- Minimum-impact street or parking lot design
- Cluster structures/pavement
- Disconnect downspouts
- Alternative driveway design
- Microdetention in landscape
- Preserve open space
- Protect riparian and wetland areas, riparian buffers
- Minimize change in runoff hydrograph
- Other _____

Reviewed: Community Development Department

Planning Division: _____ Date: _____
 Data entry performed by: _____ Date: _____

Letter of Appeal re: Subject: 2007-0943

Application for property located @ 803 W El Camino Real, Sunnyvale, CA (Highway Business/ Precise Plan for El Camino Real)

APN 165-01-043

Development Permit to modify a previously approved Special Development Permit to allow year round use of the site including pumpkin sales and Christmas tree lot.

The parcel we want to develop is a small parcel which by virtue of its size and the fact it is subject to a master lease until 2014 does not meet some of the long term goals of the precise plan for El Camino Real in the City of Sunnyvale. Therefore since the property is part of a master lease that terminates in 2014 we are requesting to be allowed a short term use that may not meet the interest of the "Precise Plan" for El Camino Real but will allow a short term temporary development that will benefit the community. Further, since the "Precise Plan" for El Camino Real has been defined but is yet to be determined as how it will be administered, there is ambiguity as to whether this does or does not meet the intent of the "Precise Plan" for El Camino Real with regards to a number of issues. We will outline these in our appeal.

I am requesting an appeal date in January if possible as I will not be available in December of 2007 or February of 2008. I can be reached via cell phone at (503) 975 8733. Please send all correspondence to:

Jerry Klima
ABC Tree Farms
2464 El Camino Real
Ste 934
Santa Clara, CA 95051.

I appreciate your time,

Sincerely,

Jerome R Klima
ABC Tree Farms, LLC



**CITY OF SUNNYVALE
ADMINISTRATIVE HEARING**

MINUTES

Wednesday, October 24, 2007

2007-0943 - Application for a Special Development Permit to modify a previously approved Special Development Permit to allow year-round use of the site including pumpkin sales and Christmas tree lot. The property is located at **803 W El Camino Real** (at S. Pastoria Ave.) in a C-2/ECR (Highway Business/Precise Plan for El Camino Real) Zoning District. (APN: 165-01-043) SB

In attendance: Jerome R. Klima, Applicant; Andrew Miner, Administrative Hearing Officer; Surachita Bose, Project Planner; Luis Uribe, Staff Office Assistant.

Mr. Andrew Miner, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Mr. Miner announced the subject application.

Surachita Bose, Project Planner, stated that the applicant proposes to establish seasonal outdoor sales uses that are temporary in nature, but permitted for a period of eight years until 2016. The applicant would use the site during spring as a nursery, during summer as a children's entertainment area with multiple "bounce houses" features and sell seasonal items during the fall and winter holiday season, including Halloween and Christmas related items.

Mr. Miner opened the public hearing.

Jerome R. Klima, Applicant, received and reviewed a copy of the staff report. The applicant asked if the bounce houses can be kept on site from June 1 to August 31 and then again for the month of October, therefore allowing the bounce houses to be up 4 months out of the year. Mr. Klima stated that the Summer Fun Zone would be open from 2 p.m. to 9:30 p.m. which would help mitigate some of the visual impacts during the day as well as the parking concerns during peak business hours. Mr. Klima stated that approximately 30% of the customers are walk-in customers and is requesting that staff look at the rate of one parking space per 400 square feet of use which was approved in a prior application (2003-0838). At that rate the applicant would be in compliance. In addition, the applicant is willing to have an outside parking attendant on week nights and weekends. The applicant stated that they are currently limited to one bounce house on-site and wanted to know if he would be allowed to have 4 bounce houses that will not exceed a square footage of 3,800 square feet. The applicant submitted a petition regarding the summer fun zone.

Mr. Miner had some questions regarding the average size of a bounce house, which is, on average 1,200 square feet and the tallest bounce house is 24 feet high. The applicant stated that the bounce houses will be deflated during closed hours. Mr. Miner asked the applicant if an additional fee would be charged for entrance into the bounce house, the applicant stated that there will be an additional fee. Mr. Miner had some additional questions regarding impervious surface and wanted to know if the applicant would be

2007-0943 803 W. El Camino Real

selling food on-site. The applicant stated that they will be selling pre-packaged snack items. The applicant stated the parking overflow will most likely be directed to Olive Avenue.

Mr. Miner closed the public hearing.

Mr. Miner took the application under advisement until Tuesday, October 30, 2007. On that day the Administrative Hearing Officer denied the application for various reasons including that the purposed use does not meet the intent of the Precise Plan for El Camino Real.

Mr. Miner 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 2:33 p.m.

Minutes approved by:

Andrew Miner, Principal Planner