



Approved Minutes

SUNNYVALE HERITAGE PRESERVATION COMMISSION

Wednesday, June 2, 2010 at 7:00 P.M.
West Conference Room, Sunnyvale City Hall
456 West Olive Avenue, Sunnyvale

CALL TO ORDER

Salute to the Flag

ROLL CALL

Present: Chair Jeanine Stanek; Vice Chair Nancy McDonough; Comm. Frenchie Marsolais; Comm. David Squellati; Comm. Nirmala Vaidyanathan; Comm. Ted Ringel; Comm. Amrit Verma

Absent: None

Staff: Trudi Ryan, Planning Officer; Ryan Kuchenig, Associate Planner; Joey Mariano, Staff Office Assistant

Guests: Mayor Melinda Hamilton

Members of the Public: Emrah Gures, applicant

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS

None

CONSENT CALENDAR

A. Approval of May 5, 2010 Draft Minutes

Comm. Ringel requested staff to include his letter submitted at the meeting as part of his motion.

Comm. Ringel made a motion to approve the Minutes of May 5, 2010 with modifications. Comm. Squellati seconded. Motion carried 7-0.

CITIZENS TO BE HEARD

PUBLIC HEARINGS/GENERAL BUSINESS

A. **2010-7327 - Emrah Gures/John Hubbard** [Applicant/Owner]: Landmark Alteration Permit for a new awning and wall sign for an existing restaurant (Taverna Bistro). The property is located at **133 S. Murphy Avenue** in a DSP (Downtown Specific Plan/Block 2) Zoning District (APN: 209-06-004).

Ryan Kuchenig, Associate Planner, presented the staff report. He summarized that the awning will replace the current awning in a similar fashion. He noted the architectural details are provided in Attachment D of the staff report. He noted that the proposed awning would be larger than many of the other awnings along this block of Murphy Avenue. He noted that the staff recommendation includes a Condition of Approval that reduces the maximum extension of the proposed awning to five feet.

Comm. Ringel asked if there are any other awnings that go beyond five feet. Staff responded that there appears to be two restaurants with awnings that extend beyond five feet.

Comm. Ringel asked staff about the color of the awning. Staff responded that the proposed color of the awning would be similar to the current awning and would be consistent with the uniformity and style of other awnings on Murphy Avenue.

Comm. Ringel asked staff if a six foot awning would be able to cover a table for four adjacent to the front of the restaurant. Staff responded in the affirmative.

Comm. Squellati noted that the Murphy Avenue Design Guidelines do not give a specific length for awnings. Staff concurred. He asked if any metal bars will be exposed. Staff responded that the Conditions of Approval require that they are not exposed.

Chair Stanek noted that she made a site visit to Murphy Avenue and noticed an awning that had poles to support it. She asked staff if that was approved. Staff responded that it had been approved through an appeal in 1999.

Mr. Kuchenig noted a correction to the Conditions of Approval 2C to state "Heritage Preservation Commission" instead of "Planning Commission".

Chair Stanek opened the public hearing.

Emrah Gures, applicant and business owner of Taverna Bistro, stated that Murphy Avenue is a beautiful street and that the awning will make the streetscape even more appealing in a consistent manner. He noted that his proposal of a 12' awning is retractable, and will not be at that length all year long. He also noted that the trees on

Murphy Avenue shed leaves. He further noted that he will comply with the Commission on their decision. He also noted that the proposed awning is being used all over the Bay Area by many upscale restaurants. He noted that the awning will not interfere with pedestrian traffic.

Comm. Ringel noted that the situation, as stated by staff is that they want to see Historic Murphy Avenue with a consistent look of awnings. He asked Mr. Gures if he is intending to have tables on both sides of the pedestrian area. He also asked what his plans are for outdoor seating.

Mr. Gures stated that he is planning to have approximately five tables which may take up to 10-12 feet of the sidewalk. As required, they would keep a pedestrian path open.

Comm. Squellati asked if the awning is set at an angle of 45 degrees. Mr. Gures confirmed and stated that the current awning will be replaced by this new one.

Chair Stanek asked if he had studied other types of awnings. Mr. Gures replied yes, that he has been in business on Murphy for nine years and seen a lot of liability with other types of shading such as umbrellas. He restated that the proposed awning can be retracted to reduce his liability.

Comm. Vaidyanathan asked if the table and chairs will be brought into the restaurant daily. Mr. Gures replied that they would bring them inside.

Mayor Hamilton, speaking as a member of the public, noted the sidewalk policy pertains to outdoor seating and pedestrian traffic.

Ms. Ryan, Planning Officer, noted some clarification of the new sidewalk policy, which requires five feet of pedestrian traffic.

Chair Stanek closed the public hearing.

Comm. Ringel made a motion on 2010-7327 to approve the Landmark Alteration Permit with modified conditions in Attachment B; to revise Condition of Approval 2a from a 5-foot awning to a 6-foot awning.

Chair Stanek asked staff and the Commission if they would like to add an additional condition to limit the awning's extension during a specific amount of hours.

Mr. Kuchenig stated that this condition may be difficult to enforce.

Comm. Ringel concurred with staff.

Comm. Squellati seconded.

Motion carried 6-1 with Vice Chair McDonough dissenting.

Mr. Kuchenig stated that the decision is final unless appealed to the City Council with payment of the appeal fee within the 15-day appeal period.

B. Review of the FY 2010-2011 Land Use Planning Budget for Heritage Preservation Commission

Trudi Ryan, Planning Officer, summarized the Planning Division program of the budget. The budget has a series of activities with a certain amount of the budget allocated for each. She further summarized the budget in regards to the Heritage Preservation Commission.

Ms. Ryan also noted that some training for the Commission is supported by the budget. She noted that there is no change in support for this Commission.

Comm. Squellati asked staff if there is an inflation factor. Ms. Ryan answered yes. She then handed out another handout and explained a modification to the budget.

Comm. Ringel made a motion to thank Trudi Ryan for her hard work on the Planning Division's budget. Motion carried 7-0.

NON-AGENDA ITEMS AND COMMENTS

Ms. Ryan noted that this Commission is subject to the Brown Act. She noted that the Commission cannot make a motion on an item that is not on the agenda.

Comm. Ringel stated that Chair Stanek was advised of his intent to make a motion to the meeting.

Comm. Vaidyanathan asked staff if the previous Commission packets are confidential; whether they are allowed to recycle previous packets. Staff responded yes, and that information inside their packets is public information.

C. Board and Commission Member Recognition

Mayor Hamilton noted as a token of the City's appreciation, a recognition reward was handed out to Comm. Vaidyanathan and Comm. Ringel.

Ms. Hamilton also offered to answer any questions from the Commission.

Comm. Ringel asked Ms. Ryan if there are any Heritage Parks in Sunnyvale. She responded no, and the closest to one could be the orchard next to the Historical Museum. He asked staff to research.

ADJOURNMENT

Chair Stanek noted that there are refreshments and snacks as part of recognizing the Commissioner's service.

Mr. Kuchenig noted that the next scheduled meeting is July 7.

Comm. Ringel asked the Mayor about the State of the City on Independence Day.

The meeting was adjourned at 8:31 p.m.

Respectfully submitted by:

Ryan Kuchenig, Associate Planner