

PLANNING COMMISSION MINUTES OF MAY 10, 2010

2009-0400: Amend the Zoning Code for Consistency with the Precise Plan for El Camino Real and Recent Streamlining Efforts RZ

Trudi Ryan, Planning Officer, presented the staff report. Ms. Ryan commented that at the April 12, 2010 Study Session for this item, the Planning Commission requested that staff identify the sections in the Precise Plan for El Camino Real (ECR) from which the development standards in the proposed ordinance originated. She said that a cross reference table of the Precise Plan policies/guidelines and proposed development standards is attached to a memo that was provided to the Commission supplemental to the report.

Comm. Rowe asked staff about residential use along ECR with staff explaining that requests are handled on a case-by-case basis. Ms. Ryan said the proposed ordinance is regarding commercial developments that are adjacent to residential. She said residential use along ECR is an issue to be explored in the future. Ms. Ryan said three emails from Sunnyvale residents were received after the completion of the report which have been provided on the dais. Staff said that the emails are residential-related, and do not apply to this proposed ordinance. Comm. Rowe discussed with staff whether business entrances should be facing ECR with staff saying that the location of entrances is a guideline, not a code requirement. Comm. Rowe asked about lots that are less than the minimum size, with staff discussing Planned Development (PD) zoning, which allows the lot sizes to vary.

Comm. Hungerford discussed nodes along ECR, PD Combining Districts, and uses in different districts. Ms. Ryan explained that the nodes are special cases within the general ECR plan and that nodes are subject to the provisions governing ECR. She said nodes also have special regulations, primarily for height, or potential for mixed-use development. Comm. Hungerford asked staff about transition of uses. Comm. Hungerford discussed section 19.98.015 in the proposed ordinance regarding "Existing Permits" with staff saying that this section is part of the streamlining efforts to keep pace with what is allowed. He urged the Director to consider preservation of the overall integrity of Planned Unit Developments when ruling on such actions.

Chair Chang opened the public hearing.

Keith Petrie, a Sunnyvale property owner along ECR, said he was hoping to get clarification on changes in the zoning code that would affect his property. Chair Chang advised Mr. Petrie that the report is available for the public and had staff share some of the changes in the ordinance. Comm. McKenna commented that

some of the changes discussed by staff and the references to “nodes” are probably confusing to the public. Chair Chang and staff made arrangements with Mr. Petrie that staff would contact him at a later date to further discuss any specific changes.

Chair Chang closed the public hearing.

Comm. Sulser moved for Alternatives 1 and 2, to adopt the Negative Declaration in Attachment B, to introduce the proposed ordinance in Attachment A, and repeal Council Policy 1.1.11 (Attachment C, Planned Development (PD) Combining District Use Guidelines) as it is incorporated into the proposed ordinance. Comm. Rowe seconded the motion.

Comm. Sulser said the City adopted the Precise Plan for ECR in 2007 and he thinks this ordinance brings the zoning code into consistency with the polices adopted. **Comm. Rowe** agreed with Comm. Sulser’s comments.

Comm. Hungerford said he would be supporting the motion. He expressed concern about revised section 19.98.015 and said he thought caution should be exercised with older, yet current, permits and how they might be affected by changes in zoning.

ACTION: Comm. Sulser made a motion on 2009-0400 to recommend to City Council to adopt the Negative Declaration in Attachment B, introduce the proposed ordinance in Attachment A, and repeal Council Policy 1.1.11 (Attachment C, Planned Development (PD) Combining District Use Guidelines) as it is incorporated into the proposed ordinance. Comm. Rowe seconded. Motion carried 6-0, with Comm. Klein absent.

APPEAL OPTIONS: This recommendation will be forwarded to City Council and is scheduled to be considered at the May 25, 2010 City Council meeting.