



**DRAFT MINUTES
SUNNYVALE HERITAGE PRESERVATION COMMISSION
Wednesday, November 6, 2013 at 7:00 P.M.
West Conference Room, Sunnyvale City Hall
456 West Olive Avenue, Sunnyvale 94086**

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

Present: Chair Jeanine Stanek; Vice Chair David Squellati; Comm. Mark Johnson; Comm. Mike Michitaka; Comm. Dale Mouritsen; Comm. Nirmala Vaidyanathan

Absent: None

Staff Present: Ryan Kuchenig, Associate Planner; Joey Mariano, Senior Office Assistant

Members of the Public: Maria Pan

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS

None

CONSENT CALENDAR

1. Approval of Draft Minutes of September 4, 2013

Com. Vaidyanathan suggested minor sentence modifications for purposes of simplification.

Comm. Johnson made a motion to approve the Draft Minutes of September 4, 2013 as corrected. Comm. Michitaka seconded. Motion carried 6-0.

PUBLIC COMMENTS

Maria Pan, member of the public, asked if the Commission have discussed the Butchers Corner property as a historical landmark.

Chair Stanek noted that the site is within the County of Santa Clara at this time, and not the City of Sunnyvale. She also explained the process for initiating a property as a Heritage Resource.

Mr. Kuchenig noted that this is not in this Commission's purview at this point, as the property is not considered within the City.

Chair Stanek pointed out that the annexation of the property was an item on a previous City Council agenda, but it was postponed.

Ms. Pan noted that the property should be preserved as a historical site as it is a natural environment, and reflects a time where this City has come from.

Mr. Kuchenig noted that he would follow up with Ms. Pan and find out the latest information regarding the site.

PUBLIC HEARINGS/GENERAL BUSINESS

2. Selection and Ranking of Potential Study Issues for 2014

Mr. Kuchenig summarized study issues CDD 12-02 (Possible Nomination of Non-Residential Properties to the Heritage Resource Inventory), 14-10 (Update to the Murphy Avenue Design Guidelines), and 14-11 (South Murphy Sidewalk Use Regulations). He clarified that the Commission's role to rank, drop, or defer these study issues.

Comm. Johnson requested to change the wording for CDD 12-02, to state "promotional" instead of "marketing" in the third paragraph of the write-up.

Comm. Vaidyanathan stated that the last such survey taken was in the 1990's, and this length of time is enough reason for the City to reconsider new resources.

Comm. Michitaka asked if the budget for study issues is determined by staff. He then asked staff what the Commission could do to get this approved.

Mr. Kuchenig responded that budget is determined by staff and that it can depend on the expected costs for resources to conduct the study and overall budget within the department. He stated that ranking the study issues by importance is a way to show priority.

Comm. Michitaka noted that Mayor Spitaleri is planning a visit to China and Japan. He noted that he and Mayor Spitaleri are working with a "Sister City" in Japan that will enable international relationships in growth and development.

Comm. Johnson discussed the restaurant owners of Fibbar MaGees request to be exempt from a specific requirement in the South Murphy Sidewalk Use Regulations, and expressed support for CDD 14-11 (South Murphy Sidewalk Use Regulations).

Vice Chair Squellati stated that study issues should not be considered based on one business owner's request to be excused from South Murphy Sidewalk Use Regulations. He recommended that CDD 14-11 be dropped or combined with CDD 14-10.

Comm. Johnson noted that he feels that City staff is not working with this Commission's original intent for the study issues. He pointed out that he has asked for changes for the past two years, and now has only seen minor modifications.

Mr. Kuchenig explained that the study issues go through a lengthy staff review within the department and city manager's office.

Comm. Johnson asked staff why so much bureaucracy is involved with one business owner's request to be excused from City policy. He agreed with Vice Chair Squellati that study issues should not have to be created from a business owner's request.

Mr. Kuchenig explained that in order to change an adopted policy of requirement, a new study is necessary. The policy currently does not allow for exceptions.

Chair Stanek asked if the owners could have gone directly to City Council to request the waiver from the policy.

Mr. Kuchenig clarified that the owners of Fibbar MaGees have first chosen to ask the Commission to sponsor a study that may subsequently request the city council for sponsorship. He also noted that the South Murphy Sidewalk Use Regulations were created in collaboration with several departments, including the Department of Public Safety and Public Works Department.

Chair Stanek clarified that each study issue shall be ranked for priority and cannot be ranked as a "tie."

Comm. Michitaka asked for clarification regarding budgeting of study issues, and if any grants could be applied to fund certain studies.

Comm. Johnson noted that this is the Commission's opportunity to represent the citizens Sunnyvale.

Mr. Kuchenig explained that the Commission's role is to advise the City Council and provide input into policies and issues affecting the Sunnyvale community.

Chair Stanek noted that the deciding body for these study issues is ultimately the City Council.

Chair Stanek noted that other Boards and Commissions go through the same process, and the City Council may agree or disagree with their recommendations.

Mr. Kuchenig clarified the voting process, and summarized the ranking procedure.

Vice Chair Squellati made a motion to drop CDD 14-11 (South Murphy Sidewalk Use Regulations). Comm. Vaidyanathan seconded, for the purpose of discussion.

Vice Chair Squellati noted that by dropping this issue, more emphasis could be given to the other two study issues. In addition, he believes that the study issue should not be supported exclusively for a business owner's request. The study includes more aspects to the policy than outdoor seating.

Comm. Vaidyanathan asked for clarification of CDD 14-11, relating to the Murphy Avenue Sidewalk Regulations.

Comm. Michitaka noted that CDD 14-11 is not on the same priority level as the other two study issues.

Motion carried 5-1 to drop study issue CDD 14-11 (South Murphy Sidewalk Use Regulations).

Chair Stanek asked the Commission if there were other study issues that they would like to drop or defer. There were none.

Commissioners voted as follows:

Commissioners ranked CDD 12-02 (Possible Nomination of Non-Residential Properties to the Heritage Resource Inventory) as first priority (#1).

Commissioners ranked CDD 14-10 (Update to the Murphy Avenue Design Guidelines) as second priority (#2).

Vice Chair Squellati asked staff if they could ask the Director of Community Development Department to clarify with the City Council that CDD 12-02 should not seek a budget supplement for consistency with the language in CDD 14-10.

Mr. Kuchenig stated that he would first explore if such language could be changed.

NON-AGENDA ITEMS AND COMMENTS

- BOARD MEMBERS OR COMMISSIONERS ORAL COMMENTS

Comm. Michitaka explained that he has been working with a city in Japan to become a “Sister City” to Sunnyvale. He noted that the Mayor has added an item on the November 26, 2013 City Council meeting agenda regarding this topic. He noted that this agreement would be for a three year term. He further disclosed the website of the organization: www.sunnyvalesistercity.org. He then noted that they have been speaking with a Japanese teacher at Fremont High School about a program to build robots. He noted that one of the professors involved from Japan was the founder of the “Ruby” computer language, Yukihiro Matsumoto.

- STAFF ORAL COMMENTS

Ryan Kuchenig noted that the next meeting would be on December 4, 2013. He also said the next regular meeting is scheduled on January 8, 2014, which is the second Wednesday due to the holiday.

Comm. Vaidyanathan will not be able to attend the January 8, 2014 meeting.

Vice Chair Squellati asked staff if the December 4 meeting includes any project applications.

Mr. Kuchenig replied in the affirmative. A Landmark Alteration Permit (LAP) for the Goodwill Building on 151 East Washington Avenue includes façade modifications. A separate proposal for an LAP for 199 South Murphy Avenue (Ace Loan building) is tentatively scheduled.

INFORMATION ONLY ITEMS

None

ADJOURNMENT

The meeting adjourned at 8:34 p.m.

Respectfully submitted by:

Ryan Kuchenig, Associate Planner