



# City of Sunnyvale

## Meeting Minutes Zoning Administrator Hearing

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Wednesday, July 15, 2015

3:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

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### CALL TO ORDER

Andrew Miner, Principal Planner, called the meeting to order at 3:00p.m.

### PUBLIC HEARINGS

**File #:** 2015-7399

**Location:** 777 Sunnyvale-Saratoga Road (APN: 201-36-002)

**Applicant / Owner:** Ware Malcomb (applicant) / Mardit Properties, LP (owner)

**Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT** to allow an approximately 11,600 square foot new commercial building (grocery store) on an existing commercial site. The project replaces a portion (approx. 7,599 s.f.) of the Orchard Supply Hardware building and storage area.

**Reason for Permit:** A Special Development Permit is required for new retail uses greater than 10,000 s.f.

**Project Planner:** Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

**Issues:** Vehicular circulation, architecture

**Recommendation:** Approve the Special Development Permit subject to recommended Conditions of Approval.

Ryan Kuchenig, Senior Planner, presented the staff report. Mr. Kuchenig made a special note regarding minor changes recommended by the staff to the Conditions of Approval. These included PS-1, PS-3, EP-20 and the size of the trash enclosure.

Mr. Miner suggested revising the wording regarding driveway depth to satisfy Public Works.

Mr. Miner and Mr. Kuchenig discussed the amount of street lights that will be required. Mr. Kuchenig stated that some are currently in place and any additional upgrades will be determined by a photometric analysis.

Mr. Miner and Mr. Kuchenig discussed the reconfiguration and landscaping of the parking lot.

Mr. Miner requested a clarification of the hours of operation and Mr. Kuchenig suggested asking the applicant.

Mr. Miner and Mr. Kuchenig discussed the north drive-aisle with specifics to be clarified by the applicant.

Mr. Miner opened the public hearing.

Roger Bernstein, Oppidan Investment Company and representative for the applicant, stated that he had read the staff report and Conditions of Approval and is in agreement with most of the conditions, but wished to discuss PS-3, the revised circulation plan. He stated that a short form traffic study had been conducted and in their estimation, the proposed change to close the driveway between the adjacent property to the north and the subject site would not impact current traffic flow. Mr. Bernstein described how the business would operate and the reasons for the suggested circulation. Mr. Bernstein stated that the hours of operation were consistent with Orchard Supply Hardware. He stated that the entire parking lot would be resurfaced and restriped. Mr. Bernstein stated that a photometric analysis would be conducted to see if further lighting would be required.

Drew Johnson, Oppidan Investment Company, clarified the reasoning for the suggested traffic revision.

Mr. Miner clarified with Mr. Bernstein and Mr. Johnson the business operation.

Mr. Miner confirmed with Mr. Bernstein the number of parking spaces and stated his concerns about overflow needs. Mr. Bernstein and Mr. Johnson stated that there was plenty of overflow and scheduling software would allow for customer management. Mr. Miner clarified with Mr. Bernstein that this was a pick-up hub only and that customers would be allowed to walk in to pick-up purchases as well as drive thru. Anthony Cataldo, Ware Malcomb Architects, clarified the use of the pick-up stalls.

Mr. Miner clarified with Mr. Bernstein the reasons for their proposed traffic circulation request. Mr. Miner suggested that the two way traffic direction be limited to one way from the north to the subject site.

Mr. Miner clarified with Mr. Cataldo the use of the feature graphic element on the site plans and stated it would be subject to the sign code requirements.

Mr. Miner clarified with Mr. Cataldo that roof equipment would not extend above the roof line regardless of site lines.

Mr. Miner clarified with Mr. Kuchenig and Mr. Cataldo the number of bike spaces combined on the site and the requirement that all spaces be indicated on plans.

Mr. Miner indicated that the landscaping requirements include the area along the southern property line of the site portion and were to be maintained and trees added, if necessary.

Mr. Miner clarified the lighting plan and photometric plan with Mr. Cataldo.

Mr. Miner clarified with Mr. Bernstein store hours and hours employees would be on site. Mr. Miner clarified that delivery hours were during the day 7a.m. to 10p.m.

Mr. Miner clarified that construction requirements must be adhered to in order to not impact nearby residents.

Mr. Miner opens meeting to public input.

Mr. John Prodan, resident adjacent to property, asked about entrances to the site and if lighting would be on all night. Mr. Miner clarified with Mr. Prodan that the current entrances to the property will be maintained and that the lighting will be as non intrusive as is allowed.

Galit Allen, Community Manager for Cherry Orchard Apartments, asked how long and when construction was going to begin. Mr. Bernstein indicated that if approved, construction would begin within a few weeks and last until December.

Ms. Allen, asked for a guarantee of delivery hours. Mr. Miner suggested an amendment to the Conditions of Approval that prohibits delivery trucks from being on site unless it's during delivery hours.

Ms. Allen inquired when the tenant identity might be disclosed. Mr. Bernstein indicated it would be soon.

Mr. Miner, Mr. Kuchenig, Mr. Bernstein and Mr. Cataldo discussed the possibilities of site conversion to a standalone building and parking should the proposed business vacate in the future.

Nicholas De Torres, Ware Malcomb Architects, asked for Mr. Miner's thoughts on

the traffic study. Mr. Miner discussed with Mr. Kuchenig, Mr. Bernstein and Mr. Johnson the need for the drive aisle to remain open even if it's only one way.

Mr. Miner closed the public hearing.

**ACTION:** Approved the Special Development Permit with modifications:

- 1) Add landscaping and trees along south side of parking area adjacent to residential units as needed to soften the transition between the two uses.
- 2) Add a one-way driveway allowing traffic from north property to subject site.
- 3) Clarify condition for on-site lighting that a one foot candle lighting level shall be met

### **ADJOURNMENT**

Mr. Miner adjourned the meeting at 3:43 p.m.