



City of Sunnyvale

Agenda Item

19-0509

Agenda Date: 7/8/2019

REPORT TO PLANNING COMMISSION**SUBJECT**

Proposed Project: To consider a Public Engagement Plan that allows for a preparation of a Village Center Precise Plan for four properties totaling 7.81 acres.

Location: Street 102-166 E. Fremont Ave. (APNs: 309-01-002, 006, and 009) and 1300 Sunnyvale Saratoga Rd (APN: 309-01-007)

File #: 2018-7632

Zoning: Neighborhood Business with a Planned Development Combining District (C-1-PD)

Applicant / Owner: True Life Companies /Fremont Corners, Inc Et Al, Gahrahmat Family Lpii LP, Au Energy LLC (owner)

Environmental Review: Exempt from further environmental review pursuant to CEQA Guidelines Section 15262 (feasibility and planning studies) and Section 15061(b)(3) (common sense exemption).

Project Planner: Cindy Hom, (408) 730-7411, Chom@sunnyvale.ca.gov

BACKGROUND**Village Centers**

In 2017, the City Council adopted an update to the General Plan's Land Use and Transportation Element (LUTE). The update included new goals and policies that provide for additional mixed-use areas and introduced the Village Center concept and land use designation (see Attachment 2 for map of Village Centers in LUTE). The Village Center policies are intended to facilitate transformation of older shopping centers and office areas into medium density, mixed-use developments that would provide close-in services, gathering spaces, and residential diversity. The Village Mixed Use land use designation allows building heights up to four stories and a residential density of up to 18 units to the acre (averaged for the entire village center site).

The General Plan identified seven locations throughout the City for potential Village Centers. Village Centers are typically located at a major street intersection, near an established neighborhood. They can be multi-acre, multi-site or multi-corner and may consist of multiple developments. As such, the redevelopment of these areas would require coordination and collective planning (since not all parcels or areas are under one ownership). The planning effort will also ensure neighborhood compatibility.

Each new Village Center, or portion of a Village Center is required to have a Village Center Precise Plan that is subject to City Council approval. Village Center Precise Plans shall provide focused land use, transportation, design standards, policies and guidelines to allow integration into the surrounding neighborhood, as well as creating identity and sense of place through a vibrant mix of public, commercial and residential activities.

Prior to commencing work on a Village Center Precise Plan, the Public Engagement Program (PEP)

is required to be approved by the City Council (after a recommendation from the Planning Commission). The main purpose of the PEP is to establish a range of opportunities for community members to participate in the land use and design discussion of potential redevelopment of the village center sites. These discussions will include the types of uses, design character, density or intensity, height, open space, privacy, and transportation. The PEP is a new concept and process in the City’s development review process. The first Village Center Precise Plan will entail a learning curve because it is unprecedented and will establish a new bar in the planning process.

The process for considering redevelopment of a Village Center is as follows:

Task	Activity	Decision Maker
PEP	Preparation and approval of a Public Engagement Plan	City Council
CEQA	Preparation of required environmental review for the Village Center Precise Plan (considered at the same hearing as the Precise Plan, below)	City Council
Village Center Precise Plan	Lays out a master plan for a village area, including the type of uses, development regulations and phasing of development	City Council
Special Development Permit	Specific development applications	Planning Commission (<i>can be appealed to City Council</i>)

The PEP is a tool for ensuring vibrant and thorough involvement by the community. The PEP will be in place and effective throughout the entire process, not just at the beginning.

The City Council is scheduled to consider this item on July 30, 2019.

EXISTING POLICY

GENERAL PLAN GOALS AND POLICIES (see full list the Key General Plan goals and policies that pertain to the proposed action in Attachment 3).

Chapter 2: Community Vision

GOAL XV. Responsive Government: To continue to provide local governance which meets the many and diverse needs of the people and businesses, which is managed to be efficient, effective and compassionate, and which welcomes public participation in an open and accountable public decision-making process.

GOAL CV-1 Community Participation and Engagement: Achieve a community in which all community members are well informed about local issues, city programs and services are actively

involved in shaping the quality of life and participate in local community and government activities.

Policy CV -1.1 Assure that all community members have reasonable access to City information, services and programs within budgeted resources.

Chapter 3: Land Use and Transportation

Goal LT-5: Creation, Preservation, and Enhancement of Village Centers and Neighborhood Facilities That Are Compatible with Residential Neighborhoods

Policy LT-5.1: Strengthen the image that the community is composed of cohesive residential neighborhoods, each with its own individual character and Village Center; allow change and reinvestment that reinforces positive neighborhood concepts and standards such as walkability, positive architectural character, site design, and proximity to supporting uses.

Action LT-5.1e: Prior to accepting any application for a Village Center Plan, a public engagement program shall be submitted to the City for City Council approval with a recommendation from the Planning Commission. The public engagement program should provide a range of opportunities for community members to identify preferences for uses, design, density or intensity, height, open space, privacy, and transportation. City Council may provide direction on the community preferences and the vision for individual Village Center Plans, which shall be used in the preparation of the Plan.

COUNCIL POLICY

Policy 7.2.1 Community Engagement (full text in Attachment 4)

Goal B: Achieve a community in which all community members can be actively involved in shaping the quality of life and participate in local community and government activities.

ENVIRONMENTAL REVIEW

The adoption of the public engagement plan is statutorily exempt from review under the California Environmental Quality Act pursuant to Section 15262 of the CEQA Guidelines (feasibility and planning studies) because the public engagement plan is part of a study that will lead to possible future actions that have not yet been approved, adopted, or funded. In addition, this action is exempt from CEQA under the general rule in Section 15061(b)(3) of the CEQA guidelines because it can be seen with certainty that adopting a plan for public engagement will not have an impact on the environment. Rather, public engagement is part of the process of developing the Village Center Precise Plan that will include appropriate environmental review prior to approval.

DISCUSSION

This proposal is for a PEP for a Village Center located at the intersection of W. Fremont Avenue and Sunnyvale Saratoga Road. The Village Center boundary in the LUTE encompasses the north and southwest corners of the intersection (see map in Attachment 5). The PEP is for the southwest corner only - the sites north of Fremont Avenue are not a part of this Village Center Precise Plan and would require a separate PEP and Precise Plan.

The project area includes the area commonly referred to as the Fremont Corners shopping center that is comprised of four parcels which include the following uses: a Shell gas station, the Longhorn Restaurant, 24-Hour Fitness, Jake’s Pizza, the American Kickboxing Academy, Veksler Academy of Music and Dance, and other retail uses. The adjacent neighborhood (south and to the east) is

primarily single-family homes; the surrounding neighborhood is a blend of retail and office, a mix of multi-family homes. Fremont High School is located to the northwest of the site/intersection.

The applicant submitted a PEP that outlines proposed:

- Methods of outreach;
- Tools to monitor and measure participation; and,
- Procedures on how public input will be collected and used.

The PEP is provided in Attachment 7.

Criteria for Evaluating PEPs.

To assist property owners and developers interested in potential redevelopment of a shopping center into a Village Center an informational brochure on the PEP was created (see Attachment 6). The PEP submitted for Fremont Corners was evaluated against the objectives in the brochure; analysis of the PEP is provided below.

1. Inclusive Planning: The PEP should collect viewpoints that are broadly reflective of the City’s residents and other property owners, particularly those in the general vicinity of the Village Center. An “open door” policy is encouraged, allowing participation by any interested individuals and groups.

Analysis: The proposed PEP meets this objective. The PEP establishes a comprehensive stakeholders list based on a well-defined geographical area. The notification radius is based on 1000-foot radius, which is consistent with the City Council Policy for public outreach. The PEP will utilize various methods of outreach, including community meetings, workshops, and social media that allow stakeholders and the public to participate and provide input.

2. Accessible Participation: Public engagement events should be broadly accessible in terms of location and time with facilities available to all individuals. Translation and special needs should be accommodated upon request.

Analysis: The proposed PEP meets this objective. All general meetings will be open to the public. Meeting and workshop locations will be held in Sunnyvale, within the general vicinity of the site and during evening hours or on weekends to allow the maximum number of residents and other stakeholders to attend. Facility and meeting rooms will provide accommodations for people with disabilities. Background materials, notices, information fliers and social media web sites will be provided in multiple languages tailored to Sunnyvale’s diverse population. The applicant will also provide multiple language and American Sign Language interpretation services, as well as other services to accommodate those with special needs upon early request.

3. Transparency: Ensure transparency regarding the project applicant’s purpose and the public’s role throughout the process. All meetings and hearings are open to the public and all information must be easily accessible in print, online, social media and through existing community forums.

Analysis: The proposed PEP meets this objective. Summaries detailing the public’s ideas,

preferences and recommendations made at each meeting will be available on the Fremont Corners PEP website and reported to decision-makers. Information will be provided in multiple formats to capture and accommodate all types of audiences. As such, the PEP makes information available for collaboration, cooperation, and collective decision making.

When the applicant's and public's objectives do not align, the PEP will provide a listing of those differences. The PEP will be in place throughout the entire application process, and the goal is to provide robust opportunities for public input to the visioning and ideas to redeveloping a village center - it does not necessarily result in common agreement - the PEP is to ensure that opportunities for involvement by all parties takes place.

4. Use of Public Input: The ideas, preferences, and/or recommendations contributed by the public are documented for the decision makers.

Analysis: The proposed PEP meets this objective. A written summary of public input will be submitted to City staff at the completion of each phase; this information will be available on the project website during the Village Plan preparation process. Staff will work with the applicants to ensure the PEP is effective, and will suggest changes throughout the process to ensure it continues to be an effective tool for public engagement. Success will be based on the number and diversity of stakeholders and individuals engaged, as measured by: subject of feedback, interests, age, gender, ethnicity, socioeconomic level and geographic location of residence and/or employment of participants (that will be obtained through a voluntary survey of participants).

FISCAL IMPACT

None. Public outreach shall be at the applicant's cost. Staff time will be covered by development permit application fees.

PUBLIC CONTACT

As of the date of staff report preparation, staff has received no comments on the item.

Notice of Public Hearing, Staff Report and Agenda:

- Published in the *Sun* newspaper
- Posted on the City of Sunnyvale's Web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library
- Agenda posted on the City's official notice bulletin board

ALTERNATIVES

Recommend that City Council:

- 1) Approve the Public Engagement Program (Attachment 7 to the report) and find that this action is exempt from CEQA pursuant to CEQA Guidelines Section 15262 (feasibility and planning studies) and Section 15061(b)(3) (common sense exemption).
- 2) Approve Public Engagement Program with modifications and find that this action is exempt from CEQA pursuant to CEQA Guidelines Section 15262 (feasibility and planning studies) and Section 15061(b)(3) (common sense exemption).
- 3) Continue the item and provide direction on desired revisions.

- 4) Do not approve the Public Engagement Program and provide direction on how to address items that are missing or incomplete.

STAFF RECOMMENDATION

Recommend to City Council, Alternative 1: Approve Public Engagement Program (Attachment 7 to the report) and find that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262 (feasibility and planning studies) and Section 15061(b) (3) (common sense exemption).

Staff finds the proposed PEP consistent with the Community Engagement and General Plan goals and policies and with the objectives laid out in the brochure prepared by Community Development. This is the first Public Engagement Plan prepared in the City, and it appears to be a thorough and complete document. Throughout the engagement process it is anticipated that there will be lessons learned that may require amendment to the PEP. Staff will continue to monitor the effectiveness of the PEP throughout the process and will ensure it meets the City goals of providing excellent outreach to and engagement with the community.

Success of the PEP will be evidenced by the level of participation as the Fremont Corners Village Center Precise Plan moves forward - not necessarily by unanimous agreement of the final product. The City Council, with a recommendation by the Planning Commission, will be the final authority on the Village Center Precise Plan, considering the input from all parties.

Prepared by: Cindy Hom, Associate Planner

Reviewed by: Ryan Kuchenig, Acting Principal Planner

Reviewed by: Andrew Miner, Assistant Community Development Director

Reviewed by: Trudi Ryan, Community Development Director

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Reserved for Report to Council
2. Map of Village Centers in Land Use and Transportation Element
3. Key General Plan Goals and Policies
4. Council Policy 7.2.1 Community Engagement
5. Map of Subject Village Center
6. Public Engagement Program brochure
7. Public Engagement Program