Planning and Zoning Commission

AGENDA ITEM REPORT

D.1

To: Planning and Zoning Commission

Subject: Hold a public hearing, discuss, and consider making a recommendation to Town Council regarding a Concept Plan Amendment for a Master Planned Development (MPD) generally located at the southeast corner of S. Collins Road and US Highway 80, known as the Long Creek Crossing MPD (MPD-02) zoning district, in accordance with the Town of Sunnyvale Unified Development Ordinance (UDO). **Case 1841-Z Long Creek Crossing MPD (MPD-02) Concept Plan Amendment**.

Meeting: Planning and Zoning Commission - April 16, 2025

Department: Development Services

Staff Contact: Surupa Sen

SUGGESTED ACTION:

BACKGROUND INFORMATION:

The applicant, Dorothy Parks, Provident Realty, has applied for a concept plan amendment with regards to the Long Creek Crossing MPD (MPD-02) as required by the master planned development zoning ordinance (Ordinance No. 17-04). The subject property is located at the southeast corner of Collins Road (Hwy 352) and U.S. Hwy 80, comprising of six developed and one undeveloped lot.

Historically the 10-acre subject property was rezoned from General Business (GB) zoning district to a master planned development district, aka, Long Creek Crossing MPD-02 with an underlying base zoning of General Business (GB) in October of 2017. After several discussions and review with the Town Council, the rezoning was approved on October 23, 2017. The adopted ordinance allowed certain land uses by right while also requiring a concept plan amendment before making any changes to the location of approved uses.

Section IV.B *Any proposed change to approved concept plan locations for uses shall require an amended concept plan approval.*

Uses permitted by right within the GB base zoning are allowed within the MPD, along with any other land use that requires approval of a CUP within GB zoning will require approval of a CUP within this MPD. Additionally, the following land uses were permitted by right as shown on the original concept plan ***(Section IV.B)***:

1. *Convenience store with or without gasoline sales/service station (limited to maximum two (2) pump islands – a maximum of two fuel dispensing units shall be allowed)*
2. *Restaurants, cafeterias, and cafes*
3. *Restaurants with a drive through facility*

Since adoption of the MPD zoning, several development projects have been approved on this property. Following is a chronological listing of all applications processed and approved within the Long Creek Crossing MPD:

1. Long Creek Crossing MPD zoning established – Case # 1505 – approved by Town Council on 10/23/2017.
2. Long Creek Crossing Preliminary Plat – Case # 1552 – approved by Town Council on 2/26/2018.
3. Long Creek Crossing Final Plat – Case # 1553 – approved by Town Council on 2/26/2018.
4. Chick-fil-A site plan – Case # 1567 – approved by Town Council on 6/11/2018.
5. Medical Office Building site plan – Case # 1580 – approved by Town Council on 8/13/2018.
6. Panda Express site plan – Case # 1606 – approved by Town Council on 3/11/2019.
7. Long Creek Crossing Replat – Case # 1651 – approved by Town Council on 5/11/2020.
8. Long Creek Crossing Replat – Case # 1677 – approved by Town Council on 11/19/2020.
9. Starbucks site plan – Case # 1684 – approved by Town Council on 2/8/2021.
10. Burger King site plan – Case # 1687 – approved by Town Council on 3/22/2021.
11. Dental Office Building site plan – Case # 1697 – approved by Town Council on 6/14/2021.

As outlined through the list of projects above, all but one of the total seven lots is currently vacant, located between the Chick-fil-A and the Starbucks property. The applicant has submitted a site plan application, a companion item on this agenda, for a proposed drive-through restaurant, Freddy's Hamburgers, on this remainder lot.

Reviewing past Town Council meeting minutes and discussion from 2017, when the Long Creek Crossing MPD and concept plan was approved, it is apparent that the intent of the MPD concept plan was to not have more than two drive-through restaurants. The intent at the time

of the MPD zoning adoption, as expressed through the original concept plan, was to have more sit-down restaurants within this development.

The original concept plan indicated a gas station/retail development on this lot where the Freddy's Hamburgers (a restaurant with drive through) is being proposed; therefore, a concept plan amendment is required for the site plan for Freddy's Hamburgers to be compliant with MPD-02. Staff have worked closely with the developer on the site plan to ensure that this last remaining lot within MPD-02 meets all development requirements and is developed in a manner as close to the intent of the original concept plan as possible. The developer, while meeting the demands of the current market is attempting to provide a sit-down restaurant, Freddy's Hamburger that has an integrated drive-through component.

PUBLIC NOTICE:

A total of 31 letters of notification were mailed to neighboring property owners within 200 feet of the subject property. A sign has been posted on the subject property as well. As of writing of this report, the Town has not received any response with regards to the concept plan amendment request.

ATTACHMENTS:

Map
Amending Concept Plan
Long Creek Crossing - MPD-02 Ordinance
Original Concept Plan