

**Recused:** 1 - Vice Chair Weiss

Planning Officer Miner advised that this item goes to the City Council on January 23rd, 2018.

3. [17-1151](#) **File #:** 2017-7248  
**Location:** 838 Azure Dr. (APN: 211-18-030)  
**Zoning:** R-2/PD (Residential Low-Medium Density/Planned Development)  
**Proposed Project:** Related applications on a .34-acre site:  
    **SPECIAL DEVELOPMENT PERMIT:** to develop four new single family homes. The existing single family home and accessory living unit are proposed to be demolished.  
    **VESTING TENTATIVE MAP:** to subdivide one lot into four lots  
**Applicant / Owner:** Xin Lu  
**Environmental Review:** Mitigated Negative Declaration  
**Project Planner:** Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Senior Planner Ryan Kuchenig presented the staff report.

Commissioner Howe confirmed the location and designation of parking with Senior Planner Kuchenig. Planning Officer Miner explained the parking requirements and stated that the additional guest parking space exceeds the required parking. Planning Officer Miner noted that the additional space was added in response to Planning Commission comments during the study session. Commissioner Howe asked staff about street parking. Senior Planner Kuchenig stated that curbside parking along Azure Drive will accommodate an additional three cars.

Commissioner Simons confirmed with Senior Planner Kuchenig that staff is amenable to a review of the landscape selection by the City Arborist.

Commissioner Simons asked staff about configuring the bathrooms for future installation of safety bars. Senior Planner Kuchenig advised that the applicant can address this question.

Vice Chair Weiss confirmed with staff that the existing conditions incorrectly list a restaurant.

Vice Chair Weiss noted that two different owners are listed between the site plans

and staff report. Planning Officer Miner explained that the staff report lists the owner who filed the application.

Commissioner Harrison asked staff about the second-story combined side yard setback. Senior Planner Kuchenig advised that staff is proposing to eliminate 3 feet 3-inches from each side.

Commissioner Olevson confirmed with Senior Planner Kuchenig that each unit will receive three trash containers. Senior Planner Kuchenig provided details about the site design. Commissioner Olevson asked about the possibility of cars parked on the street during pickup days. Senior Planner Kuchenig advised that a no parking area could be considered. Planning Officer Miner confirmed this could be added as a COA.

Chair Rheaume asked staff if the fence heights comply with City requirements. Senior Planner Kuchenig stated that the six-foot fences are not within any vision triangle and will allow for a more adequate yard. Planning Officer Miner noted the potential for the use of lattice to meet the total fence height.

Chair Rheaume confirmed the removal and replacement of street trees with Senior Planner Kuchenig.

Chair Rheaume confirmed the guest parking changes with Senior Planner Kuchenig. Chair Rheaume noted his concern about the parking configuration and asked staff why the guest parking was not planned in front of Unit 2. Planning Officer Miner stated that there was not enough room on site for that design and that this parking space was added to mitigate parking concerns. Chair Rheaume commented that the guest parking between Unit 2 and Azure Drive could be widened and used for two parking spots. Planning Officer Miner stated that the Planning Commission could require that change. Chair Rheaume discussed alternate configurations with Planning Officer Miner.

Chair Rheaume opened the Public Hearing.

Rodger Griffin, representing Paragon Design Group, Inc., presented images and information about the proposed project.

Commissioner Simons confirmed with Mr. Griffin that they are amenable to a review of the landscape selection by the City Arborist.

Commissioner Simons confirmed with Mr. Griffin that a COA can be added to specify that backing will be installed in bathrooms for future installation of safety bars.

Commissioner Simons confirmed with Mr. Griffin that space can be designated on the street for 12 trash and recycling containers.

Commissioner Simons confirmed with Mr. Griffin that a COA can be added to specify that the guest parking space between Azure Drive and Unit 2 cannot be expanded and will retain the decorative paving.

Commissioner Harrison asked the applicant about deviations for the solar shading study. Mr. Griffin stated that the only adjacent home is to the south and that no shadow will be cast to the south.

Commissioner Harrison discussed the removal of 3 feet 3-inches from each side to meet the second story side yard setback with Mr. Griffin.

Commissioner Olevson asked the applicant about their objection to COA PS-1. Mr. Griffin advised that they feel their proposed setback is adequate.

Joe Vojvoda, Sunnyvale resident, discussed his concerns with existing parking issues and the potential for garbage cans to take up street parking.

Commissioner Olevson asked Mr. Vojvoda about the source of the additional cars parking on the street. Mr. Vojvoda stated that they are from adjacent residential complexes that do not have enough parking.

Mr. Griffin presented additional information about the proposed project.

Vice Chair Weiss confirmed the trash and recycling location with Mr. Griffin.

Vice Chair Weiss confirmed with Mr. Griffin that they are amenable to specify in the COA that the garages be prewired for electric vehicles.

Vice Chair Weiss confirmed with Mr. Griffin that they are amenable to work with City staff to implement exterior lights that are on the approved International Dark-Sky Association (IDA) products list.

Chair Rheaume closed the Public Hearing.

Commissioner Harrison asked staff about the purpose of the second-story combined side yard setback. Senior Planner Kuchenig provided details regarding privacy, aesthetics and limiting the impacts of small lot development. Commissioner Harrison confirmed the surrounding land uses with Senior Planner Kuchenig.

Vice Chair Weiss asked staff about the maintenance and monitoring of the ventilation systems. Senior Planner Kuchenig stated that the property owner for each unit will be responsible. Planning Officer Miner stated that if each unit has its own ventilation system then each owner will be accountable. Vice Chair Weiss asked staff to clarify that language and Planning Officer Miner confirmed.

MOTION: Commissioner Simons moved and Commissioner Harrison seconded the motion for Alternative 2 – Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and modified conditions –

- a. Add PS-1 b) to specify installation of blocking in bathtub area walls to enable installation of safety bars;
- b. Modify BP-5 to include language which requires that an appropriate curb color be painted for four sets of three trash and recycling containers along the street;
- c. Add BP-22 h) to specify that the new guest parking space between Azure Drive and Unit 2 will not be expanded and will retain the decorative paved area in the front;
- d. Add BP-38 to specify that all garages be pre-wired for electric vehicles, as required by the Building Code;
- e. Add BP-19 g) to direct staff to work with the applicant to implement International Dark-Sky Association (IDA) approved exterior lighting hardware;
- f. Modify PS-1 to remove the minimum combined second-story side yard setback requirement; and,
- g. Add BP-9 g) to require that native large species trees as appropriate for the site be selected and to consult with the City Arborist to ensure that no new trees would be vectors for Sudden Oak Death or fire volatility.

Senior Assistant City Attorney Rebecca Moon commented that the request to pre-wire the garages for electric vehicles should state “as required by the Building

Code." Commissioner Simons modified the language.

Commissioner Harrison asked staff if there are Building Code regulations for blocking and IDA lights. Planning Officer Miner stated that staff will check with the Building Division and update the language for those modifications if warranted.

Commissioner Harrison stated that she will be supporting the motion. Commissioner Harrison noted that she would have accepted a deviation for the north side due to the lack of adjacent single-story homes. Commissioner Harrison stated an opinion that the need for housing and special characteristics of the site outweigh the need for a setback on the south side.

Commissioner Simons noted his concern about setbacks and landscaping but stated that an improved landscaping plan will be beneficial long term to the project. Commissioner Simons commented that the proposed unit size is desired in the City. Commissioner Simons commented on the potential for the expansion of the guest parking spot but that the additional COA will ensure correction of any future change. Commissioner Simons stated that he can make the findings.

Commissioner Howe stated that he will not be supporting the motion. Commissioner Howe stated that he can make the findings to approve the Mitigated Negative Declaration but not to approve the Special Development Permit. Commissioner Howe stated an opinion that this is a bad project due to the existing parking issues and the proposed workaround for trash and recycling pickup.

Vice Chair Weiss stated her appreciation for the home ownership opportunities in the City, the project's adjacency to retail and public transportation and the compatible scale for the neighborhood. Vice Chair Weiss commented on the decrease in auto ownership with younger generations and stated that hopefully the parking will be adequate. Vice Chair Weiss stated that she can make the findings and will be supporting the motion.

Commissioner Olevson stated that he will not be supporting the motion. Commissioner Olevson noted his appreciation of the modified COA's but stated that parking is a huge issue. Commissioner Olevson stated an opinion that this project does not fit the neighborhood and will not benefit the City. Commissioner Olevson stated that he could support the project at a lower residential density.

Chair Rheaume stated that he will be supporting the motion and can make the

findings. Chair Rheaume stated his appreciation of the home ownership opportunities. Chair Rheaume commented on parking issues in conjunction with the project's design. Chair Rheaume commented that younger generations are not as bound by cars and that the City should not plan to accommodate cars when they will be less utilized in the future.

The motion carried by the following vote:

**Yes:** 4 - Chair Rheaume  
Vice Chair Weiss  
Commissioner Harrison  
Commissioner Simons

**No:** 2 - Commissioner Howe  
Commissioner Olevson

**Absent:** 1 - Commissioner Howard

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

4. [17-1100](#) **File #:** 2016-7962  
**Location:** 740 San Aleso Avenue (APNs: 204-01-006, 007,016 and 204-02-005)  
**Proposed Project: PEERY PARK PLAN REVIEW PERMIT and VESTING TENTATIVE MAP:** To redevelop five industrial sites into a residential development consisting of 118 units (96 townhome-style condominiums and 20 duets and 2 single-family dwellings).  
**Applicant/Owner:** CalAtlantic  
**Environmental Review:** The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c) (2) and (4) and Public Resources Code Section 21094(c). The project is within the scope of the Peery Park Specific Plan Program EIR as no new environmental impacts are anticipated and no new mitigation measures are required.  
**Project Planner:** Margaret Netto, (408) 730-7628, [mnetto@sunnyvale.ca.gov](mailto:mnetto@sunnyvale.ca.gov)

Project Planner Margaret Netto presented the staff report.

Commissioner Howe stated that he met with the applicant's representative to discuss the proposed project.

Vice Chair Weiss asked staff if 728 San Aleso Avenue is included in the proposed