

CALL TO ORDER

Chair Howard called the meeting to order at 7:14pm.

ROLL CALL

- Present:** 4 - Chair Daniel Howard
Commissioner Sue Harrison
Commissioner Ken Olevson
Commissioner Carol Weiss
- Absent:** 3 - Vice Chair David Simons
Commissioner John Howe
Commissioner Ken Rheume

Vice Chair Simons', Commissioner Howe's, and Commissioner Rheume's absence is excused.

ORAL COMMUNICATIONS**CONSENT CALENDAR**

1. [21-0582](#) Approve Planning Commission Meeting Minutes of May 10, 2021

MOTION: Chair Howard moved and Commissioner Olevson seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

- Yes:** 4 - Chair Howard
Commissioner Harrison
Commissioner Olevson
Commissioner Weiss

No: 0

- Absent:** 3 - Vice Chair Simons
Commissioner Howe
Commissioner Rheume

PUBLIC HEARINGS/GENERAL BUSINESS

2. [21-0470](#) **Proposed Project:** Related applications on a 4.97-acre site:
SPECIAL DEVELOPMENT PERMIT: to allow construction of
135 condominium units within 16, three to four-story buildings.

TENTATIVE PARCEL MAP: to create 135 condominiums.

Location: 1139 Karlstad (APN: 110-14-197)

File #: 2019-7576

Zoning: R-4/PD

Applicant / Owner: The Sobrato Organization (applicant/owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: George Schroeder, (408) 730-7443,
gschroeder@sunnyvale.ca.gov

Assistant Director Andrew Miner presented the staff report with a PowerPoint slide presentation.

Assistant Director Miner clarified with Senior Planner George Schroeder that the applicant is proposing 311 total spaces – 282 are private garages and 29 are surface spaced meant for guest parking.

Commissioner Weiss asked staff why the emergency vehicle access (EVA) is being proposed to be removed. Senior Planner Schroeder responded that with the proposed site plan it will have its own separate EVA access. Commissioner Weiss asked staff if street parking is permitted on 1139 Karlstad Drive. Senior Planner Schroeder responded that it is permitted. Commissioner Weiss commented on the possible overflow of parking on 1139 Karlstad Drive.

Commissioner Olevson asked staff if some future residents will have a three-car garage. Senior Planner Schroeder responded that there will be some future residents who will have a three-car garage, but some of them will have tandem parking.

Chair Howard opened the Public Hearing.

Applicant Jeff Sobrato with Sobrato Organization, and Bryan Sevy the Project Architect, presented an applicant presentation with additional images and information.

Commissioner Weiss asked the applicant what the options are for the recreation building and wanted to confirm if the Homeowners Association (HOA) ultimately decides how it is going to be used and furnished. Mr. Sobrato and Mr. Sevy responded that the space is intended to be used for the resident's if they wanted to reserve it for special events and gatherings. Commissioner Weiss asked if there are any private spaces available for the flats. Mr. Sevy responded that the townhomes and flats will each have their own private balcony.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Weiss seconded the motion to approve Alternative 1 - Accept the Addendum to the 2017 Mitigated Negative Declaration and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and conditions of approval in Attachment 4.

Commissioner Harrison commented on the overall design of the project. She also commented that the design has a very usable floor plan for the diverse demographic.

Commissioner Weiss commented that she appreciates how the flats were designed to maximize the daylight. She also commented that she appreciates the way the balconies were designed to be outside the commons space which allows it to be better utilized.

Commissioner Olevson stated his opinion that the proposed project has a much better street-view which allows the proposed project to blend into the neighborhood well. Commissioner Olevson commented that he appreciates the ample use of windows.

Chair Howard spoke in overall support of the motion. He commented that the overall layout and stacking of the units was designed nicely.

The motion carried by the following vote:

Yes: 4 - Chair Howard
Commissioner Harrison
Commissioner Olevson
Commissioner Weiss

No: 0

Absent: 3 - Vice Chair Simons
Commissioner Howe
Commissioner Rheaume

This action is final unless appealed or called up for review by the City Council by

5:00 p.m. on Tuesday, June 8, 2021.

3. [21-0580](#) **Proposed Project:** Application on a 0.13-acre site:
DESIGN REVIEW to allow a 1,288-square foot first and second floor addition to an existing single-family home, resulting in 2,997 square feet (2,293 square feet living area, 426 square feet garage, 278 square feet rear covered patio and 43 square feet front porch) and 49.8% floor area ratio (FAR).
Location: 1684 Nightingale Ave. (APN: 313-30-025)
File #: 2021-7039
Zoning: R-0 (Low Density Residential)
Applicant / Owner: Chapman Design Associates (applicant) / Dr Pankaj Garg (owner)
Environmental Review: A Class 3 relieves this project from California Environmental Quality Act (CEQA) provisions.
Project Planner: Shétal Divatia, (408) 730-7637, sdivatia@sunnyvale.ca.gov

Senior Planner Shetal Divatia presented the staff report with a PowerPoint slide presentation.

There were no Planning Commissioner comments for staff.

Chair Howard opened the Public Hearing.

Applicant Pankaj Garg and Architect Walter Chapman presented additional images and information.

Commissioner Harrison asked Mr. Chapman how he plans to mitigate the water that may come off the balcony. Mr. Chapman responded that a single long wall or a sloped wall is easier to waterproof and that he would prefer a sloped wall to mitigate the water.

Commissioner Weiss asked Mr. Chapman asked about the design of the balcony. Mr. Chapman stated that his main concern was the neighbor's privacy, which is why they decided to create a front-yard balcony. Commissioner Weiss asked Mr. Chapman if the second story windows have additional soundproofing. Mr. Chapman responded that the windows could be dual-glazed or triple-paned. Mr. Chapman also commented that the balcony is intended to be used for potted plants and a roof garden. Commissioner Weiss and Mr. Chapman discussed more about water infiltration.

Commissioner Olevson shared his opinion on which one of the two balcony renderings blends better with the overall design.

Chair Howard and Mr. Chapman discussed what Condition of Approvals is the applicant asking to be removed. Mr. Chapman asked Chair Howard who reviews the final material to confirm that it is consistent with what is approved by the Planning Commission. Chair Howard responded that the Planning Director confirms the material is consistent with what is approved.

Chair Howard asked staff what the main concern was regarding privacy on the front-yard balcony. Senior Planner Divatia responded that it is standard for the Planning Division to include this requirement of a side wall to minimize privacy impacts on neighbors.

Andy Frazer, neighbor of the applicant, spoke in overall support of the project. Mr. Frazer commented that the size of the project is reasonable and that the design of the project will enhance the neighborhood's features.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Olevson seconded the motion to approve Alternative 2 – Approve the Design Review with modified conditions: delete PS-1A and PS-2.

The modified Conditions of Approval are as follows:

1. REMOVED: PS-1A on the side of the balcony facing the neighbor on the south, an 8- foot tall wall that steps down to the half wall height (4 feet) shall be added to minimize privacy impacts on the neighboring property.
2. REMOVED: PS-2 ENHANCED ARCHITECTURAL FEATURES: Additional Prairie style architectural features/elements such as a greater contrast in the colors, inclusion of natural material like stone, brick or wood veneer that would visible from the street be added.

Commissioner Harrison commented that she does not see any privacy impacts to the front-yard balcony given its position. She also commented that she does not see the need for enhanced architectural features.

Commissioner Olevson stated his opinion that the project design is going to overall enhance the neighborhood. He also commented that he appreciates how the applicant is choosing to improve the neighborhood as well and not just their personal needs.

Commissioner Weiss spoke in overall support of the motion. She stated that the project requires no deviations and meets neighborhood compatibility. She also stated her opinion that the overall architecture of the project should remain the way the architect designed it.

Chair Howard spoke in overall support of the motion. He commented that he supports staff's recommendation. Chair Howard also stated his opinion that he does not see an overall need for privacy impacts.

The motion carried by the following vote:

Yes: 4 - Chair Howard
Commissioner Harrison
Commissioner Olevson
Commissioner Weiss

No: 0

Absent: 3 - Vice Chair Simons
Commissioner Howe
Commissioner Rheume

This action is final unless appealed or called up for review by the City Council by 5:00 p.m. on Tuesday, June 8, 2021.

4. [21-0542](#) **Proposed Project:** Forward Recommendations to the City Council for related actions:

LAKESIDE SPECIFIC PLAN AMENDMENT: Adopt a Resolution to Amend the Lakeside Specific Plan to allow modification of the timing of development for the required hotel.

SPECIAL DEVELOPMENT PERMIT (SDP): Modify SDP 2015-7576 Condition of Approval GC-11 related to the timing of hotel construction.

POST ENTITLEMENT DEVELOPMENT AGREEMENT

Introduce an Ordinance Approving and Adopting a: Post Entitlement Development Agreement between the City of Sunnyvale and Sunnyvale Partners Ltd Co. including

consideration of community benefits

Location: 1250 Lakeside (APNs: 216-43-037, -038, -039 and -040)

File #: 2021-7341

Zoning: Lakeside Specific Plan

Applicant / Owner: Sunnyvale Partners Ltd Co. (owner)

Environmental Review: Addendum to the Supplemental Environmental Impact Report

Project Planner: Trudi Ryan, (408) 730-7444, tryan@sunnyvale.ca.gov

Community Development Director Trudi Ryan presented the staff report.

Commissioner Harrison asked Director Ryan how much the landowner will be paying now and what, if any, penalty fees will need to be paid in the future. Director Ryan responded that the applicant will be paying \$450,000 and \$300,000 now, and the penalty fee that they may pay later is contingent upon meeting the deadlines. Commissioner Harrison asked Director Ryan what would happen if the hotel is not built by the deadline. Director Ryan stated that the penalty fee is a risk, but it is still possible for the landowner to build the hotel passed the six-year deadline. Commissioner Harrison asked what the reason was for redesigning the hotel. Director Ryan stated that there were obstacles with importing pre-fabrication parts which is why the applicant chose a build-in-place design.

Chair Howard asked staff if there will be an applicant presentation.

Applicant Bryan Wenter, with Outside Legal Counsel, stated that one of the members on the construction team will be giving the applicant presentation. Mr. Wenter stated that he can help answer any questions the Commissioners have.

Commissioner Olevson commented about the embargo on a type of construction. Director Ryan stated that the embargo was on the imports. Commissioner Olevson also commented on how fast the agenda item made it to a hearing.

Chair Howard opened the Public Hearing.

Applicant Kurt Wittek with Wittek Development provided information on the embargo to the Planning Commission. Mr. Wittek also commented on the various approaches to the design and construction with what has unforeseen circumstances have happened the past couple of years.

A Sunnyvale resident who lives across from the apartment complex commented that he is in overall support with the delay of any further development at this time.

Mr. Wenter stated that there will be no applicant presentation and that he is able to answer any questions the Commissioners have.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Weiss moved and Commissioner Harrison seconded the motion to Alternative 1 - Make the Determination required by Resolution No. 371-81 (Attachment 8 to the Report); and, Recommend to City Council Alternative 2: Accept the Addendum to the previously certified Supplemental Environmental Impact Report Pursuant to the California Environmental Quality Act Guidelines Section 15164 and Adopt a Resolution to amend the Lakeside Specific Plan (Attachment 4 to the Report); Approve a modification to a condition of approval for Special Development Permit 2015-7576 (Attachment 5 to the Report); and Introduce an ordinance for a Post Entitlement Development Agreement (Attachment 6 to the Report).

Commissioner Weiss commented that the applicant has made a reasonable request during these unforeseen times.

Commissioner Olevson stated that he will be supporting the motion to approve the project proposed by the staff. He also commented that he appreciated the amount of information that was provided by both the staff and applicant.

Chair Howard spoke in overall support of the motion. He commented that the applicant has made a reasonable request.

The motion carried by the following vote:

Yes: 4 - Chair Howard
Commissioner Harrison
Commissioner Olevson
Commissioner Weiss

No: 0

Absent: 3 - Vice Chair Simons
Commissioner Howe
Commissioner Rheame

This recommendation will be forwarded to the City Council for consideration at the

Tuesday, June 8, 2021 meeting.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

INFORMATION ONLY REPORTS/ITEMS

5. [21-0583](#) Planning Commission Proposed Study Issues, Calendar Year: 2022
(Information Only)

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

Assistant Director announced that the City Council had a budget workshop on Thursday, May 20, 2021 regarding project budgets. He also announced that the City Council will consider the Ordinance Amendment on Tuesday, May 25, 2021, as well as the Moffett Park Land Use decisions.

ADJOURNMENT

Chair Howard adjourned the meeting at 9:22pm.