



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, February 23, 2015

7:00 PM

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

7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

- 1 [15-0217](#) **File #:** 2014-7900
Location: 625 E. Taylor Avenue (APN: 205-29-006)
Zoning: M-S/ITRR3 (Industrial and Service/Industrial-to- Medium
Density Residential) Zoning District
Proposed Project:
 SPECIAL DEVELOPMENT PERMIT for a 20 unit, 3-story
 townhouse development;
 TENTATIVE MAP
Applicant / Owners: Samir Sharma (applicant) / 627 TAYLOR LLC
(owners)
Environmental Review: TBD
Project Planner: Rosemarie Zulueta, (408) 730-7437,
rzulueta@sunnyvale.ca.gov

2 Results of 2015 City Council Study Issues Workshop

3 Public Comment on Study Session Agenda Item

4 Comments from the Chair

5 Adjourn Study Session

8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS

CALL TO ORDER

Chair Melton called the meeting to order at 8:00 p.m.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

- Present:** 6 - Chair Russell Melton
Vice Chair Ken Olevson
Commissioner Ralph Durham
Commissioner Sue Harrison
Commissioner Larry Klein
Commissioner Ken Rheaume
- Absent:** 1 - Commissioner David Simons

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

None.

CONSENT CALENDAR

- 1.A** [15-0215](#) Approval of the Draft Minutes of the Planning Commission Meeting of February 9, 2015

Comm. Klein noted that he voted in dissent of item 6 on the February 9 agenda, and said the motion should have reflected his modification to allow tandem parking for 25% of the units in multi-family dwellings. Trudi Ryan, Planning Officer, said staff would make the appropriate changes.

MOTION: Comm. Klein moved to approve the draft minutes as amended. Comm. Durham seconded. The motion carried by the following vote:

- Yes:** 6 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Klein
Commissioner Rheaume

No: 0

- Absent:** 1 - Commissioner Simons

PUBLIC HEARINGS/GENERAL BUSINESS

2 [15-0195](#)

File #: 2014-8042

Location: 866 Markham Terrace (APN: 165-46-097)

Zoning: R-1.7/PD (Low Medium Density Residential / Planned Development) Zoning District

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: for a first floor addition of 356 square feet to the front and rear of the existing two-story, single-family residence resulting in a building size of 2,483.8 square feet including a 403.8-square foot garage and a floor area ratio (FAR) of 63.1%.

Applicant / Owner: Ya Xu and Miying Nan (owners)

Environmental Review: Categorically Exempt Class 1

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Momoko Ishijima, Associate Planner, presented the staff report, and noted that a correction to the plans was placed on the dais to show the existing rear elevation.

Comm. Rheaume confirmed with staff that the floor area ratio (FAR) of some lots of the development were originally approved by City Council above the 50 percent maximum.

Chair Melton opened the public hearing.

Miying Nan, the property owner, gave a presentation on the proposed project.

Comm. Rheaume discussed with Ms. Nan options for potentially reducing the addition by 80 square feet.

Chair Melton closed the public hearing.

Comm. Rheaume moved Alternative 2 to approve the Special Development Permit, as requested by the applicant, with the conditions in Attachment 4 (excluding condition PS-1 to reduce coverage).

Comm. Durham seconded.

Comm. Rheaume said the proposed architecture meets the design guidelines and follows the single family home design techniques, and he agrees that it is situated in a unique location and does not seem to be impacting neighbors' privacy. He said we have talked before about investing in the community and land is expensive, so it is good to see that someone can invest in their property and add value to it while investing in their neighborhood and in the City. He added that he can make the

findings for the project.

Comm. Durham said he will be supporting the motion, and that there is a slight technicality in the 15-foot height rule that was made several years after this home was put in. He said the two percent difference in FAR is minor, and that the property owners have one of the larger lots in the neighborhood and could probably reduce the kitchen back wall by three feet and come in under the 80 foot reduction, but that it does not seem worth it for the cost of the project. He said the fact that they have limited neighbor exposure also helped him make the findings.

Comm. Harrison said she will not be supporting the motion, and that while she understands the applicants consideration that this is a unique property, part of the basic code of the Planning Commission is to not grant special privilege to one party. She said her concern is not necessarily about the proposed project, but is about setting a precedence for other projects to exceed the lot coverage. She added that she understands that the rules changed in the middle of the game with regard to the FAR, but that this is about lot coverage. She added that she appreciates the applicant's circumstances but she cannot vote to make the exception.

Comm. Klein said he will not be supporting the motion, that this was a special development project when first designed and the lot size is very small. He said the original project set aside a certain amount of open space and maximum lot coverage, which was 40 percent for all properties in this community, and that all the properties are small in size as opposed to a majority of the single family properties in Sunnyvale. He said this specific project created very small lots and set a maximum lot coverage, and that what we are trying to do now is give a specific homeowner a variance on that concept, and that as much as he understands that it may cause the homeowner to change part of the design, he cannot support a special use for this applicant.

Vice Chair Olevson said he will be supporting the motion, that the lot is surrounded on several sides by government property and no neighborhood, and with the geography of this very small lot he can see where the applicant is boxed in. He said he is sensitive to the need to keep current homes with growing needs rather than buying a new home and recognizes the argument of his fellow Commissioners that the area was zoned with very small lot sizes and homes in mind. He said he sees that it is almost an island in terms of a lack of immediate neighbors, that there are no privacy issues and no second story request and that the project is basically ground floor expansion not seen by the neighbors or the City and does not affect City services. He added that he can make the findings for the Special Development

Permit and thinks it meets the General Plan and is compatible with the neighborhood.

Chair Melton said he will be supporting the motion, that this is a nice project with a beautiful house in a beautiful neighborhood. He noted that former Mayor Spitaleri said Sunnyvale is a City in transition with growing families, and what we have here is a multigenerational family in a unique situation. He said he is also tracking the argument about the original zoning of the property, but that there is something unique about the situation of the lot regarding the school and bus yard and the property being an island in its own regard in this neighborhood. He expressed appreciation to the applicant for coming forth with the project which will be a real capital addition to the neighborhood and a great investment into the City of Sunnyvale. He added that he can make the findings for this project.

MOTION: Comm. Rheame moved Alternative 2 to approve the Special Development Permit, as requested by the applicant, with the conditions in Attachment 4 (excluding condition PS-1 to reduce coverage).

Comm. Durham seconded. The motion carried by the following vote:

Yes: 4 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Rheame

No: 2 - Commissioner Harrison
Commissioner Klein

Absent: 1 - Commissioner Simons

3 [15-0216](#) **Standing Item:** Potential Study Issues for 2016

Chair Melton requested information for a potential study issue on municipal oversight for large, freestanding structures such as the water tower on Hendy Avenue.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

None.

-Staff Comments

Trudi Ryan, Planning Officer, discussed Planning related City Council items, and announced upcoming joint study sessions with the City Council.

INFORMATION ONLY ITEMS

None.

ADJOURNMENT

With no further business Chair Melton adjourned the Planning Commission meeting at 8:32 p.m.