



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Tuesday, June 16, 2020

7:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15

Special Meeting - Study Session - Canceled | Special Meeting - Public Hearing - 7:00 PM

SPECIAL TELECONFERENCE NOTICE

STUDY SESSION CANCELED

7:00 PM PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Howard called the meeting to order at 7:01 PM via teleconference.

ROLL CALL

Present: 7 - Chair Daniel Howard
Vice Chair David Simons
Commissioner Sue Harrison
Commissioner John Howe
Commissioner Ken Olevson
Commissioner Ken Rheaume
Commissioner Carol Weiss

ORAL COMMUNICATIONS

CONSENT CALENDAR

MOTION: Commissioner Howe moved and Commissioner Rheaume seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 7 - Chair Howard
Commissioner Howe
Commissioner Harrison
Commissioner Olevson
Commissioner Rheaume
Vice Chair Simons
Commissioner Weiss

No: 0

1.A [20-0611](#) Approve Planning Commission Meeting Minutes of May 26, 2020

1.B [20-0612](#) Approve Planning Commission Meeting Minutes of June 2, 2020

PUBLIC HEARINGS/GENERAL BUSINESS

2. [20-0610](#)

CONTINUED FROM JUNE 2, 2020

Proposed Project:

USE PERMIT for a new six-story hotel with 128 rooms.

Location: 1296 Lawrence Station Road (APN: 104-33-012)

File #: 2017-8060

Zoning: Industrial and Service (M-S)

Applicant / Owner: Baywood Hotels (applicant) / Sunnyvale Holdings LLC (owner)

Environmental Review: The project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required pursuant to CEQA Guidelines Section 15183 and Public Resources Code Section 21083.3.

Project Planner: Kelly Cha, (408) 730-7408, kcha@sunnyvale.ca.gov

Associate Planner Kelly Cha presented the staff report and noted a minor correction to page 3 of Attachment 5 to read that there is a total of 80 parking spaces planned with 20 surface parking spaces and 60 spaces in the parking structure.

Vice Chair Simons asked if pocket doors are planned for the guest rooms with standard width doorways, if bicycles would be allowed in the guest rooms, and if staff considered adding additional trees large at maturity to balance the landscaping around the proposed project and create more shade. Associate Planner Cha responded that the Commission may suggest modifications to the landscaping plan regarding tree types and sizes.

Commissioner Howe asked how long the applicant would have to exercise the building permit if approved considering the permit extension ordinance that the City Council recently passed. Assistant Director Andrew Miner and Senior Assistant City Attorney Rebecca Moon stated that the applicant would have up to five years to exercise the permit as long as the permit was valid during the time the City is in a state of emergency and the applicant filed the appropriate extensions.

Commissioner Harrison asked staff to comment on how the proposed project meets the Bird Safe Building Design Guidelines. Associate Planner Cha stated that the curtain wall would consist of tinted glass and railing separating the glass and the site is no more than 300 feet away from the nearest body of water and not adjacent to a landscaped area, park, or open space larger than one acre. Assistant Director Miner added that the guidelines are relatively standard throughout the state and it is difficult to determine thresholds of significance that would warrant environmental review. Commissioner Harrison asked staff to address the public comment that states that the reflection produced from moving between different planes of glass does not meet the guidelines. Assistant Director Miner stated that staff determined the proposed project meets the guidelines for reflectivity.

Commissioner Weiss discussed patterned glass for the two towers and less smooth glass for the other windows as options to increase bird safety. She also stated concern for birds considering the trees' close location to the building and asked staff about other possible mitigation efforts. Assistant Director Miner stated that the trees would be the standard minimum 10 feet away from the building and that the applicant has minimized the amount of glass that would be near the trees, further remarking that the Commission can recommend fritted glass or glass with lower reflectivity. Commissioner Weiss asked about soundproofing as the hotel would be near Highway 237. Associate Planner Cha stated that the proposed project would need to comply with the California Code of Regulations and Assistant Director Miner added that certain types of glass can reduce interior noise. Commissioner Weiss asked if the storm drain design is adequate considering the site is in a floodplain. Associate Planner Cha and Assistant Director Miner answered that the Departments of Public Works and Environmental Services reviewed the proposed project and staff recommended raising the floor plate by two and a half feet. Commissioner Weiss asked who would have access to the roof garden and where the electric vehicle parking spaces would be located. Associate Planner Cha responded that the roof garden is for aesthetic purposes only and not accessible to anyone and that the electric vehicle parking spaces are planned for the ground floor of the parking structure. Commissioner Weiss asked if there is sufficient parking to accommodate

those visiting the meeting rooms. Associate Planner Cha stated that the applicant's Parking Management Plan considers public transportation and ride sharing services and Principal Planner Noren Caliva-Lepe responded that the 2,000-foot proposed meeting space is minimal relative to other hotels.

Commissioner Olevson asked if the Commission has reviewed any other commercial building car lifts. Assistant Director Miner stated that staff has seen car lifts in a few office buildings and a hotel and that they are helpful with valet service and in reducing surface area parking. Commissioner Olevson asked if the Parking Management Plan has already been approved and if the Institute of Transportation Engineers (ITE) data used in the analysis is valid. Associate Planner Cha, Assistant Director Miner, and Principal Planner Caliva-Lepe answered that the Sunnyvale Municipal Code (SMC) allows for different types of parking analyses including the ITE standard, the language in the study referring to the validity of the ITE data is typical, and the study also includes parking counts for comparable projects. Commissioner Olevson questioned if the parking counts are based on enough data collection and Principal Planner Caliva-Lepe stated that staff also considers the approved parking rates for similar projects for past precedent. Commissioner Olevson confirmed with Senior Assistant City Attorney Moon that in California Environmental Quality Act terminology, the adopted Environmental Impact Report (EIR) includes both the Draft EIR and Final EIR.

Chair Howard opened the Public Hearing.

David Burkett, Architect representing Red Inc Architects, presented images and information about the proposed project.

Vice Chair Simons asked if guests can bring their bicycles into the hotel. Mr. Burkett stated that there has been discussion about providing bicycle storage inside the hotel with a check-in and check-out process. Vice Chair Simons confirmed with Mr. Burkett that the planned bicycle storage is for employees and guests and stated his concern for enough secure bicycle parking considering the high rate of hotel industry employees that use bicycles and the widespread interest in secure parking. Vice Chair Simons also confirmed with Mr. Burkett that the glass would be glazed with a faint blue tint without texture or pattern and lighting would be used for the entrance and for wayfinding throughout the site. Vice Chair Simons asked Mr. Burkett if they are amenable to a possible requirement for more native species trees large at maturity with a minimum height to balance the landscaping throughout the property. Mr. Burkett agreed with a suggestion that trees that grow more vertically

would be better to avoid hazards or maintenance issues. Associate Planner Cha added that the proposed project has eight bicycle parking spaces planned and the SMC requires a minimum of four.

Commissioner Olevson asked how the building would respond during a power outage or shut off considering that it is planned to be all electric. Mr. Burkett replied that there would be an emergency generator that would supply enough energy for the hotel to continue to operate.

Commissioner Weiss asked the applicant if it is possible to offer food for people who arrive to the hotel later at night. Paul Williams, representative of Sunnyvale Holdings LLC, answered that there would be a market inside the hotel available 24 hours a day. Commissioner Weiss asked if the applicant has discussed possible formaldehyde in the hotel's interior furnishings and if the planned ventilation system would be adequate for outgassing. Peter MacDonald, Baywood Hotels attorney, stated that the interior furnishings are controlled for formaldehyde and other Clean Indoor Air Act implications.

Commissioner Rheume asked the applicant the timeline for breaking ground and if they considered converting the hotel into housing if the effects of the pandemic are longer-lasting than anticipated. Mr. Williams stated that it would be 18 months to two years before the hotel opens and that they plan to keep moving forward with the hope that most of the pandemic's effects have passed by then. Mr. Williams responded to Commissioner Rheume's questions that their hotel properties are succeeding more than expected, particularly the ones with extra amenities such as kitchenettes.

Michael Lozeau, with Lozeau Drury LLP representing Laborers International Union of North American Local Union 270, commented that the proposed project should not be entitled to California Environmental Quality Act (CEQA) Section 15183 exemption because of indoor air quality and bird safety concerns.

Mr. MacDonald presented additional information about the proposed project.

Vice Chair Simons confirmed with Mr. Burkett that the bathroom doors in all guest rooms would be swinging doors. He also confirmed with Mr. Burkett that they are comfortable with a requirement to install a security camera in the bike storage area for safety and to promote bicycle usage. Mr. Williams contributed that there would be a security camera in that area as their practice and that in addition to outside

bicycle storage there would be the ability to store bicycles inside the hotel.

Commissioner Weiss asked if indoor air quality measurements are a requirement for building occupancy. Mr. Burkett responded that the property would undergo a CalGreen Commissioning process and testing as part of the Leadership in Energy and Environmental Design Gold status.

Chair Howard closed the Public Hearing.

MOTION: Vice Chair Simons moved and Commission Howe seconded the motion for Alternative 2 - Make the findings required to approve the CEQA determination that the project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required as noted in the checklist in Attachment 5, and approve the Use Permit based on the findings in Attachment 3 and the following modified conditions of approval:

1. Install a security camera system to the bicycle parking area.
2. Revise page 3 of Attachment 5, CEQA Consistency with the Land Use and Transportation Element (LUTE) EIR, to read that there will be a total of 80 parking spaces, 20 surface parking spaces and 60 spaces in the parking structure.
3. Plant additional trees closer to the hotel that are vertical, genetically large, native species and that grow to a minimum of 75 feet at maturity.

Vice Chair Simons recommended that staff review the glass to determine if textured, patterned, or matte glass would be more appropriate for bird safety. Assistant Director Miner stated that staff will review the proposed project during the building permit phase to ensure it meets the Bird Safe Building Design Guidelines.

FRIENDLY AMENDMENT: Commissioner Howe proposed a friendly amendment to specify that the applicant create a secure bicycle parking area for overnight guests, visitors and staff. Vice Chair Simons accepted the friendly amendment.

Chair Howard asked if adding taller trees nearer the hotel would increase the potential for bird strikes. Vice Chair Simons recognized the concern for bird safety and stated that there are benefits to trees near buildings and that he is less concerned about the potential for bird strikes because the birds would probably be flying at a slower rate of speed if coming from a nearby tree. Chair Howard and Vice Chair Simons discussed the possibility of specifying that the trees selected should mitigate the potential for bird strikes. Assistant Director Miner stated that it is

appropriate to assume that all decisions regarding the proposed project must meet the Bird Safe Building Design Guidelines.

Vice Chair Simons commended the applicant team for the design improvements since the Study Session. He stated that he may not always support a lower parking ratio than the recommended rate as more parking may be in demand because of pandemic-related issues and suggested that staff consider the long-term impacts of the pandemic on hotel patronage and parking. He explained that he supports Commissioner Howe's friendly amendment because of the proposed project's lower parking ratio and so that bicyclists have enough secure parking, adding that he is comfortable with the tree selection with modifications which would provide a better mix of trees on the site. He further remarked that he can making the findings and will support the proposed project.

Commissioner Howe commented that he can make the findings and stated that the hotel shuttle, the addition of the secure bicycle parking, and the location of the bicycle lane next to the property would help alleviate any transportation issues considering the lower parking ratio. He agreed with Vice Chair Simons that the quality of the proposed project has improved since the Study Session and recognized that the site's location next to the freeway makes the proposed project difficult. He thanked Vice Chair Simons for accepting his friendly amendment and stated that it is a good proposed project overall that he plans to support.

Commissioner Harrison stated that she will support the motion and can make the findings. She appreciated the applicant for making architectural changes to the design based on the Commission's Study Session comments and for presenting the detailed renderings and videos that helped explain the proposed project. She also appreciated the improved materials, particularly the lit handrails.

Commissioner Weiss stated that she will support the motion and can make the findings and thanked the applicant for acting on direction from the Study Session. She appreciated the applicant for the roof garden and for planning to preserve the older trees on the site by meandering the path around them. She added that the proposed project would be a good addition to the neighborhood and to the supply of hotel rooms in Sunnyvale and encouraged the other Commissioners to support the motion.

Commissioner Olevson stated that he will vote in favor of the proposed project and can make the findings. He stated that he believes the proposed project would be an

attractive entrance to Sunnyvale on a major road when there are not many attractive buildings south of Highway 237. He also wished the applicant success with the proposed project.

Commissioner Rheaume stated that he will support the motion and thanked the applicant for acting on the Commission's comments from the Study Session. He stated his appreciation for the meandering path around the existing Redwood trees and commented that he believes they balance the building's height and agreed with Commissioner Harrison's observation about the helpfulness of the videos presented.

The motion carried by the following vote:

Yes: 7 - Chair Howard
Commissioner Howe
Commissioner Harrison
Commissioner Olevson
Commissioner Rheaume
Vice Chair Simons
Commissioner Weiss

No: 0

Assistant Director Miner stated that this decision is final unless appealed or called up for review by the City Council within 15 days.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Vice Chair Simons reported his participation and experience as a representative to the Arts Commission for the Civic Center Modernization Project.

-Staff Comments

Assistant Director Andrew Miner informed the Commission that staff presented an update on the Lawrence Station Area Plan to the City Council at a Study Session on June 9, 2020 and at the same meeting the City Council approved the permit extension ordinance. He congratulated Chair Howard and Commissioner Howe on their reappointments to the Commission for another term and thanked Vice Chair

Simons for his service on the Arts Commission to the Civic Center Modernization Project.

ADJOURNMENT

Chair Howard adjourned the meeting at 9:01 PM.