



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, January 28, 2019

5:00 PM

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

Special Meeting - Study Session - 5:00 PM | Special Meeting - Public Hearing 7 PM

5:00 P.M. STUDY SESSION

Call to Order in the Library Program Room

Roll Call

Study Session

- A. [19-0175](#) Downtown Projects and Process Overview
 Project Planners:
 Michelle King, (408) 730-7463, mking@sunnyvale.ca.gov
 David Hogan, (408) 730-7444, dhogan@sunnyvale.ca.gov

Public Comment on Study Session Agenda Items

Adjourn Study Session

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Howard called the meeting to order at 7:00 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Howard led the salute to the flag.

ROLL CALL

Present: 6 - Commissioner Carol Weiss
Chair Daniel Howard
Commissioner John Howe
Vice Chair David Simons
Commissioner Ken Rheaume
Commissioner Sue Harrison
Absent: 1 - Commissioner Ken Olevson

Status of absence; Commissioner Olevson's absence is excused.

ORAL COMMUNICATIONS

CONSENT CALENDAR

Commissioner Howe moved and Vice Chair Simons seconded the motion to approve the Consent Calendar. The motion carried by the following vote:

Yes: 6 - Commissioner Weiss
Chair Howard
Commissioner Howe
Vice Chair Simons
Commissioner Rheaume
Commissioner Harrison

No: 0

Absent: 1 - Commissioner Olevson

1. A [19-0176](#) Approve Planning Commission Meeting Minutes of January 14, 2019

PUBLIC HEARINGS/GENERAL BUSINESS

2. [19-0047](#) **Proposed Project:** Related applications on a 3.54-acre site:
PEERY PARK PLAN REVIEW PERMIT AND VESTING
TENTATIVE PARCEL MAP: to redevelop three sites into an office development consisting of a new 123,000 square foot, four-story office building with a 4.5-level parking structure and associated site work and landscaping. The project will result in 80% FAR.
Location: 275 N. Mathilda Avenue (APNs: 165-27-007, 008, 009)
File #: 2018-7432
Zoning: Peery Park Specific Plan - Innovation Edge and Mixed Industry Core

Applicant/Owner: Irvine Company

Environmental Review: The project is exempt from CEQA review per CEQA Guidelines Section 15168 (c)(2) and (4) 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 mitigations are required.

Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Contract Planner Margaret Netto presented the staff report.

Commissioner Weiss asked staff if the proposed project calculations assume that a majority of the employees who would work at the site would use public transportation. Contract Planner Netto stated that the project calculations are based on net new trips and that the calculations were derived from a traffic analysis that was prepared for the proposed project.

Commissioner Weiss stated that the parking garage appears taller than the main building in the proposed project plans and asked staff if the garage is subordinate in height to the main building as required in the Peery Park Specific Plan. Assistant Director Andrew Miner stated that the term subordinate refers to the height of a structure and its location on a given property and that the garage is subordinate in location in this instance as it is behind the main building. Contract Planner Netto further clarified that the highest point of the garage is 57 feet and the highest point of the main building is 65 feet.

Commissioner Rheume asked staff if the property extending down to Central Expressway would be entirely landscaped. Assistant Director Miner stated that most of the trees along the Central Expressway are on County of Santa Clara property and that they will remain there.

Commissioner Rheume asked staff about street lights shown in the applicant plans. Assistant Director Miner stated that the Peery Park sense of place guidelines dictate the type of lights to be installed.

Vice Chair Simons asked staff what the recommendation was at the Study Session for integration of the orange accent color into the proposed project. Vice Chair Simons asked if the color was integrated into the main building at that time as it is now absent from the current plans. Contract Planner Netto added that the color was part of the signage at the time of the study session.

Chair Howard opened the Public Hearing.

Carlene Matchniff, representing Irvine Company, thanked the Planning Commission and stated that the various proposed project experts are present.

Commissioner Weiss asked the applicant about the metal accent color above the parking garage that she had previously requested be incorporated into the main building. Ms. Matchniff introduced John Koga, representing Irvine Company, to address Commissioner Weiss's questions. Mr. Koga stated that the study session issue regarding color was about how consistently it would be used throughout the site and that the color would be minimally and tastefully used on the signage and at the canopy lines.

Commissioner Weiss confirmed with the applicant that the smoking patio will remain as part of the project.

Vice Chair Simons asked the applicant about adding color in locations at the building, such as the windows. Vice Chair Simons asked the applicant about the location of the planned art. Mr. Koga stated that the location of the art has not yet been determined and mentioned that there is a current proposal to add a sculpture to the Mathilda Avenue frontage.

Vice Chair Simons asked where else the color would be incorporated into the building. Mr. Koga stated that the color would be used on the underside of the south side entryway canopy.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Rheume moved and Commissioner Howe seconded the motion for Alternative 1 - Make the required Findings to approve the California Environmental Quality Act (CEQA) determination that the project is within the scope of the Peery Park Specific Plan (PPSP) Environmental Impact Report (EIR) and no additional environmental review is required in Attachment 5; make the Findings for the Peery Park Plan Review Permit, Vesting Tentative Parcel Map , and Sense of Place Fee in Attachment 3; and approve the Peery Park Plan Review Permit and Vesting Tentative Parcel Map subject to the PPSP Mitigation Monitoring and Reporting Program in Attachment 6 and recommended conditions of approval noted in Attachment 4.

Commissioner Rheume stated that he can make the findings that the proposed project is within the scope of the PPSP EIR. Commissioner Rheume stated his opinion that it is a nice, clean proposed project that does not request any deviations and that it would be a good addition to the City.

Commissioner Howe stated that he can make the findings. Commissioner Howe stated that the proposed project would be an improvement for the area and added his support for the comments Commissioner Rheume provided.

FRIENDLY AMENDMENT: Vice Chair Simons offered a friendly amendment to suggest that the applicant integrate art in the building and greatly increase the number of native trees that meet low water requirements. Commissioner Rheume and Commissioner Howe accepted the friendly amendment.

Vice Chair Simons stated that an artistic focal point visible by pedestrians and vehicles would enhance the modern architecture.

Assistant Director Miner stated a correction in response to Vice Chair Simon's friendly amendment that the zoning code that refers to art in private development specifically states that the location of art should be on the building façade or on the exterior and not in the interior of the building. Vice Chair Simons stated that he is only making a recommendation.

Commissioner Weiss stated her intention to support the motion and added that she likes that there are no deviations requested and that there would be a food truck plaza with tables and chairs. Commissioner Weiss stated that the proposed project would encourage new businesses, different types of cuisine, and that it would bring people together.

The motion carried by the following vote:

Yes: 6 - Commissioner Weiss
Chair Howard
Commissioner Howe
Vice Chair Simons
Commissioner Rheume
Commissioner Harrison

No: 0

Absent: 1 - Commissioner Olevson

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

3. [18-1054](#) **Proposed Project:** Consideration of an application for a 6.4-acre site:
 MOFFETT PARK-SPECIAL DEVELOPMENT PERMIT: to
 allow expansion of an existing 173-room hotel through partial
 demolition and construction of a new 11-story tower resulting in a
 total of 358 rooms, new meeting areas, spa facility, restaurants
 and bars; and a new 3-level parking structure.
Location: 1100 N. Mathilda Ave. (APN:110-27-025)
File #: 2017-8044
Zoning: MP-C (Moffett Park - Commercial)
Applicant / Owner: DoveHill Capital Management LLC (applicant) / S
 of-X Sunnyvale Owner LP (owner)
Environmental Review: Mitigated Negative Declaration
Project Planner: Shétal Divatia, (408) 730-7637,
 sdivatia@sunnyvale.ca.gov

Senior Planner Shetal Divatia presented the staff report.

Commissioner Howe asked staff if the proposed project requires the use of any of the development reserve of the Moffett Park Specific Plan. Assistant Director Andrew Miner stated that hotels are not counted as part of the development reserve.

Commissioner Weiss asked staff if they have considered the effect of the 11-story tower on the nearby neighborhood's television reception. Assistant Director Miner stated that the City is not required to address this issue; it is government by the Federal Communications Commission.

Commissioner Weiss asked staff if they have studied the impact of vehicle emissions from nearby roads on guests of the hotel and if the HVAC units would filter out pollutants. Assistant Director Miner stated that the HVAC units must meet certain building and Title 24 standards but was unsure by how much the HVAC system would need to reduce air pollutants.

Commissioner Weiss asked staff what elements of the modern project are considered farmhouse style. Senior Planner Divatia stated that the proposed project has use elements of a modern farmhouse like a Napa setting and added that the applicant could better clarify the architectural style.

Commissioner Rheume expressed his concern to staff that the inspirational photos presented at the study session are not incorporated into the proposed project. Assistant Director Miner stated that the staff role is to ensure that the construction drawings represent what is built and that the applicant can better address how the architectural inspiration evolved.

Commissioner Rheume expressed his concern to staff that he cannot see the details of the smaller buildings part of the proposed project. Commissioner Rheume stated that he would like to see the barn lofts on page 43 and the barbershop and treatment room on page 44 depicted in the farmhouse style and that more details about the materials are needed. Commissioner Rheume stated that he wants more details about the batten board, the windows, and the materials planned for the multipurpose pavilion on page 45.

Vice Chair Simons asked staff if the installation of a landscaping strip is possible to separate vehicles from pedestrians on Mathilda Avenue. Senior Planner Divatia stated that on page 56 the standard requires a monolithic sidewalk on Mathilda Avenue and a landscaping strip on Borregas Avenue. Vice Chair Simons stated that the landscaping strip is better placed on Mathilda Avenue as Borregas Avenue will soon be more pedestrian friendly. Senior Planner Divatia confirmed that the project design includes a park strip along Mathilda Avenue.

Vice Chair Simons asked staff if estate sized trees could be added to the south side to help screen the 130 foot towers from residents south of Highway 237. Senior Planner Divatia stated that estate sized trees are a possibility that the applicant and landscape architect can address.

Vice Chair Simons asked staff what material is used for the wall along the Borregas Avenue side of the proposed project.

Chair Howard opened the Public Hearing.

Jake Wurzak, representing Dove Hill Capital Management, presented images and information about the proposed project.

Bruce Wright, representing SB Architects, presented images and information about the proposed project.

Chair Howard stated that the applicant provided handouts and a material board available for members of the public to review.

Vice Chair Simons asked the applicant about art work location. Vice Chair Simons also asked the applicant if the wall along the Moffett Park Drive side of the proposed project would be made of white stucco. Vice Chair Simons stated his opinion that the material appears out of place with the rest of the proposed project. Mr. Wright stated that the wall may appear to be white in the renderings and that a color more consistent with the palette of the proposed project would be used. Vice Chair Simons confirmed with the applicant that the Mathilda Avenue wall would be made of stone.

Vice Chair Simons asked the applicant about the possibility of including estate sized trees along the south side landscaping. Mr. Wurzak stated that the landscape architect has been directed to use trees that would create canopies wherever possible.

Commissioner Weiss asked the applicant if the proposed project would use permeable pavers.

Commissioner Weiss asked the applicant if the HVAC system would filter out polluted air from vehicle emissions in the surrounding area. Mr. Wright stated that he does not know the exact level of filtration and that the HVAC system must pass Title 24 and that the proposed project is following LEED building standards for air quality.

Commissioner Rheume asked the applicant where the wood slat would be used on the proposed project. Mr. Wright stated that the wood slat would be used on the parking garage and for the meeting space on top of the ballroom and that highly texturized bark would be used for the porte cochere. Mr. Wright stated that natural materials would be used as much as possible for the low scale buildings and reiterated that the project is a highly articulated architectural statement. Commissioner Rheume stated that he hopes that the materials used are as high in quality as stated in the proposed project designs. Mr. Wurzak stated that the hotel patrons demand such quality.

Commissioner Rheume asked the applicant if they have used trees on balconies in any other project. Mr. Wurzak stated that they have spent time ensuring that the trees would be properly supported and that the balconies would be constructed

such that the trees will grow and thrive.

Comissioner Rheaume asked the applicant if the windows would be constructed with sectioned panels. Mr. Wright stated that that design would be used on the 1- and 2-story buildings.

Commissioner Howe asked the applicant approximately how tall the tower would be from the sidewalk. Mr. Wright stated that the tower is approximately 130 feet tall from Mathilda Avenue and that the tower reduces in height by approximately 14 feet as the grade ascends. Mr. Wright stated that the building never appears to be its full height intentionally to break down the scale of the tower.

Commissioner Howe asked the applicant if there is a view available from the top of the occupied part of the building looking south into the residential neighborhood. Mr. Wright stated that the view provided on page 29 of the handout is from a guest room but not from the tallest portion of the building. Commissioner Howe asked the applicant for the distance between the guest room view on page 29 of the handout and the single-family homes. Mr. Wright stated that he did not know the distance. Assistant Director Miner stated that the distance is approximately 350 feet to 380 feet. Commissioner Howe asked staff if they foresee any privacy concerns for the single-family residences across Highway 237. Assistant Director Miner stated that he does not have any concerns as there are existing buildings closer to the single-family homes, and it is located across the freeway from the homes.

Chair Howard asked if there are any members of the public who wished to speak. Chair Howard asked the applicant if there is any further information they would like to provide.

Vice Chair Simons asked the applicant if the trees on the balconies would be approximately 15 feet to 25 feet tall and if bushes would be used. Mr. Wurzak stated that they intend to use mostly bushes and trees when no structure is above. Vice Chair Simons asked the applicant what types of trees would be used. Mr. Wurzak stated that white birch trees or olive trees in planters are planned. Mr. Wright stated that the landscape architect, Roche and Roche, would be selecting olive trees that appear to be established. Vice Chair Simons stated that olives trees thrive in Sunnyvale while birches do not grow as well and stated his opinion that the landscape would benefit from trees varying in height.

Chair Howard closed the Public Hearing.

Commissioner Harrison stated her desire to visit the site when it opens.

Chair Howard stated that he agreed with Commissioner Harrison.

Vice Chair Simons asked staff if it is possible to add a condition for an existing element to ensure it is built. Assistant Director Miner stated that he invites any conditions to the motion that are within the City's code and standards.

Commissioner Rheume asked staff if the proposed project would be the first 5-star hotel in Sunnyvale. Assistant Director Miner stated that he did not believe there are any other 5-star hotels in Sunnyvale. The applicant stated that this project would be the first 5-star hotel.

MOTION: Vice Chair Simons moved and Commissioner Weiss seconded the motion for Alternative 2 - Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration; approve the Moffett Park - Special Development Permit with modified findings or conditions –

1. Specify that estate sized trees will be included along the south side landscaping;
2. Specify that the color and texture of the wall along Moffett Park Drive will match the rest of the proposed project;
3. Indicate that the stone wall along Mathilda Avenue will be constructed as depicted in the site plans; and,
4. Specify that the use of permeable materials will be maximized, as feasible.

Vice Chair Simons moved with a condition to specify that Planning staff work with Department of Public Works to place a planting strip on the Mathilda Avenue side of the project to better protect pedestrians from vehicles. Assistant Director Miner stated that the planting strip is the existing requirement. Vice Chair Simons retracted the condition.

Vice Chair Simons stated that neighbors surrounding the project may feel a lack of privacy at night time and stated his opinion that the addition of certain landscaping would help mitigate some of the potential concerns from neighbors on the other side of the freeway. Vice Chair Simons added that he has visited hotels built by the developer and that this proposed project would be a nice addition to Sunnyvale. He stated that there is a market for this hotel, that he appreciates the use of existing buildings in the project, and that he intends to support the proposed project.

Commissioner Weiss stated her excitement for the proposed project and its location at a gateway to Sunnyvale. Commissioner Weiss added that she likes the architectural beauty, the amenities, the farm-to-table garden, the exhibition kitchen, and the additional meeting rooms that would be available in Sunnyvale. Commissioner Weiss stated her opinion that she appreciates the many details that make this an excellent proposed project that she intends to support.

Commissioner Rheume stated his intention to support the proposed project and stated his opinion that it is one of the nicest proposed projects he has reviewed while on the Planning Commission. Commissioner Rheume stated his opinion that the proposed project is a great addition to the City and that it would hopefully raise the expectation for other projects. Commissioner Rheume commented that he also hopes to visit the site once it is open.

Commissioner Harrison stated that she can make the findings with respect to the Moffett Park Special Development Permit and that she supports the proposed project.

The motion carried by the following vote:

Yes: 6 - Commissioner Weiss
Chair Howard
Commissioner Howe
Vice Chair Simons
Commissioner Rheume
Commissioner Harrison

No: 0

Absent: 1 - Commissioner Olevson

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

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Vice Chair Simons stated that the stone boulders outside of the Bright Horizons

project at Sunnyvale-Saratoga Road and Remington Drive do not appear to have met the specifications of the COA in terms of size. Commissioner Weiss stated that the trees planted were not the sizes requested.

Commissioner Weiss suggested that the Planning Commission read Generation Priced Out: Who Gets to Live in the New Urban America by Randy Shaw.

Commissioner Howe stated that the size of the boulders that were used for the Bright Horizons project are not substantial enough to protect children from vehicles who might run up onto the property and that he believes the project has not met the COA.

-Staff Comments

Assistant Director Miner introduced the Planning Commission to the new Planning Commission Secretary, Bonnie Filipovic, and thanked Joey Mariano for his assistance. Assistant Director Miner informed the Commission that the Summit Public School proposed project appeal and sign code amendment for the downtown theatre and grocery store will be heard at the City Council meeting the following evening.

Chair Howard closed the Public Hearing.

Chair Howard stated that the meeting will reconvene in the West Conference Room after a brief recess to rank study issues.

ADJOURN PUBLIC HEARING TO THE WEST CONFERENCE ROOM

Chair Howard adjourned the meeting to the West Conference Room for the selection and ranking of potential 2019 study issues.

4. [19-0153](#) Selection and Ranking of Potential 2019 Study Issues

ADJOURNMENT

Chair Howard adjourned the meeting at 10:30 PM.