



City of Sunnyvale

Notice and Agenda

Planning Commission

Monday, January 11, 2016

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

[16-0027](#)

FILE #: 2015-7624
Location: 767 N Mathilda Ave (APN: 165-43-021)
Zoning: MS/FAR100
Proposed Project: Special Development Permit to allow
Redevelopment of an industrial site to a 6-story, 238-room hotel with
surface parking. Proposed hotel Hilton Garden Inn.
Applicant / Owner: Architectural Dimensions / Sinogap LLC
Environmental Review: Mitigated Negative Declaration
Staff Contact: Margaret Netto, 730-7628,
mnetto@sunnyvale.ca.gov

[16-0028](#)

FILE #: 2011-7759
Location: 1240 Crossman Drive (APN's: 110-36-007, -008, and -020)
Zoning: MPT
Proposed Project: Expansion of the Netapp campus (Site 2) utilizing
the green building bonus to enable 80% FAR for a total of 554,082
square feet, including two four-story buildings (12 & 14), and a
five-level parking garage. The two existing buildings (10 & 11) to
remain, totaling 332,970 square feet net to the new floor area.
Applicant / Owner: Network Appliance Inc.
Environmental Review: Mitigated Negative Declaration
Staff Contact: Ryan Kuchenig, (408) 730-7431,
rkuchenig@sunnyvale.ca.gov

Public Comment on Study Session Agenda Items

Comments from the Chair

Adjourn Study Session

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

CALL TO ORDER**SALUTE TO THE FLAG****ROLL CALL****ORAL COMMUNICATIONS**

This category provides an opportunity for members of the public to address the commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow commissioners to take action on an item not listed on the agenda. If you wish to address the commission, please complete a speaker card and give it to the Recording Secretary. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

- 1.A.** [16-0025](#) Approval of the Draft Minutes of the Planning Commission Meeting of December 14, 2015

1.B. [16-0049](#)**File #:** 2015-7539**Location:** 845 W Maude Ave. (APN: 165-41-001)**Proposed Project:** Consideration of an application for a 1.66-acre site:

USE PERMIT to allow construction of a 39,233 square foot four-story office/R&D building resulting in approximately 55% Floor Area Ratio.

Applicant / Owner: Peery-Arrillaga / Wizardly Holdings LLC**Environmental Review:** Mitigated Negative Declaration**Staff Contact:** Noren Caliva-Lepe, (408) 730-7659,
ncaliva-lepe@sunnyvale.ca.gov**Recommendation:** RECOMMENDATION

Staff recommends continuance of this application to the Planning Commission hearing of February 8, 2016. The project is tentatively scheduled for City Council on February 23, 2016. Re-notification of the revised Planning Commission hearing date is not required because the date is being continued to a date certain. The City Council hearing date will be advertised and noticed as required.

Prepared by: Noren Caliva-Lepe, Associate Planner

Approved by: Andrew Miner, Acting Planning Officer

PUBLIC HEARINGS/GENERAL BUSINESS

2. [15-1108](#)**File #:** 2015-7736**Location:** 701, 711, 717, 729, E. Evelyn Avenue (APNs 209-01-009, -010, -011, -012, -013, -014, -029)**Zoning:** M-3/ITR/R-3/PD (General Industrial/Industrial-to-Residential/Medium Density Residential/Planned Development)**Proposed Project:** Related applications on an 11.41-acre site:

SPECIAL DEVELOPMENT PERMIT: To allow a modification to the previously-approved Special Development Permit (2014-7656) for a 204-townhome unit development to add a 0.37-acre parcel and 11 additional units at 711 E. Evelyn Avenue, including extending the previously-approved Variance for concierge trash service to the modified area. The modified overall project would total 11.41 acres and 215 townhome units.

VESTING TENTATIVE MAP: To allow a modification to the previously-approved Vesting Tentative Map (2014-7656) to include the 711 E. Evelyn Avenue parcel in the project and add an additional lot, two common area parcels, and 11 condominium units; and reconfigure the location of six previously-approved lots and 27 condominium units on and around the included parcel.

Applicant / Owner: D.R. Horton (applicant)/D.R. Horton Bay, Inc., Sunnyvale Welding and Fabrication Co., William G. Peterson Trustee Et al. (owners)

Environmental Review: Mitigated Negative Declaration

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

Recommendation: Alternative 1, adopt the Mitigated Negative Declaration and approve the Special Development Permit with deviations for average front yard setback and distance between buildings and Vesting Tentative Map based on the findings in Attachment 3 and with the recommended conditions of approval in Attachment 4.

3. [16-0039](#)**File #:** 2015-7717**Location:** 897 Markham Ter. (APN: 165-46-068)**Zoning:** R-1.7/PD (Low Medium Density Residential / Planned Development) Zoning District**Proposed Project:**

SPECIAL DEVELOPMENT PERMIT for a first floor addition of 164 square feet to the rear of an existing two-story home, resulting in 2,189 square feet (1,781 square foot living area and 408 square foot garage) and 55.8% Floor Area Ratio (FAR).

Applicant / Owners: Loching Keng Trustee**Environmental Review:** Categorically Exempt Class 1**Project Planner:** Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov

Recommendation: Alternative 1: Approve the Special Development Permit with the Conditions of Approval in Attachment 4.

Prepared by: Noren Caliva-Lepe, Associate Planner

Reviewed by: Gerri Caruso, Principal Planner

Approved by: Andrew Miner, Acting Planning Officer

ATTACHMENTS

1. Vicinity and Noticing Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Approval Letter from Somerset of Sunnyvale
6. FAR Comparison
7. Site and Architectural Plans

4. [16-0033](#) Adopt an urgency ordinance amending Sunnyvale Municipal Code Chapter 9.86 and Title 19 to expressly prohibit medical marijuana cultivation, commercial activity, distribution, and delivery; exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3).

Recommendation: Alternative 1: Recommend that the City Council adopt an ordinance amending Title 19 (Zoning), Section 19.62.010 and Tables 19.24.030, 19.28.080, 19.18.030, 19.20.030, 19.29.050, and 19.22.030, of the Sunnyvale Municipal Code relating to an express prohibition on medical marijuana cultivation, commercial activity, distribution, delivery and other activities and find that the project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3).

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

INFORMATION ONLY ITEMS

ADJOURNMENT

Any agenda related writings or documents distributed to members of the Planning Commission regarding any open session item on this agenda will be made available for public inspection in the Planning Division office located at 456 W. Olive Ave., Sunnyvale CA 94086 during normal business hours, and in the Council Chambers on the evening of the Planning Commission meeting pursuant to Government Code §54957.5.

Agenda information is available by contacting The Planning Division at (408) 730-7440. Agendas and associated reports are also available on the City's web site at sunnyvale.ca.gov or at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting.

*Planning a presentation for a Planning Commission meeting?
To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available at Presentations.inSunnyvale.com.*

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Planning Division at (408) 730-7440. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.106 ADA Title II)