

**3**            **14-0069**            **File #:** 2013-7860  
**Location:** 479 N. Pastoria Avenue (APN: 165-30-002):  
**Zoning:** M-S (Industrial and Service) Zoning District  
**Proposed Project:** Discussion and Possible Action on an application for a 2.17-acre site:  
                         **USE PERMIT** to allow a new 52,394 square foot, 4-story office/R&D building (with surface and underground parking) resulting in approximately 55% Floor Area Ratio.  
                         **Applicant / Owner:** ArchiRender Architects / Peery-Arrillaga  
                         **Environmental Review:** Mitigated Negative Declaration

Noren Caliva-Lepe, Associate Planner, presented the staff report, and said that revised draft Conditions of Approval (COA) were provided on the dais.

Trudi Ryan, Planning Officer, clarified that the data sheet incorrectly noted that the Floor Area Ratio (FAR) is a deviation and is instead a threshold for review by the Planning Commission if greater than 35%.

Vice Chair Olevson said he appreciates seeing in the report the financial impact of the proposed project on property taxes.

Comm. Simons and Ms. Ryan discussed sidewalk widths and landscaping and their consistency with Valley Transportation Authority (VTA) guidelines.

Chair Melton and Ms. Caliva-Lepe discussed the addition of bird-safe building guidelines to the COAs, to which Ms. Caliva-Lepe added that the applicant is amenable. Chair Melton confirmed with Ms. Ryan that there are no line-of-sight illustrations.

Chair Melton opened the public hearing.

Huiwen Hsiao, architect for the project, displayed illustrations of the project while describing the proposed site.

Comm. Simons asked if artwork being incorporated into the design of the building was considered, to which Mr. Hsiao responded that his client preferred to have an independent art piece.

Comm. Harrison and Mr. Hsiao discussed features of the building to prevent west-facing glass from overheating, the selection of water-efficient trees and the plan for on-site renewable energy.

Chair Melton closed the public hearing.

Vice Chair Olevson and Ms. Ryan discussed this project's impact on the Citywide development pool.

MOTION: Comm. Simons moved Alternative 2 to recommend to City Council to adopt the Mitigated Negative Declaration and approve the Use Permit with the modified conditions:

- a) The project meets VTA Pedestrian Guidelines;
- b) Recommend that businesses at this site join any future Peery Park transportation association;
- c) Request that the layout of the site for secure and unsecure bicycle parking be reviewed via information-only by the Sunnyvale Bicycle and Pedestrian Advisory Commission (BPAC);
- d) That tree selection include native, significant-sized species;
- e) Recommend LEED certification include cool roof features.

Comm. Klein seconded.

Ms. Ryan asked Comm. Simons for clarification of the added modification to have the BPAC review the layout of bicycle parking. Comm. Simons clarified the modification, and said he has seen many plans for development projects go through with poor and unusable placement of bicycle parking, and that the BPAC would only review the layout to provide feedback to staff, not take action on it.

Comm. Simons said many recommendations are common sense, like reducing the heat island effect of higher density development in the city and that he does not think the City has any firm goals about how to reduce that. He said BPAC review of the placement of bicycle parking is useful, and that the Planning Commission never gets feedback on large developments, except when things have already been built and the outcome is not as well done as it could have been. He said one thing he has noticed over the years with sidewalks is that there are a lot of issues with industrial areas not being comfortable enough for people to walk through buildings, and in higher density projects if a sidewalk is too narrow it does not allow three to four people walking in between buildings. He said following VTA design guidelines is a very desirable thing, that the architecture of the building is nice and modern and that he while did not add a condition for the art, he generally likes seeing less individual pieces of art that can be moved and more artwork incorporated into the architecture. He said he thinks it improves the level of interest in the buildings and is overall a better thing to do long term to place higher emphasis

on the architecture.

Comm. Klein said he will be supporting the motion and was able to make the findings. He said he wanted to commend the applicant for several items, including lot coverage as the project design maximizes landscaping by putting parking underground which makes the project a lot more appealing. He said it is a unique building on a site that has been vacant for many years and will make a good addition to this area of Peery Park which needs livening up. He said the applicant is going to LEED gold and hopes the applicant can get as close to platinum as possible, and looks forward to the project moving forward.

Vice Chair Olevson said he can make the findings as presented by staff, and clarified with Ms Ryan that the sidewalks in the motion are public sidewalks running north and south on the east edge of the property along Pastoria. Vice Chair Olevson said the architectural design adds interest by itself without external artwork, and that he likes the generous entrance and exit in two places on Pastoria so that we are not looking at congestion in one spot. He said he likes the exterior multi-leveled areas where people can go outside to relax. He said it will be a nice addition to the city and hopes it will fit in with the Peery Park Specific Plan (PPSP).

Chair Melton offered a friendly amendment for bird-safe design guidelines, clarifying with Ms. Caliva-Lepe that a condition can be added which would require revisions to the project before building permit issuance, with the condition being that the design shall comply with bird-safe design guidelines. Comm. Simons clarified with staff that bird-safe design guidelines have not already been incorporated into the conditions, and Ms. Caliva-Lepe said it has been discussed with the applicant who is willing to make the changes. Comm. Simons asked what the changes would be, to which Ms. Caliva-Lepe responded that the guidelines discuss a funneling effect between trees and buildings and that the placement of trees could be modified to reduce that effect. Comms. Simons and Klein accepted the friendly amendment.

Chair Melton offered another friendly amendment to remove the information-only review of the placement of the secure and unsecure bike lockers by the BPAC. Comm. Simons reiterated that he thinks feedback from the BPAC will be very useful to the Planning Commission as he has seen different projects that have had unfortunate placement of these features that the Planning Commission has accepted. Ms. Ryan suggested taking plans of several previously developed projects to the BPAC for feedback. Comms. Simons and Klein accepted the friendly amendment.

Chair Melton said he will be enthusiastically supporting the motion and thinks the high quality of the design will be a great addition to the City's inventory of Class-A office space. He said as with another Peery Park development recently recommended for approval to the City Council, the topic of the Balanced Growth Profile (BGP) and Citywide development pool occasionally comes up and a joint study session between City Council and the Planning Commission will be taking place soon, so he does not view anything on the BGP and the development pool as a hindrance to making the findings for this project. He said the PPSP is coming along, that City Council is maintaining jurisdiction over certain sized projects in Peery Park and that this project will go to City Council for consideration. He said when the PPSP is completed all developers, city staff, the Planning Commission and City Council will all be marching to same drummer in regards to development in Peery Park. He said he appreciates the comments from staff about the line-of-sight renderings being unnecessary because a nearby project is in the direct line-of-sight on Mathilda. He said he found interesting the topic of ground soil in this area and that the aerial photos he reviewed show that since 1900 nothing has been built on the site except townhouses briefly in 50s, and that this may be the cleanest soil in the City of Sunnyvale. He said this is a great project that he looks forward to coming to completion.

#### FINAL MOTION:

Comm. Simons moved Alternative 2 to recommend to City Council to adopt the Mitigated Negative Declaration and approve the Use Permit with the modified conditions:

- a) The project meets VTA Pedestrian Guidelines;
- b) Recommend that businesses at this site join any future Peery Park transportation association;
- c) That tree selection include native, significant-sized species;
- d) Recommend LEED certification include cool roof features;
- e) Design shall comply with bird-safe design guidelines.

Comm. Klein seconded. Motion carried by the following vote:

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

**No: 0**

**Absent: 1 -** Commissioner Durham