

- 2**      **14-0664**      Adopt a Resolution to Update the Green Building Program for Residential Projects, Non-Residential Projects and Public Facilities  
**Staff Contact:** Andrew Miner, (408) 730-7707, aminer@sunnyvale.ca.gov

Andrew Miner, Principal Planner, presented the staff report.

Comm. Klein and Mr. Miner discussed the reason staff is recommending increasing the LEED silver threshold from 25,000 to 100,000 square feet for non-residential projects, and confirmed that this recommendation is based on administrative research.

Comm. Harrison confirmed with Mr. Miner that residential projects would go only to a Greenpoint rater for checking, and discussed the reason they would not go to Build it Green for certification. Comm. Harrison and staff also discussed examples of what other cities do.

Comm. Simons confirmed with Mr. Miner that as part of the recommended process, projects would still come before the Planning Commission before going to City Council, and confirmed that a concern of the Moffett Park Business Group (MPBG) was ensuring that the standards would be locked in. Comm. Simons discussed with Trudi Ryan, Planning Officer, the potential creation of a list of additional, unspecified green building features that could be used to raise a project's rating.

Vice Chair Olevson commented on other agencies increasing their standards and said he sees no reason for the City to do the same, to which Mr. Miner explained that the City is trying to maintain success in a leading way. Vice Chair Olevson and Ms. Ryan discussed the proposed standard of City Council making the decision to approve the additional 10% above zoning in Moffett Park. Vice Chair Olevson confirmed with Mr. Miner that there are no data points demonstrating the City's loss of position as a leader if the Green Building program is not updated.

Comm. Durham confirmed with Mr. Miner that the City will revisit the Green Building program regularly.

Chair Melton opened the public hearing.

Dennis Martin, with NAIOP Silicon Valley, said he supports the staff recommendation and urged Planning Commission support. Comm. Simons asked Mr. Martin about client preference for Class A buildings, to which Mr. Martin replied that many brokers say companies look for the best in energy efficiency. Comm. Harrison confirmed with Mr. Martin that employee preference for energy efficient

buildings is a factor influencing the location chosen by businesses.

Janette D'Elia, the COO of Jay Paul Company, said that while she supports the staff recommendation, she also feels the current program works and would not object to maintaining existing standards.

Tom Gilman, with DES Architects, discussed the increase in efficiency when going from current LEED to LEED 4.0 and asked the Commission to consider having as much flexibility and creativity in the Special Development Permit approach in terms of the kind of elements that would be considered. Comm. Harrison and Mr. Gilman discussed how builders are meeting rising standards.

Chair Melton closed the public hearing.

Comm. Klein discussed with Mr. Miner the Sustainability Commission's suggested addition of compliance with then current standards if an extension of time is requested.

Comm. Simons confirmed with Ms. Ryan that initial tenant improvements will need to match the core and shell.

Comm. Simons moved to recommend to City Council Alternative 1 with the additional recommendation that staff consider creating the green building features list that collects creative methods past projects have used to raise their ratings.

Comm. Harrison seconded.

Comm. Simons said we are not talking about small businesses but large developments meeting these higher levels of LEED certification, and that there is the potential to improve a lot of things in the City. He said it is nice to get feedback from architects and the community about the impact of leasing this kind of product that is being built in Sunnyvale, which has for 15 years been transforming from Class C to Class A as a central place in Silicon Valley for R&D office and more environmental, compact and vertical designs. He said this has been well thought out and likes the modifications, and said most people were concerned about the push at the very beginning but thinks it has been mitigated by some of the changes in this proposal.

Comm. Harrison said that because she works in the green building field in the residential arena she is familiar with the things home owners and builders go through, and that her experience with architects and realtors demonstrates that the

industry does respond, understand, participate in and contribute to these programs. She said homeowners like having improved air quality and lower utility bills. Comm. Harrison also said she understands standards are getting stiffer and that she looks forward to the day when we do not have to have additional standards beyond the building code, and that for the time being this is something that helps our community.

Comm. Klein offered a friendly amendment lowering the threshold between LEED silver and gold to 75,000 square feet. Comm. Simons discussed the impact of lowering the threshold with staff. Mr. Miner said smaller projects would have stiffer requirements, but that 75,000 is not an unreasonable number. Comm. Simons commented on seeing many buildings coming in at 60,000 square feet and asked if they were getting larger, to which Ms. Ryan replied that across the board there are different sizes and that sizes vary by neighborhood. Comm. Klein said when the Commission initially reviewed the proposal the threshold was 25,000 square feet and that while he thinks 75,000 is still a large number, it is an acceptable threshold.

Comm. Simons and Comm. Harrison accepted the friendly amendment.

Comm. Klein said he will be supporting the motion and that the green building rules are a continuation of many years of development in the City. He said he is happy to see where we have come since first starting out and approving green building requirements, especially for Moffett Park, and that to now see it spread throughout the City into residential, this basically codifies what we have envisioned. He said he looks forward to the program moving forward and taking effect within the City.

Comm. Durham said he will be supporting the motion, and that he was originally on the fence but feels much more comfortable with using LEED and CalGreen standards as the two are increasing in environmental friendliness. He said it seems to be working and getting better buildings, and that he likes the new date of locking in the requirements.

Vice Chair Olevson said he will not be supporting the motion and that the public speakers with skin in the game noted that we are already leaders. He said one of the developers commented on the new standards being so stiff that buildings just now being completed do not meet new standards for LEED certification at the level of the previous ones. He noted that the staff report said we have been the leader with existing standards, and that CalGreen, Build it Green and LEED are substantially raising the standards and he does not see why we, as a governing body, need to add to that. He said the City's policy is to review the standards periodically to ensure leadership and he has not seen anything saying we need to

change our standards because it has been done for us.

Comm. Rheamue said he will be supporting the motion and agrees with Vice Chair Olevson that there is no need to raise the bar when other agencies are raising standards, but with the staff comments about LEED being cheaper and easier to obtain, he believes we have the responsibility to remain the leader and continue to keep the bar high. He said we are not creating more land and that our land is very valuable so keeping the bar high is in our best interest. Comm. Rheame thanked staff and said that because they have kept the bar high, and although some developers may feel the bar is too high, we may be able to agree that some products are a success and we get a better product for the City, developers and tenants.

Chair Melton said he will be supporting the motion, that he has heard a lot of good comments from the Commissioners that he agrees with, and that it boils down to City policy to maintain leadership in this regard. He said hats off to City staff for getting us to a better place than where we were months ago, and that what seals the deal for him are the letters from Jay Paul Compay, the MPBG, DES Architects and NAIOP, which show that they have gotten to a place where they can support Alternative 1, so he is comfortable with this recommendation going to City Council.

MOTION: Comm. Simons moved to recommend to City Council Alternative 2 to Adopt the Resolution in Attachment 1 to Update the Green Building Tables for Residential Buildings, Non-Residential Projects, and Public Facilities with modifications:

- 1) To recommend staff consider creating a list of creative methods that previous projects used to add green building features; and
- 2) Lowering the threshold between LEED Silver and Gold from 100,000 square feet to 75,000 square feet.

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

**Yes:** 6 - Chair Melton  
Commissioner Durham  
Commissioner Harrison  
Commissioner Klein  
Commissioner Rheame  
Commissioner Simons

**No:** 1 - Vice Chair Olevson