

Planning Commission

Meeting Minutes

new market-rate rental housing developments;

3. Direct staff to set the initial fee at \$21 per square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule;

5. Direct staff to include in the ordinance an option to allow developers to provide affordable units within a project instead of paying the impact fee, as well as other possible options such as providing off-site affordable units or dedicating land; and

6. Direct staff to return to the City Council within two years to reevaluate and possibly adjust the rental housing impact fee.

With a request to include more information to City Council on the construction tax percentage and total fees in comparison to other cities, and to apply the same unit mix ratio to the affordable units.

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

Yes: 4 - Chair Melton
Commissioner Durham
Commissioner Klein
Commissioner Rheume

No: 3 - Vice Chair Olevson
Commissioner Harrison
Commissioner Simons

6 14-1107 Introduction of an Ordinance to Amend Sunnyvale Municipal Code Chapters 19.28 (DSP) and 19.46 (Parking) to include Modifications based on the Tandem and Stacker Parking Study Issue (2014-7435); Finding of CEQA Exemption Pursuant to CEQA Guideline 15061 (b)(3)
Staff Contact: Amber El-Hajj, (408) 730-2723, ael-hajj@sunnyvale.ca.gov

Amber El-Hajj, Senior Planner, presented the staff report.

Comm. Klein discussed with Ms. El-Hajj when in the study issues process changes are made to the ordinance, and compared with Sunnyvale other cities' requirements for tandem and mechanical parking. Comm. Klein discussed with Ms. El-Hajj types of tandem parking, and with Trudi Ryan, Planning Officer, the variations of designs for projects with different types of tandem parking. Comm. Klein and staff discussed the rationale behind the recommendation to allow tandem parking for 50% of units in multi-family dwellings, and Ms. Ryan added that the Commission can recommend a different number. Comm. Klein and staff discussed the reasoning behind making changes to sections of the zoning code that appear unrelated to the study issue. Comm. Klein clarified with Ms. El-Hajj the proposal to allow for tandem parking in single-family dwelling with less than two covered parking spaces.

Chair Melton opened the public hearing, and upon seeing no speakers for this item, closed the public hearing.

Comm. Simons moved to recommend to City Council Alternatives 1) to find that the project is exempt from CEQA under Guideline 15061(b)(3), and 3) to adopt an ordinance with the modification to allow only mechanical tandem parking for new development.

Comm. Klein seconded.

Comm. Simons said the justification for the modification is that we have had tandem parking for years with projects built in the '80s, and that while it is true that people with garages use them for storage, tandem parking spaces have a much higher rate of use as storage. He said there is a difference between mechanical parking solutions utilized for cars which is a good thing and will get cars off of the street, but that his concern is seeing older styles of tandem parking used for storage with cars remaining on the street.

Comm. Klein said he will be supporting the motion, and that he has issues with the use of tandem versus mechanical lift parking, which is designated specifically for parking and to make it easier for developers to put in a tandem back-to-back parking spot. He said often people use it as storage instead of parking which is an issue because it could create projects that do not have adequate parking. He said if we have dedicated mechanical lift parking, whether dependent or independent, then we have created something that will be used as parking space, and that the use of tandem parking to alleviate existing non-conforming properties is an adequate use to bring into those into compliance. He said he worries about setting a precedence, especially at 50 per cent, when codifying mechanical lift parking and then later doing something else. He said we have had a large number of developers come through requesting tandem parking and pointing to other cities saying they give it to us and he worries that we may be codifying something of which we do not know the impact on new development in the City. He added that Comm. Simons' attempt to focus on a dedicated parking solution helps to resolve this issue, and he hopes that as this goes to City Council the report can emphasize which Cities are providing tandem in their code or not, because having us do it seems to cause an issue especially with setting the percentage so high.

Ms. Ryan clarified that it is mechanical lift parking that is not in the code, and Comm. Klein reiterated that providing the information in the report to Council will help.

Comm. Rheaume said he is not sure he will be supporting the motion, and that he supports the tandem and stacker parking study issue, but that he is not convinced we need to go to with the modification excluding tandem parking. He said he agrees with staff regarding pushing the envelope to get away from this lifestyle of catering to our automobiles, and that his vision is to have tandem parking. He said he owns a townhouse with tandem parking and that it is what you do and that it does force you to get out of your vehicle more often. He said he does not see this preventing people from using the second space for storage, and that unless he can be convinced otherwise he will not be supporting the motion. He also thanked staff for a thorough analysis and said he is grateful that it proposes excluding garage square footage in calculating gross floor area, and that he likes the idea that other things are addressed when looking at the policy.

Comm. Harrison said she echoes Comm. Rheaume's sentiments, and that there are some situations where we cannot foresee every possibility that tandem parking in new developments is better than nothing. She said she is curious about whether the exclusion will apply to accessory dwelling units required to have two covered and two uncovered parking spaces, and that sometimes you can only do tandem uncovered spaces. Ms. Ryan explained that with accessory living units the main unit needs to have two covered and two uncovered and the accessory unit needs an additional space, covered or uncovered. Comm. Harrison said that in some situations where allowing tandem will be better than nothing, as lots and housing units gets smaller and hopefully people have fewer cars, in interim situations will be better, so she will not be supporting the motion with the modification.

Vice Chair Olevson said he will not be supporting the motion, and that he was ready to support Alternatives 1 and 2 as written because he believes the study and ordinance are well supported, but that adding a last minute modification because it seems like good idea is not the proper function of government. He said we should study first and from there make a decision.

Comm. Durham said he will not be supporting the motion, and that the biggest issue is removing the option of in-line tandem parking. He said some developments might be better off with a lower level instead of increasing the height of the parking area, and that as much as he would like to have more cars off the street he still hates to force that other option out. He added that he understands how tandem parking works but does not think it is a good idea to limit it at this time.

Chair Melton said he will not be supporting the motion, and is on board with Alternatives 1 and 2.

Comm. Simons said he withdraws his motion, and that there is a major issue here and the options being excluded are world wide. He said if you want to reduce parking levels this does not really address that, and if you want to build housing units with less parking as an option you are still adding square footage to a building that costs money. He said if you are thinking of reducing parking by allowing different options of configuration, obviously the solution is reduced parking, perhaps requiring only one space or no parking within a quarter mile of transit. He said it is our job to make changes we see as appropriate, and that we do not have two meetings to discuss this in a public forum. He said normally we would review the proposal, make modifications, send it back to staff for them to come back and talk about the potential impacts and move on with the proposal.

Chair Melton and Rebecca Moon, Senior Assistant City Attorney, discussed the process of withdrawing a motion, and Chair Melton initiated the vote.

MOTION: Comm. Simons moved to recommend to City Council Alternatives 1) to find that the project is exempt from CEQA under Guideline 15061(b)(3), and 3) to adopt an ordinance with the modification to allow only mechanical tandem parking for new development.

Comm. Klein seconded. The motion failed by the following vote:

Yes: 2 - Commissioner Klein
Commissioner Simons

No: 5 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Rheaume

Comm. Rheaume moved to recommend to City Council Alternatives 1) to find that the project is exempt from CEQA under Guideline 15061(b)(3), and 2) to introduce an ordinance to amend Chapters 19.28 and 19.46 of Title 19 of the Sunnyvale Municipal Code to allow tandem parking in existing single-family dwellings in certain circumstances, exclude garage square footage from gross floor area in Section 19.46.050(d), allow tandem parking for 50% of the units in multi-family dwellings and require unassigned parking consistent with other the 2-car garage provisions, allow independent and dependent mechanical lift parking in multi-family development, and consider tandem parking in multi-family developments within the DSP with review of a parking management plan.

Chair Melton seconded.

Comm. Rheume said that with multi-use villages where people are living and working, he imagines that people will park their cars for the whole week while they walk or bike to work, but they will still need access to their cars, and that we need to change our ways of having our cars run our lives. He added that the younger generations are more in tune to this and we need to start building our City around our next generation and not according to what we are used to.

Chair Melton said staff has done a great job, that he agrees with the conclusions of the report and with what Comm. Rheume has said, and that he supports the motion.

Comm. Klein offered a friendly amendment to consider allowing tandem parking for 25 per cent of the units in multi-family dwellings rather than the proposed 50 per cent because staff is making an estimate, and that once it is in the code it cannot be changed back. He added that this could be revisited at a later time.

Comm. Rheume and Chair Melton accepted.

MOTION: Comm. Rheume moved to recommend to City Council Alternatives 1) to find that the project is exempt from CEQA under Guideline 15061(b)(3), and 2) to introduce an ordinance to amend Chapters 19.28 and 19.46 of Title 19 of the Sunnyvale Municipal Code to allow tandem parking in existing single-family dwellings in certain circumstances, exclude garage square footage from gross floor area in Section 19.46.050(d), allow tandem parking for 50% of the units in multi-family dwellings and require unassigned parking consistent with other the 2-car garage provisions, allow independent and dependent mechanical lift parking in multi-family development, and consider tandem parking in multi-family developments within the DSP with review of a parking management plan.

Chair Melton seconded. The motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Klein
Commissioner Rheume

No: 1 - Commissioner Simons

7 15-0172 Standing Item: Potential Study Issues for 2016

Chair Melton requested information for a potential study issue for concierge trash