



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, September 28, 2015

6:45 PM

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

6:45 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

- 1 [15-0898](#) **File #:** 2014-7990
Location: 1500 Partridge Avenue (APN: 313-24-031)
Zoning: P-F (Public Facility)
Proposed Project:
Overview of **DRAFT ENVIRONMENTAL IMPACT REPORT** for
a change of use for a private school (Stratford School) at the
former Raynor Activity Center.
Project Planner: Momoko Ishijima, (408) 730-7532,
mishijima@sunnyvale.ca.gov
- 2 [15-0894](#) **File #:** 2015-7262
Location: 1080 Stewart Drive (APN: 205-23-018)
Zoning: M-S/POA (Industrial and Service/Places of Assembly)
Proposed Project:
USE PERMIT for redevelopment of a hotel site (Residence Inn)
resulting in 357 guest rooms. The new 7-story building will
contain 133 guest rooms (24 of the 248 existing guest rooms
are to be demolished, resulting in 109 net new rooms).
Applicant / Owner: Marriott Residence Inn
Environmental Review: Mitigated Negative Declaration
Project Planner: Margaret Netto, (408) 730-7628,
mnetto@sunnyvale.ca.gov

3 Public Comment on Study Session Agenda Items

4 Comments from the Chair

5 Adjourn Study Session

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

CALL TO ORDER

Chair Melton called the meeting to order at 8:00 p.m.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

Present: 6 - Chair Russell Melton
Vice Chair Sue Harrison
Commissioner Ken Olevson
Commissioner Larry Klein
Commissioner Ken Rheaume
Commissioner David Simons

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS**Upcoming Board and Commission Application Deadline**

Vice Chair Harrison announced the upcoming deadline for Boards and Commissions applications.

Dave Scholz, a Sunnyvale resident and a representative of Sunnyvale Urban Forest Advocates, asked for Planning Commission support of the implementation of the Urban Forest Management Plan.

CONSENT CALENDAR

1.A [15-0893](#) Approval of the Draft Minutes of the Planning Commission Meeting of September 14, 2015

Vice Chair Harrison moved to approve the draft minutes. Comm. Simons seconded. The motion carried by the following vote:

Yes: 4 - Chair Melton
Vice Chair Harrison
Commissioner Rheaume
Commissioner Simons

No: 0

Abstained: 2 - Commissioner Olevson
Commissioner Klein

1.B [15-0815](#)**File #:** 2015-7653**Location:** 835 Rubis Drive (APN: 201-24-039)**Zoning:** R0**Proposed Project:**

DESIGN REVIEW: For a 114 sq. ft. one-story addition to an existing 2,773 sq. ft. two-story single-family home resulting in 2,887 sq. ft. (2,411 sq. ft. living area and 476 sq. ft. garage) and 49% FAR.

Applicant / Owner: RH Associates, Architects/Govind and Elizabeth Gupta

Environmental Review: Categorical Exemption, Class 1

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

Comm. Klein pulled this item from the Consent Calendar. He confirmed with George Schroeder, Associate Planner, that the current Floor Area Ratio (FAR) is 46 percent and that the applicant is proposing 49 percent. Comm. Klein noted the different number representing gross FAR listed on the project data table, and Trudi Ryan, Planning Officer, explained that data is extracted from the County Assessor's Office which can have a slightly different measurement in certain cases.

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

Comm. Klein moved Alternative 1 to approve the Design Review with the Conditions of Approval in Attachment 4.

Comm. Rheaume seconded.

Comm. Klein said this is a good project overall and is a small addition not viewable from the street. He said this is an easy project to approve, he can make the findings and he looks forward to the project moving forward.

Comm. Rheaume said he can make the findings that the project is a good investment in the community and in line with the other approved FARs in the immediate neighborhood.

MOTION: Comm. Klein moved Alternative 1 to approve the Design Review with the Conditions of Approval in Attachment 4.

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

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

No: 0

PUBLIC HEARINGS/GENERAL BUSINESS

2 [15-0873](#)**File #:** 2015-7343**Location:** 619 Dunholme Way (APN: 309-16-006)**Zoning:** R0**Proposed Project:**

DESIGN REVIEW for a new two-story single-family home with a total of 4,761 sq. ft. (4,201 sq. ft. living area, 560 sq. ft. garage) with a 49% Floor Area Ratio (FAR).

Applicant / Owner: Lazari Designs (applicant) / Philip Rothenberg (owner)

Environmental Review: A Class 3a Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Project Planner: Shétal Divatia, (408) 730-7637, sdivatia@sunnyvale.ca.gov

Shetal Divatia, Senior Planner, presented the staff report.

Vice Chair Harrison discussed with Ms. Divatia the number of homes in Sunnyvale that are of the magnitude of 4,500 square feet.

Comm. Rheume confirmed with staff that the Conditions of Approval (COA) as prepared recommend the applicant reduce the first story plate height to nine feet, and that the Planning Commission could require the second story to be reduced to eight feet. Comm. Rheume discussed with Ms. Ryan why staff is asking the applicant to reduce their proposed plate heights when the house next door is taller. Ms. Ryan said the Design Guidelines suggest there not be more than one foot difference in eave lines between adjacent buildings and that the plate heights affect the location of the eave line. Comm. Rheume confirmed with Ms. Divatia that the Planning Commission is reviewing this project because the applicant's proposal exceeds 45 percent Floor Area Ratio (FAR) and is above 3,600 square feet.

Comm. Olevson discussed with Ms. Ryan why two of the three items in COA PS-1 start with "if," and why all of the questions have not been removed. Ms. Ryan said that PS-1c is regarding the potential requirement to reduce the second story plate height to eight feet. She added that when the staff report was put together staff did not have information on whether the window would be needed for egress and said the applicant may have that information.

Comm. Simons commented on the landscape plans showing renamed plants to make them more marketable, and provided the actual name for tree number two in the plans.

Chair Melton opened the public hearing.

Phil Rothenberg, the project applicant, gave a presentation on the proposed project. Comm. Simons confirmed with Mr. Rothenberg that he is amenable to additional landscaping that would provide more shade.

Comm. Rheume clarified with Mr. Rothenberg the type of architectural features that the applicant is proposing for the home.

Mr. Rothenberg said the plate heights as proposed are important.

Comm. Rheume moved Alternative 2 to approve the Design Review with the modification to remove Condition of Approval PS-1b requiring the applicant to reduce the first floor plate height to 9 feet.

Comm. Olevson seconded.

Comm. Rheume thanked the applicant for his presentation, and said the maximum threshold on building height is 30 feet. He said the guidelines are set up so the public can design accordingly, which the applicant has done and Comm. Rheume said we should respect that and allow the applicant to build to the height that we allow. He said this is a large home and lot and the benefit of paying for a large lot is the ability to build on it. He said he can make the findings that the project meets all the setback requirements, there are no requested deviations and the applicant is investing in the community.

Comm. Olevson said he is supporting the motion, and that this is one of the last lots on this street that has not been rebuilt since the 1950s or 60s. He said this was an orchard at one time that has been parceled out to into single family homes, and we have seen a variety of changes, mostly toward two-story homes supporting the multi-generational family concept. He said he is pleased someone has stepped in and is proposing to take what is currently an eyesore to do something complementary to the neighborhood. He said the large lot will make this large home compatible with the two-story homes in the area so what is proposed is not out of whack with the neighborhood.

Comm. Simons offered a friendly amendment to require that in 15 years, 25 percent of the lot be covered with landscaping with recommended estate sized species trees to create a canopy. Comms. Rheume and Olevson clarified this amendment with Comm. Simons and accepted.

Vice Chair Harrison said she is not supporting the motion as she cannot make

finding 2.2.2 that the project respects the scale, bulk and character of homes in the neighborhood. She said she appreciates the applicant's investment and that this is a large lot, and while she understands the applicant's desires, there is only one home in the neighborhood with these plate heights. She said there is not a single home in this neighborhood of this size and bulk, and that she cannot make the finding that the home meets the Design Guidelines.

Comm. Klein said he is supporting the motion, and that he had similar issues with the plate heights. He said height is a fixed limit, but that in the Design Guidelines plate heights are variable in terms of the neighborhood to make sure there is consistency. He said the bulk of this design compared to the home next door and the way the eaves are set make it so the proposed plate height of the first story is not as bad as what we have seen in the past. He said because this is a larger lot and the way these homes are set up do not create as dramatic an effect, and he still thinks it fits within the community, which is unique within Sunnyvale with larger lot sizes and different home configurations.

Chair Melton said he is also struggling with the plate heights and offered a friendly amendment to reinsert PS-1b to reduce the first floor plate height to nine feet.

Comm. Rheume declined.

Chair Melton said he will be supporting the motion, that this is a fine looking project and he appreciates the capital investment the applicant is making into the neighborhood. He said the applicant is moving into a great neighborhood and that he can make the findings.

Comm. Simons said he is supporting the motion, and that the original landscape plan for this much larger house was going to be out of balance with a what may have been very beautiful landscaping, but that quite a few neighbors have mature landscaping that the applicant does not have. He said he is looking for a better vertical landscape plan with more shade, the location of which is up to the applicant, and he recommends the applicant revisit some of the landscaping because he has seen a lot of products that get ripped out in within five to ten years because of poor performance.

MOTION: Comm. Rheume moved Alternative 2 to approve the Design Review with modifications to

- 1) Remove Condition of Approval PS 1b requiring the applicant to reduce the first floor plate height to 9 feet; and,
- 2) To require that in 15 years, 25 percent of the lot be covered with landscaping

with recommended estate sized species trees to create a canopy.

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

Yes: 5 - Chair Melton
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 1 - Vice Chair Harrison

- 3 [15-0356](#) **File #:** 2015-7028
Location: Las Palmas townhome development (under construction) behind 660 W. El Camino Real (APNs: 201-40-043 through 078)
Zoning: C-2/PD
Proposed Project: Modification to approved **Special Development Permit #2012-7170** (mixed use development with 103 townhomes and 145-room hotel) to remove the requirement for a planned pedestrian connection from the Las Palmas townhome development to Cherry Glen Plaza.
Applicant / Owner: SummerHill 660 W. El Camino Real LLC (applicant) / (owner)
Environmental Review: Categorically Exempt Class 1
Project Planner: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Trudi Ryan, Planning Officer, presented the staff report.

Comm. Olevson discussed with Ms. Ryan whether the Homeowners' Association (HOA) has been turned over to the property owners, and whether moving the trash enclosure for placement of the ADA ramp is feasible.

Vice Chair Harrison commented on the rule requiring all pedestrian entrances be accessible, and noted that the 2010 Building Code allows exceptions to this rule if compliance with regulations creates an unreasonable hardship and when equivalent facilities are provided via other methods and materials. She discussed with Ms. Ryan whether an exception is applicable in this case.

Comm. Klein and Ms. Ryan discussed whether all residential to commercial gateway concepts have been ADA compliant, and Ms. Ryan provided examples of sites. Comm. Klein and Ms. Ryan also discussed options for placement of the ramp on the eastern side of the property, which would have required a number of facilities being torn out.

Chair Melton disclosed that he went to the site and met with the developer, and discussed with Ms. Ryan why the comments from the public in the staff report are dated in March. Chair Melton confirmed with Ms. Ryan the findings the Planning Commission would have to make for approval of the project, and clarified the minutes of the 2012 hearing when the project was originally heard by the Planning Commission.

Comm. Rheaume confirmed with Ms. Ryan that the connectivity of this project is part of the Precise Plan for El Camino Real, and discussed how it is consistent with that and the Grand Boulevard Initiative.

Chair Melton opened the public hearing.

Kevin Ebrahimi, Vice President of Development for SummerHill homes, provided information on the history of the project and discussed the reason for requesting removal of the pedestrian connection. Leslie Bates, Homeowners Association Manager for Las Palmas, said the HOA supports not having the ADA access.

Comm. Olevson discussed with Mr. Ebrahimi whether the HOA has now been turned over to the owners, and Mr. Ebrahimi provided history behind the application to remove the requirement for ADA access. Ms. Bates said typically 25 homeowners attend HOA meetings.

Comm. Klein confirmed with Mr. Ebrahimi that there are 103 homes, of which 70-80 are occupied, and discussed with Mr. Ebrahimi the other locations considered for the ADA access.

William Jacobson, a Cherry Glen Plaza property owner, discussed his concern with the way the City handled ADA requirements which were not brought to the attention of the developer by the City.

Comm. Klein confirmed with Mr. Jacobson that he is in favor of the pedestrian connection.

Vice Chair Harrison verified with Mr. Jacobson that there is a pedestrian walkway between his commercial property and the residential property to the south.

Jeff Maggioncalda, a Las Palmas Townhome owner, said his concern is safety and egress, and that removal of the connection would create a hazardous situation in the event of an emergency.

Ms. Bates noted that the HOA has not been turned over to association members, and said the Board of Directors was prepared to install the ADA access ramp, but that the homeowners recommended abandoning the connection. Mr Ebrahimi reiterated that SummerHill is prepared to install the connection and that emergency issues have already been addressed.

Xiaoyi Sheng, a Las Palmas Townhome owner, discussed his opposition to the pedestrian connection and said he currently has little room to back out of his driveway and that installation of the ADA ramp would create a hazardous situation for pedestrians and drivers.

Ali Maggioncalda, a Las Palmas Townhome owner, said stairs are most ideal situation for the pedestrian connection and not the ADA access ramp.

Chair Melton closed the public hearing.

Vice Chair Harrison confirmed with Ms. Ryan the width of roadway and driveway aprons for residents, and Ms. Ryan explained that the other side of the roadway drops off where the ADA ramp would be installed. She also confirmed with Ms. Ryan that it would have a curb, that backup distance between two different drive aisles could be longer, and the minimum backup distance is 24 feet. Vice Chair Harrison verified with Ms. Ryan that this design does meet that minimum and that the concern of some residents is the drop off to the ADA ramp.

Comm. Klein discussed with Ms. Ryan alternatives to the ramp, such as a mechanical lift.

Chair Melton confirmed with Ms. Ryan that all plans have been vetted by the Department of Public Safety.

Comm. Klein moved Alternative 2 to deny the requested modification to eliminate the pedestrian connection from the Las Palmas Development to the Cherry Glen commercial center and require redesign of the site layout to accommodate the gated connection or to investigate an alternative pedestrian connection at another location.

Comm. Simons seconded.

Comm. Klein thanked the members of the public for coming to the hearing and speaking about their concerns, and he commended SummerHill for working with staff. He noted that this egress and ingress for residents was a positive thing when the project first came to the Planning Commission three years ago, and that we try to encourage pedestrian access use. He said having to walk through or past a hotel down El Camino Real would cause a number of people to stay in their cars and drive to commercial locations, and that the easier we can make it for users, the more likely they will use these connections. He mentioned that he does not like walking down El Camino Real, and that the connection is positive for residents and the commercial properties to get more foot traffic going through there. Comm. Klein said staff and the developer have looked at different locations for the ADA ramp and he would like them to look at other possibilities such as an external lift for wheelchairs. He said having an egress to the east of this property is a plus for

residents because of the shape of the property and how the residents have been separated from El Camino Real, and that he understands that a number of residents do not want the access while some do. He said where we are now is looking for a good solution, whether it is a weatherized lift or the developer working more closely with the commercial property to start the ramp on that side as long as it is ADA compliant. He said we should not remove such a positive thing for the project, and hopes staff and developers will catch these issues in the future.

Comm. Simons explained to neighbors concerned about the present design that the current motion allows for alternative options, whether they are a lift or some other mechanical option that would reduce the issues for those who live next to it. He said pedestrian access has a value for the residents and for the retail next door. He noted that the drive access still meets the minimum requirements, that we have had many projects where parking and driveways just meet required minimums, and he could not support the removal of the pedestrian connection because he cannot make the findings. He said ADA is part of the General Plan and the original motion for this development, that it is unfortunate that this was not caught earlier and may only have been a slight grading issue on this property. He said there is an option that will function and he will be supporting that.

Vice Chair Harrison said she is supporting the motion, and that in addition to the connection being a benefit to residents and the adjacent commercial building it is a benefit to the community that there is more pedestrian accessibility, which is why it was part of the original plan. She said reduction of the driveway widths will still meet the minimums required by code so she sees no way to accept the applicant's proposal.

Comm. Rheume said he will be supporting the motion and can make the findings to deny. He said he appreciates the developer doing the best to come up with a solution for the ADA requirement, and that one benefit to building this whole development was about pedestrian access to the various retail in the area. He said cutting that off would not be consistent with the Grand Boulevard Initiative and the Precise Plan for El Camino Real, and that the connection is also a benefit to homeowners and the neighborhood in general as it will get more cars off of the road. He said having the connection will encourage more walking, and that as we are in the middle of innovative Silicon Valley he is confident that we can figure out a solution.

Comm. Olevson said he approached the meeting very conflicted, and that for the project to progress this far and then we find that we violated our own rules is incomprehensible. He said SummerHill brings to Sunnyvale a fine reputation for

building a good quality product, that some people reported to have purchased these homes expecting the egress to be available and because SummerHill did not design to ADA requirements means the developer shares in the responsibility of the situation we are in now. He said the alternative proposed for a ramp results in a fully compliant development from a City standpoint, and that as a homeowner he would not be excited if he was facing having to maneuver a car in and out on that short street, so he was really conflicted with how he might vote. He said he is not persuaded that HOA support is valid because it is still controlled by the builder, but that this design can meet all of the requirements and will not be a major economic hazard to the builder, though it is not his job to look at the economics on their behalf. He said he is reluctantly supporting the motion as the least offensive alternative we have been presented with.

Chair Melton said he will not be supporting the motion, that this application was a tough one and when he first read the staff report he felt like diving into the ADA issue and asking if this is actually what we are facing. He said he accepts that a connection may not be installed without providing an ADA accessible route, and that when he visited the site and talked to the developer he saw that this thing has been looked at in every conceivable way. He noted that we continued this project to keep looking at it and if there was a way to do this differently it would have been discovered, and that now we are left with the ramp proposal. He said he understands that it is still compliant with the Zoning and Sunnyvale Municipal Codes and there is still legally enough minimum width of the driveway and roadway to back up. He said if he was a Planning Commissioner in 2012 and he was looking at this project with access on the eastern wall, he would still have voted for it even if the accessway did not exist because he still would have been able to make the findings, and because we would have the access on the western edge of the property and on El Camino. He said based on the fact that he could have made the findings then he will not be voting in support of the motion. He said although he is sure the ramp will be built safely, having a drive aisle with a ramp going down makes him worry about child safety, and that there may be a child playing near the drop off that falls down several feet into the ramp with cars backing up nearby.

MOTION: Comm. Klein moved Alternative 2 to deny the requested modification to eliminate the pedestrian connection from the Las Palmas Development to the Cherry Glen commercial center and require redesign of the site layout to accommodate the gated connection or to investigate an alternative pedestrian connection at another location.

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

Yes: 5 - Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 1 - Chair Melton

4 [15-0829](#)

File #: 2015-7358

Location: 1549 Norland Drive (APN: 323-28-068)

Zoning: R2

Proposed Project: Related applications on a 0.25 acre lot:

TENTATIVE PARCEL MAP: To allow the subdivision of an existing lot into two lots.

USE PERMIT: To allow two new single-family homes (one on each proposed lot) where the proposed lot areas and widths are less than the minimum required in the R2 zoning district.

DESIGN REVIEW: For two new, two-story single-family homes with gross floor areas of 2,722 sq. ft. and 50% FAR (Lot 1); and 2,699 sq. ft. and 49% FAR (Lot 2).

Applicant / Owner: SC Design Group/Mark Caragio

Environmental Review: Categorical Exemption, Class 15

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

George Schroeder, Associate Planner, presented the staff report.

Comm. Harrison clarified with Mr. Schroeder the difference between the 8,000 square foot and 3,600 square foot minimum lot size rules. Trudi Ryan, Planning Officer, offered further clarification of the minimum lot size versus density rules.

Comm. Rheaume asked if the City encourages splitting lots to add more houses, to which Ms. Ryan responded that the City does not have such a policy and noted the General Plan policy that encourages ownership housing. Comm. Rheaume and Ms. Ryan also discussed whether a flag lot would fall under the same guidelines.

Comm. Simons and Ms. Ryan discussed the difference between a project that proposes splitting up land with a Planned Development (PD) and one with a Use Permit (UP), and confirmed with staff the zoning of surrounding lots. Comm. Simons commented on using a much bigger magnifying glass to review something whenever there is a concern about spot zoning.

Comm. Olevson verified with Ms. Ryan that splitting the property with an approved UP does not make both resulting properties non-compliant.

Chair Melton confirmed with Mr. Schroeder that if this project is approved the site would not exceed the density permitted in an R-2 zone, and that there are currently two units on one lot and splitting the lot into two enables two ownership opportunities.

Comm. Harrison confirmed with Mr. Schroeder that a three unit building could also

be built here, and discussed with Ms. Ryan why the applicant is proposing two units rather than three on the site.

Chair Melton opened the public hearing.

George Novitsky, with SC Design Group, discussed aspects of the proposed project.

Eva Maria Merg, a Sunnyvale resident, discussed her concern with the proposed project.

Larry Marcus, a Sunnyvale resident, said he is not against the project, but requested that the Planning Commission really scrutinize the UP process and build homes to City guidelines.

Mr. Novitsky addressed the neighbors' concerns.

Chair Melton closed the public hearing.

Comm. Klein confirmed with Mr. Schroeder that the accessory living unit ordinance would require two covered and two uncovered parking spaces for the home and one additional parking space for the secondary living unit. Comm. Klein also confirmed with Mr. Schroeder that the ordinance requires the property owner to reside in one of the units for 20 years.

Vice Chair Harrison moved Alternative 2 to approve the Tentative Parcel Map, Use Permit, and Design Review with the modified condition for nine foot first floor and 8 foot second floor plate heights.

Comm. Rheaume seconded.

Comm. Harrison said we are reviewing this project because it is a smaller lot that needs a Use Permit in order to subdivide it, and the lot widths are less than the minimum. She said in that it meets every other rule set forth and the zoning requirements of having two dwelling units on this lot, she does not see a reason to deny it, except that very tall plate heights would make it inconsistent with the neighborhood while shorter plate heights would make it more consistent.

Comm. Rheaume said he can support the motion and make the findings. He said it was confusing at first but after hearing staff and Commissioner comments he understands and agrees with Vice Chair Harrison about the plate heights on the

first and second floor, especially on smaller lots. He said the project will make an improvement to the neighborhood and, as stated by the applicant, the homes will be pushed back further so there will be better visibility going from Norland to Alberta. He noted that there will be increased parking with a two car garage and two uncovered parking spaces in addition to four off-street parking spaces. He said most of the street going north is zoned R-2 with some R-3, so this is a mixed neighborhood and based on that he can make the findings.

Comm. Olevson said he will be supporting the motion, and that when driving around the neighborhood it is difficult to see when there is a clear demarcation between R-2 and R-1 zoning designations from single family homes to more than that on a single property. He said he was concerned about the different standards we were applying to come up with a recommendation but that he understands this will be a net improvement to the neighborhood. He noted that it will be adding off-street parking and reducing the amount of cars parked on Alberta because there will be a driveway and other places where people cannot park which will open that street up a bit. He said an enforced vision triangle will have the benefit of making egress from Norland to Alberta safer, that the home and living unit crowds the visual appearance of this corner and that changing that to two attractive and modern homes will be a net improvement. He said he can make the findings that this proposed use attains the objective of the General Plan, that the general appearance of the structures and use made of the property are compatible with the existing neighborhood and will not impair its use going forward. He said he cannot make the negative findings for the Parcel Map that would kill the project, and added that he looks forward to the project moving forward.

Comm. Simons said there are a lot of positives for this development, and that it is always interesting to learn more about how the City is planned. He said the zoning does allow this separation but we have to determine whether the scale of the houses being planned for is appropriate because of the surrounding houses. He said regarding how the house is oriented within the neighborhood, if you think of it as part of the Alberta neighborhood we are making it consistent with the rest of the development on Alberta going toward Saratoga-Sunnyvale; however, if you think this is part of the neighborhood on Norland and Hollenbeck, it is inconsistent, and though the zoning may be slightly different it is going to be changing to a higher development. He said he can make the findings for the map because it is part of the City rules, but as far as design and scale he recommends smaller homes so the applicant would not have to come before the Planning Commission. He said he would prefer the houses be oriented toward the types of homes on Norland because that is how he thinks it looks, but that the scale of the houses, the additional second unit and splitting the property will make it less compatible with

what he has always thought of as the neighborhood.

Chair Melton said he will be supporting the motion, and thanked the members of the public for coming out to speak. He said he appreciates staff helping to provide clarity regarding splitting the lots, and that not much time was spent on the design of the projects, which he likes and is comfortable with. He said the applicant could have come in with a different design, potentially with Spanish tile roofs or something more ostentatious, but that this design will fit into the neighborhood. He requested that staff in the Transportation and Traffic Division take a look at the intersection between Alberta and Norland and the signaled intersection at Hollenbeck and Alberta, where the queue backs up on south bound Hollenbeck as people turn left onto Alberta.

MOTION: Vice Chair Harrison moved Alternative 2 to approve the Tentative Parcel Map, Use Permit, and Design Review with the modified condition:

- 1) To reduce the plate heights to nine feet on the first floor and eight feet on the second floor.

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

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheume

No: 1 - Commissioner Simons

- 5 [15-0189](#) **FILE #:** 2015-7636
Location: 838 Azure Street and 842 Sunnyvale-Saratoga Road (APN: 211-18-030)
Proposed Project:
 General Plan Amendment Initiation request to study changing the General Plan from Low Density Residential to Low Medium Density Residential.
Applicant/Owner: Xin Lu (owner)
Project Planner: Gerri Caruso, (408) 730-7591, gcaruso@sunnyvale.ca.gov
Environmental Review: Not required to initiate a General Plan study. The potential General Plan change and future projects will be subject to the provisions of the California Environmental Quality Act (CEQA).

Trudi Ryan, Planning Officer, presented the staff report.

Comm. Olevson clarified with Ms. Ryan the definition of the General Plan designations Residential Low Density (RLO) and Residential Low Medium Density (RLM).

Comm. Simons commented on few areas in the City being designated for large lot homes, and confirmed with Ms. Ryan that most single family residential lots are designated RLO and that lots measuring a third of an acre have mostly disappeared.

Chair Melton and Ms. Ryan discussed the scale of the conceptual site plan and the size of the proposed units on the property.

Chair Melton opened the public hearing.

Roger Griffin, with Paragon Design Group representing the applicants, discussed the reasoning behind and benefits of initiating the General Plan Amendment (GPI) study.

Joseph Cammarata, a Sunnyvale resident living near the subject property, discussed his opposition to the request and expressed concern with the current traffic situation. Chair Melton confirmed with Mr. Cammarata that there is no driveway into the subject property on Azure Street.

Joe Vojvoda, a nearby Sunnyvale resident, discussed his concern with the liquidambar trees on the subject site and requested that they be removed if a General Plan Amendment (GPA) is approved. Comm. Simons and Mr. Vojvoda discussed the frequency with which a resident can request removal of a

liquidambar tree.

Mr. Griffin addressed Commissioners' and neighbors' concerns.

Chair Melton closed the public hearing.

Comm. Klein moved to recommend to City Council Alternative 1 to initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R 1.5, R 1.7 and R 2.

Comm. Olevson seconded.

Comm. Klein said this is a transitional property when you are looking at the density north and south of it, and that changing the configuration and closing down that driveway exit onto Sunnyvale-Saratoga Road would be a big benefit in the long run if and when this property is developed in the future. He said this is one step toward staff and Council looking at the request to change the zoning designation on the property, and that removing the driveway and adding homeownership opportunities in the neighborhood is a positive change. He said he understands the neighbor's concern about density, and that he would like staff to look at working with other departments to determine what issues are happening here and whether traffic calming measures should be put in place to alleviate some of the issues with pass through traffic coming into this neighborhood. He said rezoning the property is in line with General Plan goals and is appropriate for this site.

Comm. Olevson said he is supporting the motion based on the comments of the owner wanting to upgrade this area, and that having a transitional property makes sense, but that he does not know that with certainty. He said hearing the comments from the neighbors, it is clear that we have many unknowns and a study is entirely appropriate to determine if this makes sense for Sunnyvale and this neighborhood. He said because we are not here to discuss a specific design, a study of transitional zoning makes sense.

Comm. Simons said he will be voting against the motion partly because when you study it you do change it, mostly if it is converted to a different designation. He said this is potentially a lost opportunity for a large lot house which is rare, and he feels the same way with industrial areas that get converted to housing. He noted that he is not against the Industrial-to-Residential (ITR) designation and has watched the City convert large sections, but that large contiguous areas are a rare thing, and we

lose the ability to host large corporate headquarters when that land is lost. He said here we are creating more of the same housing that is very plentiful in the City, and that it may not even be appropriate to get a 6,000 square foot house or two smaller homes connected as one place. He said he is not expecting four houses but five houses on this site because that is what the zoning allows, and he recommended staff look into having the liquidambar trees taken out.

Chair Melton said he will be supporting the motion and quoted Mayor Jim Griffith who has said he loves studying things especially when he does not have to pay for them. He noted that the fiscal impact of developing the property and the California Environmental Quality Act (CEQA) requirements will be covered by the applicant. He said he supposes it is worth studying a zoning change of one lot that is adjacent to another, but that the prospect of this change is very underwhelming. He said some good could come out of it by getting a driveway off of Sunnyvale-Saratoga and getting some traffic calming measures in place, but he will reserve judgment until a later time. He added that he is willing to study it and that would be his recommendation to City Council.

MOTION: Comm. Klein moved to recommend to City Council Alternative 1 to initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R 1.5, R 1.7 and R 2.

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

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume

No: 1 - Commissioner Simons

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Ms. Ryan presented a list of already proposed potential study issues for 2016, and noted that this meeting is the final night to propose potential study issues.

Chair Melton confirmed with Ms. Ryan that the Planning Commission has received and voted to forward as a potential study issue the Concierge Trash Service issue.

Vice Chair Harrison discussed with Ms. Ryan the long range project of the Climate Action Plan (CAP) that looks at different ways to have more accessory living units and promotes live-work units. Vice Chair Harrison said there are some lots very close to shopping, employment and public transportation that seem extremely suitable for something other than single family homes, and noted that our vision, General Plan and CAP support this. She said her effort was to try to encourage developers to consider these units because they are a need in our community, and that she is unsure about what the CAP project will address. Ms. Ryan said she could provide more information on the CAP project and cautioned that the City has allowed live-work units for some time, but that there may not be a market for them.

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

MOTION: Vice Chair Harrison moved forward to City Council as a potential study issue: Consider methods to encourage alternative, non-traditional housing in high-density residential areas.

Comm. Klein seconded. The motion carried, 5-1 with Comm. Simons dissenting.

Chair Melton proposed a study issue to review the Zoning Code for changes arising from the implementation of the Urban Forest Management Plan.

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

MOTION: Chair Melton moved to forward this item to City Council as a potential study issue.

Comm. Simons seconded. The motion carried, 6-0.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Chair Melton noted that the Planning Commission received an email regarding the Palo Alto Medical Foundation-Sobrato development and he drove down Ramona and Blair Avenues and Lynn Way to take a look. He also asked Ms. Ryan to discuss during staff comments the Planning Commission decisions City Council called for review or were appealed.

-Staff Comments

Ms. Ryan discussed Planning-related City Council items, and the two projects that have either been appealed by the applicant or called up for review by the City Council. Ms. Ryan added that regarding item number 4 earlier on this evening's agenda where the neighbor was concerned about construction over a former pool, she found a building permit online showing that the demolition of the swimming pool was inspected and the permit finalized.

INFORMATION ONLY ITEMS

None.

ADJOURNMENT

With no further business Chair Melton adjourned the Planning Commission meeting at 11:29 p.m.