



City of Sunnyvale

Meeting Minutes - Final

Planning Commission

Monday, April 25, 2016

7:00 PM

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

7 P.M. STUDY SESSION

1 Call to Order in the West Conference Room

2 Roll Call

3 Study Session

A [16-0339](#) **File #:** 2014-7659
Location: 590 W. El Camino Real (APN: 201-22-006)
Zoning: C-2/ECR (Highway Business/El Camino Real Precise Plan)
Proposed Project: Demolition of existing auto repair and sales facility for a new 85-room hotel.
Applicant / Owner: Degan Development Corp.
Environmental Review: Mitigated Negative Declaration
Staff Contact: Margaret Netto, (408) 730-7440, mnetto@sunnyvale.ca.gov

B [16-0419](#) **File #:** 2015-7686
Location: 830 E. El Camino Real (APN: 211-25-046)
Zoning: C-2/ECR (Highway Business/El Camino Real Precise Plan)
Proposed Project:
SPECIAL DEVELOPMENT PERMIT to allow the demolition of an existing one-story restaurant (previously Crazy Buffet) and construct a new 130-room, four story hotel over one level of underground parking, including associated site improvements.
Applicant / Owner: Sunnyvale HHG Hotel Development, LP
Environmental Review: Mitigated Negative Declaration
Staff Contact: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

4 Public Comment on Study Session Agenda Items

5 Adjourn Study Session

8 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Melton called the meeting to order in the Council Chambers.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

Present: 7 - Chair Russell Melton
Vice Chair Sue Harrison
Commissioner Ken Olevson
Commissioner Larry Klein
Commissioner Ken Rheaume
Commissioner David Simons
Commissioner Carol Weiss

ORAL COMMUNICATIONS

Vice Chair Harrison announced donation options for the victims of the large fire at Twin Pines Manor Apartments in Sunnyvale.

Maria Hamilton, Sunnyvale resident, discussed her concerns with developers cashing in on growth in Sunnyvale and recent rezoning decisions not considering the improvement of neighborhoods.

CONSENT CALENDAR

Commissioner Klein pulled Item 1.A.

Commissioner Simons moved and Vice Chair Harrison seconded the motion to approve item 1.B on the Consent Calendar.

The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons
Commissioner Weiss

No: 0

1.A [16-0418](#) Approve Planning Commission Meeting Minutes of April 11, 2016

Commissioner Klein commented on the terseness of the draft minutes after a

motion is made and said that each Commissioners' reasons for support of, or opposition to, a specific motion is critical as recommendations are made.

MOTION: Commissioner Klein moved and Commissioner Simons seconded the motion to have staff rewrite the April 11 minutes to capture the reasoning behind the motions and voting of each Commissioner, and to bring the rewritten minutes back during the next Planning Commission meeting.

Chair Melton said he will not support the motion as he thinks the message has been delivered to staff regarding future minutes and he approves of the draft minutes as written.

The motion carried by the following vote:

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

No: 1 - Commissioner Rheume

Abstained: 1 - Chair Melton

1.B [16-0420](#) **File #:** 2014-7836
Location: 487 Torrey Pine Terrace (APN: 213-72-054)
Zoning: M-S/ITR R-3 (Industrial and Service/Industrial to Residential, Medium Density Residential)
Proposed Project:
 USE PERMIT to allow a large family child care in a condo within a multi-family residential development.
Applicant / Owner: Vennila Kids Academy
Environmental Review: Categorically Exempt Class 1
Project Planner: Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov
NOTE: *The Use Permit was withdrawn by the applicant/owner on April 19, 2016 due to neighborhood concerns and difficulty in meeting Department of Public Safety (Fire Prevention) exiting requirements.*

PUBLIC HEARINGS/GENERAL BUSINESS

2 [16-0332](#) **File #:** 2015-7530 and 2015-7936
Location: 521 E. Weddell Drive (APN: 110-14-196), 531 E. Weddell Drive (APN: 110-14-186), 539 E. Weddell Drive (APN: 110-14-158), 1010 Morse Ave. (APN: 110-14-202), Hetch Hetchy ROW (APN:

110-14-202)

Proposed Project:

GENERAL PLAN AMENDMENT: Proposed land use designation change from Industrial to School or from Industrial to Commercial Neighborhood on three parcels (521, 531, and 539 E. Weddell Drive), and from Industrial-to-Residential/Medium-to-High Density to Park on one parcel (1010 Morse Ave. - Seven Seas Park), and from Industrial to Park on one parcel (Hetch Hetchy ROW);

REZONING from MS-POA (Industrial and Service/Places of Assembly) to PF (Public Facilities) zoning or from MS-POA (Industrial and Service/Places of Assembly) to C1 (Neighborhood Business) zoning on three parcels (521, 531 and 539 E. Weddell Drive), and from MS-ITR-R3-PD (Industrial and Service - Industrial to Residential/Medium Density Residential/Planned Development) to PF (Public Facilities) zoning on one parcel (1010 Morse Ave. - Seven Seas Park), and MS (Industrial and Service) to PF (Public Facilities) zoning on one parcel (Hetch Hetchy ROW);

USE PERMIT for the use of an existing building (539 E. Weddell Dr.) for a public charter middle school of up to 400 students.

Applicant / Owner: Sunnyvale International Church and Summit School (applicants) / Sunnyvale International Church (owner - 521 and 539 E. Weddell Drive), 1st Morning Light Chinese Christian Church (owner - 531 E. Weddell Drive), City of Sunnyvale (owner - 1010 Morse Ave.), and City and County of San Francisco (San Francisco Public Utilities Commission - Hetch Hetchy ROW).

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

NOTE: *Consideration of this item has been continued to a date uncertain. The project will be re-noticed and re-advertised.*

Planning Officer Andrew Miner noted that staff has determined the appropriate process to continue the General Plan Amendment, Rezone and Use Permit and is now recommending continuance of this item to a date certain of May 9, 2016.

Planning Officer Miner added that staff will re-notice individuals but not re-advertise the project in the newspaper as this Public Hearing serves as the legal notification of the continuance of this item.

Commissioner Simons inquired if the Planning Commission will be having a special meeting in May.

Chair Melton opened the Public Hearing.

Kevin Bock, principal of Summit Denali, provided information about Summit Denali

School.

Heather Chen, Sunnyvale resident, spoke in support of the school and application.

Yang Chung, parent of a student at Summit Denali, spoke in support of the school and application.

James Chen, Sunnyvale resident, spoke in support of the school and application.

Chair Melton closed the Public Hearing.

MOTION: Commissioner Klein moved and Commissioner Simons seconded the motion to continue this item to the Planning Commission meeting of Monday, May 9, 2016.

Commissioner Simons inquired about whether the application will be re-advertised and re-noticed if the motion passes.

The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons
Commissioner Weiss

No: 0

- 3** [16-0233](#) **File #:** 2015-7756
Location: 803 W El Camino Real (APN: 165-01-029, 042, and 043)
Zoning: C-2 / ECR (Highway Business / El Camino Real Precise Plan)
Proposed Project: Related applications on a 2.59-acre site:
 SPECIAL DEVELOPMENT PERMIT for a mixed use development on a 2.97 acre site with 49 residential units (40 apartments + 8 attached single family homes + 1 detached single family home), approximately 5,662 square feet of commercial space, and expansion of the adjacent Grand Hotel (51 rooms)
 VESTING TENTATIVE MAP to subdivide the 3 existing lots into 11 separate lots. A condominium map is requested for lot #11.
Applicant / Owner: De Anza Properties (applicant) / Pastoria El Camino Partnership (owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Ryan Kuchenig, (408) 730-7431,
rkuchenig@sunnyvale.ca.gov

Senior Planner Ryan Kuchenig provided presented the staff report and responded to Commissioner questions.

Vice Chair Harrison inquired about whether the proposed bus pad treatment meets VTA standards and if there are upcoming changes to the standards.

Vice Chair Harrison inquired about what the storefront windows on the garage look at.

Vice Chair Harrison inquired if there is precedence for reduced setbacks or deviations for setbacks on this street.

Vice Chair Harrison inquired about the location of the public art requirement.

Commissioner Rheume clarified the rear setback distance.

Commissioner Rheume referred to the project data table and inquired about the FAR.

Senior Planner Kuchenig noted that he provided an updated data table on the dais with the corrected FAR.

Planning Officer Miner noted that the City has no standard for FAR for multifamily residential projects.

Commissioner Rheume inquired about the requested deviation for lot coverage.

Commissioner Klein requested specification of the differences between the data tables.

Senior Planner Kuchenig noted that the existing and proposed total lot size and FAR were corrected, and noted the inclusion of a line for single family floor area.

Commissioner Klein clarified the setback on South Pastoria for which a deviation is requested.

Commissioner Klein inquired about the location of the bus stop.

Commissioner Klein inquired as to why no deviation is requested for the shading of

the proposed hotel extension building.

Commissioner Klein inquired about obstructions to the vision triangle turning right from Pastoria onto westbound El Camino Real.

Commissioner Klein inquired about the number of additional existing trees that will be saved beyond the 16 redwoods discussed.

Commissioner Olevson inquired if the upcoming Precise Plan for El Camino Real has an influence on the decision of the Planning Commission.

Commissioner Olevson inquired if there is a City code specifying the number of hotel rooms allowed based on the size of a lot.

Commissioner Olevson clarified the setback of the east side of the proposed hotel annex building.

Commissioner Olevson inquired about the number of bedrooms in the residential building supported by 80 parking spaces.

Commissioner Olevson inquired if there is a standard for allowing tandem parking for the hotel.

Commissioner Olevson inquired about who holds the key to the gate on El Camino.

Commissioner Olevson noted a typo in Attachment 3 where it is stated that City Council, rather than the Planning Commission must make the findings.

Commissioner Weiss inquired as to whether EV chargers will be available in the garage for the apartment units and how many.

Commissioner Weiss inquired as to why no BMR units are required for the rental units.

Commissioner Weiss inquired if any special assistance will be given to the existing businesses in the lot.

Commissioner Simons inquired if integration of the art work into the building was considered.

Commissioner Simons inquired if the bus pad size requirement is in the COAs.

Commissioner Simons inquired if staff is considering requiring more bicycle parking than the minimum.

Chair Melton inquired about the tools that exist to help Planning Commissioners control the density and height of projects in this zoning district.

Chair Melton clarified that the applicant is asking for a deviation for lot coverage.

Chair Melton requested the lot coverage, FAR and the height of the Sobrato building to the west.

Chair Melton requested staff discuss the community benefit that justifies the applicant's request for 54 percent lot coverage.

Planning Officer Miner provided the requested information regarding the Sobrato building.

Chair Melton clarified that increased BMR units is not the prerogative of the Planning Commission.

Chair Melton inquired if a consultant from Engeo was present to answer questions.

Chair Melton inquired about the contemplated mitigation for the sites previously used as a gas station and dry cleaner.

Chair Melton inquired if a consultant from Hortscience was present to answer questions.

Chair Melton inquired if the loose tree disposition plan page in the plans is the most recent.

Chair Melton commented on the proposal to remove the trees on Olive Avenue that are most suitable for preservation.

Chair Melton inquired about which trees are proposed to be saved.

Chair Melton inquired about the increase and/or decrease in net a.m. and p.m. vehicle trips.

Planning Officer Miner provided additional information regarding the Sobrato

building.

Chair Melton opened the Public Hearing.

Applicant John Vidovich provided information about the application.

Commissioner Simons inquired about whether the art will be integrated into the building.

Commissioner Simons inquired about a potential increase in the number of bicycle parking spaces.

Commissioner Simons inquired about the materials used for the implementation of the stormwater management plan.

Commissioner Simons inquired about the proposed roofing material.

Commissioner Simons inquired if the applicant is amenable to a requirement to save trees 265-269.

Commissioner Simons inquired if the applicant is amenable to a requirement for a vapor barrier under the residential units.

Commissioner Weiss inquired about the number of establishments potentially fitting into the proposed project.

Commissioner Weiss inquired about whether the existing businesses onsite would remain.

Vice Chair Harrison inquired if there is currently valet parking at the hotel.

Vice Chair Harrison inquired about whether consideration was given to making the pedestrian pathway run from Pastoria through to El Camino.

Vice Chair Harrison inquired about what view people would get through the proposed storefronts on the podium parking.

Vice Chair Harrison commented on the storefront on the garage being a possible place for art.

Commissioner Klein inquired if the applicant considered adding more retail to the

project.

Commissioner Klein inquired if the pork chop island that would prevent turning left into the project fromt Pastoria is part of the applicant's plans.

Commissioner Rheume clarified the location and width of the pedestrian pathway.

Commissioner Rheume inquired about why the two trees on El Camino near the bus stop were not proposed for preservation.

Commissioner Rheume commented on the bland design of the hotel building and inquired if the applicant is amenable to additional architectural enhancement.

Commissioner Rheume added vegetation.

Chair Melton noted the conditions and rank of suitability for preservation of the two trees near the bus stop.

Chair Melton inquired about the proposed mitigation for the sites previously used as a gas station and dry cleaner.

Applicant Larry Yamaoka provided background information about site clean up and future mitigation.

Chair Melton clarified that the whole building will be demolished.

Chair Melton inquired about who tested the soil and concluded that there was a significant level of toxins 30-40 feet below the surface.

Chair Melton commented on the varying health of the trees onsite and noted that protected trees proposed for removal would need to be replaced.

Stan Hendryx, Sunnyvale resident, suggested moving the buses out of traffic lanes and spoke of his concern about the need of affordable housing.

Denise DeLange, Sunnyvale resident, spoke of her concern with saving the onsite trees.

Deborah Marks, Sunnyvale resident, discussed her concern with saving the onsite trees and spoke in opposition to the placement of the duplexes on Olive.

Patrick Ng, Sunnyvale resident, spoke of his concern with increased traffic and safety in this area.

Applicant John Vidovich provided additional information about the site.

Chair Melton closed the Public Hearing.

Commissioner Klein inquired about whether a median would be constructed to restrict access turning left into the site from northbound Pastoria.

Commissioner Simons inquired about the requirements for approving the Vesting Tentative Map.

Commissioner Simons inquired if approving or denying the condominium map is required during this meeting.

Commissioner Simons inquired about the opinion of staff regarding the proposed bioswales.

Commissioner Simons inquired if there has been discussion regarding enhancing the look of the proposed concrete.

Commissioner Simons inquired if it is possible to require pervious material to be placed around existing trees.

Commissioner Simons inquired about the difficulty of requiring a vapor barrier beneath the residential units.

Commissioner Simons inquired if staff is amenable to adding a recommendation to look into the use of roof material with more efficient cooling and heating properties.

Vice Chair Harrison inquired if the map indicates a difference between multifamily residential that is for sale versus for rent.

Chair Melton clarified the type of tree that would need to replace a protected tree if one is removed.

Chair Melton clarified that a Planning Commissioner would have to point to a specific negative finding to justify denying a Tentative Map.

Commissioner Klein moved and Commissioner Simons seconded the motion for

Alternative 2: Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration, and approve the Special Development Permit and Vesting Tentative Map subject to modified conditions of approval:

- 1) Require EV charging stations as per the calculation by staff;
- 2) Evaluate art as part of the building design if possible, and have the developer work with staff on the location;
- 3) Look at saving the two Elm trees on El Camino Real, if possible;
- 4) Evaluate moving the bus stop farther west on El Camino Real; and,
- 5) Have staff look at traffic calming measures on Olive Avenue.

Commissioner Klein said he appreciates the progress on the project from its first iteration, and applauds the developer for working with the community while designing a mixed use site. He said he regrets the reduction in retail but that the City needs additional housing, and that the proposed single family homes facing Olive create a transition from El Camino to Olive and the existing single family homes. He noted that the back wall of the hotel is not the most pleasant thing to look at on Olive, but that the trees enhance the drive and new single family homes will create a streetscape similar to that further west on Olive. Commissioner Klein said it is great to see more mixed use projects in the City, and that when multiple types of functionality are on the same site it immediately affects FAR, especially on El Camino where we are trying to make the use of retail and housing as good as possible. He said he applauds the neighbors for advocating saving as many trees as possible and that all of the Planning Commissioners are behind that concept. He noted that staff walked the site with the applicant to work on saving trees, particularly those on Olive and Pastoria deemed in good condition and enhancing the entrance to that neighborhood. He said he was able to make the findings and that this is a good site and project to set the tone for this area. He said there is a mix of retail on El Camino and that we are seeing more housing and hotels, that it is best to get these mixed uses and having one site here provides that capability and atmosphere the community seeks. He said he is happy to see that the applicant has solved some of the traffic issues, and noted that there are resources online for the public wanting the City to look at traffic calming in their neighborhood. He said he really likes the project, that it has moved greatly from where it began and he looks forward to it moving forward.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to require the largest possible tree species appropriate for this plant zone for the replacement trees, except for the street trees. Commissioner Klein accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to

recommend to staff and the developer consideration of the use of pervious concrete around trees 254 and 255 if they will be saved. Commissioner Klein accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to increase the bicycle parking requirement to 16 Class I spaces and four Class II spaces. Commissioner Klein accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to recommend that the metal material used for the roof is environmentally superior with high reflectivity. Commissioner Klein accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to recommend improving the texture and color of the driveways and internal sidewalks to be reviewed and approved by the Director of Community Development. Commissioner Klein accepted the friendly amendment.

Commissioner Simons said there were many comments from Commissioners made during the study session that were concerned with architectural detail, the look from the streetscape and how many trees to save, and that many of the architectural elements discussed have been implemented. He said the project design has been greatly improved since the study session. He said the unusual aspect of these lots being developed all at once is that there are many protected trees in great shape and that the City has a rule regarding saving as many trees as possible if they are not being removed due to building construction. He noted that some major trees in great shape are being saved on the corner of Olive and Pastoria so it will look like a development that has significant trees, and that the addition of the native trees required tend to grow better than other trees added into City. He complemented the architecture of the project, and said this is a unique lot that will be improved by saving the existing tree species, and that the looks and finishes are going to be reviewed and improved by the Director of Community Development.

FRIENDLY AMENDMENT: Vice Chair Harrison offered a friendly amendment to have the applicant consider connecting the pedestrian pathway to make it accessible from Olive Avenue. Commissioner Klein and Commissioner Simons accepted the friendly amendment.

Vice Chair Harrison said the architecture is good and applauded the applicant for adding a lot of housing, for keeping as much retail as possible, saving as many trees as possible and for placing a commercial use there. She said the single family

homes facing Olive are a good idea as long as a majority of the trees can be preserved.

Commissioner Rheume said he was not initially keen on the project because he thought the applicant was trying to shoehorn too much into too small of a property, but that we do need more housing. He said he likes the integration of single family homes facing others on Olive, and that saving trees also provides a screen from the single family homes to the four story building. He added that the pathway through the project is a nice feature.

Commissioner Olevson said when driving down Olive a variety of things are seen from barely acceptable to very nice, and that recently a project was approved wherein the developer had a large structure that stepped down so it did not appear as a massive wall facing residential homes. He said in this case we have low story residential homes which will be a major improvement for this area. He said keeping the trees is a great idea, that he cannot make the findings to deny the Tentative Map and that this project meets the General Plan.

Commissioner Weiss said this is a good mixed use development especially considering what the site looked like before with most of it standing empty for a long time. She said this is a good use of the zoning, that she is glad to see an annex added to the adjacent hotel. She said the project is adding to the housing stock and that she strongly urges the applicant to try adding affordable housing if at all possible because it would be substantive community benefit and hugely appreciated.

Chair Melton said regarding the trees on Olive one position to take is that it would be good a good idea to save 100 percent of the trees, but that some trees are in better condition than others. He said everyone has done a good job to save as many of the good trees and those with a short life span will be removed and replaced by the developer with new box trees so we have a good balance on this issue. He said traffic on the whole will be decreased during the peak hours as a lot of the traffic is derived from the current use, particularly from the fast food restaurant. He said we are increasing the stock of single family dwellings and rental units, that he cannot make any of the negative findings that would disqualify the Vesting Tentative map and that the subdivision is consistent with the General Plan.

Planning Officer Miner clarified that the friendly amendment made by Vice Chair Harrison is a recommendation and not a requirement.

The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons
Commissioner Weiss

No: 0

Planning Officer Miner announced that this decision is final unless appealed to, or called up for review by the City Council within 15 days.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Commissioner Simons requested modifying a sponsored study issue regarding the review of Special Development Permit expansion options and zoning issues. He suggested developing short guidelines for adapting units to make them ADA compliant and acceptable to the City. Planning Officer Miner said staff will amend the study issue.

Vice Chair Harrison requested a study issue on publishing a more user friendly municipal code with search features linking different pieces together. Planning Officer Miner said staff is rewriting the code and that it will have linked pages. Senior Assistant City Attorney Moon noted that the current code is outdated, but is a searchable document. She said staff can look into updating the code and that it would not have to be a study issue.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Chair Melton noted that staff can provide the sub-reports of a Mitigated Negative Declaration staff if anyone is interested in seeing them.

-Staff Comments

Planning Officer Miner noted that City Council approved the Dartshire single story combining district on April 19, and certified the EIR and approved the Specific Plan Amendment and Rezone for the Moffett Towers II project. He also noted that Council amended the zoning code for Water Efficiency Landscaping Standards, and announced that there may be three more single story combining district requests coming up.

ADJOURNMENT

Chair Melton adjourned the meeting at 10:48 p.m.