

accomplish these features is rarely done and can be used to accommodate a variety of architectural styles and provide a pleasant environment. He added that diversity in architecture is nice and that this project will be a benefit to the City.

Commissioner Olevson said he supports the motion and can make the findings under the California Environmental Quality Act to support the Mitigated Negative Declaration. He said he supports the finding that the project is in the community interest and meets the General Plan for the Special Development Permit. He said he cannot make any findings for the Tentative Map that would deny the project.

Commissioner Weiss said this project fits in well with the neighborhood in terms of scale, color and architecture, and that she likes the fact that it allows for neighborhood use of the water channel in the future. She said she can make the findings and looks forward to it being built and inhabited.

Commissioner Melton said he can make the findings, that he likes the project and congratulated the applicant on parcel aggregation. He said he can only imagine all the different owners the applicant had to talk to and their different business goals. He said he likes the path on west edge of the property and that the applicant has respected the minimum and maximum densities prescribed by zoning. He said he typically does not like to see deviation requests but that all of the requests for this project are logical, and that he is looking forward to seeing the project come to fruition.

The motion carried by the following vote:

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

No: 0

4. [16-0799](#) File #: 2015-7576
Location: 1250 Lakeside Drive (APNs: 216-43-035 and -036)
Zoning: LSP
Proposed Project: Related LAKESIDE SPECIFIC PLAN
applications on an 8.83-acre site:

SPECIFIC PLAN AMENDMENT: to revise the land use configuration, increase the height allowance, and make other miscellaneous updates.

SPECIAL DEVELOPMENT PERMIT: for development of an existing vacant site with two new buildings and associated site improvements - a six-story, 263-room hotel with an attached 3,000 sq. ft. restaurant and an attached three-level above grade parking structure; and a five-story, 250-unit apartment building over a two-level, above-grade podium parking garage

TENTATIVE PARCEL MAP: to subdivide the site into two - with a lot for each land use.

Applicant / Owner: Sunnyvale Partners, Ltd (applicant) / Aircoa Equity Interests, Inc. (owner)

Environmental Review: Supplemental Environmental Impact Report

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

Associate Planner George Schroeder presented the staff report, and noted a change to the Conditions of Approval (COA) that would take the language regarding the lake access easement from GC-18 and carry it through to PN-2 and EP-3 for consistency.

Commissioner Howe discussed with Associate Planner Schroeder whether water and electricity would be metered separately for the residential portion of the project after construction completion, and verified with Planning Officer Andrew Miner that after a potential future condominium conversion gas, water and electricity would be separately metered.

Commissioner Weiss clarified with Associate Planner Schroeder why the project is exempt from paying in-lieu fees, and Commissioner Weiss said it is disappointing that the project would not contribute to remedying the affordable housing crisis. Commissioner Weiss confirmed with Associate Planner Schroeder that a further reduced development alternative that would eliminate a number of hotel rooms and apartments to reduce the significant and unavoidable impacts to several intersections was not considered a feasible alternative. Commissioner Weiss confirmed with Associate Planner Schroeder the locations of bicycle and vehicle parking, and that maintenance of the lake is shared by all property owners in the lake area.

Commissioner Simons verified with Associate Planner Schroeder that there is a COA requiring a master sign program, and commented on the lack of care and death of trees from a previous, incomplete project at this site. They also discussed whether consideration was given to the use of larger species trees on the site.

Commissioner Melton confirmed with Associate Planner Schroeder that the letter from Unite Here Local 19 was regarding expanding the shuttle service from the hotel to the airport, providing affordable housing onsite and a self-sufficient site for hotel workers to live in the residential units. They confirmed that the comments in the letter are directed more so at the project itself rather than the Environmental Impact Report (EIR).

Vice Chair Rheaume verified with Associate Planner Schroeder that the side-by-side driveway entrances are one way in and out of the property, and Vice Chair Rheaume commented on the need for more entrances to accommodate 250 residential units. Principal Transportation Engineer/Planner Carol Shariat and Franziska Church, with Fehr and Peers, said the traffic analysis of the driveways found no impacts to level of service and queueing. Vice Chair Rheaume discussed with Associate Planner Schroeder why several trees that are not close to buildings are proposed for removal.

Commissioner Howe verified with Associate Planner Schroeder that the entitlements for this project were granted by City Council in 2005, and confirmed with staff that this project is not subject to the housing mitigation fee because its application was deemed complete prior to the Ordinance requiring payment of the fee was adopted.

Chair Harrison discussed with Associate Planner Schroeder why the site is no longer considered within a flood zone.

Chair Harrison opened the Public Hearing.

Applicant Kurt Wittek, Jonathan Ward with NBBJ Architect, Jon Ennis with BDE Architects presented images and information about the proposed project.

Commissioner Weiss verified with Mr. Wittek that the modular units for the apartments would be produced in the US and those for the hotel manufactured in Poland, and that they would meet all environmental and safety standards. They discussed whether thought was given to having a convenience store for the residents.

Commissioner Simons commented on the selection of mostly ornamental trees for the site that may not live very long and Mr. Wittek said the applicant is open to comments regarding trees received by the City. Commissioner Simons confirmed with staff that wayfinding on pedestrian walkways, particularly at entrances and intersections would be included in the master sign program. Mr. Wittek added that the applicant is committed to continuing to work with the City to create the best level of landscaping and wayfinding.

Chair Harrison verified with Mr. Wittek that hotel employees are not excluded from using the shuttle service, and confirmed that the applicant is amenable to increasing the number of electric car charging stations.

Stephano Medina, with Unite Here Local 19, discussed concerns with the transportation impacts of the project which would be improved by the extension of shuttle program. He questioned how the project fits into Sunnyvale's wider plans for affordable housing and said the developer should pay a housing impact fee as the project will create low wage jobs in a city with a lack of affordable housing.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Simons moved and Commissioner Olevson seconded the motion to recommend to City Council Alternatives 1, 3 and 6:

- 1) Certify the Supplemental Environmental Impact Report, make the findings required by CEQA, and adopt a Statement of Overriding Considerations and Mitigation Monitoring Program;
- 3) Adopt a resolution amending the Lakeside Specific Plan (LSP) per the text amendments as contained in the Resolution in Attachment 11; and,
- 6) Approve the Special Development Permit and Tentative Parcel Map with modified conditions:
 - a. Include wayfinding for pedestrian walkways, entrances and intersections;
 - b. Include COA GC-18 language in PN-2 and EP-3; and,
 - c. Use a native tree palette, which includes a significant quantity of estate sized genetic species trees that are appropriate for the site.

Commissioner Simons said his main issue with the project is landscaping that stems from the previous project being derelict for so long and the landscaping dying and which requires a review and placement of appropriate local flora on the site. He said he can make the findings and noted that the staff recommendation to carry the

language of GC-18 is appropriate and had to do with usage of the park and when it will be closed to the public.

Commissioner Olevson said he likes this project and is concerned that we approve projects that bring many new residents into the City, and though a fee is paid for more park amenities we never get new parks. He said this project clearly adds usable open space for the public which is a great addition to the City. He said he likes the architecture and is interested in observing how modules are set on top of each other to create what looks like attractive buildings. He said he can make the findings for the Special Development Permit and the Tentative Map and he is looking forward to the project progressing.

Vice Chair Rheume said he can make the findings and that this is a nice project with an iconic design. He said this is an atypical hotel design which will be noticeable from the highway, and that such a quality design should have the right type of landscaping rather than small ornamental trees. He said he is glad that the project will add public open space and that it is a good addition to the neighborhood.

Commissioner Weiss said she finds it unfortunate that the developer escapes being required to pay in-lieu fees for housing and that all of the modules will not be manufactured in the US. She said she appreciates that the architecture is dynamic, that the project has an inside-outside feel and the reciprocal access for hotel guests and apartment residents. She said she also appreciates the airport shuttle which will hopefully reduce some of the traffic congestion and the commitment to building and running a high quality restaurant that will be open to the public.

Commissioner Melton said he is supporting the motion and applauded the applicant for the endurance through a number of public outreach meetings and study sessions to get here. He said he likes the architecture and can make the findings as required by CEQA to certify the Supplemental EIR. He also applauded Stephano Medina with Unite Here for bringing up important points regarding hotel workers and he is glad to hear a level of cooperation from the applicant with regard to employees using the shuttle. He said that while he may agree with asking the developer to pay the housing impact fee to avoid creating further strain on the affordable housing market, it is well beyond the jurisdiction of the Planning Commission to unilaterally impose a housing impact fee on the applicant. He added that he is looking forward to the project coming to fruition.

Commissioner Simons confirmed with staff that his motion covered each element of the action items.

FRIENDLY AMENDMENT: Chair Harrison offered a friendly amendment to increase the number of electric car charging stations to the capacity of the existing infrastructure for the residential portion of the project and to include employee transportation needs in the TDM and shuttle programs. Commissioner Simons accepted. Commissioner Olevson denied the former amendment and accepted the latter.

AMENDMENT: Chair Harrison moved and Commissioner Simons seconded the motion to amend the original motion to increase the number of electric car charging stations from 63 to not more than 90 if within the capacity of the existing infrastructure for the residential portion of the project, and to include employee transportation needs in the TDM and shuttle programs.

Chair Harrison said we recently had a meeting with regard to the Climate Action Plan (CAP) and an idea was floated that the City should further electrify our infrastructure. She said the only impediment to increased electric car use is a lack of car charging stations, and that this recommendation may help further CAP goals.

Commissioner Melton verified with Planning Officer Miner that this motion is within the purview of the Planning Commission, and they discussed the extent of the Planning Commission's authority over this issue. Commissioner Melton said he will be supporting motion and agrees that it is important but that if motions such as these are to continue into the future the best way to approach it may be or City Council to create new policy.

Commissioner Howe clarified the motion with Chair Harrison, and said he would support it.

Commissioner Olevson said he is not supporting the motion because we are now jumping into helping the owner of the property design the project, which he has to make money on and it is inappropriate for an unelected body to change it on the fly. He said we have a process, albeit a laborious one, to study issues and present those results to City Council and ask them to change or extend the policy. He said here we are saying we have the authority to change the rules, and he does not know if 90 units is adequate or overbearing. He said he is not sure any of us know beyond it being a great idea, which is to electrify all cars and is subsidized by

taxpayers, and he is not convinced that this body has the authority to implement this change.

The amendment motion carried by the following vote:

Yes: 5 - Chair Harrison
Vice Chair Rheaume
Commissioner Howe
Commissioner Melton
Commissioner Simons

No: 2 - Commissioner Olevson
Commissioner Weiss

MOTION: Commissioner Simons moved and Commissioner Olevson seconded the motion to recommend to City Council Alternatives 1, 2 and 6:

- 1) Certify the Supplemental Environmental Impact Report, make the findings required by CEQA, and adopt a Statement of Overriding Considerations and Mitigation Monitoring Program;
- 3) Adopt a resolution amending the Lakeside Specific Plan (LSP) per the text amendments as contained in the Resolution in Attachment 11; and,
- 6) Approve the Special Development Permit and Tentative Parcel Map with modified conditions:
 - a. Include wayfinding for pedestrian walkways, entrances and intersections;
 - b. Include GC-18 language and carry it to PN-2 and EP-3;
 - c. Use a native tree palette, which includes a significant quantity of estate sized genetic species trees that are appropriate for the site;
 - d. Increase the number of electric car charging stations to the capacity of the existing infrastructure for the residential portion of the project; and,
 - e. Include employee transportation needs in the TDM and shuttle programs.

The motion carried by the following vote:

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

No: 0