



# City of Sunnyvale

## Meeting Minutes - Draft Planning Commission

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Monday, December 12, 2016

6:00 PM

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

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**Special Meeting - Study Session - 6 PM | Special Meeting - Public Hearing 7 PM**

### **6 P.M. STUDY SESSION**

**Call to Order in the West Conference Room**

**Roll Call**

**Study Session**

**A. [16-1147](#)**

**File #:** 2015-8110

**Locations:** 675 Almanor Ave. (APN's: 165-44-006 165-44-012)

**Zoning:** PPSP/IEAC

**Proposed Project:** To allow a 150,651 sq. ft. four-story office/R&D building and a detached five-level and partial underground parking structure, resulting in 100% FAR and located within the Peery Park Specific Plan area. The project includes a 2,500 sq. ft. retail space on the ground floor.

**Environmental Review:** The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c)(2), (3) and (4). The project is within the scope of the Peery Park Specific Plan Program EIR. The environmental impacts associated with the proposed development are adequately addressed and analyzed in the Peery Park Specific Plan Program EIR and/or can be substantially mitigated with the imposition of uniformly applied development policies and standards.

**Applicant / Owner:** Chang Architecture/Almanor Ventures LLC

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

**Public Comment on Study Session Agenda Items**

**Adjourn Study Session**

### **7 P.M. PLANNING COMMISSION MEETING**

#### **CALL TO ORDER**

**Present:** 6 - Chair Sue Harrison  
Vice Chair Ken Rheaume  
Commissioner John Howe  
Commissioner Russell Melton  
Commissioner Ken Olevson  
Commissioner Carol Weiss  
**Absent:** 1 - Commissioner David Simons

### **SALUTE TO THE FLAG**

Chair Harrison called the meeting to order at 7:00 PM in the Council Chambers.

### **ROLL CALL**

**Present:** 6 - Chair Sue Harrison  
Vice Chair Ken Rheaume  
Commissioner John Howe  
Commissioner Russell Melton  
Commissioner Ken Olevson  
Commissioner Carol Weiss  
**Absent:** 1 - Commissioner David Simons

Status of absence; Commissioner Simons' absence is excused.

### **ORAL COMMUNICATIONS**

None.

### **CONSENT CALENDAR**

- 1. A**     [16-1112](#)     Approve Planning Commission Meeting Minutes of November 28, 2016

Commissioner Melton moved and Commissioner Howe seconded the motion to approve the Consent Calendar. The motion carried by the following vote:

**Yes:** 5 - Chair Harrison  
Vice Chair Rheaume  
Commissioner Howe  
Commissioner Melton  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Simons

**Abstained:** 1 - Commissioner Olevson

**PUBLIC HEARINGS/GENERAL BUSINESS**

2.        [16-0942](#)        **File #:** 2016-7578  
**Location:** 1156-1198 Sesame Drive (APNs: 202-08-007 through 202-08-016), 1136-1160 Snowberry Court (APNs: 202-08-022 through 202-08-031), and 614-646 Torrington Drive (APNs: 202-08-017 through 202-08-021)  
**Proposed Project:** Introduction of Ordinance to **REZONE** 25 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)  
**Zoning:** R-1  
**Applicant / Owner:** Francois Cornillon (plus multiple owners)  
**Environmental Review:** The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Assistant Planner Aastha Vashist presented the staff report.

Commissioner Weiss discussed opposition to the project with Assistant Planner Vashist and confirmed that the reasons for opposition are unknown.

Commissioner Olevson noted that in recent Single Story Combining District applications there have been instances where adjacent non-Eichler homes could pose future privacy issues. Commissioner Olevson confirmed with Planning Officer Andrew Miner that there are no proposed non-Eichler properties within the project site area.

Chair Harrison confirmed with Planning Officer Miner that school district improvements are not subject to the City's regulations.

Chair Harrison opened the public hearing.

Applicant Francois Cornillon presented images and information about the proposed project.

Chair Harrison commented that the Commissioners have to find the rezoning to be in the public interest, affecting the prosperity of a significant number of people or the whole community, as opposed to benefiting a particular number of individuals. Chair Harrison asked the applicant to provide evidence that the rezoning affects the

prosperity of the whole community, considering that 11 of the 14 properties are not protected because of their proximity to the school. Mr. Cornillon advised the rezoning proposal is in the public interest as it relates to the heritage of the City and that these unique Eichler homes warrant preservation.

Chair Harrison commented that this project does not create a historical district and the height limitations go beyond the Eichler Design Guidelines. Chair Harrison noted that she will need further information to demonstrate that the rezoning meets the public interest.

Commissioner Weiss stated that in order to maximize privacy the project area would have to be expanded to include bordering areas where homeowners can build above a single story. Mr. Cornillon advised that there is a minimum distance between the fence and the school, should the school decide to build adjacent to the project site. Commissioner Weiss noted that Trumbull Court and Utica Court are not part of the single story overlays.

Commissioner Howe asked staff if teacher housing built on the school site would be exempt from the Single Story Combining District. Planning Officer Miner advised that if the school property was zoned with the Single Story Combining District any non-scholastic buildings would not be exempt.

Vice Chair Rheume asked staff to outline the total number and percentage of homes subject to recent Single Story Combining District rezoning request and the number of opposed individuals. Planning Officer Miner advised over 50% of the Eichler homes are included in recent rezoning and that staff would provide calculations.

Michael Wimble, Sunnyvale resident, spoke in favor of the application.

William Borucki, Sunnyvale resident, spoke in favor of the application.

Chair Harrison asked Mr. Borucki why he believes the single story overlay is of public benefit beyond the Eichler Design Guidelines. Mr. Borucki stated there are already two story homes in this area and while those homes must be consistent with the Eichler Design Guidelines, they have a detrimental effect on the privacy of Eichler homes.

Josephine Borucki, Sunnyvale resident, spoke in favor of the application.

Mr. Cornillon presented information about the current state of privacy for the homes

in the application.

Chair Harrison closed the public hearing.

Commissioner Melton confirmed with Planning Officer Miner that the Planning Commission's vote on this item is a recommendation to City Council, that Alternatives 2 - 4 would require four votes to pass and that Alternative 1 would require a majority to pass.

Commissioner Melton asked staff where the single story overlay districts ranked in the recent study issues rankings and Planning Officer Miner stated staff will obtain that information.

Commissioner Melton confirmed with Planning Officer Miner that the City Council determined single story overlay districts were in the public interest when the ordinance was implemented.

Planning Officer Miner answered Vice Chair Rheume's earlier question, advising that 204 of the 265 homes proposed within the Single Story Combining District supported the application and that 460 Sunnyvale homes are currently zoned in a Single Story Combining District, including 25 non-Eichler homes. Planning Officer Miner clarified that the 61 homes that did not support the application did not necessarily oppose the application.

**MOTION:** Commissioner Melton moved and Commissioner Howe seconded the motion to recommend to City Council Alternative 1 – find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3).

Commissioner Melton commented that staff did a great job compiling the environmental review in the staff report.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheume  
Commissioner Howe  
Commissioner Melton  
Commissioner Olevson  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Simons

MOTION: Commissioner Melton moved and Commissioner Howe seconded the motion to recommend to City Council Alternative 2 – introduce an Ordinance to Rezone 25 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

Commissioner Melton thanked Commissioner Howe for his second and the neighbors for coming to the Public Hearing. Commissioner Melton noted he can make the findings on this application and that the rezoning is in the public interest.

Commissioner Howe commented that the project is in the public interest and that hopefully the City Council ranks the importance of this study issue.

Vice Chair Rheume noted he will not support this motion since he cannot make the findings and does not believe it's in the best interest of the City. Vice Chair Rheume commented that this there are strict two story addition guidelines to protect privacy and that this rezone would prevent homeowners from investing in their property. Vice Chair Rheume noted that he appreciated the neighborhood's passion.

Commissioner Olevson stated he will support the motion because City Council approved this policy and the applicant has met all the criteria. Commissioner Olevson noted this rezone could prevent homeowners from building future expansions for additional family space.

Commissioner Weiss commented that the right to privacy is an implied right, not an absolute right, and this rezone request benefits one demographic at the expense of another. Commissioner Weiss stated that regardless of issue, the process was followed and she will support the motion.

Chair Harrison noted she will not support the motion because the applicant is not seeking to designate a historic district, which could be in the public interest. Chair Harrison stated she cannot make the findings that a single story overlay is in the public interest and that the application as it stands will not provide the desired privacy.

The motion carried by the following vote:

**Yes: 4 -** Commissioner Howe  
Commissioner Melton  
Commissioner Olevson  
Commissioner Weiss

**No: 2 -** Chair Harrison  
Vice Chair Rheume

**Absent: 1 -** Commissioner Simons

Planning Officer Miner advised that this item goes to the City Council in January and that the Single Story Combining District was ranked first in the Planning Commission study issue rankings.

3.        [16-0995](#)        **File #:** 2015-7302  
**Location:** 221 North Mathilda Avenue (APN: 165-27-010)  
**Zoning:** PPSP/IE (Peery Park Specific Plan / Innovation Edge)  
**Proposed Project:**    Related application on a 4.3-acre site:  
                         **PEERY PARK PLAN REVIEW PERMIT:** to allow the redevelopment of a former nursery into a three-story office/R&D building and a four-level parking structure with partial sub-grade parking, resulting in 145,516 square feet of floor area (80% FAR). The project also includes the restoration and adaptive reuse of the historic house.  
**Applicant / Owner:** Spear Street Capital  
**Environmental Review:** The project does not require additional CEQA review per CEQA Guidelines Section 15168(c)(2) and (4). The project is within the scope of the Peery Park Specific Plan (PPSP) Program EIR as there are no new anticipated environmental impacts and no new mitigation measures required.  
**Project Planner:** Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Associate Planner Momoko Ishijima presented the staff report.

Vice Chair Rheume asked staff to explain how traffic heading south on Mathilda Avenue would turn right on California Avenue once the “pork chop islands” island is removed. Associate Planner Ishijima explained that there will be pullback of the corner to allow for that right turn and that the Department of Public Works is actively removing pork chop islands because a traffic analysis concluded they impede pedestrian safety.

Vice Chair Rheume agreed that this change will benefit pedestrian safety and asked how the right hand turn modification will impact traffic. Planning Officer Miner stated that pork chop islands are being removed for pedestrian safety and are currently being removed from El Camino Real.

Commissioner Weiss confirmed with Planning Officer Miner that the property can

be accessed when driving north on Mathilda Avenue.

Commissioner Weiss asked staff if the analysis included the potential impact on the fire station located in the project area. Planning Officer Miner advised the best location for the fire station will be determined through a study by Public Safety, that it is a high priority and will be funded by the flexible community benefits.

Commissioner Weiss confirmed with Planning Officer Miner that CalTrain commuters can walk under the overpass and access the property by using the adjacent property's pedestrian path.

Commissioner Weiss noted that Condition of Approval BP-8c references a shopping center. Planning Officer Miner advised this is incorrect and it will be updated to state office development.

Commissioner Olevson asked staff to clarify the removal of orchard and non-orchard trees as it relates to protected trees on page two of the staff report. Associate Planner Ishijima clarified that the protected trees are not orchard trees and they will be preserved in place.

Commissioner Olevson confirmed with Planning Officer Miner that signage will indicate there is accessible open space for public use.

Commissioner Olevson asked staff to explain the flexible benefits fee calculation of 2.72% on page 5 of the staff report. Associate Planner Ishijima explained that the Floor Area Ratio is listed as 80% but the exact calculation of the square footage is slightly less than 80% so instead of 3% the fee calculation is 2.72%. Planning Officer Miner advised that the community benefits table lists whole numbers but precise numbers are used for the fee calculations, which accounts for any minor difference in square footage.

Commissioner Olevson commented that the proposed building is 375 feet along West California Avenue and asked staff to explain the additional 23.5 feet. Planning Officer Miner advised while the standard is 375 feet, this building is notched and set back 40 feet which reduces the building mass and allows for this deviation.

Commissioner Olevson confirmed with Associate Planner Ishijima that the applicant would fund the required signal modification after removal of the pork chop islands.

Chair Harrison opened the public hearing.



Craig Hines, representing Spear Street Capital, presented images and information about the proposed project.

Architect Franco Marinaro, representing Smith Group JJR, presented images and information about the proposed project.

Commissioner Howe confirmed with Mr. Marinaro that the historical house's fire access lane would utilize permeable pavement and access to the public amenities complies with ADA accessibility requirements. Landscape architect Richard Alcina further commented that the fire access lane consists of reinforced turf block.

Commissioner Howe confirmed with Mr. Hines that parking garage will house ADA spaces and provides access to the historical house and public open space.

Commissioner Howe commented on how the parking is addressed in the Conditions of Approval and asked Planning Officer Miner to advise how to clarify that wording before the public hearing is closed. Planning Officer Miner agreed and commented that staff will work with the applicant to ensure clear signage for visitor parking.

Commissioner Weiss confirmed with Mr. Hines that the house will have a historical plaque.

Commissioner Weiss asked Mr. Hines if CalTrain passes will be offered as a Traffic Demand Management (TDM) measure. Mr. Hines advised this is a possibility in order to meet the trip reduction requirement but at this time a determination has not been made.

Cynthia Lee, Sunnyvale resident, discussed her concerns with traffic and safety.

Deborah Floyd, Sunnyvale resident, discussed her concerns with traffic, especially for the fire engines, and public access to the historic house.

Deborah Marks, representative of Sunnyvale Urban Forest Advocate (SUFA), discussed her concerns with tree preservation.

Planning Officer Miner provided a verbiage recommendation regarding the parking, noting the following changes for Condition of Approval AT-7b: "clearly mark and provide necessary signage for all assigned guest and compact spaces including spaces available for publicly accessible area located on site". Planning Officer Miner commented that this Condition of Approval has to be followed at all times and

is not limited to the permit application.

Mr. Hines advised that they have tried to mitigate traffic concerns with carpool spaces, electric charging spaces and bike parking spaces, in addition to the required traffic impact and mitigation fees.

Mr. Alcina commented that of the two trees referenced by Ms. Marks, one is in poor structural condition and the second is too close to the corner of the garage.

Chair Harrison asked the applicant to explain the current state of public access to the historic house. Mr. Hines stated they aren't able to commit to public access at this time since a tenant hasn't been designated.

Chair Harrison asked the applicant if they would be willing to include a provision in the Conditions of Approval for public access to the historic house, depending on amenability of the future tenant. Mr. Hines advised this would be part of a future lease agreement and that currently they can commit to an opening event for the historic house.

Commissioner Weiss asked the applicant if the historic house could be open for public use either one Saturday a month or non-work days during the year. Mr. Hines explained the historic house is considered an ancillary use to the office building and will be at the discretion of the future occupant.

Chair Harrison closed the public hearing.

Chair Harrison asked Planning Officer Miner to comment on the traffic study and proposals conducted for the Peery Park Plan and how these address traffic. Planning Officer Miner advised that the Peery Park Plan was subject to an Environmental Impact Report (EIR), which identified traffic intersection conflicts and other significant impacts and was approved by the City Council. Planning Officer Miner explained that subsequent projects are compared to the Peery Park Plan EIR to see if the project will create additional impacts and in this instance it does not.

Chair Harrison asked for staff comments on biking and shuttle services as TDM mitigation measures. Planning Officer Miner advised that the City is collaborating with the VTA to create Peery Park Rides, a fixed route shuttle program with additional on call hours. Planning Officer Miner stated that as part of the Peery Park Plan the Transportation Management Administration will implement bicycle and pedestrian paths.

Chair Harrison asked Planning Officer Miner if Bishop Elementary School and Columbia Middle School are participating in the Safe Routes to School Program and Planning Officer Miner stated he was unsure if they were participating.

Chair Harrison asked for additional information on the relocation of the fire station. Planning Officer Miner stated that staff is collaborating with the Department of Public Safety to determine the most appropriate location and that the relocation may be included as part of a future development application.

Commissioner Melton confirmed with Planning Officer Miner that it is not within the purview of the Planning Commission or the Heritage Preservation Commission to require or not require public access to the historical house.

MOTION: Commissioner Melton moved and Commissioner Howe seconded the motion for Alternative 2 - make the required Findings to approve the CEQA determination that the project is within the scope of the Peery Park Specific Plan Environmental Impact Report and no additional environmental review is required; and approve the Peery Park Plan Review Permit subject to PPSP Mitigation Monitoring and Reporting Program in Attachment 8 and modified conditions of approval as noted by the Planning Commission -

1. Incorporate parking requirements for public access in Condition of Approval AT-7
2. Update the project number and street address listed in the header on Attachment 4

Commissioner Melton commented that he appreciates the architecture and property location and that the CalTrain station will facilitate easy public access, especially for future employees. Commissioner Melton noted he is sympathetic to public access for the heritage house but that it is outside the jurisdiction of the Planning Commission. Commissioner Melton asked the applicant to consider an annual open house if feasible. Commissioner Melton noted he appreciated staff's research with regards to the staff report and can make the findings.

Commissioner Howe thanked staff for providing their recommendation on parking and thanked Commissioner Melton for incorporating the change in wording in the motion.

Commissioner Olevson commented he appreciates the efforts of the applicant and support groups, that this will be an improved area for Sunnyvale and that he can make the findings.

Commissioner Weiss commented that she likes the use of the art screen, the project scale, the outdoor garden, and the goal to become LEED platinum certified. Commissioner Weiss noted she can make the findings and will be supporting the motion.

Chair Harrison commented that she appreciates the integrated art screen with reference to the historical orchard, can support the deviation and appreciates the inclusion of large stature trees in the Conditions of Approval.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheaume  
Commissioner Howe  
Commissioner Melton  
Commissioner Olevson  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Simons

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

4.      [16-1144](#)      **File #:** 2016-7882  
**Location:** 1120 Kifer Rd. (APN: 205-50-004)  
**Zoning:** MXD-I (Flexible Mixed Use I)  
**Proposed Project:** Related applications on a 7.99-acre site:  
    **USE PERMIT:** to redevelop an existing industrial site with mixed-use, including 7,400 square feet of retail and 520 apartment units.  
    **PARCEL MAP:** to subdivide one parcel into two parcels.  
**Applicant / Owner:** Greystar (applicant) / 1130 Kifer Property Owner LLC (owner)  
**Environmental Review:** No additional review required as per CEQA Guidelines 15168(c)(2) and (4) - environmental impacts of the project are addressed in the Lawrence Station Area Plan Program Environmental Impact Report (EIR).

Senior Planner Noren Caliva-Lepe presented the staff report.

Commissioner Weiss verified with Senior Planner Caliva-Lepe that Condition of Approval BP-25 applies only to the non-residential component of the project and

that the solar-assisted hot water needs applies only to pool and spa water.

Vice Chair Rheume discussed with staff the pedestrian access routes to the train station and confirmed there are no current internal pathways from the property to Sonora Court. Vice Chair Rheume verified with Senior Planner Caliva-Lepe that the applicant proposes to construct 40 low-income housing units and that the City and applicant Arborists agree on the number of trees that should be preserved.

Commissioner Melton confirmed with Senior Planner Caliva-Lepe that the parcel map portion of the project should be added to Alternative 1, and that revised Attachment 3 contains the negative findings to be made for the Parcel Map. Commissioner Melton discussed with Planning Officer Andrew Miner the process by which the City can require adjacent properties to complete the loop road access upon redevelopment.

Commissioner Howe discussed with Senior Planner Caliva-Lepe the City's use of design specifications for future growth of the privately-owned loop road. Planning Officer Miner described the negotiation process and agreement about the proposed road between the City and the owners of the two properties the roadway would bisect.

Chair Harrison confirmed with Senior Planner Caliva-Lepe that the City Arborist would be present during the exploratory boring of the trees listed in COA PS-2d and would then determine whether they will indeed be preserved and protected. They also confirmed that the State-required increase of electric car charging stations will occur along with the Building Permit.

Chair Harrison opened the Public Hearing.

Applicants Dan Diebel and Chek Tang provided additional information about the proposed project.

Commissioner Weiss verified with Mr. Tang that the project would be built in two phases and discussed the construction schedule with Mr. Diebel. Commissioner Weiss confirmed with Mr. Tang that the different color and material schemes for the two phases are used to generate public interest in the architecture.

Chair Harrison closed the Public Hearing.

Commissioner Melton verified with Senior Planner Caliva-Lepe that the Planning Commission may modify COA BP-25 to indicate that the requirement for carpool

parking applies only to the non-residential portion of the project.

Vice Chair Rheume confirmed with Senior Planner Caliva-Lepe that tree preservation would be a requirement if Alternative 1 is approved.

Commissioner Olevson confirmed with staff that COA BP-9g should not refer to a shopping center.

Commissioner Howe discussed with Planning Officer Miner how the Planning Commission might make a change to the subject project if it is approved and a modification to the next project affects it.

MOTION: Vice Chair Rheume moved and Commissioner Howe seconded the motion for Alternative 1 – make the required Findings to approve the CEQA determination that the environmental impacts of the project are addressed in the Lawrence Station Area Plan (LSAP) Environmental Impact Report (EIR) and no additional environmental review is required; and approve the Use Permit subject to the LSAP Mitigation Monitoring and Reporting Program in Attachment 6 and recommended conditions of approval in Attachment 4.

Chair Harrison confirmed with Vice Chair Rheume that the motion includes two minor modifications–

1. Clarify that the parking spaces referenced in Condition of Approval BP-25 are parking spaces for retail only; and,
2. Change the wording from “shopping center” in Condition of Approval BP-9 to “retail center”.

Vice Chair Rheume said he can make the findings and that the project is in line with the LSAP and EIR. He thanked staff for bringing this and the next project to the same hearing, and said he would like to see the trees preserved as they would make the project stand out and act as a buffer for the busy street and the neighborhood. He said this is a nice project that is a great first start to building out the LSAP.

Commissioner Howe said he would like to see the two projects come together in a way that is complementary to each other in use and function, and that the project plays off of a plan that will improve the entire area.

Commissioner Olevson said he can make the CEQA findings and the necessary findings for both the Use Permit and the Parcel Map. He said he likes the project

and that one does not often see two major corporations giving up land and agreeing on something.

Commissioner Melton said he likes the affordable rental units, the contribution to the affordable housing fund, the loop road and chances to complete it and the retail. He said he can make the findings, including the negative findings for the Parcel Map, and he supports the wording changes to the COAs. He said credit is due to the applicant who has been working on this project for a long time. He noted that the applicant has been involved in the LSAP Community Advisory Group and has participated in a lengthy process that appears to be coming to positive fruition at this meeting.

Commissioner Weiss said she is enthusiastic about this plan, and said the concealed parking and surrounding architecture is creative. She said she likes the provision of stoops for the residences, which activates the street frontage and, along with the balcony, is important to the community. She commended the developer for providing 40 affordable units and said she appreciates that no variances or deviations were requested. She added that she can make the findings and noted that the project follows the LSAP, so she will be voting to support the motion.

Chair Harrison said she is supporting the motion and commended the applicant of the subject project and that of the next project for working together, which is very much in the public interest of Sunnyvale. She said the wrapped parking and 360 degree architecture achieves both privacy and density.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheume  
Commissioner Howe  
Commissioner Melton  
Commissioner Olevson  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Simons

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

5. [16-1145](#)      **File #:** 2016-7212  
**Location:** 1050 Kifer Rd. (APN: 205-50-001, 205-50-029, 205-50-036)  
**Zoning:** MXD-I/II (Flexible Mixed Use I/II)  
**Proposed Project:** An application on a 21.7-acre site:  
    **USE PERMIT:** to redevelop an industrial site, including construction of two four-story office/R&D buildings and two parking structures resulting in 755,144 square feet and 80% Floor Area Ratio (Intuitive Surgical).  
**Applicant / Owner:** Intuitive Surgical  
**Environmental Review:** No additional review required as per CEQA Guidelines 15168(c)(2) and (4) - environmental impacts of the project are addressed in the Lawrence Station Area Plan Program Environmental Impact Report (EIR).  
**Project Planner:** Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov

Senior Planner Noren Caliva-Lepe presented the staff report.

Commissioner Weiss verified with Senior Planner Caliva-Lepe that the number of driveways on Kifer Road will be reduced to five, and discussed with Principal Transportation Planner/Engineer Carol Shariat their potential to interfere with bicycle safety.

Commissioner Olevson discussed with staff the reasoning behind preparation of an Environmental Checklist for this project, and why checklists were not completed for other projects within area plan Environmental Impact Reports (EIR).

Chair Harrison opened the Public Hearing.

Applicants Larry Crist and Steve Worthington presented additional information about the proposed project.

Commissioner Weiss confirmed with Robert Russell, of Jones Lang LaSalle, that the applicant is amenable to the traffic and circulation recommendations provided in the Transportation Impact Analysis (TIA).

Mr. Worthington addressed traffic concerns and requested elimination of the stepped portion of the parking garage to increase the number of parking spaces.

Chair Harrison and Mr. Worthington discussed the loss of parking spaces on the left side of the site due to the installation of a traffic signal.

Commissioner Melton verified with Planning Officer Andrew Miner that staff was



unaware of the aforementioned request until the afternoon before the hearing. Commissioner Melton commented on his concern that the request may cause the project to be designed from the dais, and confirmed with Planning Officer Miner that this project modification would occur during phase two and the applicant could apply for it at that time; the Planning Commission could determine which decision-making body would approve such a modification.

Commissioner Weiss verified with Planning Officer Miner that all of the recommendations in the TIA were incorporated into the Conditions of Approval (COA).

Senior Planner Caliva-Lepe referred to an illustration in the staff report that shows the area where parking would be removed due to the traffic signal.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Melton moved and Commissioner Howe seconded the motion for Alternative 1 – make the required Findings to approve the CEQA determination that the environmental impacts of the project are addressed in the Lawrence Station Area Plan (LSAP) Environmental Impact Report (EIR) and no additional environmental review is required; and approve the Use Permit subject to the LSAP Mitigation Monitoring and Reporting Program in Attachment 7 and recommended conditions of approval in Attachment 4.

Commissioner Melton said Intuitive Surgical is a fantastic Sunnyvale company and a great employer, and he is glad the company is expanding on Kifer Road. He said the project is heading in the right direction with the intent and spirit of the Lawrence Station Area Plan, and that he loves the beautiful campus, the frontage on Sonora Court and the pedestrian and bike pathway to get to Kifer Road and Sonora Court. He applauded the applicant's zeal regarding the loss of parking and efforts to make the best possible project, but that there is an alternate path via a staff level or Zoning Administrator decision to continue making this the best project.

Commissioner Howe confirmed with Commissioner Melton that he believes the parking issue is addressed and said he supports the motion.

Commissioner Olevson said he is supporting the motion and that since the study session the project has continued to be improved. He said as a resident he is honored that the company will remain in Sunnyvale and hopes the City can support the company through its growth. He said he can make the CEQA findings as provided on the dais and those for the Use Permit.

Commissioner Weiss said she likes the reduced height of the parking structure near the Greystar development and the features that add architectural interest, such as the bridges connecting phase one and two. She said this and the Greystar projects are a great set of projects to initiate the LSAP.

Chair Harrison said she is supporting the motion, that this is a well thought out project and commended the applicants of this and the Greystar project for cooperating and taking the vision of the LSAP a huge step forward.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheume  
Commissioner Howe  
Commissioner Melton  
Commissioner Olevson  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Simons

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

#### **STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

Commissioner Weiss confirmed with Planning Officer Andrew Miner that the results of the Planning Commission study issue rankings will be sent to the Planning Commission.

#### **NON-AGENDA ITEMS AND COMMENTS**

##### **-Commissioner Comments**

Commissioner Melton commended Planning Officer Andrew Miner for his work on the Lawrence Station Area Plan.

##### **-Staff Comments**

Planning Officer Andrew Miner thanked Commissioner Melton for all he has done for the City and the Planning Commission.

Planning Officer Miner advised that City Council adopted the Accessory Dwelling

Unit (ADU) Urgency Ordinance and for the Rezone to a Single Story Combining District (SSCD) City Council voted to rezone 59 of the 62 lots, with split zoning for the remaining three lots and a 50 foot buffer.

Planning Officer Miner noted that this is the last Planning Commission meeting for 2016.

**ADJOURNMENT**

Chair Harrison adjourned the meeting at 10:23 PM.