



# City of Sunnyvale

## Meeting Minutes - Draft Planning Commission

---

Monday, March 6, 2017

7:00 PM

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

---

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

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

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

#### **CALL TO ORDER**

Chair Harrison called the meeting to order at 7:01 PM in the Council Chambers.

#### **SALUTE TO THE FLAG**

Chair Harrison led the salute to the flag.

#### **ROLL CALL**

**Present:** 6 - Chair Sue Harrison  
Vice Chair Ken Rheume  
Commissioner Daniel Howard  
Commissioner John Howe  
Commissioner Ken Olevson  
Commissioner David Simons  
**Absent:** 1 - Commissioner Carol Weiss

Status of absence; Commissioner Weiss's absence is excused.

#### **ORAL COMMUNICATIONS**

Planning Officer Andrew Miner welcomed the new Planning Commissioner Daniel Howard.

#### **CONSENT CALENDAR**

Commissioner Howe moved and Commissioner Simons seconded the motion to approve the Consent Calendar.

Planning Officer Andrew Miner clarified that since Commissioner Howard wasn't present during the last Planning Commission meeting it is necessary to vote separately on the Consent Calendar items.

**1. A**      [17-0266](#)      Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials

Commissioner Howe moved to approve item 1. A on the Consent Calendar - Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials. Commissioner Simons requested to pull item 1. A from the Consent Calendar. Commissioner Howe withdrew his motion to approve item 1. A on the Consent Calendar.

Commissioner Simons stated an opinion that the Code of Ethics and Conduct for Elected and Appointed Officials has evolved based on personalities instead of a more appropriate process. Commissioner Simons stated that appropriate behavior by the City was missing from the document. Commissioner Simons commented that there is a difference between criticizing an individual as opposed to a decision and that the Planning Commission does a great job separating out criticism about decisions while acting professionally. Commissioner Simons stated that the language about decisions in the Code of Ethics and Conduct for Elected and Appointed Officials was not always appropriate as certain situations call for a critical review.

Chair Harrison opened the Public Hearing.

There were no public speakers on this item.

Chair Harrison closed the Public Hearing.

Commissioner Simons moved and Vice Chair Rheume seconded the motion to approve item 1. A on the Consent Calendar - Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials.

The motion carried by the following vote:

**Yes:** 6 -    Chair Harrison  
                 Vice Chair Rheume  
                 Commissioner Howard  
                 Commissioner Howe  
                 Commissioner Olevson  
                 Commissioner Simons

**No:** 0

**Absent:** 1 - Commissioner Weiss

**1. B**      [17-0289](#)      Approve Planning Commission Meeting Minutes of February 27, 2017

Commissioner Howe moved and Vice Chair Rheaume seconded the motion to approve item 1. B on the Consent Calendar - Approve Planning Commission Meeting Minutes of February 27, 2017.

The motion carried by the following vote:

**Yes:** 5 -    Chair Harrison  
                 Vice Chair Rheaume  
                 Commissioner Howe  
                 Commissioner Olevson  
                 Commissioner Simons

**No:** 0

**Absent:** 1 - Commissioner Weiss

**Abstained:** 1 - Commissioner Howard

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2.**      [17-0025](#)      **Proposed Project:** PEERY PARK PLAN REVIEW PERMIT to construct a 207,620-square foot, four-story corporate/research and development (R&D) office building and a 7-level, partially underground parking structure with attached ground floor retail of up to 4,000 square feet on a 4.4-acre site resulting in a total of 110% FAR. The project includes outdoor dining/recreation areas and a pedestrian/bicycle path for public use.  
**File #:** 2015-7256  
**Location:** 520 Almanor Avenue (APNs 165-43-016, -017 and -018)  
**Applicant / Owner:** Lane Partners, LLC / Pace Properties  
**Environmental Review:** The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c)(2) and (4) and Public Resources Code Section 21094(c). The project is within the scope of the Peery Park Specific Plan Program EIR as no new environmental impacts are anticipated and no new mitigation measures are required.  
**Project Planner:** Rosemarie Zulueta, (408) 730-7437, rzulueta@sunnyvale.ca.gov

Commissioner Howe stated that he met with applicant Mark Murray last week to review the project plans. Commissioner Howe commented that he can have an open mind and make a judgement on this item.

Senior Planner Rosemarie Zulueta presented the staff report.

Vice Chair Rheame stated that he met with the applicant last week.

Vice Chair Rheame asked staff to identify the location of the tree removal plan and stated an understanding that no redwood trees would be removed at the corner at Almanor Avenue and Vaqueros Avenue. Senior Planner Zulueta advised that sheet L.013 shows the tree removal plan. Vice Chair Rheame confirmed with Senior Planner Zulueta that the trees within the corner vision triangle are exempt and won't be removed. Vice Chair Rheame clarified with Senior Planner Zulueta that all the Liquidambar trees along the building perimeter will be removed but the existing mature redwood trees will be preserved.

Vice Chair Rheame requested that the previous formatting for tree removal plans be used going forward and Planning Officer Andrew Miner confirmed.

Commissioner Olevson commented that page four of the staff report mentions \$635,000 as the approximate flexible benefits value and confirmed with Senior Planner Zulueta that the developer will pay that amount.

Commissioner Olevson stated that page six of the staff report discusses the meandering sidewalks and that there is a Condition of Approval (COA) that any removed trees be replaced per the City's current tree replacement policy. Commissioner Olevson clarified with Senior Planner Zulueta that any protected tree that is removed is required to be replaced but that the sidewalk's design exists to preserve the mature redwood trees, which will not be removed. Senior Planner Zulueta advised that sheet L.012 shows the standard formatting for a tree removal plan, per Vice Chair Rheame's earlier request.

Commissioner Olevson commented that COA GC-8b states that offsite improvements are subject to change and asked staff what types of changes they would expect. Senior Planner Zulueta advised that there are utility vaults along the eastern frontage of Almanor Avenue which would prevent the bike lanes from continuing all the way along Almanor Avenue. Senior Planner Zulueta stated that the applicant received confirmation from PG&E subsequent to the report preparation that the utility vaults can be relocated or modified.

Commissioner Howard commented that on sheet A1.1 item 4 in the project data shows a range of 392 -784 parking stalls and asked staff to explain why 613 parking stalls will not meet the requirement. Senior Planner Zulueta explained that the Peery Park Specific Plan (PPSP) has a minimum of 686 parking spots but that the applicant is utilizing a Transportation Demand Management (TDM) strategy to

reduce the number of trips and offset the reduced parking.

Commissioner Howard commented that as part of the TDM strategy there would be a reduction to 206 AM trips and 205 PM trips and asked staff how this relates to the 686 parking spaces. Senior Planner Zulueta advised that staff depends on the Department of Public Works Transportation and Traffic Division for these calculations and that it's not a 1:1 ratio between trips and parking spots.

Commissioner Howard noted that the Valley Transportation Authority (VTA) has proposed to put an express bus line on Mathilda Avenue that would provide good connections to the light rail and Caltrain. Commissioner Howard asked staff what mechanism exists to ensure operational success of the shuttle in the proposed project and where the funds would be allocated if the shuttle were to be shut down. Planning Officer Miner explained that the shuttle is called Peery Park Rides and is part of the PPSP, partially funded by a VTA grant and managed by a Transportation Management Association (TMA) formed by the applicants with projects in Peery Park. Planning Officer Miner advised that the TMA is responsible for maintaining the shuttle systems. Planning Officer Miner stated that the VTA Rides project has been designed to have easy access to the nearby bus stop. Commissioner Howard asked staff to explain what happens if it turns out the shuttle system isn't necessary. Planning Officer Miner stated if that was the case the applicant would have easy access to any Mathilda bus line. Commissioner Howard confirmed with Planning Officer Miner that should the applicant choose to utilize the bus their money would still fund Peery Park Rides.

Chair Harrison opened the Public Hearing.

Applicant Mark Murray, representing Lane Partners, presented images and information about the proposed project.

Ted Korth, representing KSH Architects, presented images and information about the proposed project.

Commissioner Howe asked the applicant to describe their plans for signage and parking, specifically regarding public use of the retail/commercial amenities. Mr. Murray stated that there would be parking stalls reserved on the ground floor, adjacent to the amenities, and with signage indicating the intended use for this parking. Commissioner Howe confirmed with Mr. Murray that these reserved spaces would be used for access to either the retail amenity or recreation area. Commissioner Howe confirmed with Senior Planner Zulueta that this parking was addressed in COA BP-23 and that it requires the approval of the Director of the

Community Development Department (CDD) at the time the permit is issued. Commissioner Howe encouraged staff to follow through on the parking management plan.

Commissioner Howe confirmed with Mr. Murray that there would be signage in at least one location indicating that the parking is open to the public. Mr. Murray commented that adequate signage was a concern raised during the Study Session and accordingly they have allocated another space for additional retail signage, pending approval by the future tenant.

Commissioner Olevson commented that at San Jose State University there was a project which used Corten, which was supposed to form a hard shell but didn't rust correctly. Commissioner Olevson asked the applicant about the potential erosion of the material in the proposed project. Mr. Korth advised that the material is a Corten simulated finish on aluminum which will not rust. Commissioner Olevson asked if this material is a colorized aluminum oxide and Mr. Korth stated he wasn't sure of the chemical makeup but that the finish's character will not change.

Commissioner Simons noted that the applicant had responded well in regards to the parking structure. Commissioner Simons asked the applicant how much of the aluminum paneling would be at the pedestrian level, noting a concern about future damage. Mr. Korth stated that some white aluminum panels are at the base of the building and that the paneling would be at pedestrian level at the café. Mr. Korth noted that the finish is durable and that they will make every effort to avoid potential damage. Commissioner Simons commented that the finish does look like rusting steel and appreciated that the applicant had brought a sample for the Planning Commissioners.

Commissioner Simons noted that item 7 on sheet C-5.3 has a full description of engineered fill which is an item that Planning Commissioners have previously discussed.

Commissioner Howard asked the applicant where the shuttle location would be for the proposed project. Mr. Murray noted that this is still in flux but the idea is to have as many stops as possible in the Peery Park neighborhood and Planning Officer Miner confirmed this information. Commissioner Howard stated that if possible, it is pertinent not to block bike lanes and that potentially locating a bay near the retail space could help increase foot traffic.

Commissioner Howard asked the applicant if there would be on street parking on Vaqueros Avenue and Mr. Murray stated that it is not included as part of their

proposed project. Planning Officer Miner confirmed that there is existing City street parking on Vaqueros Avenue.

John Cordes, member of the Bicycle and Pedestrian Advisory Commission and SNAIL resident, welcomed Commissioner Howard and discussed several positive aspects of the proposed project, noting a concern for rooftop parking without solar capability.

Mr. Murray commented that they are designing the parking structurally to accommodate solar but aren't currently committing to the addition of solar.

Chair Harrison closed the Public Hearing.

Vice Chair Rheume commented that with some recent projects the preserved trees are fenced for protection and confirmed with Planning Officer Miner that this fencing is a requirement during construction.

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 project is within the scope of the Peery Park Specific Plan (PPSP) Environmental Impact Report (EIR) and no additional environmental review is required; and approve the Peery Park Plan Review Permit subject to the PPSP Mitigation Monitoring and Reporting Program in Attachment 7 and recommended conditions of approval noted in Attachment 5.

Commissioner Howe confirmed with Vice Chair Rheume that the motion includes the corrections made to Attachments 5 – 7 that staff provided on the dais.

Vice Chair Rheume thanked the applicant and staff and noted his appreciation of the changes made following the Study Session, such as the addition of the building texture. Vice Chair Rheume stated he can make the findings and that this project is a good investment in the City. Vice Chair Rheume stated hopefully it can become a standard to keep more trees than are removed and that redwood trees are representative of the character of Peery Park. Vice Chair Rheume commented that hopefully the Corten material won't be an issue in the future and that the project has a nice design. Vice Chair Rheume commented that hopefully the retail space will help minimize traffic during the day through employee use.

Commissioner Howe commented that the applicant listened to the community and the Planning Commission and noted several positive aspects, including the decreased height of the parking garage, infrastructure for additional electric cars

and solar, bicycle lanes, recreation area and public access to the retail space. Commissioner Howe stated that the project would be a strong amenity for the location and hopes that the project is approved by the Planning Commission.

Commissioner Simons commended the applicant for incorporating art into the building, noting that it's a more effective way to engage the public. Commissioner Simons stated that he would have been concerned with the longevity of the rust colored exterior but that the material looks good and hopefully it meets the long term desired look. Commissioner Simons commended the applicant on the modified architecture and integrated look of the parking structure.

Commissioner Olevson stated that he will be supporting the motion and can make the findings that the proposed project fully conforms to the Peery Park CEQA, meets the PPSP permit requirements, PPSP Sense of Place Fee and PPSP Water Infrastructure Fee. Commissioner Olevson noted that the increased setback makes for a more inviting environment for the public, while driving or as they approach the property. Commissioner Olevson stated that the applicant had greatly enhanced the project with their additional efforts regarding the parking conditions and retail/commercial space and he strongly supports the project.

Chair Harrison noted she will be supporting the motion and agrees with all the Planning Commissioner comments. Chair Harrison commended the applicant for the reduced parking and infrastructure for additional electric vehicle stalls, noting no concern about the setback deviation to maintain the mature redwood trees. Chair Harrison stated an appreciation that the rust color coordinates with the redwood tree bark. Chair Harrison stated that the location of the bike and pedestrian path provides a real transportation corridor into the heart of Peery Park.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheume  
Commissioner Howard  
Commissioner Howe  
Commissioner Olevson  
Commissioner Simons

**No:** 0

**Absent:** 1 - Commissioner Weiss

Planning Officer Miner advised that this item goes to the City Council on March 28.



3. [16-1146](#) **File #:** 2016-7576  
**Location:** 1314 Lillian Avenue (APN: 309-09-014)  
**Zoning:** R0 (Low Density Residential)  
**Proposed Project:** Consideration of an application on a 9,281-square foot site:  
**DESIGN REVIEW:** To allow 187 sq. ft. first floor and 536 sq. ft. second floor addition to an existing 3,370 sq. ft. two-story single-family home (2,405 sq. ft. living area and 965 sq. ft. garage) resulting in 3,872 sq. ft. and 41.7% FAR.  
**Applicant / Owner:** Jose Fernandez (applicant) / Bharti Bhakhri (owner)  
**Environmental Review:** Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 of the California Environmental Quality Act (CEQA). The project consists of a minor addition to an existing single-family residence.  
**Project Planner:** Shila Behzadiaria, (408) 730-7456, sbhezadiaria@sunnyvale.ca.gov

*Due to lack of a quorum of the Planning Commission on February 13, 2017, this item was rescheduled to the Planning Commission hearing of March 6th, 2017.*

Assistant Planner Shila Behzadiaria presented the staff report.

Commissioner Simons asked staff what kind of stone would be used for the stone front. Assistant Planner Behzadiaria stated that the architect can present information on the specific type of stone and that the stone would also wrap to the back and a bit on the side. Commissioner Simons confirmed with Assistant Planner Behzadiaria which diagram section showed the stone. Assistant Planner Behzadiaria advised to review the proposed right elevation on page nine of the site plan to better identify the stone on the side of the home.

Vice Chair Rheume stated that the existing garage on sheet A-6 consists of approximately 830 square feet, while 400 square feet is required for a two-car garage. Vice Chair Rheume asked for staff comments on the legality of turning the garage into an Accessory Dwelling Unit (ADU). Planning Officer Miner confirmed that the lot size meets the criteria for an ADU conversion but that the applicant would have to get a permit and meet those standard requirements.

Commissioner Olevson commented that on page three of the staff report, under the "Second Floor Area to First Floor Area Ratio" section, it states that the second-floor walls are separated from the first floor with roofs. Commissioner Olevson asked staff to explain the meaning of this statement. Assistant Planner Behzadiaria explained that this pertains to the elevation and that the first proposed elevation

blended into the first floor, so the second proposed elevation tried to provide better definition. Planning Officer Miner advised that the elevation is showing that the second story is set back from the first-floor wall so there is not a continuous two-story wall.

Commissioner Olevson commented that the existing garage appears to have a full bathroom and a kitchen area with a sink and looks like it would violate the setback requirements for a secondary living unit. Commissioner Olevson asked for staff comments on if this is legal non-conforming or non-conforming. Planning Officer Miner stated this is a permitted building and so in regards to setbacks it is legal non-conforming. Planning Officer Miner advised that the plans show the use will be maintained as a garage and that currently it's not an ADU. Planning Officer Miner stated that should the applicant want to convert the garage to an ADU, they would have to go through the permit process. Commissioner Olevson noted that it's unusual to see a garage with a tub and shower. Planning Officer Miner stated that the Planning Commission can add a Condition of Approval (COA) to specify that the garage shouldn't be converted to an ADU without the necessary permits but that this is already required per the municipal code.

Chair Harrison opened the Public Hearing.

Applicant Jose Fernandez presented information about the proposed project. Mr. Fernandez returned to Commissioner Simons's earlier question and advised that stack stone will be used for the stone front. Mr. Fernandez stated that the garage is currently used as a pool house and the owner does not want to convert it to an ADU. Mr. Fernandez commented that the walls don't align so by separating the wall setbacks they are creating a roof that breaks out the two-story walls and gives it a more pleasant look.

Commissioner Simons asked the applicant about the height of the pieces of stack stone and Mr. Fernandez advised that they vary in size but the most common height is three inches.

Commissioner Simons stated that the stonework will be in the front and back and asked the applicant if they would object to the stonework also extending further down the lot towards the garage. Mr. Fernandez advised there is an existing metal fence that blocks the entrance but that they are amenable if this is the Planning Commission's recommendation. Commissioner Simons confirmed with Mr. Fernandez that it is a closed fence and the garage can't be seen from the street.

Ajeet spoke in support of the proposed project.

Mr. Fernandez commented that the owner is amenable to the stonework continuing through the driveway, if that is the recommendation of the Planning Commission.

Commissioner Howard asked the applicant to comment on landscaping for the yard. Mr. Fernandez stated they would landscape as recommended but that there is no current landscaping plan.

Chair Harrison closed the Public Hearing.

Vice Chair Rheume commented that a COA for this proposed project is to landscape half of the front yard and asked staff if there are any tree recommendations. Planning Officer Miner advised that a section of the zoning code outlines landscaping, specifically water efficient landscaping, and there is also a water analysis that must be conducted. Planning Officer Miner stated that since these are zoning code requirements they must be accomplished.

Vice Chair Rheume commented that in viewing the property on Google Maps the driveway appears wide enough for only one car and asked staff if the existing driveway is sufficient. Planning Officer Miner confirmed that the existing driveway is sufficient and that a two-car width driveway is not required.

MOTION: Commissioner Simons moved and Vice Chair Rheume seconded the motion for Alternative 2 – Approve the Design Review with modified conditions –

1. Add a COA that converting the garage to an ADU requires a permit
2. Update the stonework location to continue around the house down the driveway and extend to an appropriate distance on the other side as seen from the front (back to the fence line)
3. Staff will work with the applicant to choose an appropriate large species tree for the front yard

Commissioner Simons commented that this is a large lot and that there were issues raised which are concerning, such as converting the garage to an ADU. Commissioner Simons stated that the project's design will help the front of the house to become more balanced and thus the home will be better integrated with the neighborhood. Commissioner Simons stated he will be supporting the motion.

Vice Chair Rheume stated that he can make the findings and will be supporting the motion. Vice Chair Rheume thanked staff and the applicant for not requesting any deviations. Vice Chair Rheume commented that this is the advantage of

having a large lot. Vice Chair Rheume agreed with Commissioner Simons's comments that this design has better symmetry and will be a nice addition to the neighborhood. Vice Chair Rheume stated that he likes the addition of the tree and is glad to see people investing in the community.

Commissioner Olevson stated he will be supporting the motion and can make the findings for the Design Review. Commissioner Olevson commended the applicant for correcting the setback on the right side of the house and providing more balance to the front elevation. Commissioner Olevson noted that the reduction of the all concrete front yard will make this a much nicer addition to the neighborhood. Commissioner Olevson commented that he looks forward to seeing the results of this work and commended the applicant for their efforts.

Commissioner Howe commented that he would be supporting the motion due to the modifications requested by Commissioner Simons.

Chair Harrison stated that she would be supporting the motion for all the previously stated reasons.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheume  
Commissioner Howard  
Commissioner Howe  
Commissioner Olevson  
Commissioner Simons

**No:** 0

**Absent:** 1 - Commissioner Weiss

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. [16-1128](#) Storage Space for Multi-Family Residential: Forward a recommendation to the City Council to Introduce an Ordinance to Amend Section 19.12.130 ("L") of Chapter 19.12 (Definitions), Section 19.38.040 (Individual Lockable Storage Space) of Chapter 19.38 (Required Facilities) and Section 19.90.030 (Procedures) of Chapter 19.90 (Special Development Permits) of the Sunnyvale Municipal Code, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15061(b)(3).

Associate Planner Kelly Cha presented the staff report.

Commissioner Howe commented that Table 1 on page three of the staff report gives three examples of recent approvals. Commissioner Howe asked staff in these examples if the common garage would be located underneath the building and if each unit's garage would be attached. Associate Planner Cha advised that the last example is a townhome style and so each unit has its own garage. Commissioner Howe confirmed with Planning Officer Andrew Miner that the storage was attached to a habitable building in the example at 238 Carroll Street. Commissioner Howe asked staff if in all three examples the storage was attached to a habitable building. Planning Officer Miner clarified that in example two the storage was in a garage, which could be below the unit or detached.

Commissioner Howe asked staff if the current ordinance requires sprinklers for all units. Planning Officer Miner stated this is unknown but that sprinkler requirements are based on the building code standard and likely depends on the location of the unit, whether it's within or near the habitable area.

Commissioner Howe stated that it was voiced during the Study Session that a lockable storage unit should have sprinklers, if attached to a living area. Commissioner Howe noted potential fire concerns in several examples, regardless of the garage's location. Planning Officer Miner stated that the first example did have sprinklers, that it's unknown if the third example has sprinklers and that any garage below a unit must have sprinklers. Commissioner Howe asked staff if there was a Condition of Approval (COA) regarding sprinklers. Planning Officer Miner stated that the fire code mandates sprinkler requirements, which are purposefully excluded from the zoning ordinance because the fire code changes the most rapidly. Planning Officer Miner confirmed that all the examples with sprinklers had them installed because of the fire code requirements. Commissioner Howe confirmed with Planning Officer Miner that if a lockable storage space was attached to a living space then it would be required to have sprinklers.

Commissioner Olevson commented that Option A on page seven of the staff report recommends a three-foot minimum dimension and this seems small. Commissioner Olevson asked staff how this minimum dimension was determined. Planning Officer Miner advised that staff tried to determine a reasonable standard, which was a three-foot minimum with a maximum height of ten feet and at least one dimension of eight feet. Planning Officer Miner stated that lockable storage units have different configurations and so staff recommended three feet for access, with the option to build higher or wider for additional storage space. Planning Officer Miner advised the goal is to give developers flexibility in their design and that the Planning

Commission could change this minimum to four feet.

Commissioner Olevson noted that on page seven of the staff report under the "Location" bullet point there is a typo – "bedroom closet" should be "bedroom closet". Commissioner Olevson mentioned there are other instances with the same error and Planning Officer Miner confirmed this language will be updated.

Commissioner Howard confirmed with Associate Planner Cha that most municipalities don't have lockable storage requirements. Commissioner Howard asked if the public had voiced this need and if staff had considered not mandating lockable storage space. Planning Officer Miner advised that one reason for this Study Issue was feedback from residential developers who don't want to build this storage, so staff's first action was to analyze the need for this standard. Planning Officer Miner stated that a standard has been in place in the City since 1986 which forces developers to provide this space. Planning Officer Miner advised that only two survey responses were received, one in support and one opposed. Planning Officer Miner stated that the draft ordinance maintains the current requirements with a small revision to allow smaller units to have less storage. Planning Officer Miner commented that public storage businesses in the City advise that they are experiencing a high demand for storage space. Planning Officer Miner stated that it's a benefit of living in Sunnyvale to have lockable storage space but that staff can't comment on public opinion due to low feedback response.

Commissioner Howard asked staff if there are requirements for secure bike storage and rental facilities. Planning Officer Miner stated that it depends and that there are two classes of bike storage, which is typically required for projects heard by the Planning Commission. Planning Officer Miner advised that staff toured lockable storage units and saw that few units were used, except to store bulky items. Planning Officer Miner commented that one potential reason is that residents have different priorities and may own less belongings. Commissioner Howard confirmed with Planning Officer Miner that there are generally different requirements for bicycle storage space.

Vice Chair Rheame asked staff if the recommendation allowed for two smaller spaces to be combined to meet the minimum size, allowing for more flexibility in creating the storage space. Planning Officer Miner advised that a standard storage usage exists in parking garages, where the storage is above the roof of the cars, but that another larger space in a more common area would be required. Vice Chair Rheame asked staff if the developer could decide how to distribute the storage space, if the site meets the total required amount of storage space. Planning Officer Miner stated they can distribute the storage space but still must meet the minimum dimensions. Associate Planner Cha advised that staff's

recommendation is for each unit to have a 200-cubic foot minimum and not to combine or break up the storage into different sizes. Vice Chair Rheaume asked staff if a developer could build one storage space of 400 cubic feet for two units and still meet the requirement of 200 cubic feet per unit. Planning Officer Miner stated that this would not meet the requirement, since each unit must have 200 cubic feet of storage space. Vice Chair Rheaume stated an opinion that considering the price of real estate, it makes more financial sense to use public storage then to pay for the extra real estate.

Chair Harrison commented that there was a description of an option for storage space with a small minimum and an additional 50 storage locations onsite, offered to tenants for a cost. Chair Harrison asked staff to explain why this option wasn't recommended. Planning Officer Miner stated the goal is not to overcomplicate or create another potential revenue source for owners but to have a perk for tenants. Planning Officer Miner commented that this is an asset for City residents and that the draft ordinance is similar to the current standard while also addressing concerns for flexibility. Planning Officer Miner stated that the Planning Commission can change these requirements.

Chair Harrison confirmed with Planning Officer Miner that this item was initially driven by requests for deviations and by developer feedback. Planning Officer Miner commented that some of the properties staff visited weren't occupied, or the tenants were forewarned, so it was difficult to find current examples of storage space usage. Associate Planner Cha stated that the property managers said that prospective tenants were happy to learn that storage units were included in the lease and that at least 50% of the storage space was used by current residents.

Chair Harrison asked staff to give data on the two survey answers that were received. Associate Planner Cha noted that these survey results will be included in the report to the City Council. Associate Planner Cha advised that the first response was from residents of a two-bedroom unit who fully use the storage space and want it increased, while the second response was from a resident of a one bedroom unit who uses 25% of their storage area and wants it decreased.

Planning Officer Miner returned to Commissioner Howe's earlier question and advised that per the fire code, sprinklers are required in all storage areas that are within five feet of the exterior building walls, roof overhangs, canopies or constitute an exposure to adjacent property.

Chair Harrison opened the Public Hearing.

There were no public speakers on this item.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Simons seconded the motion for Alternative 1 – Introduce an Ordinance to amend Section 19.38.040 (Storage Space for Multi-Family Residential) regarding size, location, configuration, exception process and applicability and make associated amendments to Section 19.12.100 (“I”) of Chapter 19.12 (Definitions) and Section 19.90.030 (Procedures) of Chapter 19.90 (Special Development Permits) of the Sunnyvale Municipal Code, and find these actions are exempt from CEQA.

Commissioner Howe noted that in selling real estate, most homes in the City have additional storage space which is often used to store seasonal items outside of the house. Commissioner Howe commented that this storage space is a strong amenity for Sunnyvale homes. Commissioner Howe stated that the goal with this draft ordinance is to have a smaller storage space for smaller units, such as one bedrooms or studios, while keeping the same current standard. Commissioner Howe stated that the storage space is both used and needed.

Commissioner Simons commented that there is a great diversity of rental unit types but that having secure storage is required because of the difference in the use of shared versus personal lockable storage. Commissioner Simons commented that the parking requirement is a burden on renters, especially those without cars, and that this could be revisited in the future. Commissioner Simons stated that there are a great number of requirements for rental and housing units and so it's not unusual that the lockable storage standard has existed since 1986. Commissioner Simons stated that lockable storage positively differentiates the City and that he will be supporting the motion.

FRIENDLY AMENDMENT: Vice Chair Rheaume offered a friendly amendment to allow more flexibility for the applicant in meeting the square footage by combining storage spaces, while still providing the same total square footage.

Commissioner Howe respectfully declined the friendly amendment, stating that it makes a difference to have a personal locked storage space and not a shared space, which might raise concerns over personal property.

Vice Chair Rheaume stated an opinion that this is micromanagement of the determination of storage space but that the draft ordinance did improve the standard by reducing the requirement to 200 cubic square feet and so he will be



supporting the motion.

Commissioner Olevson commented that he will support the motion and confirmed with Planning Officer Miner that Alternative 1 should introduce an ordinance consistent with Option A. Commissioner Olevson stated that he won't ask for a four-foot minimum or inquire how developers will sell the product. Commissioner Olevson stated that the Planning Commission should approve this item as recommended and hope for the best with the City Council.

Commissioner Howard clarified with Associate Planner Cha that this requirement will apply to the new zoning districts that were recently created and to any multi-family residential projects.

The motion carried by the following vote:

**Yes:** 6 - Chair Harrison  
Vice Chair Rheume  
Commissioner Howard  
Commissioner Howe  
Commissioner Olevson  
Commissioner Simons

**No:** 0

**Absent:** 1 - Commissioner Weiss

Planning Officer Miner advised that this item goes to the City Council on March 28.

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

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

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

Commissioner Howe commented that attending the Planning Commissioners Academy was extremely valuable and it was good to learn about the actions of other jurisdictions.

Commissioner Simons stated that he can be concerned with repetitive information at these types of conferences, but that each year he learns something different. Commissioner Simons welcomed Commissioner Howard to the Planning Commission.

Chair Harrison thanked staff for facilitating conference attendance and stated that

she learned a lot.

**-Staff Comments**

Planning Officer Miner stated he was glad that the Planning Commissioners could attend the conference and thanked them for attending. Planning Officer Miner welcomed Commissioner Howard and stated he looks forward to a full Planning Commission soon.

**ADJOURNMENT**

Chair Harrison adjourned the meeting at 9:10 PM.