

appreciation that views of the adjacent property were presented to the Planning Commission.

The motion carried by the following vote:

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

3. [16-0843](#) Land Use and Transportation Element and EIR Forward Recommendations related to the **LAND USE AND TRANSPORTATION ELEMENT** of the General Plan (2016-7708) to the City Council to:
- Adopt a Resolution to:**
- Certify the EIR;
  - Make the Findings Required by the California Environmental Quality Act;
  - Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
  - Adopt the Water Supply Assessment;
  - Repeal the Southern Pacific Corridor Specific Plan Sites 1, 6, 7, 8 and 9; and
  - Amend the General Plan to Adopt the Land Use and Transportation Element.

Director of Community Development Trudi Ryan presented the staff report.

Commissioner Howe commented that the Village Center at the intersection of Mary Avenue and Fremont Avenue has a current zoning and that there is a process to change that zoning. Commissioner Howe asked staff how adoption of the Land Use and Transportation Element (LUTE) and Environmental Impact Report (EIR) would change that process. Director of Community Development Ryan explained that most of the sites are zoned for Commercial use, with the two corners at the intersection of Mary Avenue and Fremont Avenue zoned for Office use. Director of

Community Development Ryan stated that sites zoned for Neighborhood Commercial have a two-story height limit. Director of Community Development Ryan advised that the LUTE provides a structure for site development, guidance for any potential redevelopment and clarity for overall plan requirements. Director of Community Development Ryan explained that the LUTE would help property owners better understand how to garner support and ultimately project approvals, while giving community members a more in depth process. Director of Community Development Ryan commented that the LUTE does suggest that mixed use is beneficial at Village Centers.

Commissioner Howe asked staff how the EIR adoption relates to approval for mixed use change in the future. Director of Community Development Ryan stated that it would depend on what the applicant wants to pursue. Director of Community Development Ryan advised that the EIR considered the existing retail space with a medium density residential and that staff would need to review any proposed projects outside of that scope to determine if that scenario was already addressed in the EIR.

Commissioner Howe noted that the environmental findings stated there would be an impact on Hollenbeck Avenue and asked staff how that impact is captured and mitigated. Director of Community Development Ryan clarified with Commissioner Howe that the question is how current traffic impacts on Hollenbeck Avenue are managed today and how those impacts would be managed, should the current iteration of the LUTE be adopted. Director of Public Works Manuel Pineda stated that the draft LUTE identified 17 impacts that were analyzed as part of the Traffic Impact Analysis (TIA), including 12 intersections in the City. Director of Public Works Pineda stated that staff did identify any potential mitigations that could be built as part of the LUTE and that there would be a programmatic level of service traffic analysis. Director of Public Works Pineda explained that any future proposed projects which meet the size threshold will require their own TIA and at that time staff can complete an additional traffic analysis to determine if additional mitigation is required. Director of Public Works Pineda confirmed with Hexagon Transportation Consultant Gary Black that there were no identified traffic impacts on Hollenbeck Avenue.

Commissioner Howe advised that the question pertained more to the process. Director of Public Works Pineda stated that staff takes a holistic approach to the transportation system in addition to a comprehensive analysis. Director of Public Works Pineda stated that the traffic impact fees identify big projects that are driven by development and transportation mitigation. Director of Public Works Pineda stated that individual projects are reviewed as they develop to determine any

potential individual project impacts.

Commissioner Howe asked staff how the LUTE would capture a substantial increase in street traffic and any associated noise impact. Director of Community Development Ryan stated that there is an adopted noise element as part of the General Plan, which staff proposes should be updated after adoption of the LUTE. Director of Community Development Ryan advised that the EIR evaluated the different types of impacts and developed mitigation measures.

Commissioner Howe provided an example where a background traffic survey was conducted and then a subsequent traffic review was completed one year later. Commissioner Howe asked if a similar process would take place within the LUTE. Director of Public Works Pineda advised that the TIA looks at multiple scenarios and that regular, subsequent reviews are not project based. Director of Public Works Pineda explained that regular traffic counts are conducted based on the database of the City's signalized intersections to determine the level of service and volumes. Director of Public Works Pineda advised this database gives a history of each intersection and allows staff to track the impact of any improvements.

Commissioner Howe asked staff if the traffic impact fees are used to fund these improvements. Director of Public Works Pineda explained that in some instances improvements can be identified and incorporated into the traffic impact fee, such as complete streets, while other traffic impact fees may be project specific. Director of Public Works Pineda stated that staff will analyze the results of any required project improvements during their regular reviews.

Vice Chair Rheume thanked staff for their work and noted an appreciation of how the Director of Community Development Ryan explained the relationships between the General Plan chapters. Vice Chair Rheume confirmed with Director of Community Development Ryan that the LUTE would add the potential for 2 million square feet of office and commercial space and about 3,100 housing units. Director of Community Development Ryan provided details on the non-residential square footage.

Vice Chair Rheume asked staff if lower income housing would be available as part of the 3,100 housing units. Director of Community Development Ryan advised that affordability is addressed in the Housing element and that several programs do address affordability. Director of Community Development Ryan stated that ownership residential projects require that 12.5% of the housing units be developed for moderate income households. Director of Community Development Ryan stated that there is a fee for net new square footage for new residential and

non-residential which goes to a fund that supports 100% affordable housing projects. Director of Community Development Ryan commented that the use of the California state density bonus allows for increased density in exchange for providing affordable housing and that several developers have utilized this to integrate very low income housing units into their projects. Director of Community Development Ryan advised that these programs are contained in the Housing element, which fully addresses affordability.

Vice Chair Rheume asked staff if the options to address feedback as outlined on page 19 of the staff report would effectively serve as the Planning Commission's COA. Director of Community Development Ryan explained that staff can advise if any change that the Planning Commission considers is already covered under the current EIR. Vice Chair Rheume confirmed with Director of Community Development Ryan that one potential change is a reduction in mixed use villages, if that is the recommendation of the Planning Commission.

Commissioner Olevson commented that a new state law states that in evaluating the water supply Commissioners should investigate and validate any information provided by water suppliers. Commissioner Olevson stated that based on the Water Supply Assessment it appears this additional evaluation occurred and asked for staff confirmation. Director of Community Development Ryan commented that over time the total amount and per capita water consumption in the City has decreased, due to businesses shifting to less water intensive uses, an increase in efficient fixtures and the impact of the City's water efficient landscaping requirements. Ascent Environmental Senior Director Pat Angell confirmed that the City's water supply sources were analyzed for their reliability, both for typical and drought years. Mr. Angell advised that the assessment also analyzed how the current drought compares to previous drought scenario projections. Commissioner Olevson confirmed with Mr. Angell that the City's water suppliers have the capacity to sustain the City through the time frame of the LUTE.

Commissioner Olevson confirmed with Director of Community Development Ryan that the EIR did not complete a full analysis of CEQA Alternative 2, which would have less industrial use and more housing units, because the EIR would need to be redone. Director of Community Development Ryan commented that the City Council has directed staff to look at more housing in the Lawrence Station Area Plan (LSAP) and Peery Park Specific Plan (PPSP).

Commissioner Olevson stated that it appears that one underlying philosophy of the LUTE is based on the number of people per dwelling unit, which is trending towards smaller families. Commissioner Olevson asked staff if the LUTE implies

there will be more apartments and less home ownership. Director of Community Development Ryan advised that the average household size fluctuates due to various conditions and that right now household sizes are larger. Director of Community Development Ryan stated that the original analysis was based on future predictions of smaller household sizes, which is credible given current projects with smaller unit sizes.

Commissioner Olevson stated that the proposed Job to Housing Units Ratio discussed in the LUTE could worsen the housing situation and that the City Council policy has been to reduce this ratio. Commissioner Olevson noted a concern about a long-range plan that has more jobs than housing, which would lead to an increase in commuting. Commissioner Olevson stated that the other Commissions appeared focused on finding a better ratio and asked staff to explain why the LUTE pursues a high job ratio. Director of Community Development Ryan stated that there is no simple answer and commented that the number of jobs in the community today is less than was reported in 1990 and 2000. Director of Community Development Ryan advised that the difference can partly be attributed to a different method of calculation but mostly attributed to a reduction in community businesses utilizing multiple employee shifts. Director of Community Development Ryan stated that this business model change effected the nature of jobs and types of transportation results on the roadway system. Director of Community Development Ryan recommended that the Planning Commission look at the Job to Housing Units Ratio for the region and sub-region, as opposed to only for the City.

Commissioner Weiss commented that page 26 of Attachment 4 outlines the allocation of funding for alternative transportation and asked staff to describe the funding sources. Director of Public Works Pineda advised that there are multiple funding sources which can change depending on the federal government. Director of Public Works Pineda stated that the City regularly pursues grants that are related to multi-modal improvements, such as clean air, safe routes to school and bicycle specific grants. Director of Public Works Pineda stated that the Valley Transportation Authority (VTA) has a Valley Transportation Plan 2040 (VTP 2040) which outlines specific improvements related to bicycle, pedestrian, multi-modal and complete street improvements as well as funding for those projects. Director of Public Works Pineda stated that the County of Santa Clara passed a new measure where cities compete for funding specific to bike and pedestrian improvements. Director of Public Works Pineda advised that whenever a roadway improvement occurs today, even if it is related to a vehicular improvement, it must meet complete streets policy and incorporate facilities for bicycles and pedestrians. Commissioner Weiss asked staff what funds can reliably be counted on for the

City. Director of Public Works Pineda explained that some funds such as the Transportation Development Act (TDA) and Measure B can be counted on and that other funds are competitive. Director of Public Works Pineda stated that the City has successfully competed and been awarded 21 grants in the past six to nine months, at least 50% of which are dedicated to multi-modal improvements.

Commissioner Weiss asked staff to provide additional information about the 3,100 housing units. Director of Community Development Ryan advised that the 3,100 units is allowed by the General Plan and is in addition to 11,000 units which have already been adopted but not built. Director of Community Development Ryan advised that not all sites will develop to 100% of the permitted units but that with the state density bonus some sites will exceed it. Director of Community Development Ryan commented that it's unlikely to reach that buildout by 2035 but that staff has planned for it and there are support systems in place.

Commissioner Weiss stated that the Planning Commission routinely reviews proposed projects that exceed the Floor Area Ratio (FAR) and from that perspective housing sizes appear to be increasing, not decreasing. Director of Community Development Ryan stated that the Planning Commission only reviews a small percentage of homes compared to the overall total and that specifically larger houses and multi-family developments come before the Planning Commission. Director of Community Development Ryan advised that the units for the LSAP, reviewed by the Planning Commission in December 2016, are smaller than some of the single-family home applications heard by the Planning Commission.

Commissioner Howard stated that the recommended guidelines provided by the Sunnyvale Sustainable and Affordable Living Coalition (SSALC) reference assumptions on square feet of office space per employee and asked for staff comments. Director of Community Development Ryan advised that offices do have a higher employee generation rate than other non-residential uses but that the number represents all non-residential uses, including distribution centers, offices, retail, hotels and warehouses. Director of Community Development Ryan stated that in analyzing the number of jobs in the City and square footage it's approximately 600 square feet per employee. Director of Community Development Ryan advised that the Class A Office buildings have a slightly higher average, depending on the tenant and their needs. Commissioner Howard confirmed with Director of Community Development Ryan that the 450 square feet per employee includes all uses. Commissioner Howard asked if data is tracked for those statistics and Director of Community Development Ryan advised that it is possible to track, commenting that square footage has increased and the number of jobs has decreased.

Chair Harrison commented that the 450 square feet per employee and Job to Housing Units Ratio of 1.74 is based on what's currently been entitled to date. Director of Community Development Ryan stated that the total General Plan, which includes decisions made through December 2016, defines the Job to Housing Units Ratio of 1.74. Chair Harrison clarified with Director of Community Development Ryan that this number reflects what the General Plan would enable, not what's entitled.

Chair Harrison commented that the state was deciding how vehicle miles traveled (VMT) should be counted, noted that the new LUTE would rely more on VMT and asked staff for a VMT update. Director of Public Works Pineda advised that a determination has not yet been made and that staff is working with the VTA while waiting for guidance and direction.

Chair Harrison stated an understanding that CEQA Alternative 2, with increased housing, predicts greater VMT than the proposed CEQA Alternative 1 but also predicts that VMT might be reduced due to increased job proximity. Mr. Black explained that VMT is calculated by multiplying a trip by the length of the trip and that CEQA Alternative 2 would increase the number of trips, due to the greater amount of development, and thus increase the VMT. Chair Harrison clarified with Mr. Black that CEQA Alternative 2 has more development than the proposed CEQA Alternative 1. Mr. Black commented that there are different ways to review VMT but that CEQA Alternative 2 has a greater level of development. Chair Harrison clarified with Mr. Black that the VMT must be defined within a given context, whether that is for the City, region, per capita or overall.

Director of Community Development Ryan commented that the EIR gives CEQA alternatives, which are not fully evaluated but completed at a high-level to compare the difference in environment effects between alternatives. Director of Community Development Ryan advised that these alternatives can be used as a guide and should the Planning Commission want to pursue another alternative, staff could determine what additional work would be required.

Chair Harrison noted an understanding that the LUTE is required by state law to be updated every 20 years. Director of Community Development Ryan explained that there isn't a specific time frame but that the state requires that every community have a General Plan, which is reviewed annually and that the General Plan guidelines suggest a periodic review. Director of Community Development Ryan stated that the Housing element does have specific criteria for updates. Chair Harrison confirmed with Director of Community Development Ryan that there will

be no negative consequences if the LUTE isn't approved in the next 30 days. Director of Community Development Ryan advised that cities have been challenged because they didn't update their General Plan and that the focus should be to stay current with policies and address any issues.

Chair Harrison stated that the Horizon 2035 Advisory Committee analyzed transportation policies and that some of those policies mirror existing City policies. Chair Harrison advised that the Bicycle and Pedestrian Advisory Committee (BPAC) has expressed an opinion that some City policies aren't fully implemented and asked staff if the LUTE transportation policies would change the operating basis for City policy. Director of Public Works Pineda stated that the City's goal is to create transportation choices and opportunities and that the belief is that current policies and any additions or modifications enable the City to pursue this goal. Director of Public Works Pineda advised that staff has heard from BPAC in regards to the LUTE policies. Director of Public Works Pineda stated that policies provide guidance for staff recommendations and are taken into consideration along with current events. Director of Public Works Pineda cited an example that the LUTE policies regarding parking describe parking as a non-transportation element, and instruct that parking should take less priority than bicycles, pedestrian and cars. Director of Public Works Pineda stated that this policy is balanced by community feedback, community outreach, safety and parking requirements. Director of Public Works Pineda commented that the City policies provide a comprehensive transportation element which offers guidance and allows the City to grow their bicycle and transportation network.

Chair Harrison confirmed with Director of Community Development Ryan that a specific plan for a Village Center would only be initiated if the property owners wanted to develop, and that the sequence for the Village Centers would depend on when the interested property owners came forward. Chair Harrison confirmed with Director of Community Development Ryan that the property owners would be required to pay for the specific plans. Director of Community Development Ryan commented that the property owners would also be responsible for the City staff fees and anything related to the specific plan, such as an additional environmental review. Chair Harrison stated that some Village Centers have multiple owners and asked staff how each Village Center would be developed. Director of Community Development Ryan stated that there are no specific rules, so if only one property owner wanted to initiate a specific plan, staff would want to ensure that the other properties were incorporated into the effort, even if those property owners weren't actively involved. Chair Harrison stated that the City fronted the cost for the PPSP and that those costs are recouped as properties are developed. Chair Harrison asked staff if the process would be similar for the Village Centers and Director of

Community Development Ryan advised that the Village Centers would have smaller specific plans and that there would be no need for a fee since the City wouldn't provide any funding up front.

Vice Chair Rheaume commented that page 20 of the staff report outlines an option to revert a portion of the Futures 5 area to housing and asked staff if that option would require an EIR revision. Director of Community Development Ryan advised that it is covered by the current EIR but that if the Planning Commission requested to add a significant number of units, that would likely require an additional level of environmental review. Vice Chair Rheaume confirmed with Director of Community Development Ryan that the Futures 5 area is currently zoned for Industrial and would stay Industrial, unless the Planning Commission requests a change. Director of Community Development Ryan stated that the Futures 5 area is only General Plan Industrial to Residential (ITR) and that the Horizon 2035 Committee's recommendation was to remove the ITR General Plan land use designation, which would allow for 360 housing units on 40% of the area.

Commissioner Weiss stated an opinion that a key positive feature of the Village Centers is the ability of residents to become less car dependent but that this would depend on an enhanced transit system. Commissioner Weiss commented that there is not an enhanced transit system in place at the intersection of Mary Avenue and Fremont Avenue and asked staff how increased traffic congestion will be prevented. Director of Community Development Ryan advised that the LUTE provides options to live without a car but that not everyone in every Village Center will make that choice. Director of Community Development Ryan stated that all the Village Centers are in areas where the VTA currently has or is proposing to maintain bus lines and that the Village Centers would be located at the busiest transit stops. Director of Community Development Ryan stated that the 900 units will be spread out among the seven Village Centers, noting that no Village Center will have enough resident density to justify a major transportation improvement, but that the addition of Village Center residents may alter the number of buses.

Chair Harrison opened the Public Hearing.

Carlos Salinas, Sunnyvale resident, discussed his concern with the architectural character of the proposed project.

Jason Uhlenkott discussed his concern with the Jobs to Housing Ratio and urged the Planning Commission and City Council to consider CEQA Alternative 2 for the proposed project.

Karen Schlessor, Sunnyvale resident, discussed her concerns with affordable housing and the housing shortage crisis and urged the Planning Commission to consider additional housing units in the proposed project.

Sue Serrone, Sunnyvale resident and member of Sunnyvale Sustainable and Affordable Living Coalition (SSLAC) and the Sunnyvale Democratic Club, discussed her concerns with retention of small businesses and affordable housing. Ms. Serrone advocated for the Village Centers, noting that they have the potential to engage neighborhoods and residents.

John Cordes, member of the Bicycle and Pedestrian Advisory Commission, discussed his concerns with the increase in jobs and commutes, lack of a balanced growth requirement and housing and the proposed project's impact on the City's greenhouse gas reduction target goals.

Kiyomi Honda Yamamoto, Regional Representative for the Greenbelt Alliance, discussed her concerns with the proposed project's impact on the Jobs to Housing Ratio, greenhouse gas emissions and air pollution. Ms. Yamamoto spoke in support of the Village Centers, advocating that the City increase the number of Village Centers.

Brennan Robins, Sunnyvale resident, discussed his concerns with the proposed project's impact on traffic congestion, air pollution and housing affordability. Mr. Robins asked the Planning Commissioners to support CEQA Alternative 2 or SSLAC's proposed alternatives and spoke in support of the Village Centers in the proposed project.

Meredith Rupp, Greenbelt Alliance South Bay Intern, discussed her concerns with the proposed project's impact on the housing affordability crisis, increased commutes and the displacement of young professionals. Ms. Rupp requested the Planning Commission increase the number of housing units in the proposed project.

Zachary Kaufman discussed his concerns with Goal F, Policy 19 Action 2, Policy 31 Action 1, Policy 24 and Policy 35 as outlined in the 2017 Draft LUTE.

Mike Serrone, member of SSLAC and the Sunnyvale Democratic Club, spoke in support of the Village Centers in the proposed project and commented on the evolution of office space in technology.

Dave Jones, member of the Bicycle and Pedestrian Advisory Commission,

discussed his concerns with the Jobs to Housing Ratio, the lack of a balanced growth requirement, displacement of older residents and tensions between neighbors over redevelopments. Mr. Jones asked the Planning Commission to consider CEQA Alternative 2 for the proposed project.

Sally Terris, Sunnyvale resident, discussed her concerns with zoning and character preservation for the communities surrounding the proposed Village Centers and the lack of protection for existing business owners. Ms. Terris spoke in support of Policy 53, Policy 55 Action 1 and Policy 56 as outlined in the 2017 Draft LUTE. Ms. Terris spoke in opposition of Policy 55 Action 2 of the 2017 Draft LUTE, noting her concern that neighborhoods surrounding the Village Centers could have their zoning changed to allow a higher density use.

Steve Labovitz, Sunnyvale resident, discussed his concerns with a lowered barrier for developers, the Village Center heights impact on neighborhood character, the effect on local existing businesses and the impact of adding medium density housing on local schools.

Chair Harrison closed the Public Hearing.

Commissioner Howard asked staff why the LUTE couldn't pursue a Jobs to Housing Ratio closer to one, considering the community feedback. Director of Community Development Ryan advised that in looking at the existing land use in the community, an area where you might see change is in the industrial areas, where housing could be allowed, depending on adjacent land uses. Director of Community Development Ryan stated that the Planning Commission could recommend to pursue that option and the City Council would have to provide subsequent direction to staff. Director of Community Development Ryan explained that the Horizon 2035 Advisory Committee strived to protect single-family homes, which limits major change from occurring in most of the City.

Chair Harrison commented that CEQA Alternative 2 would reduce the planned nonresidential floor area at the ITR 5 site (Northrop Grumman) by 40 percent and confirmed with Director of Community Development Ryan that the current EIR covers this scenario. Chair Harrison commented that Northrop Grumman won't sell their property and that they have concerns for residential units due to contamination. Chair Harrison asked staff if this is a realistic option to increase housing. Director of Community Development Ryan clarified that not all the land in the northern area is owned by Northrop Grumman nor does all the land pose concern for groundwater contamination. Director of Community Development Ryan stated that there could be better housing potential in the areas not owned by

Northrop Grumman but those property owners would have to decide to change the zoning.

Chair Harrison posed a scenario where the LUTE is adopted, the ITR 5 site retains 40% ITR zoning and that area is never redeveloped in the next 20 years. Chair Harrison noted that the General Plan allows for 360 additional housing units and 1,400 fewer jobs and asked staff if adjustments could be made in other areas to allow for more housing development. Director of Community Development Ryan advised that other modifications can always be considered in the future but that you do need time to analyze how the General Plan policies are effectively enhancing the community.

Commissioner Weiss stated an understanding that the LSAP had a stipulation to cap development so that the number of housing units built were tied to the number of jobs and asked staff if that could be used City wide to reach a better housing to jobs balance. Planning Officer Miner advised that the LSAP cap existed because the Community Advisory Group wanted a mix of uses and to ensure that the area didn't evolve into all residential or all office. Planning Officer Miner stated that the initial cap allows for either use to meet half of the allowed total for the area, ensuring that both uses expand to the expected plan levels. Director of Community Development Ryan advised that exploring this concept would require staff evaluation. Director of Community Development Ryan stated that the LSAP was a small area and that while the goal was to have even office and residential use, the progression of either use at the halfway point could influence the ultimate outcome and balance. Commissioner Weiss commented that commercial development and housing are not aligned and that likely this needs analysis to proceed at a better pace.

Commissioner Howard asked staff if the Planning Commission can make a recommendation regarding potential caps on commercial development tied to residential development. Director of Community Development Ryan stated that it is a possibility and that the Planning Commission could recommend to City Council to consider follow up action or not adopt the LUTE until a finding is made.

Director of Community Development Ryan commented that the market is currently strong for multiple different uses but that based on the market history there will be change in the future.

MOTION: Commissioner Howard moved for Alternative 1, 4 and 5 –

1. Adopt a Resolution to:
  - a. Certify the EIR;

- b. Make the Findings Required by the California Environmental Quality Act;
  - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program; and,
  - d. Adopt the Water Supply Assessment.
4. Alternative 3 with modifications to the Horizon 2035 Land Use and Transportation Element, within the scope evaluated in the EIR – explore CEQA Alternative 2.
  5. Do not adopt the Land Use and Transportation Element and provide direction on modifications to consider.

Chair Harrison and Director of Community Development Ryan clarified the motion with Commissioner Howard. Director of Community Development Ryan advised that the motion could recommend to adopt the LUTE as presented and advise the City Council that consideration should be given for additional housing units. Director of Community Development Ryan clarified that CEQA Alternative 2 doesn't give specifics on how to lower the Jobs to Housing Ratio. Director of Community Development Ryan stated that the Planning Commission could recommend the policies but not recommend approval of the LUTE, advising that it should have additional housing.

Commissioner Howard withdrew his motion.

Commissioner Olevson noted that CEQA is an informational document and not City policy.

MOTION: Commissioner Olevson moved and Vice Chair Rheame seconded the motion for Alternative 1 a, b and d –

1. Adopt a Resolution to:
  - a. Certify the EIR;
  - b. Make the Findings Required by the California Environmental Quality Act; and,
  - d. Adopt the Water Supply Assessment.

Chair Harrison confirmed with Commissioner Olevson that the motion excludes Alternative 1 c.

Commissioner Olevson commented that the EIR is informational and doesn't determine City policy. Commissioner Olevson stated an opinion that the Water Supply Assessment has been verified and that the EIR appears to have adequately identified issues which pertain to the LUTE and should be certified as an informational document. Commissioner Olevson noted that the omission of the Statement of Overriding Considerations was due to his uncertainty if the LUTE adequately addresses all citizen concerns. Chair Harrison confirmed with Senior

Assistant City Attorney Rebecca Moon that omitting Alternative 1 c was acceptable for the initial motion. Senior Assistant City Attorney Moon advised that the Statement of Overriding Considerations would need to be included to approve the LUTE as an amendment to the General Plan.

Commissioner Howe stated an opinion that an alternate motion could take staff's recommendation and add a development cap, as mentioned by residents. Commissioner Howe commented that a regular review of the development would allow the City Council to manage the housing and industrial use on an ongoing basis.

Chair Harrison clarified with Commissioner Howe that his statement was not a friendly amendment to the current motion.

Commissioner Weiss clarified with Senior Assistant City Attorney Moon that the current motion pertains only to certifying the EIR and the Water Supply Assessment, which would state that they are adequate documents which meet CEQA requirements. Senior Assistant City Attorney Moon advised that the subsequent motion would be a vote for or against adopting the LUTE. Chair Harrison confirmed with Senior Assistant City Attorney Moon that the LUTE cannot be adopted without Alternative 1 c.

The motion carried by the following vote:

**Yes: 4 -** Vice Chair Rheaume  
Commissioner Howard  
Commissioner Olevson  
Commissioner Weiss

**No: 2 -** Chair Harrison  
Commissioner Howe

**Absent: 1 -** Commissioner Simons

Director of Community Development Ryan stated that if the Planning Commission recommends any changes to the LUTE policies or quantities of land use, then they must include the Statement of Overriding Considerations in the motion. Senior Assistant City Attorney Moon clarified that adoption of the new LUTE, or any form of the new LUTE, requires the Statement of Overriding Considerations.

MOTION: Commissioner Howe moved and Chair Harrison seconded the motion for Alternative 4 and Alternative 1 c. –

4. Alternative 3 with modifications to the Horizon 2035 Land Use and Transportation Element, within the scope evaluated in the EIR – recommend to the

City Council that monitoring occur to manage the commercial and residential developments at defined time intervals.

1 c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

Commissioner Howe commented that the Horizon 2035 Committee met almost 30 times on this item and that the Bicycle and Pedestrian Advisory Commission, Housing Commission and Sustainability Commission have all reviewed this item. Commissioner Howe stated one comment heard during the public hearing is that a lot of development can occur in a short period and that periodic review of the development balance is missing.

Chair Harrison noted she will be supporting the motion and as an original member of the Horizon 2035 Committee understands the debate over the LUTE and has personally heard many resident opinions. Chair Harrison advised that there was a tremendous amount of community involvement in this process. Chair Harrison commented that the concept of housing affordability and availability wasn't a problem seven years ago but that this process takes a long time to proceed and that the seven years of effort shouldn't be discarded. Chair Harrison stated an opinion that the LUTE policies are in the best interest of the citizens of Sunnyvale and will allow for a diversity of housing which will support residents and those wanting to move to the City. Chair Harrison commented that there is a need to monitor the commercial and residential development and allow for future policy changes, which is why she will be supporting Commissioner Howe's motion.

FRIENDLY AMENDMENT: Vice Chair Rheaume offered a friendly amendment to allow 40% of the Futures 5 area to stay ITR, which would allow 360 housing units on 40% of the area and decrease job potential by about 1,400 jobs.

Commissioner Howe and Chair Harrison accepted the friendly amendment.

Vice Chair Rheaume stated an opinion that the work which has gone into the LUTE is in the best interest of the City and it will be beneficial to have additional types of housing units, especially smaller units to accommodate different needs. Vice Chair Rheaume commented that he was reluctant to support this but in reviewing the map there isn't space left for additional housing, unless you build up next to single-story families which is not desired by most residents.

Commissioner Olevson stated that he will not be supporting the motion, that this is a 20-year plan which sets a policy that jobs will grow more than housing, despite the need for housing. Commissioner Olevson commented that some businesses

are offering money to have people move into satellite offices just to retain their employees. Commissioner Olevson stated an opinion that the LUTE has innovative ideas, like the Village Centers, but the policy to have jobs grow faster than homes doesn't fit with the needs as presented by the citizens of the City.

Commissioner Weiss stated an appreciation for all the work that has gone into the LUTE but also commented that she is uncomfortable with the emphasis on jobs. Commissioner Weiss stated that the friendly amendment is not precise enough to give City Council details on how to gauge the progress and balance of housing and commercial development. Commissioner Weiss stated that regrettably, she cannot support the motion.

Chair Harrison confirmed with Director of Community Development Ryan that the only avenue left to reduce jobs would be for the Planning Commission to not approve the Reamwood Light Rail Transit (LRT) station. Director of Community Development Ryan commented that the City Council could lower the Floor Area Ratio (FAR) that's allowed in industrial areas or consider other avenues, but nothing else can be done within the current scope of the LUTE. Chair Harrison commented that the Moffett Park Specific Plan (MPSP), PPSP and LSAP have all been approved.

Commissioner Howard commented that he has deep reservations about a greater ratio of commercial development to housing. Commissioner Howard noted he is inclined to support the motion based on several reasons already presented and that at this point the Planning Commission has a limited ability to change the overall direction. Commissioner Howard noted an appreciation of Commissioner Howe's modification to have City Council evaluate the ratio of jobs to housing. Commissioner Howard stated that this is flawed progress, but progress nonetheless.

The motion carried by the following vote:

**Yes:** 4 - Chair Harrison  
Vice Chair Rheaume  
Commissioner Howard  
Commissioner Howe

**No:** 2 - Commissioner Olevson  
Commissioner Weiss

**Absent:** 1 - Commissioner Simons

Planning Officer Miner advised that this item goes to the City Council on April 11.

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

Chair Harrison commented that during tonight's Study Session a parcel of land is being developed for housing only because the existing policy doesn't allow for a diversification in heights. Chair Harrison noted that something with more flexibility would enable more of a community feel. Chair Harrison asked how and where that concept could be implemented. Planning Officer Miner advised that typically those buildings are already at the maximum height or more if they use green building incentives, and that the height limitation would need to be increased to build more vertically. Planning Officer Miner commented that it's a policy consideration, if that is the direction of the City, and that this could be a study issue. Planning Officer Miner stated that the City Council advised to look at additional housing in LSAP and one idea is to see if greater height will be acceptable, which would allow for different building products. Chair Harrison commented that she would like to see this as a study issue. Planning Officer Miner stated that staff can prepare draft language and then the Planning Commission can take a vote to sponsor the potential study issue. Chair Harrison reminded Commissioner Olevson and Commissioner Howe that during the Planning Commissioners Academy an alternative plan was presented for a large development which had a diversity of height and looked neighborhood friendly. Planning Officer Miner advised that if the Planning Commission is interested, staff will prepare the language for a future agenda for consideration. Commissioner Howe encouraged the Planning Commission to follow up on this potential study issue.

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

#### **-Commissioner Comments**

#### **-Staff Comments**

Planning Officer Miner commented that on March 28th the City Council will hear two items previously heard by the Planning Commission, the Lockable Storage Space and the proposed project at 520 Almanor Avenue by Lane Partners.

### **ADJOURNMENT**

Chair Harrison adjourned the meeting at 10:08 PM.