

additional fees if they wanted to expand the GPA study area.

MOTION: Commissioner Howe moved and Commissioner Olevson seconded the motion for Alternative 1 – Deny the request to initiate a General Plan Amendment (GPA) study and retain the subject property as Neighborhood Commercial.

Vice Chair Rheume stated that he will not supporting the motion. Vice Chair Rheume commented on length of time since the previous denial and noted that he would have supported Alternative 3.

Commissioner Simons stated that he will be supporting this motion. Commissioner Simons commented on the importance of undisturbed parks and commercial space for residents and noted an opinion that it's not appropriate to change this zoning designation.

Commissioner Howard stated that he will not be supporting this motion. Commissioner Howard reiterated the applicant's belief that the site is not commercially viable and commented that consideration to change the zoning would be worthwhile. Commissioner Howard noted that he would have supported Alternative 3.

The motion carried by the following vote:

Yes: 4 - Commissioner Howe
Commissioner Olevson
Commissioner Simons
Commissioner Weiss

No: 2 - Vice Chair Rheume
Commissioner Howard

Absent: 1 - Chair Harrison

Planning Officer Miner advised that this item goes to the City Council on August 15th.

- 5. 17-0642 File #:** 2017-7382
Locations: 893-909 Kifer Road (APN 205-42-011), 905 Kifer Road (APN 205-42-009)
917 Kifer Road (APN 205-42-008), 133-135 Commercial Street and
919-921 Kifer Road (APN 205-42-007), 155 Commercial Street (APN 205-42-006), 165 Commercial Street (APN 205-42-010), 167-171
Commercial Street (APN 205-42-012), 181 Commercial Street (APN

205-42-003), 183 Commercial Street (APN 205-42-004), 193 Commercial Street (APN 205-42-002), No address (APN 205-42-001)

Proposed Project: General Plan Amendment Initiation: to consider a 100% FAR combining district on 11 parcels in the M-S zoning district totaling 17.85 acres.

Applicant / Owner: ARC TEC, Inc. (applicant) / Fortinet (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).

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

Senior Planner George Schroeder presented the staff report.

Commissioner Olevson asked staff about the cost to the applicant if the Planning Commission supports an expanded study area. Senior Planner Schroeder provided details about what would be required for an expanded study area. Planning Officer Andrew Miner stated that the applicant is already committed to the cost for one site and that expanding the study area is an incremental cost by comparison.

Vice Chair Rheaume opened the Public Hearing.

Larry Burnett, Senior Director with Fortinet, presented images and information about the proposed project.

Commissioner Howard confirmed with Mr. Burnett that the current industrial activity is comprised of research and development labs. Commissioner Howard asked about industrial use in the new headquarters. Mr. Burnett stated that it would mainly be research and development labs and a new data center but that it would not house manufacturing.

Commissioner Olevson reiterated the applicant's concern that an expanded study area would impact their timing and asked for the applicant's input. Mr. Burnett stated that they must prioritize their growth needs and that the first building is required for their near-term growth.

Commissioner Howard asked the applicant if they would consider using another site. Mr. Burnett stated that their best option is to stay and grow on this site since they own it and are committed to it.

Vice Chair Rheaume closed the Public Hearing.

Commissioner Howe asked for staff comments on the difference in timing between the alternatives, the standard cost for this study and the expected cost increase if

the study area is expanded. Planning Officer Miner provided details about the application with and without an expanded study area. Planning Officer Miner advised that staff recommends expanding the study area to create a specific plan.

Commissioner Howe confirmed with Planning Officer Miner that the applicant hasn't submitted a plan for their current building. Planning Officer Miner provided details about the potential analyses that could be required.

Commissioner Howard asked for staff clarification about the use of M-S (Industrial and Service) zoning. Planning Officer Miner stated that it is the most common industrial zoning in the City and advised that usually large high Floor Area Ratio (FAR) projects are within specific plans.

MOTION: Commissioner Howard moved and Commissioner Simons seconded the motion for Alternative 3 – Initiate a General Plan Amendment study of a larger study area (bounded by Central Expressway to the north, Kifer Road to the south, the private park to the east, and Wolfe Road to the west) as an industrial intensification site in the General Plan to allow 100 percent FAR with the preparation of a Specific, Area, or Precise Plan.

Commissioner Howard commented that he supports the applicant's proposed project and noted that there are no community objections. Commissioner Howard spoke to the potential increase in tax revenues and the importance of keeping businesses rooted in the community. Commissioner Howard noted his agreement with the staff recommendation that the adjacent parcels should be evaluated in regards to the overall zoning. Commissioner Howard noted his respect for the applicant's concern regarding timing and stated a belief that the applicant should be able to accommodate their office space needs in the interim.

Commissioner Simons commented that grouping this land together will allow for a more effective review of any impacts and noted that a specific plan is appropriate for this site. Commissioner Simons stated that he will be supporting the motion.

The motion carried by the following vote:

Yes: 6 - Vice Chair Rheaume
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Commissioner Weiss

No: 0

Absent: 1 - Chair Harrison

Planning Officer Miner advised that this item goes to the City Council on August 15th.

6. 17-0717 Selection of Chair

Vice Chair Rheaume was selected as the new Chair for the Planning Commission.

7. 17-0718 Selection of Vice Chair

Commissioner Weiss was selected as the new Vice Chair for the Planning Commission.

8. 17-0721 Selection of Seats

Seats were selected by the Planning Commissioners in order of seniority.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Commissioner Weiss commented on the potential for a safe exchange area for goods purchased online, such as through Craigslist, and asked staff about a study session on this topic. Planning Officer Miner advised that this would go through the Department of Public Safety (DPS) and that staff would obtain information for the Planning Commission.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Vice Chair Rheaume adjourned the meeting at 12:38 AM.