

EXCERPT

Planning Commission

Meeting Minutes - Final

September 11, 2017

Commissioner Olevson stated that he will be supporting the motion. Commissioner Olevson commented that this application meets all the City Council established criteria for an SSCD. Commissioner Olevson noted that it follows a tract and has substantial support from the homeowners.

Commissioner Howard commented on his concern with SSCD's given the housing crisis and noted his agreement with Commissioner Simons that this district is worthy of historical preservation. Commissioner Howard stated an opinion that allowing SSCD's can potentially undermine future historical preservation and that he will not be supporting the motion for this reason.

Vice Chair Weiss stated that she will be supporting the motion because it meets the SSCD criteria. Vice Chair Weiss stated an opinion that the Single Family Home Design Techniques are sufficient and that SSCD's are redundant. Vice Chair Weiss noted that SSCD's make it difficult for residents to accommodate growing families but that she will reluctantly be supporting the motion.

Chair Rheume stated that he will be supporting the motion and noted his agreement with the comments made by Commissioner Harrison. Chair Rheume noted that only 13 of the 35 properties will be protected all on sides. Chair Rheume stated that he can make the findings for the SSCD.

The motion carried by the following vote:

Yes: 5 - Commissioner Harrison
Chair Rheume
Commissioner Olevson
Commissioner Simons
Vice Chair Weiss

No: 1 - Commissioner Howard

Absent: 1 - Commissioner Howe

Planning Officer Miner advised that this item goes to the City Council on October 17th, 2017.

4. [17-0758](#) File #: 2017-7565

Location: 1666-1698 Swallow Drive (Assessor Parcel Number 313-41-010 thru 012, 313-41-027 and 028), 1104-1121 Lorne Way

(APNs 313-41-013 thru 026), 1103-1111 Homestead Road (APNs 313-41-005 thru 009) and 18771 East Homestead Road (APNs 313-41-070 and 071).

Zoning: R-0 and R-0/PD for 18771 Homestead Road

Proposed Project: REZONE Introduction of Ordinance to **REZONE** 24 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story) and one single family home lot (with 2 assessor parcels) from R-0/PD (Low Density Residential/Planned Development) to R-0/S/PD (Low Density Residential/Single-Story) (25 lots total)

Applicant / Owner: Craig Milito (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).

Project Planner: Shétal Divatia (408) 730-7637,
sdivatia@sunnyvale.ca.gov

Senior Planner Shetal Divatia presented the staff report.

Planning Officer Andrew Miner commented that this is a difficult Single Story Combining District (SSCD) application due to the lack of properties needed to meet the minimum 20 lot requirement. Planning Officer Miner provided the rationale for the staff recommendation to deny the rezone.

Commissioner Howard confirmed with Senior Planner Divatia that this application contains the only Eichler tract in this neighborhood.

Chair Rheume opened the Public Hearing.

Craig Milito, applicant, presented images and information about the proposed project.

Commissioner Harrison confirmed with Mr. Milito that they feel a second story development would impede the peaceful nature of their neighborhood and the ability of children to play. Commissioner Harrison clarified with Mr. Milito that their concern

is in regards to the development proposal for the large lot at 18771 East Homestead and that they would prefer single family homes at that location.

Vice Chair Weiss confirmed with Mr. Milito that their concern pertains to the potential for Lorne Way to extend to Homestead Road. Planning Officer Miner provided details about the 18771 East Homestead lot. Planning Officer Miner stated that the Department of Public Works (DPW) would not allow the extension of Lorne Way to Homestead Road and that regardless, that aspect would be within the Planning Commission's purview.

Chair Rheame asked for comments about the reason for this SSCD request. Mr. Milito stated that their goal is to preserve the neighborhood and keep the single-story nature and uniformity of the properties.

Deborah Iturralde spoke in opposition of the proposed rezone and provided details about the hardship it would pose for smaller homes. Ms. Iturralde requested that her home be excluded from the application.

Commissioner Simons discussed the potential for larger homes to be developed adjacent to this neighborhood with Ms. Iturralde.

Stephanie Pestarino spoke in opposition of the proposed rezone and requested that the Planning Commission support staff's recommendation. Ms. Pestarino discussed her concerns regarding negative impact on property values and the lack of a minimum of 20 lots.

Rene Vargas-Voracek, Sunnyvale resident, spoke in support of the proposed rezone and discussed his concerns with the development potential for the lot at 18771 East Homestead and adherence to the Eichler Guidelines.

Commissioner Harrison clarified with Mr. Vargas-Voracek about his understanding of the restrictions that would be imposed if the SSCD application is approved. Commissioner Harrison confirmed with Mr. Vargas-Voracek that his desire is to restrict the lot at 18771 East Homestead.

Amer Siddiquee, Sunnyvale resident, spoke in opposition of the proposed rezone and discussed his concerns with the burden placed on the non-Eichler homes on Swallow Drive.

John Savanyo, Sunnyvale resident, spoke in support of the proposed rezone if it only applies to the Eichler homes. Mr. Savanyo discussed his concerns with privacy and the Eichler Design Guidelines.

Commissioner Harrison confirmed Mr. Savanyo's familiarity with the Eichler Design Guidelines. Mr. Savanyo clarified that his concern stems from the lack of prevention for building two story homes.

Volker Joehnk, Sunnyvale resident, spoke in support of the proposed rezone and asked the Planning Commission to consider Option 2.

David Berbessou, Sunnyvale resident, spoke in support of the proposed rezone and asked the Planning Commission to consider Option 2. Mr. Berbessou discussed his concerns with privacy, development potential of the lot at 18771 East Homestead and subsequent impacts on traffic.

Craig Milito presented additional information about the proposed project and asked the Planning Commission to consider Option 2.

Chair Rheaume closed the Public Hearing.

Commissioner Simons asked staff about the process to modify the required 20 lot minimum. Planning Officer Miner stated that this would need to be examined as a study issue and that it could be incorporated in the SSCD study issue. Planning Officer Miner provided details about the lot at 18771 East Homestead and clarified that it is one legal lot.

Commissioner Howard clarified with Planning Officer Miner that a maximum of seven housing units would be permitted at 18771 East Homestead.

Commissioner Harrison confirmed with Planning Officer Miner that DPW is not supportive of extending Lorne Way to Homestead Road. Planning Officer Miner provided details about access for the potential development at 18771 East Homestead.

Vice Chair Weiss asked staff about the qualification of this neighborhood as a historic district. Planning Officer Miner provided details about the application and initiation process for a historic district.

MOTION: Commissioner Olevson moved and Commissioner Harrison seconded the motion for Alternatives 1 and 4 –

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3)
4. Deny the rezone

Commissioner Olevson noted his appreciation that the Eichler homeowners want to maintain the character of their cul-de-sac but stated his concern of restricting non-Eichler homes and a Planned Development (PD) lot. Commissioner Olevson commented that this SSCD application does not meet the City's criteria, as unrelated properties have been grouped to meet the minimum 20 lot requirement. Commissioner Olevson stated that he will recommend to the City Council to deny the rezone.

Commissioner Harrison stated that she cannot make the finding that to the extent feasible the proposed SSCD district shall follow a recognizable feature such as a street, stream, or tract boundary. Commissioner Harrison commented on the concern presented regarding the extension of Lorne Way but noted that City staff agrees with that concern. Commissioner Harrison noted that the minimum 20 lot requirement should be reviewed within the context of the SSCD Study Issue and wished the applicant good luck.

Commissioner Howard noted his agreement with the comments made by Commissioner Harrison. Commissioner Howard commented that the property at 18771 East Homestead will be subject to great scrutiny, require Planning Commission approval and that the residents have done a good job raising their concerns. Commissioner Howard commented on not meeting the minimum 20 lot requirement and stated that he will be supporting the motion.

Vice Chair Weiss commented that she is sensitive to the concerns raised by residents, such as increased traffic, need for quiet and the desire for a safe place for children to play. Vice Chair Weiss stated that it doesn't appear that Lorne Way will be extended and that developers may understand the limitations of the lot at 18771 East Homestead. Vice Chair Weiss stated that she will be supporting the motion because the criteria have not been met.

Commissioner Simons stated that he will not be supporting the motion and cited the cost of submitting an application. Commissioner Simons recommended to put this item on indefinite hold so that potentially in the future the applicant can return

without additional application fees.

Chair Rheume stated that he will be supporting the motion and noted his agreement with Commissioner Harrison that he cannot make the finding for a recognizable tract boundary. Chair Rheume stated that there are alternatives to address the neighborhood's concerns and noted his appreciation that neighbors want to ensure that each other's concerns are addressed.

The motion carried by the following vote:

Yes: 5 - Commissioner Harrison
Chair Rheume
Commissioner Howard
Commissioner Olevson
Vice Chair Weiss

No: 1 - Commissioner Simons

Absent: 1 - Commissioner Howe

Planning Officer Miner advised that this item goes to the City Council on October 17th, 2017.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Commissioner Simons proposed a study issue regarding techniques designed to reduce stormwater runoff.

Chair Rheume opened the Public Hearing.

Chair Rheume asked there if were any objections to adding this as a study issue.

Vice Chair Weiss asked if this could be incorporated under the Climate Action Plan. Commissioner Simons advised that this pertains more to zoning and land use impact. Commissioner Harrison asked if this study issue would identify areas for flooding. Commissioner Simons clarified that it just pertains to stormwater retention.

Chair Rheume confirmed that there were no objections to adding this as a study issue.

Commissioner Howard proposed a study issue regarding flexibility with variances for