

Commissioner Simons requested a modification to the November 27, 2017 Planning Commission draft minutes to include “right turn lane consideration for Remington eastbound and the impact of a single lane on Remington east of Sunnyvale-Saratoga for its impact on pedestrian and bicycle safety of the intersection”.

Commissioner Simons moved and Commissioner Howe seconded the motion to approve item 1.C on the Consent Calendar, as modified. The motion carried by the following vote:

Yes: 4 - Chair Rheaume
Vice Chair Weiss
Commissioner Howe
Commissioner Simons

No: 0

Absent: 1 - Commissioner Howard

Abstained: 2 - Commissioner Harrison
Commissioner Olevson

- 1. A** [17-1142](#) Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials
- 1. B** [17-1147](#) Approve the 2018 Planning Commission Annual Work Plan
- 1. C** [17-1152](#) Approve Planning Commission Meeting Minutes of November 27, 2017

PUBLIC HEARINGS/GENERAL BUSINESS

- 2.** [17-0979](#) **File #:** 2017-7688
Location: 1135-1166 Pome Avenue (APNs 202-18-029 through 031, 202-11-023 through 027, 202-13-002 through 007 and 058); 1142-1167 Pomegranate Court (APNs 202-13-008 through 013, 202-13-016 through 021, 202-13-059 and 060); 1142-1167 Pulora Court (APNs 202-13-022 through 035), 1142-1170 Quince Avenue (APNs 202-13-036 through 050); 701-795 Sheraton Avenue (APNs 202-12-004 through 019); 1151-1167 Hollenbeck Avenue (202-13-053 through 057).
Zoning: R-1
Proposed Project: Introduction of an Ordinance to **REZONE** 79 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
Applicant / Owner: John Scheffel (plus multiple property 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

Vice Chair Weiss recused herself due to the proximity of her home to the proposed project.

Senior Planner Shetal Divatia presented the staff report.

Commissioner Harrison confirmed with Senior Planner Divatia that the proposed boundary for this Single Story Combining District (SSCD) matches the original tract boundary.

Commissioner Harrison asked staff about the two property owners in opposition. Senior Planner Divatia advised that those property owners have two-story homes and felt that they couldn't support the SSCD.

Commissioner Olevson commented that there are a significant number of residents not supporting this SSCD and asked staff about a discernable pattern. Planning Officer Andrew Miner provided details about the SSCD application and survey. Senior Planner Divatia advised that there is no specific pattern.

Chair Rheume stated that 28 of the lots do not back up to single-story properties and asked staff about a correlation between those lots and property owners who did not reply to the City survey. Planning Officer Miner advised that the single story combining district does not apply only to Eichler homes, but also is used to ensure the neighborhood identity is maintained.

Chair Rheume confirmed with Senior Planner Divatia that the properties on Hollenbeck Avenue are not part of the tract. Chair Rheume noted that the proposed SSCD district must be clearly delineated and asked for staff comments. Planning Officer Miner stated that this application follows a tract boundary and that the Hollenbeck Avenue properties include two-story homes but not Eichler homes.

Chair Rheume opened the Public Hearing.

Applicant John Scheffel presented images and information about the proposed project.

Carol Weiss, speaking as a Sunnyvale resident, discussed her concerns with the development of SSCD enclaves and commented on existing requirements that protect privacy and regulate the development of two-story Eichler homes. Ms. Weiss stated an opinion that the SSCD process needs to be evaluated and noted that there are 16 SSCD's in the City but only one historic district.

Senior Assistant City Attorney Rebecca Moon explained that when a Commissioner has a conflict of interest related to their personal residence they can speak as a member of the public.

Fan Zhang discussed his concerns with two-story residential developments impacting the privacy of single-story homes. Mr. Zhang noted his understanding that the Eichler Design Guidelines are recommendations that can easily be changed and are not requirements.

Commissioner Harrison asked for staff comments in regards to the Eichler Design Guidelines.

Planning Officer Miner stated that the Eichler Design Guidelines are policy that has been adopted by the City Council and can be enforced. Planning Officer Miner provided further details about the Eichler Design Guidelines. Commissioner Harrison confirmed with Planning Officer Miner that the Eicher Design Guidelines must be followed as City Council policy.

Commissioner Harrison discussed the future potential to keep the Eichler homes in their original state with Mr. Scheffel.

Chair Rheaume discussed the relationship of lot size on a homeowners' ability to build larger homes and the impact on homeowners with smaller lots with Mr. Scheffel.

Chair Rheaume closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Olevson seconded the motion for Alternatives 1 and 2 –

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Sections

15305 and 15061 (b)(3)

2. Introduce an Ordinance (Attachment 6 of this report) to Rezone 79 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Commissioner Howe commented that the City Council has created an ordinance that allows for the creation of SSCD's if the criteria are met. Commissioner Howe stated that this application has met all the requirements, has overwhelming support and is proposed in an area that consists predominantly of Eichler homes.

Commissioner Olevson noted his previous concerns about restricting the property rights of homeowners. Commissioner Olevson stated that this application meets all the requirements and that he will be voting to recommend that the City Council approve this SSCD.

Commissioner Simons stated that he will be supporting the motion. Commissioner Simons commented on the discussion of development based on lot size and the current cost of construction in the City.

Commissioner Harrison stated that she will be supporting the motion. Commissioner Harrison noted that the application follows the original tract boundary and that the homeowners will only restrict their own development. Commissioner Harrison stated an opinion that a SSCD designation is the wrong tool if residents want to keep Eichler homes in their original state. Commissioner Harrison commented on the intended use of the Eichler Design Guidelines.

Chair Rheame thanked the applicant and stated that he will not be supporting the motion. Chair Rheame stated that he cannot make the findings that the proposed boundary is clearly delineated. Chair Rheame stated that an SSCD designation is the wrong tool to preserve this neighborhood.

The motion carried by the following vote:

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

No: 1 - Chair Rheame

Absent: 1 - Commissioner Howard

Recused: 1 - Vice Chair Weiss

Planning Officer Miner advised that this item goes to the City Council on January 23rd, 2018.

3. [17-1151](#) **File #:** 2017-7248
 Location: 838 Azure Dr. (APN: 211-18-030)
 Zoning: R-2/PD (Residential Low-Medium Density/Planned Development)
 Proposed Project: Related applications on a .34-acre site:
 SPECIAL DEVELOPMENT PERMIT: to develop four new single family homes. The existing single family home and accessory living unit are proposed to be demolished.
 VESTING TENTATIVE MAP: to subdivide one lot into four lots
 Applicant / Owner: Xin Lu
 Environmental Review: Mitigated Negative Declaration
 Project Planner: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Senior Planner Ryan Kuchenig presented the staff report.

Commissioner Howe confirmed the location and designation of parking with Senior Planner Kuchenig. Planning Officer Miner explained the parking requirements and stated that the additional guest parking space exceeds the required parking. Planning Officer Miner noted that the additional space was added in response to Planning Commission comments during the study session. Commissioner Howe asked staff about street parking. Senior Planner Kuchenig stated that curbside parking along Azure Drive will accommodate an additional three cars.

Commissioner Simons confirmed with Senior Planner Kuchenig that staff is amenable to a review of the landscape selection by the City Arborist.

Commissioner Simons asked staff about configuring the bathrooms for future installation of safety bars. Senior Planner Kuchenig advised that the applicant can address this question.

Vice Chair Weiss confirmed with staff that the existing conditions incorrectly list a restaurant.

Vice Chair Weiss noted that two different owners are listed between the site plans