



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, May 14, 2018

6:30 PM

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

Special Meeting - Study Session - 6:30 PM | Special Meeting - Public Hearing 7 PM

6:30 P.M. STUDY SESSION

Call to Order in the West Conference Room

Roll Call

Study Session

A. [18-0470](#)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: Allow a 6-unit, three-story townhouse development; existing two single-family homes to be demolished.

VESTING TENTATIVE MAP: to create 6 lots and one common lot.

Location: 669 Old San Francisco Rd., (APN's: 209-17-050 and -051)

File #: 2018-7048

Zoning: R-3/PD

Applicant / Owner: Innovative Concepts / Ghadir Nejat Trustee & Et Al

Project Planner: Ryan Kuchenig, (408) 730-7431,
rkuchenig@sunnyvale.ca.gov

Public Comment on Study Session Agenda Items

Adjourn Study Session

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Rheume called the meeting to order at 7:04 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Rheume led the salute to the flag.

ROLL CALL

Present: 7 - Chair Ken Rheaume
Vice Chair Carol Weiss
Commissioner Sue Harrison
Commissioner Daniel Howard
Commissioner John Howe
Commissioner Ken Olevson
Commissioner David Simons

ORAL COMMUNICATIONS**CONSENT CALENDAR**

Commissioner Howe moved and Vice Chair Weiss seconded the motion to approve the Consent Calendar. The motion carried by the following vote:

Yes: 7 - Chair Rheaume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

1. A [18-0446](#) Approve Planning Commission Meeting Minutes of April 23, 2018

PUBLIC HEARINGS/GENERAL BUSINESS

2. [18-0374](#) **Proposed Project:**

DESIGN REVIEW: to allow a new one-story single family home resulting in 1,963 square feet (1,640 square feet of living area and 323 square foot one-car garage) and 49% floor area ratio on a 4,000-square foot lot;

VARIANCE: to allow the following deviations:

- 10-15' front yard setback where 20' minimum is required;
- 7' 2" combined side yard setback where 10' minimum is required;
- 49% lot coverage where 45% maximum is permitted;
- One-covered parking space where two-covered parking spaces are required; and,
- No uncovered parking spaces where two-uncovered parking spaces are required.

Location: 814 Coolidge Avenue (APN: 165-17-017)

File #: 2017-7765

Zoning: R-2 (Low Medium Density Residential)

Applicant / Owner: Joe and Raquel Fanucchi (applicant) / (owner)

Environmental Review: Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include minor additions to an existing single-family residence (CEQA Section 15301).

Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

Associate Planner Cindy Hom presented the staff report.

Commissioner Howard confirmed with Associate Planner Hom that the five-foot street dedication is required for the future road widening of Coolidge Avenue.

Vice Chair Weiss asked staff about the timing of this future widening. Assistant Director Andrew Miner stated that this is a Department of Public Works project and that staff is not aware of any current plans.

Associate Planner Hom provided information about Condition of Approval (COA) PS-1 to Vice Chair Weiss.

Commissioner Simons asked staff if the basis for the variance request is the granting of similar variances in the neighborhood. Assistant Director Andrew Miner provided information about the combined side yard setback and Associate Planner Hom provided information about the front yard setback.

Commissioner Howe clarified with Assistant Director Miner that without the required five-foot street dedication the front setback would be 20'. Commissioner Howe clarified with Assistant Director Miner that the proposed combined side setback is 7' 2" where a minimum of 10" is required.

Commissioner Olevson confirmed with Associate Planner Hom that the proposed project is considered a new home and that the deviations are required to meet current standards. Commissioner Olevson confirmed with Associate Planner Hom that the long driveway and back garage would be eliminated.

Commissioner Olevson asked staff about the basement entrance not visible on the current site plans. Associate Planner Hom advised that the applicant can provide this information.

Assistant Director Miner stated a correction to the combined side setback on the project data table.

Commissioner Harrison commented that homes in the neighborhood encroach on the front setback. Commissioner Harrison confirmed with Associate Planner Hom that the applicant wants to bring the front of the garage to the 20' setback. Assistant Director Miner provided information about staff's rationale for supporting the variance requests, except for the uncovered parking spaces.

Chair Rheume confirmed with Associate Planner Hom that the proposed project would not build closer to the street.

Chair Rheume opened the Public Hearing.

Dan Stark, representing Habitec Architects, presented information about the proposed project.

Vice Chair Weiss commented that the middle bedroom will not meet ladder access requirements per the Fire code. Mr. Stark stated that a resident is not currently intended for that bedroom and that the closet could be removed to repurpose the bedroom as an office.

Commissioner Simons asked the applicant about adding bungalow style architectural details. Mr. Stark stated that they would not object to that addition.

Mr. Stark provided details about future development of the basement to Commissioner Olevson.

Commissioner Olevson asked for clarification regarding Mr. Stark's comments about the easement changing the character of the neighborhood. Mr. Stark stated that the dedication has the potential to change the neighborhood's character and should be carefully addressed.

Commissioner Howard confirmed with Mr. Stark that only one side of Coolidge Avenue currently has on street parking.

Commissioner Howard asked staff about the potential to reduce or move the water heater and furnace to bring the garage back. Assistant Director Miner advised that there is a minimum size for a garage.

Commissioner Howard confirmed with Assistant Director Miner that tandem parking would be feasible.

Chair Rheaume confirmed with Mr. Stark that the site plans depict wood windows but that the color and use of external grids have not yet been specified.

Mr. Stark presented additional information about the proposed project.

Mr. Stark presented details about the middle bedroom and Fire code requirements to Commissioner Howe. Assistant Director Miner advised that staff could not support a change from bedroom to office without changes made to the interior of the middle bedroom.

Commissioner Harrison commented on window requirements for egress and asked staff about ladder access requirements for a single-story house. Assistant Director Miner stated that ladder access is not part of the variance request but that the applicant will have to meet Fire code requirements.

Chair Rheaume closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Howard seconded the motion for Alternative 2 – Approve the Design Review and Variance to allow deviations for front yard setback, combined side yard setback, lot coverage, one covered parking space, and no uncovered parking spaces, subject to modified findings and conditions –

The windows shall be minimally simulated divided light double hung windows as shown in the site plans.

Commissioner Harrison stated that she can make the findings for the variances because there are existing neighborhood variances either as built or amended by Planning Commission approval. Commissioner Harrison commented that moving the garage back five feet would impose a hardship on the property owner that has not been imposed on other properties. Commissioner Harrison stated an opinion that the likelihood of future street widening is extremely remote. Commissioner Harrison noted that the proposed project would remain on the 20' line while other homes are located forward from the 20' line.

Commissioner Howard commented that the subject lot was designed with different regulations and that it is close to Downtown and a Caltrans station. Commissioner Howard discussed required parking for the site and commented on the future potential for additional street parking if the street is widened. Commissioner Howard stated that there may be future changes to the City's parking requirements. Commissioner Howard stated that he can make the findings for the variances.

Commissioner Howe stated that he will not be supporting the motion. Commissioner Howe noted the increase in the non-conformity and the substantial number of requested deviations. Commissioner Howe stated that the amount of detail provided regarding fire safety and windows is evidence that the proposed project is not ready to move forward.

Commissioner Olevson stated that he will not be supporting the motion. Commissioner Olevson noted his appreciation of the proposed project's design but stated that it could accommodate moving the garage to eliminate the uncovered parking deviation. Commissioner Olevson stated an opinion that the elimination of the long driveway could cause parking issues for future owners.

Vice Chair Weiss stated that she will not be supporting the motion. Vice Chair Weiss commented on the narrow width of Coolidge Avenue and stated that any visitors will add to the congestion. Vice Chair Weiss stated that more cars on the street will block traffic and create a hazard. Vice Chair Weiss noted that her concerns about fire safety have not been addressed.

Commissioner Simons stated that he will not be supporting the motion. Commissioner Simons stated that he would have considered the deviations if the bungalow style architecture was maintained. Commissioner Simons commented on the proposed changes to the porch and the loss of the original architectural details.

Chair Rheume stated that he will be supporting the motion. Chair Rheume stated that he can make the findings and noted that variances have been approved for other homes in the neighborhood. Chair Rheume commented that it is a nice design. Chair Rheume noted his concern with the Planning Commission's focus on street width since they cannot dictate street size or on street parking. Chair Rheume stated an understanding regarding the concern over the loss of the driveway but that hopefully staff can work with the applicant to retain some of the driveway.

The motion failed by the following vote:

Yes: 3 - Chair Rheume
Commissioner Harrison
Commissioner Howard

No: 4 - Vice Chair Weiss
Commissioner Howe
Commissioner Olevson
Commissioner Simons

MOTION: Commissioner Howe moved and Commissioner Simons seconded the motion for Alternative 4 – Deny the Design Review and Variance and provide direction to staff and the applicant where changes should be made –

1. Eliminate the potential for cars to overhang into the public right-of-way;
2. Meet the combined side setback requirement by removing the extension of the non-conformity;
3. Mitigate fire safety concerns for the middle bedroom;
4. Add bungalow style architectural details; and,
5. Maintain two uncovered parking spaces without a variance, as feasible.

Commissioner Simons commented that with these changes the proposed project will be improved and a useful addition to the neighborhood.

Vice Chair Weiss stated that she will be supporting the motion. Vice Chair Weiss stated her hope that staff and the applicant can work with the Division of Fire Operations to create a safer design.

Commissioner Howard asked staff about the determination of fire safety for the proposed project. Assistant Director Miner stated that when the project is reexamined staff will address fire safety complications. Commissioner Howard confirmed with Assistant Director Miner that there is no documented hardship but that the Fire code deficiency is shown on the site plans.

The motion carried by the following vote:

- Yes:** 5 - Chair Rheume
Vice Chair Weiss
Commissioner Howe
Commissioner Olevson
Commissioner Simons
- No:** 2 - Commissioner Harrison
Commissioner Howard

Assistant Director Andrew Miner stated that this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

3. [18-0442](#) **Proposed Project:** Appeal of a decision by the Director of Community Development approving the following:
Miscellaneous Plan Permit: To allow installation of a wireless telecommunications small cell network facility to a new pole that replaces an existing utility pole in the public right-of-way.
Location: PG&E utility pole in the public right-of-way, near 665 Carlisle Way
File #: 2017-7902
Zoning: R-0
Applicant: Verizon Wireless C/O The CBR Group
Appellant: Zhu Liang, property owner of 665 Carlisle Way
Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that includes installation of small new equipment and facilities in small structures (CEQA Guidelines Section 15303).
Project Planner: Mary Jeyaprakash, (408) 730-7449, mjeyaprakash@sunnyvale.ca.gov

Associate Planner Mary Jeyaprakash presented the staff report.

Commissioner Harrison asked staff for details about a master license agreement for the use of City light poles. Assistant Director Andrew Miner provided background about the history of master license agreements in the City and noted that there is no agreement currently in place.

Chair Rheume opened the Public Hearing.

Helen Liang, appellant, presented images and information about the proposed project.

Mark Peters, applicant representing the CBR group and Verizon Wireless (Verizon), presented images and information about the proposed project.

Commissioner Harrison confirmed with Mr. Peters that no other wood poles within the 500-foot search radius in the public right-of-way would be effective for Verizon to use.

Mr. Peters provided details about the plans for wireless telecommunication facilities in the City to Vice Chair Weiss.

Vice Chair Weiss confirmed with Mr. Peters that Verizon poll was sent based on zip code and not targeted to areas with future planned wireless telecommunication facilities.

Mr. Peters provided details about the height placement of Verizon's equipment to Vice Chair Weiss.

Vice Chair Weiss asked the applicant about the implementation of screening for the telecommunication facility. Mr. Peters stated that the equipment can be shrouded but that it will increase the overall size.

Vice Chair Weiss noted that duration of the proposed work hours could be stressful for residents. Mr. Peters stated that these hours are within the Department of Public Works (DPW) guidelines but that they are amenable to modification.

Vice Chair Weiss stated that she met with the appellant and some neighbors.

Commissioner Howard asked staff about a Condition of Approval (COA) for screening to mitigate the aesthetic concerns. Assistant Director Miner advised that it is feasible if the appellant is interested and Verizon is amenable.

Commissioner Simons asked the applicant about the replacement of utility poles with ornamental equivalents. Mr. Peters advised that this has not been pursued in California and provided information about monopoles.

Leo Pfiffner, Sunnyvale resident, asked the Planning Commission to review all proposed Verizon wireless telecommunications facilities and asked about the potential for a co-location site.

Doris Pfiffner, Sunnyvale resident, spoke in opposition to the proposed project and discussed her concerns with the impact on property values, the effect on the neighborhood's appearance and safety.

Justin White refuted Verizon's responses regarding the pole's distance to the nearest home, the minimization of visual appearance, the availability of alternate locations and established street trees. Mr. White requested that the existing power lines be undergrounded to improve the aesthetics.

Commissioner Howe confirmed with Assistant Director Miner that the Planning Commission's authority is limited to aesthetics as it relates to the design criteria for wireless telecommunication facilities in the public right-of-way. Senior Assistant City Attorney Rebecca Moon provided background about state law and advised that the proposed project can only be denied based on the design guidelines.

Commissioner Howe confirmed with Assistant Director Miner that the pole is likely less than 50 feet away from the nearest home.

Commissioner Simons confirmed with Mr. White that if the equipment were undergrounded he would not be present at the public hearing.

Ginny Hagopian, Sunnyvale resident, discussed her concerns with Verizon's claims regarding natural screening, the number of applications and future implications for neighborhood aesthetics.

Yagil Hertzberg, Sunnyvale resident, discussed his e-mail exchanges with Verizon as well as his concerns with the proposed project's impact on property values and aesthetics.

Josh Grossman discussed his concerns with Verizon's response to the appeal and Verizon's poll.

Tao Xin discussed his concerns with the proposed project's violations of the design criteria and impact on home values, safety, privacy and aesthetics.

Assistant Director Miner corrected an earlier statement and advised that the pole is likely 50 feet away from the nearest home.

Jia Zhao, Sunnyvale resident, discussed her concerns with the proposed project's impact on property values and the availability of notices to City residents.

John Cordes, speaking as a resident, discussed his concerns that the proposed project's does not meet the design criteria as it relates to corner locations and viewpoints. Mr. Cordes requested the implementation of a master agreement and City policy requiring co-location.

Mason Fong requested the creation of a Smart Cities Commission to manage future small cell deployment.

Commissioner Harrison clarified with Assistant Director Miner that the design criteria intends to avoid the placement of a pole near a driveway. Commissioner Harrison confirmed with Assistant Director Miner that the primary view would be from the street. Commissioner Harrison confirmed with Assistant Director Miner that the subject site is not a corner property. Commissioner Harrison confirmed with Assistant Director Miner that the design criteria does not state a distance from which equipment must be placed from a dwelling. Commissioner Harrison confirmed with Assistant Director Miner that the design criteria does not include potential effects on property value.

Paul Albritton, representing Verizon Wireless, presented additional information about the proposed project.

Vice Chair Weiss asked the applicant about future installation of additional equipment. Mr. Albritton advised that the equipment may become smaller but that they would go back through the permit process if that occurs.

Vice Chair Weiss asked the applicant about the number of wireless telecommunication facilities planned for the City's residential areas. Mr. Albritton advised that they are planning to install two dozen facilities in a mix of industrial, residential and commercial areas.

Vice Chair Weiss commented on the camouflage used for the Sprint tower in Panama Park. Mr. Albritton provided details about the telephone pole requirements, ownership by PG&E and Verizon's processes.

Commissioner Harrison confirmed with Mr. Albritton that Verizon works with their utility partners to improve the visual appearance of the telephone pole wires.

Commissioner Harrison asked the applicant if the design can be revised to remove the battery backup box. Mr. Albritton advised that this was removed from the latest site plans.

Commissioner Harrison asked the applicant how many trees would be planted for screening. Mr. Albritton advised that they would accept a landscaping COA with the permission of the property owner. Mr. Peters noted that the property owner would need to take ownership of landscaping maintenance.

Ms. Liang presented additional information about the proposed project.

Commissioner Howe asked staff if Verizon is required to maintain and update their equipment. Assistant Director Miner stated that the COA dictate that the equipment must be kept orderly and maintained in good repair. Commissioner Howe asked staff about requiring Verizon to update their equipment if it becomes smaller in the future. Senior Assistant City Attorney Moon stated that it would be hard to enforce because the future state of equipment is unknown.

Commissioner Simons asked staff about the status of a master license agreement. Assistant Director Miner stated that the status is currently unknown. Senior Assistant City Attorney Moon provided background information about the City's history with master license agreements.

Commissioner Harrison confirmed with Assistant Director Miner that all wireless telecommunication facilities have a ten-year renewal requirement. Commissioner Harrison asked staff if updated equipment can be installed at the time of renewal. Senior Assistant City Attorney Moon advised the difficulties with making that a requirement. Assistant Director Miner provided information about the renewal process.

Chair Rheume closed the Public Hearing.

MOTION: Commissioner Howard moved and Commissioner Simons seconded the motion for Alternative 2 – Deny the appeal and affirm the Director of Community Development's determination to approve the MPP, subject to modified Conditions of Approval –

Staff will work with the applicant and interested residents to implement improved

landscaping screening, as feasible.

Commissioner Howard noted his appreciation of the appellant's passion. Commissioner Howard commented that he has a utility pole in his front yard but that a tree blocks the view. Commissioner Howard empathized with the appellant's concern regarding children's safety. Commissioner Howard commented on the street view along Coolidge Avenue and stated that the view from the appellant's home can be addressed with landscaping. Commissioner Howard stated that he can make the findings and complimented the work of City staff.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that the wiring be cleaned up and the battery box removed. Commissioner Howard accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that the landscaping will include City trees and/or trees on the applicant's private property, as feasible. Commissioner Howard accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to modify the weekday work hours to 8 AM to 5 PM. Commissioner Howard accepted the friendly amendment.

Commissioner Olevson stated that he will be supporting the motion. Commissioner Olevson noted his appreciation for the concerns regarding aesthetics. Commissioner Olevson commented on the current need for cell phone coverage. Commissioner Olevson stated that this selection was based on Verizon's business needs, that the equipment is as minimal as possible and may become smaller as technology evolves.

Vice Chair Weiss stated an opinion that the Planning Commission doesn't have all the information needed. Vice Chair Weiss stated her concerns regarding future appeals and other telecommunications companies. Vice Chair Weiss commented that without clearer guidelines this will be problematic going forward. Vice Chair Weiss stated that she will be supporting the motion.

Chair Rheame stated that he will be supporting the motion. Chair Rheame commented on Verizon's right to implement equipment in the public right-of-way. Chair Rheame noted his appreciation for the addition of landscaping for screening. Chair Rheame commented that equipment is continually getting smaller and that

the landscaping should mitigate the aesthetic concerns.

The motion carried by the following vote:

Yes: 7 - Chair Rheaume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

Assistant Director Miner stated that this decision is final.

4. [18-0259](#) Amend the Lawrence Station Area Plan: Forward a Recommendation to the City Council to Select a Preferred Housing Study and Direct Staff to Complete Required Environmental Review.
Project Planner: George Schroeder, (408) 730-7443,
gschroeder@sunnyvale.ca.gov

Senior Planner George Schroeder presented the staff report.

Commissioner Simons confirmed with Senior Planner Schroeder that language can be added to specify that the Lawrence Station Area Plan (LSAP) will coordinate with the Moffett Park Bicycle and Pedestrian Master Plan.

Commissioner Simons confirmed with Senior Planner Schroeder that language can be added about developing pedestrian friendly routes in future LSAP residential areas. Senior Planner Schroeder noted that LSAP Sense of Place Plan will include improvements for existing transit gaps.

Commissioner Howe asked staff about the lower density in the M-S/LSAP zoning at 54 dwelling units/acre (du/ac). Assistant Director Andrew Miner stated that the M-S/LSAP parcels are more than half a mile from the Caltrain station but that an increased density can be studied.

Commissioner Olevson confirmed with Assistant Director Miner that there are no City buildings built to 100 du/ac and that a building at 100 du/ac could be six to seven stories. Assistant Director Miner provided details about potential residential

implementation in the LSAP.

Commissioner Olevson confirmed with Assistant Director Miner that the study will include increased costs to the Department of Public Safety. Assistant Director Miner noted that the Environmental Impact Report (EIR) will include the impact on City services and infrastructure.

Commissioner Olevson commented that staff should address the retention of commercial and industrial areas to maintain the City's tax base.

Commissioner Olevson asked staff for details about the intersection locations included in the Transportation Impact Analysis (TIA). Senior Planner Schroeder advised that the TIA is a comparison to the existing LSAP EIR and will identify expected traffic increases. Assistant Director Miner advised that the original traffic analysis included the Land Use and Transportation Element, Peery Park and LSAP.

Commissioner Harrison commented on the potential undergrounding of through traffic on Lawrence Expressway and asked staff about the implications for Option 2. Assistant Director Miner provided details about the property owner's intention to develop commercial with residential.

Commissioner Harrison asked staff about the status of Calstone's redevelopment. Senior Planner Schroeder stated that staff has received a preliminary application and expects a formal application next month. Assistant Director Miner commented that staff recommends maintaining a density of 54 du/ac for that property due to its adjacent nature to other residential properties.

Commissioner Howard asked staff about the traffic study in relation to the three options. Assistant Director Miner advised that the preferred alternative will define the project but that the EIR will likely study the remaining two options as the alternatives.

Chair Rheume opened the Public Hearing.

Larry Yamaoka spoke in support of Option 3.

Commissioner Howard confirmed with Mr. Yamaoka that he will work with staff to determine an appropriate residential density for his properties.

John Cordes, resident, spoke in support of Option 3 and suggested studying residential densities up to 150 du/ac.

Mason Fong spoke in support of Option 3. Mr. Fong asked the Planning Commission to be mindful of the Santa Clara Lawrence Station Area Plan and suggested studying electric assist.

James Viso spoke in support of Option 3. Mr. Viso commented that Santa Clara density is at a minimum of 100 du/ac and recommended focusing on the type of construction over the density.

Richard Scott spoke in support of Option 3 and commented on the need for balance between residents and workers in the City.

Tony Spitaleri spoke in support of Option 3 and asked the Planning Commission to consider studying the M-S/LSAP zoning at a higher density.

Chair Rheume closed the Public Hearing.

MOTION: Commissioner Simons moved and Commissioner Howe seconded the motion for Alternative 4 – Consider one of the options with modifications such as total number of units, or density –

Commissioner Simons provided feedback to staff –

- The Lawrence Station Area Plan should include information about coordination with the Moffett Park Bicycle and Pedestrian Master Plan;
- A pedestrian bike route should be studied from the eastern residential areas to Lawrence Station and implemented via separated grade from Lawrence Expressway.

Commissioner Simons commented on existing issues, such as direct bus access to Lawrence Station and pedestrian access to cross Lawrence Expressway. Commissioner Simons stated that the discussed densities may not ultimately be recommended but should be studied to determine a better long term project.

Assistant Director Miner clarified with Commissioner Simons his intent in selecting Alternative 4. Commissioner Simons modified his motion to Alternative 1.

MOTION: Commissioner Simons moved and Commissioner Howe seconded the motion for Alternative 1 – Select Option 3 as the preferred alternative for study, which would increase the density allowance for MXD-I and MXD-II zoned areas and expand the area for housing as depicted in Attachment 7.

Commissioner Simons provided feedback to staff –

- The Lawrence Station Area Plan should include information about coordination with the Moffett Park Bicycle and Pedestrian Master Plan;
- A pedestrian bike route should be studied from the eastern residential areas to Lawrence Station and implemented via separated grade from Lawrence Expressway.

FRIENDLY AMENDMENT: Commissioner Howe offered a friendly amendment to include studying the M-S/LSAP properties at a higher density, up to 100 du/ac. Commissioner Simons accepted the friendly amendment.

Commissioner Howe thanked staff for their hard work. Commissioner Howe stated that there is a need to modify the LSAP, that it will be studied and then return to the Planning Commission and City Council before implementation.

Chair Rheume stated that the LSAP is the best area to implement higher density residential development.

The motion carried by the following vote:

Yes: 7 - Chair Rheume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

Assistant Director Miner stated that this item goes to the City Council on June 26th, 2018.

5. [18-0396](#) **Proposed Project:**

Design Review to allow a new two-story single family home with a gross floor area of 4,300 square feet (3,882 square feet living area, and 418 square feet garage) and 55.8% Floor Area Ratio (FAR) at 622 Dorset Way. The existing one-story house is proposed to be demolished.

Lot line adjustment is also requested to adjust the lines between the two adjacent parcels (622 and 610 Dorset Way) resulting in 7,708 square foot lot for 622 Dorset Way and 6,002 square foot lot for 610 Dorset Way.

Location: 622 and 610 Dorset Way (APN: 309-16-038 and 309-16-037)

File #: 2018-7087

Zoning: R-0

Applicant / Owner: Michelle Miner Design (applicant) / Devon and Seema Batavia (owner)

Environmental Review: Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include minor additions to an existing single-family residence (CEQA Guidelines, Section 15301).

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Assistant Planner Aastha Vashist presented the staff report.

Commissioner Harrison commented that is unusual to complete an irregularly shaped lot line adjustment. Assistant Planner Vashist advised that there is one property owner for both lots. Commissioner Harrison asked staff if this type of lot line adjustment is common. Assistant Director Miner provided background about the lots and development standards.

Commissioner Olevson asked staff about setback issues for 610 Dorset Way. Assistant Planner Vashist advised that the lot line adjustment would not create a non-conformity.

Commissioner Olevson commented on the applicant's window exemption request and asked staff about the outcome if the home to east redevelops and wants the same exemption. Assistant Director Miner stated that staff can support a change to a high sill window.

Commissioner Simons commented that the lot line adjustment would be creating six unique lot lines and asked staff if this would create a future problem. Assistant Director Miner stated that staff wouldn't use this in support of a variance and provided information about the existing lot area.

Chair Rheume opened the Public Hearing.

Michelle Miner, representing Michelle Miner Design, presented images and information about the proposed project.

Commissioner Harrison confirmed with applicant Devon Batavia that they plan to maintain the property at 610 Dorset Way and rent it out.

Peter Klier, Sunnyvale resident, discussed his concerns with construction hours, noise and the homes that were included in the Neighborhood Square Footage Comparison.

Ms. Miner presented additional images and information about the proposed project.

Chair Rheume closed the Public Hearing.

Vice Chair Weiss asked staff if the Conditions of Approval (COA) outline construction work hours. Assistant Director Miner stated that these work hours are established by the Building code. Senior Assistant City Attorney Rebecca Moon explained that that special circumstances would be required to consider any code modifications.

MOTION: Commissioner Harrison moved and Commissioner Howe seconded the motion for Alternative 2 – Approve the Design Review with modified conditions –

- a. Modify the plate height from ten to nine feet;
- b. Modify the east side window to a high sill window.

Commissioner Harrison stated that the neighborhood itself is low to the ground except for 610 Dorset Way and the two-story homes on the other side of the street. Commissioner Harrison stated that with the modifications she can make the findings that proposed project will respect the scale, bulk and character of homes in the neighborhood and will be designed to respect the immediate neighbors.

Commissioner Olevson stated that he will not be supporting the motion. Commissioner Olevson stated an opinion that the size of the proposed project is not compatible with the neighborhood and that the lot line adjustment could create problems for future property owners.

Commissioner Simons stated that he will not be supporting the motion.
Commissioner Simons noted his discomfort with the lot line adjustment.
Commissioner Simons stated that the midcentury modern architecture would be a nice addition to the City.

Assistant Director Miner provided details to Commissioner Howard about lot line adjustments.

Vice Chair Weiss commented on the unclear rationale for the lot line adjustment and that the project is off scale for the neighborhood. Vice Chair Weiss stated that she will not be supporting the motion.

Chair Rheume stated that he will be supporting the motion and can make the findings. Chair Rheume noted that lowering the plate height will make the proposed project more in line with the neighborhood. Chair Rheume stated an opinion that this is a quality design which would be a good addition to the City and neighborhood.

The motion carried by the following vote:

Yes: 4 - Chair Rheume
Commissioner Harrison
Commissioner Howard
Commissioner Howe

No: 3 - Vice Chair Weiss
Commissioner Olevson
Commissioner Simons

Assistant Director Miner stated that this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

6. [18-0284](#) **Proposed Project:** Related applications on an 8.42-acre site:
PEERY PARK PLAN REVIEW PERMIT: to construct a new 172,649 square foot, four-story office building with two levels of underground parking, 4.5-level parking structure and associated site work and landscaping to an existing campus consisting of two 4-story office buildings and one 2-level parking deck. The project will result in 100% FAR.
File #: 2016-7607

Location: 445 and 455 N. Mary Avenue (APNs: 165-32-015)

Zoning: Peery Park Specific Plan - Innovation Edge

Applicant/Owner: Jay Paul Company

Environmental Review: The project is exempt from CEQA review per CEQA Guidelines Section 15168 (c)(2) and (4) 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 mitigations are required.

Project Planner: Margaret Netto, (408) 730-7628,
mnetto@sunnyvale.ca.gov

Project Planner Margaret Netto presented the staff report.

Chair Rheume opened the Public Hearing.

Janette D'Elia, representing Jay Paul Company, presented information about the proposed project.

Tom Gilman, representing DES Architects, presented images and information about the proposed project.

Mr. Gilman provided a review of the landscaping selection to Commissioner Simons.

Commissioner Simons discussed the far-left column element with Mr. Gilman. Commissioner Simons discussed the line of framing in the open lattice and artwork as shown in the site plans with Mr. Gilman.

Vice Chair Weiss confirmed with Mr. Gilman that there will be two entrances for the parking garage.

Vice Chair Weiss commented on the architecture along the garage façade and asked the applicant about incorporating a fritted glass pattern. Mr. Gilman stated that fritted glass can be analyzed as an option.

Chair Rheume closed the Public Hearing.

Commissioner Olevson asked staff about the required aviation easement for the San Jose International Airport as listed in Attachment 10. Assistant Director Miner noted that this is likely a typo and that staff will clarify with Santa Clara County.

MOTION: Commissioner Simons moved and Commissioner Harrison seconded the

motion for Alternative 2 – Alternative 1 with modified conditions –

- a. Modify COA BP-25b) as recommended by staff to strike the word “Platinum”;
- b. Add patterned glass to the garage as discussed with the applicant;
- c. Complete a tree review to ensure that no new trees will be vectors for Oak root fungus, substituting native species trees as needed; and,
- d. Recommend the integration of art with the building, with consideration for Chihuly artwork.

Commissioner Harrison noted her appreciation of the metal roof canopy, balance of different elements and the parking garage.

Commissioner Olevson commented that the current exterior design on the main building is outstanding and will add a fresh look to the area. Commissioner Olevson stated an opinion that this is the most attractive parking structure he has seen proposed during his time on the Planning Commission.

Commissioner Howard seconded Commissioner Olevson’s comments.

Chair Rheaume commented that the garage is extremely nice and very well designed.

The motion carried by the following vote:

Yes: 7 - Chair Rheaume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

Assistant Director Miner stated that this item goes to the City Council on June 12th, 2018.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Commissioner Harrison asked staff about a study issue to clarify co-location and

aesthetic concerns for wireless telecommunication facilities. Assistant Director Miner advised that this can be revisited as a study issue with direction from the Planning Commission. Commissioner Harrison discussed the Telecommunications Policy with Assistant Director Miner.

Commissioner Simons noted his interest in a wireless telecommunication facilities study issue and specifically prioritizing the aesthetic concerns and a master license agreement with the City.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

Assistant Director Miner stated that the proposed General Plan Amendment Initiation (GPI) at 1050 West Remington Drive was withdrawn prior to City Council consideration. Assistant Director Miner stated that the proposed GPI at 510 and 528 S. Mathilda Ave was heard at the May 8, 2018 City Council hearing and was approved with staff and Planning Commission recommendations.

ADJOURNMENT

Chair Rheume adjourned the meeting at 12:25 AM.