



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, June 25, 2018

5:30 PM

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

Special Meeting - Study Session - 5:30 PM | Special Meeting - Public Hearing 7 PM

5:30 P.M. STUDY SESSION

Call to Order in the West Conference Room

Roll Call

Study Session

- A. [18-0518](#) El Camino Real Corridor Specific Plan - Presentation of Design Examples
- B. [18-0582](#) **Proposed Project:**
 SPECIAL DEVELOPMENT PERMIT: to demolish an industrial and office campus and construct 1,074 dwelling units (130 townhomes, 887 mid-rise apartments, 57 walk up apartments) including extension of a public street, and dedication of a 6.5-acre public park.
 TENTATIVE MAP: Subdivide a 34.75-acre site into a 6.5-acre public park, 6.05 acres of R-3 medium density townhomes, 20.57 acres of R-4 high density low rise and mid-rise apartments and approximately 1.6 acres dedicated for a public street.
Location: 1 AMD Place (APN: 205-22-024) and 975 Stewart Drive (APN: 205-22-014)
File #: 2016-8035
Zoning: 1 AMD Place SP/ITR R3 and SP/ITR R-4 (Split Zoning, Industrial-to-Residential R-3 and R-4), 975 Stewart ITR R-3
Tentative Map: To subdivide one 32.44-acre parcel at 1 AMD Drive into six lots
Lot Line Adjustment: To allow a lot line adjustment at 975 Stewart Drive
Applicant / Owner: Irvine Company/1090 East Duane Avenue LLC
Project Planner: Gerri Caruso, (408) 730-7591, gcaruso@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: 6 - Chair Ken Rheume
Vice Chair Carol Weiss
Commissioner Sue Harrison
Commissioner Daniel Howard
Commissioner Ken Olevson
Commissioner David Simons

Absent: 1 - Commissioner John Howe

Status of absence; Commissioner Howe's absence is excused.

PRESENTATION**Recognition of Service**

Mayor Glenn Hendricks stated that Chair Rheume and Commissioner Harrison have completed their terms of service and have been reappointed to the Planning Commission. Mayor Hendricks presented certificates of appreciation to Chair Rheume and Commissioner Harrison. Mayor Hendricks thanked all the Planning Commissioners for the time and energy that they dedicate to the Planning Commission. Mayor Hendricks offered to answer any questions and responded to comments made by Commissioner Simons and Commissioner Howard.

ORAL COMMUNICATIONS

Maria Hamilton, Sunnyvale resident, requested additional community meetings and more Planning Division outreach to City residents.

CONSENT CALENDAR

1. A [18-0588](#) Approve Planning Commission Meeting Minutes of June 11, 2018

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

Yes: 6 - Chair Rheume
 Vice Chair Weiss
 Commissioner Harrison
 Commissioner Howard
 Commissioner Olevson
 Commissioner Simons

No: 0

Absent: 1 - Commissioner Howe

PUBLIC HEARINGS/GENERAL BUSINESS

2. [18-0521](#) **Proposed Project:**
SPECIAL DEVELOPMENT PERMIT to redevelop a commercial site (Denny’s) into a five-story mixed-use building consisting of 4,860 square feet of restaurant floor area (Denny’s) and 75 residential units (rental apartments) utilizing the State Density Bonus and City’s Green Building Incentive for density bonus.
VESTING TENTATIVE MAP to create 75 residential condominium units and 1 commercial condominium unit.
Location: 311 South Mathilda Avenue (APN: 165-13-050)
File #: 2017-7379
Zoning: DSP15 - Downtown Specific Plan Block 15
Applicant / Owner: Lane Partners (applicant) / C B Development 5no Five Inc (owner)
Environmental Review: Mitigated Negative Declaration
Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Associate Planner Momoko Ishijima presented the staff report.

Commissioner Harrison asked staff about the distribution of Below Market Rate (BMR) units by size and the retention of the BMR designation by unit. Associate Planner Ishijima advised that the BMR units are distributed between unit types and that staff will follow up regarding the BMR designations.

Commissioner Simons commented on the 15 foot first-floor plate height and

confirmed with Assistant Director Andrew Miner that currently there isn't a higher standard at this location.

Commissioner Olevson clarified with Associate Planner Ishijima that the proposed project is being developed as an apartment complex but that the Tentative Map would allow future conversion to condominiums. Commissioner Olevson asked staff about the permit requirements for a potential future conversion. Assistant Director Miner advised that a Use Permit could be required due to the Tentative Map but that the applicant would have to meet the Conditions of Approval (COA). Senior Assistant City Attorney Rebecca Moon advised that the BMR units may have to be retained as rental units.

Chair Rheume opened the Public Hearing.

Henry LiChi, representing Studio T Square, Inc., presented images and information about the proposed project.

Vice Chair Weiss confirmed with Mr. LiChi that Denny's currently owns the subject site and if the project is approved, would own the one commercial condominium unit and the associated parking garage. Vice Chair Weiss confirmed with Mr. Beritzhoff, representing Bay West Development, that Denny's could sell or lease the space if they cannot maintain their profitability.

Vice Chair Weiss confirmed with Mr. LiChi that they are amenable to using real turf instead of artificial.

Commissioner Simons asked the applicant about the first-floor plate height. Mr. Beritzhoff advised that 15 feet is standard for their mixed-use developments and that this height meets Denny's requirements.

Commissioner Simons discussed the potential for the Red Maple trees along S. Mathilda Avenue to block Denny's signage with Mr. LiChi.

Mr. LiChi advised that Denny's requested a 14 foot first floor plate height.

Commissioner Harrison confirmed with Mr. LiChi that the history of the six-foot jog in the property line is unknown and that the jog is not part of a street dedication.

Commissioner Harrison asked the applicant about the layout of the bedrooms on the

ground floor and the living space on the second floor. Mr. LiChi explained that this is due to Americans with Disabilities (ADA) requirements and provided details.

Assistant Director Miner returned to Commissioner Olevson's earlier question and advised that it is unclear if a conversion to condominiums would require a Use Permit but that the requirement would be delineated in the agreement with the applicant. Senior Assistant City Attorney Moon stated that staff is proposing an addition to the COA to state that the BMR agreement will provide for the legally required number of BMR units for sale in the event of a future conversion.

Chair Rheume confirmed with Assistant Director Miner that the applicant will be required to provide infrastructure improvements as outlined by the Downtown Specific Plan (DSP).

Uday Vallamsetty, Sunnyvale resident, discussed his concerns with height, balconies, solar impact and parking for the proposed project. Mr. Vallamsetty requested resident permit parking on Charles Street.

Jason Lopez, Sunnyvale resident, discussed his concerns with parking, safety, direct access to Charles Street and public access to the trash enclosure for the proposed project.

Judi Richards, Sunnyvale resident, discussed her concerns with height, parking, removal of the existing bus stop and setbacks for the proposed project.

Steve Caroompas, Sunnyvale resident, discussed his concerns with parking, safety, setbacks and deliveries for the proposed project. Mr. Caroompas requested resident permit parking on Charles Street.

Mr. Beritzhoff presented additional information about the proposed project.

Commissioner Harrison confirmed with Mr. Beritzhoff that they do not have any history on the six-foot jog in the current property line.

Commissioner Harrison confirmed with Mr. Beritzhoff they are amenable to a modified COA that requires them to work with the Department of Public Safety (DPS) on a design solution to prevent public access to the trash enclosure.

Commissioner Harrison discussed the project's design for ADA access with Mr.

LiChi.

Commissioner Olevson discussed the front plane of the proposed project along Charles Street with respect to the front plane of the other buildings on Charles Street with Mr. LiChi.

Chair Rheume clarified with Mr. LiChi that the proposed project will provide 48 commercial parking spaces and 82 residential parking spaces and that Denny's currently has 74 parking spaces. Assistant Director Miner stated that the residential parking will meet the code requirements and the commercial parking will exceed the minimum requirements.

Chair Rheume closed the Public Hearing.

Commissioner Howard confirmed with Associate Planner Ishijima that the property line in front of Denny's is six feet behind the rest of the property lines along Charles Street.

Commissioner Howard asked staff about the payment process for resident permit parking. Shahid Abbas, Transportation and Traffic Manager, provided information about the process to obtain residential permit parking and advised that residents pay a yearly fee.

Commissioner Howard confirmed with Assistant Director Miner that permit parking and traffic calming fees cannot be included as part of approval for the proposed project. Commissioner Howard asked staff about prioritizing permit parking for Charles Street. Transportation and Traffic Manager Abbas provided details about street qualifications for permit parking and different types of traffic calming measures.

Commissioner Harrison commented that the front face of the proposed project along Charles Street appears to be two feet closer to the center of the street than the adjacent building to the south. Assistant Director Miner advised that the existing homes predate the Downtown Specific Plan (DSP) but that this block will likely redevelop and that the proposal meets the block's current zoning standards.

Assistant Director Miner provided clarification regarding the ADA requirements and associated design layout to Commissioner Harrison.

Transportation and Traffic Manager Abbas provided information about minimum traffic volume thresholds, speed thresholds and curb ramps to Chair Rheume. Chair Rheume asked staff about prioritizing permit parking for Charles Street. Transportation and Traffic Manager Abbas provided information about pending applications and City policy. Assistant Director Miner advised that it will be in the applicant's best interest to work with the neighborhood to help them obtain permit parking.

Commissioner Howard confirmed with Transportation and Traffic Manager Abbas that he is not aware of any request submitted by the residents of Charles Street for the initiation of a traffic study.

Assistant Director Miner stated that there was a Traffic Impact Analysis (TIA) prepared for the proposed project and that the Planning Commission can direct staff to investigate the potential for a traffic study.

MOTION: Commissioner Simons moved and Commissioner Howard seconded the motion for Alternative 2 – Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration, and approve the Special Development Permit and Vesting Tentative Map with the recommended findings in Attachment 3 and modified conditions of approval in Attachment 4 –

1. Modify the COA as suggested by staff to outline the process for a potential future conversion to condominiums;
2. Modify the COA to specify the process for converting BMR rental units to BMR ownership units and include the legally required percentage of BMR units in each instance; and,
3. Modify the COA to indicate that no artificial turf will be allowed.

Commissioner Simons provided the following recommendations to staff:

1. Staff should review the first-floor ceiling height with consideration for an appropriate generic restaurant retail height and the potential use of the site by higher utility vehicles, understanding that a greater first-floor ceiling height will result in a greater overall building height;
2. Staff should review signage placement with the developer to ensure that it does not conflict with the required street trees;
3. Staff should review limiting public access to the trash enclosure on Charles Street;

4. Staff should review the placement of the Mathilda Avenue street trees and the potential addition of another tree on the south side of driveway; and,
5. Staff should consider the processes to initiate a traffic study and recommend to the applicant that they initiate a traffic study to place traffic calming measures on Charles Street.

Commissioner Simons commented on zoning transition conflicts in the City and that the parking permitting process should alleviate negative impacts on lower density residential areas. Commissioner Simons noted his concern that enough parking is developed for the proposed project and that the restaurant parking can accommodate utility trucks. Commissioner Simons stated that the first-floor height should be scaled as a functional retail space for future owners or lessees.

Commissioner Howard stated that he can make the findings. Commissioner Howard noted the traffic and parking concerns along Charles Street and the need for permit parking and traffic calming measures. Commissioner Howard stated his hope that the applicant will assist the neighborhood in applying for permit parking. Commissioner Howard stated his appreciation for this mixed-use development with BMR units and the retention of a less gentrified restaurant option. Commissioner Howard noted that balcony privacy screens are only required with the potential for side view privacy impacts. Commissioner Howard complimented Commissioner Simons for his motion.

Commissioner Olevson stated that he will be supporting the motion with clarification about the BMR conversion issues. Commissioner Olevson stated that he can make the findings for the Mitigated Negative Declaration and Special Development Permit. Commissioner Olevson commented on his appreciation of the concerns presented by the residents but stated that these issues are always present at the edge of the DSP. Commissioner Olevson stated that he could not make any of findings required to deny the Tentative Map.

Vice Chair Weiss stated her appreciation of the comments made by the Charles Street residents. Vice Chair Weiss stated her hope that the developer will work with the residents to resolve the issues. Vice Chair Weiss stated that she can make the findings and commended the step backs, second floor windows and corner plaza. Vice Chair Weiss stated that she will be supporting the motion.

Chair Rheume stated that he will be supporting the motion and can make the findings. Chair Rheume stated that the applicant has an opportunity to be a good

neighbor and that his hope is for the applicant to work with the residents of Charles Street.

The motion carried by the following vote:

Yes: 6 - Chair Rheume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Olevson
Commissioner Simons

No: 0

Absent: 1 - Commissioner Howe

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.

3. [18-0547](#) **Proposed Project:** Related applications on a 9,200 square foot site:
TENTATIVE MAP: to subdivide one parcel into two lots.
USE PERMIT: to allow lot area and lot width less than the minimum required.
DESIGN REVIEW: for two new two-story single family homes (2,414 square feet and 2,427 square foot gross floor area) resulting in an overall Floor Area Ratio (FAR) of 53.5 percent.
Location: 305 Beemer Avenue (APN: 204-51-022)
File #: 2017-7219
Zoning: R-2
Applicant / Owner: Beemer Development LLC (applicant) / Rachel Rodriguez Trustee & Et Al (owner)
Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include new construction of up to three single-family residences in urbanized area (CEQA Guidelines, Section 15303).
Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Assistant Planner Aastha Vashist presented the staff report.

Commissioner Simons confirmed with Assistant Planner Vashist that the Planning Commission can recommend to staff that the base of the pillars match between the homes. Commissioner Simons confirmed with Assistant Planner Vashist that the

driveway surface will use pavers.

Vice Chair Weiss noted that the second lot exceeds 4,200 square feet and asked staff about the application of the City Council Policy - Maximum Standards for Small Lot Single Family Residential Developments. Assistant Planner Vashist provided information about recent applications of this policy. Assistant Director Andrew Miner noted that both lots need to be analyzed using the same standard.

Commissioner Harrison asked staff about the decorative driveway paving. Assistant Planner Vashist advised that it will demarcate the property line. Assistant Director Miner advised that a band could be used instead of a change in the pavers.

Chair Rheume confirmed with staff that there will be enough room for the tenants to back out of the driveways. Chair Rheume asked staff about the average distance between a house and a property line. Assistant Director Miner stated that ten feet is the minimum requirement for the driveway width.

Chair Rheume opened the Public Hearing.

Chris Taylor, representing Beemer Development LLC, presented images and information about the proposed project.

Commissioner Simons confirmed with Mr. Taylor that they are amenable to using the same materials for the base of the pillars on both homes.

Commissioner Simons confirmed with Daryl Fazekas, Architect, that a concrete band can be utilized for the driveway demarcation. Commissioner Simons confirmed with Mr. Fazekas that gloss paint can be used for the entry doors.

Vice Chair Weiss asked the applicant about the visual impacts from the second floor of the house on the second lot. Mr. Fazekas provided information about the distance between the two houses and the landscaping that will provide screening.

Vice Chair Weiss discussed the design orientation of the two homes with Mr. Fazekas.

Chair Rheume confirmed with Mr. Fazekas that the external window grids and garage door will be built as depicted in the site plans. Chair Rheume discussed the planned and potential additional landscaping with Mr. Fazekas.

Ramachandran Syamkumar, Sunnyvale resident, discussed his concerns with effects of demolition on health and safety of his family in regards to lead based paint and asbestos.

Chris Frye, Sunnyvale resident, spoke in support of the proposed project and noted his appreciation of the design.

Mr. Fazekas presented additional information about the proposed project.

Vice Chair Weiss asked Mr. Fazekas about the containment process for demolition. Mr. Fazekas provided information about the demolition process and advised that any lead or other contaminants would have to be removed prior to demolition. David Fiore, representing Beemer Development LLC, provided additional information about the testing process prior to demolition and advised that the current site contains less than 1% of lead based paint and asbestos which is grounds for approval.

Chair Rheume closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Simons seconded the motion for Alternative 1 – Approve the Use Permit, Design Review and the Parcel Map subject to recommended conditions of approval in Attachment 4.

Commissioner Harrison stated that the applicant has met all the conditions and has proposed a high-quality aesthetic design. Commissioner Harrison commented that the applicant has obtained their certificate from the Bay Area Air Quality Management District and stated an opinion that less than 1% of lead based paint or asbestos is a very low level. Commissioner Harrison noted that it appears that the applicant is trying to be responsive to the neighbor's concerns.

Assistant Director Miner stated that staff recommended an additional COA for a reciprocal private easement for driveway ingress and egress that includes provisions for maintenance of the shared driveway approach. Commissioner Harrison and Commissioner Simons accepted the modification to the motion.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to modify COA BP-6 d) to specify that the concrete band, as described by the applicant, will be used to separate the driveway, with a recommendation for the use

of similar paver colors and styles. Commissioner Harrison accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to specify that the base of the pillars will match between the homes. Commissioner Harrison accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to specify that the architectural details will be constructed as shown in the site plans, including the doors, garage door styles and molding. Commissioner Harrison accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to specify that gloss paint shall be used for the entry doors. Commissioner Harrison accepted the friendly amendment.

Commissioner Olevson stated that he will be supporting the motion and stated that there are odd lot layouts in this area of the City. Commissioner Olevson stated that he can make the findings required for the Use Permit, that the proposed project meets the City's General Plan and that the application will not impair the orderly development of the neighborhood. Commissioner Olevson stated an opinion that this project will be an improvement to the neighborhood. Commissioner Olevson advised that he could not make any of the required findings to recommend denial of the Tentative Map.

Commissioner Howard asked the applicant to make an effort to notify the neighbors of the demolition and construction schedules. Commissioner Howard noted an opinion that the houses will be beautiful. Commissioner Howard advised that keeping the windows closed, with air conditioning, can help alleviate issues during construction.

Chair Rheame stated that he will be supporting the motion and can make the findings. Chair Rheame noted his appreciation of the proposed project's quality design and acknowledged staff efforts in striving for quality designs. Chair Rheame commented that this project will be a good addition to the neighborhood and the City.

The motion carried by the following vote:

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

No: 0

Absent: 1 - Commissioner Howe

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.

4. [18-0516](#) **Proposed Project:** Related applications on an 8.09-acre site:
DESIGN REVIEW PERMIT AND USE PERMIT: To allow site and building modifications to an existing office building complex resulting in 7,449 net new square footage (42% FAR) on an 8.09-acre site developed with (4) three-story buildings and various site improvements and a request to utilize square footage from the city-wide development reserve.
Location: 1230-1290 Oakmead Parkway (APN: 216-44-124)
File #: 2017-7886
Zoning: Manufacturing and Services (M-S)
Applicant / Owner: Embarcadero Realty Services (Applicant) / Oakmead Terrace LLC (owner)
Environmental Review: Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include additions less than 10,000 to existing structures [CEQA Guidelines Section 15301 (e)(2)].
Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

Associate Planner Cindy Hom presented the staff report.

Commissioner Harrison asked staff about the updated 2017 Building Code requirements for Electric Vehicle (EV) charging stations. Associate Planner Hom advised that EV parking is based on the parking ordinance. Assistant Director Andrew Miner advised that if the Building Code has stricter requirements those will be applied.

Vice Chair Weiss asked staff about the retention of the two Valley Transportation Authority (VTA) bus lines. Assistant Director Miner stated that it's speculative at this

point and that a Transportation Demand Management (TDM) program uses a balance of different options. Commissioner Howard directed Vice Chair Weiss towards VTA's Next Network project.

Chair Rheume opened the Public Hearing.

Eric Yopes, representing Embarcadero Capital Partners, presented information about the proposed project. Greg Cary, representing Embarcadero Capital Partners, presented information about the proposed project.

Mr. Yopes provided information about the average company size of their tenants to Commissioner Olevson.

Commissioner Harrison asked the applicant about their current percentage of occupation. Mr. Yopes advised that currently they are approximately at 55% occupancy. Commissioner Harrison noted that the TDM plan won't go into effect until they are at 75% occupancy or more.

Chair Rheume asked staff about the TDM requirements. Assistant Director Miner provided information about the review that must occur because the proposed project exceeds the 35% Floor Area Ratio (FAR) and the City Council TDM policy. Assistant Director Miner stated that all business owners have same difficulties in achieving TDM goals but that additional development only occurs with an expected reduction in traffic measures.

Commissioner Howard provided additional information about the VTA Next Network project.

Commissioner Simons noted an opinion that City TDM standards are slightly aggressive but less than the TDM requirements in Mountain View and Palo Alto. Commissioner Simons stated an opinion that a company has never been penalized in the City for not meeting their TDM requirements.

Vice Chair Weiss stated an opinion that this project should not be compared with projects such as Moffett Towers or other large campuses with a single employer, and that an owner trying to update their aging infrastructure should not be penalized.

Mr. Yopes presented additional information about the proposed project.

Commissioner Harrison confirmed with the applicant that specific areas for ride sharing have not been designated.

Chair Rheume closed the Public Hearing.

MOTION: Commissioner Olevson moved and Vice Chair Weiss seconded the motion for Alternative 2 – Approve the Design Review and Use Permit with modified Conditions of Approval –

Recommend to the City Council to substantially reduce the financial penalties associated with the applicant's potential future failure to meet the TDM requirements.

Commissioner Olevson commented that it's a great idea to upgrade and modernize existing buildings. Commissioner Olevson stated the importance of updating TDM requirements for owners but noted that in this case there are multiple employers. Commissioner Olevson stated an opinion that the City can achieve its traffic reduction goal by encouraging the applicant and their tenants to make improvements. Commissioner Olevson noted that large employers can have a dramatic effect on the City and that consideration should be given to the small employer tenants in this application.

Vice Chair Weiss stated an opinion that a TDM program is not one size fits all and that some flexibility is needed. Vice Chair Weiss commented that this rigidity will discourage the use of office space by smaller employers and tenants. Vice Chair Weiss strongly recommended to consider lowering the TDM penalties or threshold. Vice Chair Weiss noted that the project meets the City Design Guidelines, has incorporated the study session suggestions and will upgrade the building instead of demolishing and rebuilding it.

Commissioner Simons stated that he will most likely not be supporting the motion. Commissioner Simons commented that the City puts considerable effort into working with applicants to modify the TDM programs and reduce the number of trips. Commissioner Simons stated his understanding of the applicant's concerns but noted that these requirements are associated with exceeding thresholds. Commissioner Simons commented that a study issue could be proposed to potentially modify the TDM requirements but that it does not seem likely that City Council would support an exemption.

Commissioner Howard stated that he will not be supporting the motion but that he would support Alternative 1. Commissioner Howard cautioned against reconfiguring City Council policy from the dais and noted the project parameters are distinct from the TDM parameters. Commissioner Howard stated that the monetary penalty for failure to meet TDM requirements is scaled to the degree of the problem. Commissioner Howard noted the different transportation types that will support the proposed project. Commissioner Howard commented that the City's goal is to assist applicants with their TDM requirements to reduce trips.

Commissioner Harrison seconded Commissioner Howard's comments. Commissioner Harrison noted her appreciation of the adaptive reuse of the building and the applicant's goal to attract more tenants, but stated an opinion that it is not within the Planning Commission's authority to recommend reduction or elimination of any of the TDM requirements. Commissioner Harrison stated that she will not be supporting the motion.

Chair Rheame asked staff about the existing City Council TDM policy. Assistant Director Miner provided information about the policy and stated that the Planning Commission does not have the authority to waive the TDM requirements.

Chair Rheame stated that he will not be supporting the motion based on the City Council policy.

The motion failed by the following vote:

Yes: 2 - Vice Chair Weiss
Commissioner Olevson

No: 4 - Chair Rheame
Commissioner Harrison
Commissioner Howard
Commissioner Simons

Absent: 1 - Commissioner Howe

MOTION: Commissioner Simons moved and Commissioner Howard seconded the motion for Alternative 1 – Approve the Design Review and Use Permit subject to the Findings in Attachment 4 and Conditions of Approval in Attachment 5.

Commissioner Simons stated his appreciation of reuse projects and noted that different triggers are associated with reuse projects. Commissioner Simons commented that consideration should be given for a study issue to address the concerns with the impacts of TDM requirements. Commissioner Simons stated that he can make the findings for the proposed project.

Commissioner Howard noted his agreement with all of Commissioner Simons' comments and with Commissioner Olevson's earlier comments in regards to the virtues of this project.

The motion carried by the following vote:

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

No: 0

Absent: 1 - Commissioner Howe

Assistant Director Miner stated that this item goes to the City Council on July 31, 2018.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Vice Chair Weiss asked staff about a TDM study issue. Assistant Director Miner stated that a TDM study issue would be reviewed by the Department of Public Works (DPW) and not by the Planning Commission. Commissioner Simons discussed this request with Assistant Director Miner.

Vice Chair Weiss asked staff about a study session regarding AB 2502. Assistant Director Miner advised that this will be part of the Housing Strategy, which is an existing study issue.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

Assistant Director Miner advised that the project at 445 and 455 N. Mary Avenue was approved by the City Council on June 12, 2018 and that some of the Planning Commission modifications were removed. Assistant Director Miner stated that the LSAP Preferred Housing Study will be heard by the City Council on June 26, 2018. Assistant Director Miner provided additional information about a General Plan Amendment Initiation request from Intuitive Surgical to expand the western LSAP boundary.

ADJOURNMENT

Chair Rheame adjourned the meeting at 10:37 PM.